



Northern Ireland
Assembly

OFFICIAL REPORT (Hansard) and JOURNAL OF PROCEEDINGS

Volume 93

(10 March 2014 to 30 March 2014)

BELFAST: THE STATIONERY OFFICE LTD
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Official Report (Hansard)

Assembly Sittings

Northern Ireland Assembly

Monday 10 March 2014

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

Members observed two minutes' silence.

Assembly Business

Mr Allister: On a point of order, Mr Speaker. What are the arrangements for the vetting and oversight of events that take place within the precincts of this Building? I refer to the incident of indecent exhibitionism that took place on Saturday night within the confines of the Building, which I think does nothing for its standing. I want to know who has responsibility for vetting and overseeing that an acceptable standard pertains to all events held in this House when events are organised: is it your responsibility, is it the Assembly Commission's responsibility, or is it the responsibility of the sponsoring Members of the event?

Mr Speaker: First, I thank the Member for his point of order. It is not a matter for the House, and it is certainly not the responsibility of the Speaker as to the events that happen in Parliament Buildings. Let me say to the whole House and to Members that it is the responsibility of Members who sponsor events in the House. They need to be held to account. The Member will know the process as to how events are sponsored in Parliament Buildings. So, that is where it rests: with the Members who sponsored these particular events. I say to the whole House that Members need to take responsibility for events that they sponsor in the House now and in the future.

Ms Ruane: Further to that point of order, Mr Speaker. Go raibh maith agat. Can the Speaker inform us whether papers with page 3 pictures are allowed in the House, papers in which there are nude pictures of women that enable their objectification? I wonder whether the person who made the previous point of order is concerned about those pages.

Mr Speaker: Order. I am trying to make sure that this does not turn into a full-blooded debate on events in Parliament Buildings. I would say to the Member on that further point of order that the newspapers that Members read in the House are not the responsibility of the House or the Speaker.

Matter of the Day

Kelly Gallagher: Paralympic Skiing Gold

Mr Speaker: Mr Seán Rogers has been given leave to make a statement on Kelly Gallagher's gold medal success, which fulfils the criteria set out in Standing Order 24. I remind Members that, if they wish to be called, they should continually rise in their place. All other Members will have up to three minutes to speak on the subject matter. Members know by now that I will take no points of order on any particular issue or on any other matter that needs to be discussed. If that is clear, I call Seán Rogers, who has three minutes to present the subject matter.

Mr Rogers: Thank you, Mr Speaker, for the opportunity to praise the new golden girl from Northern Ireland. I raise this Matter of the Day to officially mark the news that Kelly Gallagher has won a Paralympic gold medal in the winter games in Sochi with her victory in the visually impaired super-G class.

The 28-year-old from Bangor in County Down and her guide, Charlotte Evans, were first on the Rosa Khutor course in Sochi and clocked 1 minute 28.72 seconds. Kelly has achieved great results on the international stage: she was a silver medallist in the super-G at the 2013 world championships in La Molina and fourth in the giant slalom in the Vancouver Paralympics in 2010.

As someone who has tried the ski slopes many times, I know what a challenge it is when you have all your faculties. Kelly, who has a form of albinism, a condition that affects the pigments of her hair, skin and eyes, only started skiing on the spur of the moment whilst holidaying in Europe with her family when she was 17 years of age. Kelly has been working with her guide, Charlotte, since 2010, and we must congratulate them both on their hard work, which led to Kelly getting her Paralympic gold.

There is a strong message here for us all. This is a great day for everyone, but especially for people who live with a disability. The message is simply that whatever the adversity, keep working through it and you will achieve your goals. On behalf of the SDLP, I congratulate Kelly, her guide, Charlotte, and all the team that put together this great success. I wish her every success in her remaining competitions in Sochi. I am sure that I will have the support of all Members, and I look forward to welcoming the County Down girl home with her gold medal.

Mr Weir: Sometimes, critics of the House accuse us of going downhill, but today we can celebrate the achievement of somebody going downhill. As someone who also submitted a Matter of the Day, I am possibly

in the slightly unfortunate position of being the silver medallist in this race, but it is a subject on which the whole House can unite.

Eighteen months ago, during the London Olympics, we watched with pride as our local rowers in particular, Mr Campbell and the Chambers brothers, won medals. It was great to see Kelly Gallagher go one better and achieve not just a gold medal but the first ever British Winter Paralympic Games gold medal. I was particularly proud to see that it was not only a Northern Ireland woman but someone from my home town of Bangor. Tribute should also be paid, as Mr Rogers did, to Charlotte Evans, her guide, who had to combine the exertion and skill of going downhill in the slalom with guiding partially sighted Kelly.

There is no doubt that the winning of a sporting medal, particularly in the Olympics, does not happen overnight but is the result of many years of hard work, dedication and, to use a sporting term, “bouncebackability” when there are setbacks. At the weekend, Kelly was probably disappointed to finish sixth in the downhill, but she showed that she was able to put that behind her and had the strength of resolve to achieve the gold medal. It is especially significant that she faced not just the pressures and difficulties of competing in sport but had the courage, as someone partially sighted, to compete in the quite dangerous sport of skiing.

Unlike Mr Rogers, I have never had the guts, or maybe the stupidity, to try to ski down a hill. I have done it metaphorically, possibly, but not from a practical point of view. Given the inherent dangers, that level of courage is to be celebrated. Mention was made of other events at the weekend, and it is appropriate that, in the week of International Women's Day, people who are disabled have a positive role model and, indeed, all of us in Northern Ireland have a positive female role model who can act as an inspiration. So, I hope that a united voice goes out from the Assembly today saying, “Well done Kelly, you have done us all proud”.

Mr Ó hOisín: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Chomhalta as an deis an moladh seo a phlé inniu. I thank the Member for bringing the topic to the Chamber today. Indeed, I associate myself with the comments of the two Members who spoke previously in paying tribute to Kelly Gallagher.

Downhill skiing and winter sports in the round are incredibly dangerous and require great courage. How much more courage must be needed when you cannot see where you are going and have to be guided? Kelly Gallagher represents two of the groups that are least represented in sport, namely the disabled and, of course, women. I hope that she will be a role model to encourage others to take part in sport. She had a disappointing start on Saturday, and it was great this morning to see her coming down in 1 minute 28.72 seconds. It is wonderful that she has won the first gold medal, and, although she was representing Britain, she was very much representing all of us as well. So, I offer my congratulations and those of my party to Kelly and to Charlotte Evans as well.

Mr McGimpsey: On behalf of the Ulster Unionist Party, I join with colleagues in congratulating Kelly Gallagher on what is a tremendous achievement for an individual from Northern Ireland in winning a gold medal at the winter Paralympics in Sochi. Considering that it is a discipline in

which very high speeds are involved and, therefore, a high element of personal risk and personal danger for competitors, the fact that she is visually impaired speaks volumes for her courage as well as her training. It also speaks volumes for her confidence in her trainer, who supports her, and for the sort of support that must have come from her family. All that has come together to create a tremendous achievement that every one of us in Northern Ireland can take great pride in, namely a gold medal for Britain coming from County Down. I congratulate her.

Mr McCarthy: It gives me great pleasure, like all my colleagues, to congratulate Kelly Gallagher, Charlotte and the team for bringing gold back to Northern Ireland. She comes from our neighbouring council area in Bangor, County Down, which is soon to be taken over by Ards Borough Council. It is good to see someone from the locality being successful. I was on Ards Borough Council for 20-odd years and served as the sports development chairman. We put a lot of finance and encouragement into sport in particular. It is a real pleasure to see her collect gold, along with Martyn Irvine, who also recently collected gold. We congratulate Kelly and her team for bringing gold back to Northern Ireland.

Mr Poots: This is a great success story following on from the success story of the Paralympics, where Northern Ireland again excelled. It is absolutely fantastic that a young woman from Northern Ireland with a disability is out there flying the flag. I spoke this morning to Dr Janet Gray, who was an official mentor for her, and she is very hopeful that there are more medals to come our way through Kelly. I offer my congratulations to her and her team for a wonderful effort. We are very proud of what she has achieved.

12.15 pm

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Thank you, Mr Speaker. Ba mhaith liom comhghairdeas a thabhairt do Kelly Gallagher agus Charlotte Evans. I join everybody else in congratulating Kelly and Charlotte. We are very proud of Kelly; she has done this island proud.

As many Members said, she has a disability but did not let that get in her way. She is a professional sportsperson, and what she has done is tremendous. In a previous life, I was a professional tennis player and was very proud to wear the tracksuit of Ireland. I know how hard it is to achieve the limited achievements that I had as a sportsperson without a disability. I can only imagine what it must have been like for Kelly and Charlotte.

Maith thú. Is iontach an rud a rinne tú. What she has done is absolutely fantastic, and I wish her all the best in the coming days.

Mr Easton: I would like to echo the congratulations of the House and those of the DUP for the achievements of Kelly Gallagher. I understand that she has won other medals that Mr Rogers may not be aware of. She won the gold medal in the slalom in the Europa Cup and the IPC World Championships. So, she has a vast pedigree of competition.

This is the first gold medal that Team GB has won in a winter Paralympics, in the many years since 1992. That puts the achievements of Kelly Gallagher into perspective. I understand that she is funded by Sport NI and gets support from Sports Institute Northern Ireland and

Disability Sports NI. We would like to thank them for their support of Kelly Gallagher.

I am very proud, not just because she comes from Northern Ireland but more so because she comes from Bangor. I certainly hope that North Down Borough Council will take that into consideration and, perhaps, a civic reception will be coming her way.

Assembly Business

Public Petition: Crumlin Supports Shared Education

Mr Speaker: Mr Danny Kinahan 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 Kinahan: I am here to present a petition that calls on the Minister of Education to create a shared management post-primary school in Crumlin, with a seamless transition from Crumlin Integrated College to the new type of school in August/September 2015. I welcome some members of the pupils' council and teachers who are in the Public Gallery.

Many Members may appreciate that there were problems a while ago in the school and that it was losing pupils. We then had the ill-conceived area-planning initiative and the ill-thought-out development plan that led to a further loss of pupils. However, the school set its heart on staying alive and when it was set on the path for closure, despite an agreed way forward, which was not followed up, but which included parents, teachers, churches, governors and the North Eastern Education and Library Board all doing their work, they decided to close the school.

Some 1,100 pupils leave Crumlin every morning to go to schools in Belfast and Lisburn at a cost of £795,000. The community in Crumlin is some 5,500 and is mixed, so it is the ideal location for a shared school. The school is now outperforming most of its rivals and is not just flourishing academically but is used by many community groups in the evening. It is the heart of the community.

The North Eastern Education and Library Board has set up a working party to find a shared solution and is in the middle of that at the moment. The parents, pupils, teachers and governors all believe that the school should survive and want that to be the case. Today, you have a petition of just over 1,000 names, all of whom believe in and want to see that future. We have President Obama, the UK, Ireland and everyone else watching us and wanting shared education. Let us make sure that we deliver it.

There is a meeting next Wednesday in Room 277 at 1.00 pm for any MLAs who want to listen to the school. I present the petition. Thank you.

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

Mr Speaker: I thank the Member for the petition. I will send it to the Minister of Education, and I will send a copy to the Chair of the Education Committee. Before we proceed to the next item of business, I wish to advise the House that there appears to be a technical problem with the amplifying system in the Chamber. Members might wish to check the progress of business in the Chamber in some other way until it is operating properly in the House. We are working on it.

Executive Committee Business

Carrier Bags Bill: Final Stage

Mr Durkan (The Minister of the Environment): I beg to move

That the Carrier Bags Bill [NIA 20/11-15] do now pass.

Members will be relieved to hear that I do not intend to rehearse the provisions of the legislation in detail. I will, however, remind Members that the main purpose of this important Bill is to extend the carrier bag levy to low-cost reusable bags.

As I have noted previously, the levy on single-use bags has been embraced by retailers and consumers alike and has generated significant reductions in bag usage. In the first five years of its operation, the levy could avoid the unnecessary use of up to one billion single-use bags in Northern Ireland. I am also delighted that significant amounts of money are being raised by the levy for environmental projects at community level across the North. However, the job is only half done. The Department had always anticipated that the levy on single-use bags would generate an increase in the sales of low-cost reusable bags. Indeed, such an increase would be welcome news if those bags were being actively reused to their full potential. However, early estimates suggest that the rate of increase is much, much higher than anticipated. I do not want to see frequent purchases of any type of bag; rather, I want to see all bags being reused as much as possible.

It is with that in mind that, from 19 January 2015, the Bill will extend the levy to reusable carrier bags with a retail price of less than 20p. That is intended to prevent them from being discarded prematurely and becoming the new throwaway bag. The extension of the levy should discourage new bag purchases and instead encourage their reuse, maximising the benefit to the environment.

I want to mention one other aspect of the Bill. I have consistently emphasised my commitment to keeping charging arrangements under review. The Bill as introduced, therefore, contained a provision requiring the Department to review charging arrangements after a three-year period and to lay a report before the Assembly. I subsequently brought forward an amendment to the Bill at Consideration Stage, which allows the Department, at any time, to review whether any description of carrier bag should attract the requirement to charge. Finally, at Further Consideration Stage, an amendment was passed that requires a report to be prepared on whether any type of biodegradable bags should be exempt from the levy. I hope that the inclusion of those provisions will reassure Members that the Department is committed to ensuring that the levy remains fit for purpose and can be altered to reflect changing circumstances.

It would be remiss of me not to mention the role of the Environment Committee in getting us to where we are today. The Bill was introduced to the Assembly on 3 June 2013 and completed its Committee Stage on 26 November with the production of the Committee's report. I would, therefore, like to take this opportunity to thank the Chair of the Environment Committee and the other members of the Committee for their detailed scrutiny of the Bill and for the recommendations in their report. I am glad to say that I was able to take those recommendations forward

as amendments at Consideration Stage. In addition, I will take this opportunity to thank Members for their very helpful contributions to the debate on the Bill throughout its passage through the Assembly.

Finally, I will confirm that the Minister of Finance and Personnel, Simon Hamilton, has recommended the Bill under section 63 of the Northern Ireland Act 1998. That means that a cross-community vote will be required. I urge Members to support the legislation.

I remind Members that the Bill does not introduce charging for paper bags; indeed, it has no significance for such bags. Paper bags are already subject to the levy under existing legislation and have been since April last year.

In conclusion, Mr Speaker, the Bill is sound and effective legislation, which, I believe, will help to achieve even more significant reductions in the number of carrier bags in circulation. I commend the Carrier Bags Bill to the House.

Ms Lo (The Chairperson of the Committee for the Environment): On behalf of the Environment Committee, I welcome the Final Stage of the Carrier Bags Bill. Once again, I thank the departmental officials and the Minister for the close working relationship that we maintained throughout the passage of the Bill. That helped to ensure that the Committee scrutinised the Bill thoroughly and was able to come to agreement with the Department on proposed amendments. I also take this opportunity to thank the Committee staff who have worked hard on facilitating our scrutiny of the legislation.

I will not go into too much detail today as I have outlined the Committee's views at previous stages, but I will briefly outline a few of the issues we discussed.

Members' main concern related to the Department's original implementation date for the second phase of charging to be introduced by the Bill, which was planned for April 2014. The Committee believed that that was too soon after the initial charging for bags, which began only in April 2013. Members felt that it did not give the Department enough time to assess the impact of the first phase and to instigate a widespread communication campaign so that consumers were aware of the introduction of the new charging arrangements.

I therefore welcome the fact that further charges will not come into effect until 19 January 2015 and hope that that will give the Department time to deliver a clear communications strategy to the public that will be vital to the effective implementation of the Bill. The Department needs to make best use of the additional time now available to it before the extension of the levy to ensure that its communication campaign is timely and appropriately focused. The campaign must build on existing support from consumers, and it should be underpinned by an understanding that bags for life must be reused as long as possible and that they will be replaced by retailers free of charge.

I also take this opportunity to urge the Department to give further consideration in the future to options such as the introduction of an outright ban under certain conditions or a move towards biodegradable bags and the use of a grading system.

As we know, a significant portion of the proceeds from the carrier bags levy is being allocated to the challenge fund to enable communities and organisations to deliver new local

environmental projects across Northern Ireland. It is vital that the proceeds from carrier bag charging continue to be used to support local environmental projects.

On behalf of the Committee, I am pleased to support the Bill.

Mrs Cameron: As Deputy Chair of the Environment Committee, I am pleased to support the Bill at its Final Stage. I believe that the Bill allows us to reaffirm our intention to promote and embrace environmentally friendly policies whilst encompassing a common-sense and practical approach to the issue.

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

In general terms, the Bill is an example of good devolved government. It has enjoyed broad public support and has, in fact, changed behaviours. To my mind, that has to be regarded and desired as an outcome of good policy. Ten years ago, not many of us would have forecast that we would have a range of coloured bins at home as well as individual recycling baskets for other domestic materials. Now, that is the norm and is accepted as good practice by most householders — even if I and, I am sure, others here need constant reminders of what to put out on what day. Equally, the practice of having cupboards and cars full of plastic bags is seemingly changing to the more environmentally friendly approach of using reusable bags.

12.30 pm

Although there may be differing views on the production methods of some types of bags used, not many will disagree that the overall impact of the policy is to be welcomed. It is welcome not just for its practical and economic benefits but, just as importantly, for the continued removal of plastic waste from our rivers and hedges and an improving habitat for our wildlife. That is vital as we seek to fulfil our environmental responsibilities.

I look forward to the Committee and the Assembly continuing to develop further improvements and policies along the lines of those contained in the Bill. When it is easy to find things that divide us, we must be mindful of the growing number of people across all our communities who want us to do more practical things to support the environment and the economy. I believe that the Carrier Bags Bill is one such measure that we can all support.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an Bhille agus ba mhaith liom cúpla focal a rá. I speak in favour of the Bill and have a couple of points to make. I hope that the community will embrace this legislation in the same way in which it embraced the first piece of legislation. Perhaps the Minister will touch on this, but we need a good communications strategy that properly gets the message out to consumers to ensure that they carry on this practice. It is a good Bill. The Bill will bring us some way forward with our environmental targets, good practice and good housekeeping.

I welcome the introduction of a review, which was agreed at the previous legislative stage. I hope that the Committee will be kept informed. I hope that the review of bag usage is brought forward and that the target is met.

Another key point made at the previous stage concerned the effect on companies. I would like the Minister to commit to a procedure whereby, if the legislation's introduction will have a major impact on companies, we

are mindful of that. We do not want to introduce legislation that will impact on companies and cause job losses. I know that there will be an element of that, but we need to ensure that, in bringing forward any legislation, we recognise that there may be the impact. In his winding-up speech, the Minister may touch on what he intends to do.

Finally, I thank the Committee staff who worked on the Bill with us and the departmental officials and the Minister for bringing the Bill forward.

Mr Elliott: When you get to this stage of a Bill, there is little more to be said. I look forward to the report on biodegradable bags, which was proposed and agreed at the previous legislative stage. It will be interesting to establish whether we can relax the levy on paper bags or other types of biodegradable bags, especially in the light of the fact that the only research that we have been working with is the 2011 research paper that indicated that paper bags are very environmentally unfriendly. I hope that we will see detailed research in the report that is produced.

We had a good discussion in Committee throughout the process. I was pleased that the Department, after its early indications that it would have a baseline of 40p for a reusable bag, has reduced that to 20p, which is much more practical and realistic.

So, I commend the Minister and the Department for taking on board those views and moving with what was, I believe, a much more realistic view from the wider community. Again, I look forward to the development of this overall proposal around not only plastic bags but reusable bags and carrier bags, because I do not think that it will stop here. I think that, in another year or two, you will see us back here maybe trying to change some of the legislation again around this. I do not think that this is a final proposal, and I foresee much more coming this way.

Mr Weir: I support the Bill at Third Reading. In many ways, this Bill is on the previous legislation and regulations regarding the charging for carrier bags, and I suppose, if we are being honest, we know that we are leaping into the unknown to a slight degree, as was the case a few years ago with the original charging regime. I think that there is a good intuitive logic that this will improve things. Indeed, when we took that step three or four years ago, there was not a particularly strong or clear-cut evidential basis, but, undoubtedly, it was taken with a desire to remove as many carrier bags, particularly single-use plastic bags, as possible.

There have been some unforeseen circumstances that, in part, have led to this legislation. A switch towards the use of low-cost reusable bags was the gap in the market that has had to be plugged. There is no doubt that the overall impact of the carrier bags levy has been very positive, particularly from an environmental point of view, from the point of view of generating income and also from the point of view of ensuring that we remove large numbers of those bags from circulation. I think that we can all welcome that.

Similarly, as we look ahead to the impact of this legislation, part of the slight degree of concern is that, inevitably, there will not be an absolutely clear-cut evidence path regarding how precisely this will impact. To be fair, there is no way around that, however, intuitively, we can see this potentially bringing very positive advantages.

From what we are left with in the finished draft of the legislation, I commend the Department and the Committee, both of which worked fairly well with the industry to ensure that practical arrangements were being put in place that would then leave something that was workable. Mr Elliott mentioned the movement from the initial proposal of a 40p threshold to it now being effectively 19 pence and under. I think that that is a much more sensible approach, and I welcome the position of the Department and the Minister in doing that. Similarly, there was flexibility over the initial proposals that talked about a 10p charge rather than a 5p charge. When genuine concerns were raised, particularly by supermarkets and shops, that a lead-in time would be required to implement this, to be fair to the Department, it showed a high level of flexibility in providing a practical timescale.

As others mentioned, there is a greater challenge here. The initial message with the first carrier bag levy was that it was specifically and purely targeted at single-use bags. This has obviously been extended, and for sensible reasons, to cheap reusable bags. Obviously, there is a much greater message of education that needs to be put across on this because, as Members said throughout the debate and, indeed, at earlier stages, there is a bit more of a counter-intuitive quality to that. Therefore, there is a strong need to educate the public about why this is being done. I think that the Assembly showed flexibility in agreeing to the amendment looking at the issue of producing a report on biodegradability and its impact. I think that that will be useful.

As we move ahead, it is important that we are taking the right steps with this legislation. Also, we have put in place two key measures to ensure that there is a degree of monitoring of this to ensure that what we are putting in place is fit for purpose. First, as I mentioned, there is the report on the specific issue of biodegradability. Secondly, there is a separate review looking at the wider issues of implementation. From a logical and intuitive point of view, I think that all of us in this House believe that this is the right direction of travel, but we need to ensure that what happens in practice matches the intentions behind this legislation. The report and the review will give us that opportunity to ensure that we can look back on this from an evidence base and see whether there are any adjustments that we will need to make, perhaps in two or three years, to this scheme to ensure that it is fit for purpose. In general, I think it is a positive step forward, and I welcome the Bill at Third Reading.

Mr Durkan: I thank Members for the useful comments they have made during today's debate. I will very briefly respond to the main points that have been raised. First of all, I reiterate my thanks to the Chair of the Environment Committee, Ms Anna Lo, but also to Committee members and, indeed, Committee staff. Ms Lo outlined the concerns that had been voiced in Committee about when the charges and changes were to be introduced. I was responsive to those concerns, agreeing with the Committee to delay the date until next January to facilitate retailers' preparation.

Mrs Cameron hailed the legislation as a success of devolved government and pointed to other undoubted environmental advances that we have made in recent years. I look forward to working with the Committee to continue making progress in that field.

Mr Boylan emphasised the necessity of a good communications strategy for the implementation of this phase of the legislation, and I agree entirely. Indeed, that is part of the rationale for delaying the implementation until next January. We do have a communications campaign planned and will work with other parties on that communications strategy to maximise its reach and ensure best value for money. He pointed out — I suppose it is fairly obvious — that we do not want to introduce legislation that is going to result in jobs being lost. That should be factored into, or at least considered in, all legislation through economic impact assessments, but, as Environment Minister, I have to prioritise the protection of the environment.

Mr Elliott said — I do not know if it was out of hope or fear — that he suspects that this is not the end of it and that we may well be back here in a year or two years on similar grounds. I hope that we are and I am currently exploring other options around items such as bottles and, as you may have heard, election posters. I also thank Mr Weir for his positive contribution.

From the contributions of all Members today, it is evident that, thus far, the levy has been a success, and I believe that it will continue to be. It has had its knockers, but so does everything that happens up here, much to Mr Allister's chagrin. The success of the levy to date is evident to everyone in the reduction in the number of bags that we see tangled in our hedgerows or floating around our streets. Passing the legislation today will enable us to build on its success, to make our streets cleaner and our society greener. I thank the House for its support.

Mr Deputy Speaker: Before we proceed to the Question, I remind Members once more that section 63 of the Northern Ireland Act 1998 applies and cross-community support is required.

Question put and agreed to.

Resolved (with cross-community support):

That the Carrier Bags Bill [NIA 20/11-15] do now pass.

Private Members' Business

Women in Politics

Ms Fearon: I beg to move

That this Assembly recognises the lack of female representation in politics and public life; further recognises the positive outcomes that result in tackling this inequality, when support and training programmes are put in place to encourage more female candidates to stand in elections; and calls for the introduction of a training and support programme to encourage more female candidates to stand for election.

Go raibh maith agat, a LeasCheann Comhairle. I am delighted to have the opportunity to discuss what is a very important issue. Although 52% of the population is female, women hold only 18% of elected positions on this island. Of 108 MLAs, only 21 are female; that is 19%, and it is not good enough. The Assembly Chamber is in no way representative of the society that we live in. If it were the other way round, there is no way that it would be tolerated. Women have been failed by the political system. In 2014, we are still under-represented in politics, public life and business. Politics remains an unfriendly environment for women, a reality that benefits no one.

12.45 pm

For centuries, women have been assigned roles in society by a dominant patriarchy. We can source the wrongful presumptions of what a woman should do and be in 21st-century Ireland to several influential institutions, from the unchallenged and unparalleled control that the Churches exerted on Irish women to the perpetually demeaning portrayal of women drummed into society by the media.

The media provide society with what is supposed to be an unbiased representation of the facts. How can we pursue true gender equality when women are consistently objectified and stereotyped in very dangerous ways? The media circulate such limiting portrayals of women and female interests. You can open any publication that is geared towards a female audience and be sure to find its pages filled with idle celebrity gossip, fashion tips and weight loss advice; all that before you even look through the plethora of good household guides that sit on shop shelves. The same can be said for the unnecessary women's sections that are found in a lot of mainstream newspapers; 'The Irish News' is particularly bad for that. Quite frankly, it is demeaning to women that we have been reduced to this. We should be angry that our intelligence has been belittled and our interests characterised as though we were Stepford wives.

Very early on, girls get the message that their image is what is most important and that their value and worth depend on how they look. Equally, men get the message that that is what is important about women. That message is now inescapable, with the Internet, social media and TV. Is it any wonder that teenage girls feel more powerless than ever?

The number one concern among young women is body image. In the past 25 years, depression and eating disorders have increased by 70%. A recent study showed that over 25% of girls do not raise their hand in class

because of unhappiness about their appearance. That is a tragically sad reflection of the society that we live in.

Girls are told that being strong, smart and accomplished is not enough, and women around the world are striving for an unattainable ideal of beauty, which is a direct consequence of institutionalised patriarchy. When society views women in such a way, it has huge impacts on the gender make-up of public life.

We cannot ignore the political economy of the media. Sex sells, and we are told to just accept that; women are objectified and girls are seen as objects and conditioned to see themselves as objects. Women are portrayed as things, and turning a human being into a thing is almost always the first step in justifying violence against that person, which has resulted in a huge rape culture. We see that clearly in how sex crimes are treated by the police and how rape prevention strategies are directed at women and girls but not at men. Victim blaming and victim shaming are all too common. That would not be the case if women had their role in decision-making.

Given the role that the media play in shaping public opinion and how society views women, it is crucial that women have a key role in decision-making to effect change. We need to create the conditions in society to allow women in leadership positions to be seen as the social norm. The lack of women at the top cements the age-old image of what leadership looks like. This has resulted in the perception that the Assembly is too male, too pale and too stale. It only adds to the list of deterrents that already exist and could potentially stifle the aspirations of future generations of women.

Is it any wonder that women get turned off by politics or this place? I could spend the whole debate detailing the ins and outs of every sexist comment and joke that has been made to me, and that is just to me, never mind the other women. It is just as well that people do not hear what happens in other parts of the Building. It is not OK to comment on our clothes. It is not OK to call someone a silly little girl — and that was not directed at me. It is not OK to talk about your power over young women in the Chamber. It is not OK to talk about our appearance, whether it is body shape, legs or otherwise. It is not OK to make sexist jokes across Committee tables because — news flash — they are not funny anyway; I often wonder whether people realise that Hansard is reporting everything. Most of all, it is really not OK that it seems to be tolerated. The majority of people here do not bat an eyelid. If you were to replace the word "sexist" with "racist" in all this, there would be sheer uproar. Sexism has to be taken more seriously by this institution and by political parties.

Political parties must do more to encourage women. Very few people break into politics without party support. All too often, women who are considering standing as a candidate come up against old-fashioned and sexist attitudes to the role of women in public life.

The media need to change, because women often find themselves subject to the kind of media attention that men never receive, with their views given little attention compared with their appearance. A perfect example of that was the coverage given to Meghan O'Sullivan's recent visit here, when her shoes and outfits were given more media attention than her PhD.

Failing to involve women in shaping our economy is a huge waste of potential talent, not to mention unjust, given that austere economic decisions disproportionately affect women. Economic inequality between the sexes is a major problem. Women are more likely to be employed in low-paid, part-time work and head a single-parent household. They are more likely to have fewer financial assets and live in poverty, especially in older age. At the same time, women's unpaid labour is worth billions of pounds to the economy every year. Unpaid carers, the majority of whom are women, contribute billions every year. Women in work and business also contribute massively to the economy and its growth and are critical to its success. The recession has made life difficult for all of us, but a growing body of evidence shows that it has had a disproportionate effect on women. Therefore, it is only right and proper that women should have their place in decision-making. Underutilising the skills and talents of any section of society makes little common sense, let alone economic sense. Time and time again, equal societies have been proven to work and perform better for everyone.

The most effective way to make that a reality is to introduce quotas. There are, I know, a lot of different opinions on this. Some say that they are unnecessary; others that they are offensive to women. Another popularly held misconception is that we should just continue to elect the best person for the job — I am trying not to laugh as I say "continue to". However, those criticisms would be true only if we were already on a level playing field, which we clearly are not. The North has a population of around 1.5 million. Are we expected to believe that, in that population, there are not 54 intelligent, capable and articulate women who are right for the role of MLA? That is complete nonsense. Quotas are the quickest and most effective way to ensure an equal number of men and women, and they force the break-up of elite circles of power. Allowing women in power to act as positive role models would encourage more women to take the leap. Quotas do not, as I have often heard said, discriminate against men; they are simply a way to correct existing discrimination.

Not all parties agree on gender quotas, which is why the motion calls for the introduction of training and support programmes to encourage women. For the reasons already outlined, confidence is a major issue. Coming into a very male-dominated environment can be daunting. It is important to say that there are women who can do this and there are women who want to get involved in politics. Parties often say that they cannot get women to come forward. They have to go and try to find them, because they are out there. Such excuses will not wash any more. The time for talking has been and gone. We need parties to commit to actions so that we can see the changes that we need in society. Today's empty Chamber reflects the fact that we really need to drum up interest, and people need to take the issue more seriously.

We need to ensure that women have their voice heard and that issues important to women and girls are given focus. We know that, when that happens, there will be better decision-making and positive outcomes for all. I commend the motion.

Mrs Cameron: Although pleased to be able to speak in the debate, I am saddened that, in the 21st century, we have to debate the matter at all. However, if the debate is to be taken seriously and is not merely to be a token gesture, it

may well serve a useful purpose for women who would like to enter political and public life.

According to Northern Ireland neighbourhood information service statistics, on 27 March 2011, females accounted for 51% of the typically resident population in Northern Ireland. However, in the May election that same year, only 20 women were elected to serve in the Assembly. Therefore, although females are the majority gender in Northern Ireland, they constitute less than one fifth of the Chamber. In this day and age of balanced workplaces, that is simply not acceptable. I know that statistics are open to interpretation, but, in this instance, it is fairly clear that the statistics do not lie; they highlight the need for significant change. Of course, I am aware that it is entirely a matter for the electorate which candidate they vote for — male or female — but no other workplace would be allowed to operate with this level of gender imbalance.

From a party perspective, I am pleased that more is being done to encourage women into politics. We are supporting a range of events, including training and conferences, aimed at doing just that, and I welcome those initiatives. However, in my opinion, it is as much a problem at root-and-branch level as at the Assembly. I noted with dismay that recent minutes of a meeting of my branch concluded with the point that, at the end of the meeting, "the women served the tea".

So, clearly, although we have made a start, there is much more to be done. Political parties here have, for generations, been run by men for men. That, in itself, is one reason why so few women choose to get involved or become involved but stay in the background. That is because, from the outset, the support just is not there. I hope that, as more women get involved, we can make a difference. However, I feel that political life still faces an upward challenge to overturn historical stereotypes. No doubt, others will make the point, which I agree with, that, whether you are a man or a woman, politics and public life are not necessarily conducive to a balanced family life. Politics involves sacrifice for all those who enter it. That is a matter of fact.

However, and I think that this is the main point, historically Northern Ireland has been a patriarchal society where, in the majority of cases, women are seen as the primary caregiver for their children and family members who need care. I know from experience that, when a child is sick at school, often the mother is the first point of contact. Often, the assumption is made that the mother can leave her place of employment more easily than the father. We are, however, a society in transition, and, if we are serious about the motion, I urge ministerial colleagues to focus on policies that will help women to achieve more. Those might be on childcare costs or support for carers. Practical policies would go a long way in helping women to play a greater role in political life.

In drawing to a close, I will make the observation that, wherever I go as an elected representative, I meet an abundance of incredibly talented women who are devoting their time and skills to making a difference in the community and voluntary sectors. I refer to women such as Rosemary Magill of Women's Aid, who has helped to transform the lives of thousands of victims of domestic violence throughout Northern Ireland. There are hundreds of women across a range of careers and sectors who make a difference. So, how can we attract them into

politics? This debate is a start, but we must work harder to provide an answer to that question, because there is no doubt that the Assembly will be a better place when it truly reflects the society that it represents.

Mrs D Kelly: I thank the proposer of the motion, particularly in the week that it is and in the aftermath of a very successful day at the weekend, which recognised International Women's Day.

The SDLP grew out of the civil rights campaign, and throughout our history, we have consistently spoken out against discrimination of any kind. Women played a very special role in the peace process, and we owe a great deal to the many who spoke up and out during the difficult days of the Troubles. I am sure that many of you, like me, took great pride in watching Pat Hume accompany President Clinton alongside her husband, John. Not only did John give up a huge amount to achieve the price of peace but Pat was constantly by his side and was so again at the weekend. I pay particular tribute to her steadfast loyalty to John, the party and the peace process. I do not think that anyone will ever know just how much the Hume family gave up and sacrificed during some of the worst days of the Troubles and in chasing the prize of peace.

International Women's Day, which was on Saturday 8 March, provided a welcome opportunity to celebrate the social, political and economic achievements of women while recognising that there is still room for improvement. Unfortunately, the world is still an unequal place, and much more needs to be done if we are to inspire real change in our often male-dominated political institutions. As we prepare to celebrate and remember the suffragette movement and all those who fought for the right of women to vote, that valuable history lesson needs to be repeated in our classrooms and communities. Far too many people fail to appreciate the sacrifices that others made, whether they were the worker in the workplace, the Chartist and the trade union movements down through the last century and a bit, or women.

Many people do not bother to use their vote. There are Members in the Chamber who represent a community in which less than 50% came out to vote. I think that that is a sad reflection of the level of disconnection that there is between those who have that particular franchise, that is, the electorate, and politics in general. People just do not seem to make the connection. I think that today serves as a reminder to all that, at one stage, women did not even have the right to vote, never mind to be in such august Chambers.

1.00 pm

If we look at some of the memorabilia — we are great ones to talk about the memorabilia in public places — we see that the photographs from down through the years and decades represent mostly men in powerful positions. That is still the case, not just in the Assembly Chamber and council chambers but in any decision-making boardrooms right across society. I believe that the Executive — I welcome now our female Minister Arlene Foster — have a particular role and can actually make a difference through political appointments onto some of the public boards. Although I do not think that any of us would argue that people should be there just because they are women, I would argue that greater cognisance should be given to

the level of representation that should reflect better the society that we all represent.

We have heard other Members refer in their contributions to the difficulties that are faced by women who want to enter public life. We all know that, although communities are often held together by women and, in fact, many of their leaders are women, those women cannot make the jump into political life. Many Members have set out some of the reasons why that is the case, whether it is a lack of confidence, a lack of help with childcare or other care arrangements, or indeed just not having the opportunities that come through political parties. I congratulate the Southern Government for their brave move in bringing forward quotas for the level and number of female candidates that parties will have to adhere to. It is unfortunate that, almost 100 years since women won the right to vote, there is still too little representation by women in public and political life. It seems that we may well have to introduce mandatory quotas in order to actually have any realistic expectation of improving the number of female representatives coming through.

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

Mrs D Kelly: I want to commend the Politics Plus programme. It might be a vehicle that the Assembly and Commission could use more wisely to promote women and their representational roles.

Mrs Overend: I am very pleased to be able to participate in the debate. It is timely, following International Women's Day on Saturday, highlighting the fact that women should aspire to lead not only in politics but in so many career choices that are available to us. We know that we also need to encourage more women to move into science, technology, engineering and maths (STEM) careers.

The statistics for women in politics have been stated already this afternoon, so I do not need to go into them again. However, the most recent statistics that are available for public appointments state that only 34% of them and only 8% of chairs and deputy chairs were women. That is very disappointing. It is welcoming to see that our Regional Development Minister took some measures on that last week. He wanted to improve the diversity of boards and associated bodies, including making all reappointments subject to public competition. He is doing that by making the recruitment process as accessible and attractive as possible in order to secure as wide a pool of candidates as possible for future appointments, thus achieving a mix of skills and experience on boards. We very much welcome that move by the Ulster Unionist Minister for Regional Development.

It is important for all of us to play our part and do what we can. In fact, recently, just before Christmas, my party's MEP, Jim Nicholson, and I hosted an event targeted at young women of between 18 and 24 years of age to inspire them to think about political life. We debated the issue of quotas. It is not something that people would maybe relate to the Ulster Unionist Party. However, at that debate, we were told by Professor Yvonne Galligan from Queen's University that we were the first political party to debate the issue in the public domain. It was very useful. We all learned a lot from listening to each other's ideas.

In the Ulster Unionist Party we have been very active in trying to promote further development among female

members in our party and to encourage more women to become members of the party so that they can aspire to lead and to put themselves forward for election. In fact, I am the result of a so-called women's development programme that backfired on me. Back in 2008, I was elected as a party officer with responsibility for women's development. I had a free hand to create my own women's development programme for the Ulster Unionist Party. We had meetings and training sessions, and I worked with women in the party to give them the encouragement and help that they needed to go forward for selection and then on to election. As I said, I did not expect to be in this role. The Ulster Unionist Party actually increased its female representation at that time. Another key success of that was that it challenged the ideas of male members. I feel that we have much more encouragement and support from male members in our party, and that is equally important. It is very important that we all play our part and do what we can to inspire women.

Mr Nesbitt: I thank the Member for giving way. I wonder whether she agrees with me that, during the Troubles, women played a very strong role in keeping families and communities together and that, today, it is important to encourage them to play a more overt role by getting in touch with and participating openly in politics. Will she commend the work of the all-party group on United Nations Security Council resolution (UNSCR) 1325, which works in that area and of which I am proud to be a member?

Mr Deputy Speaker: The Member has an extra minute.

Mrs Overend: Absolutely. Thank you very much for that timely intervention. I totally agree. Throughout the Troubles, women were very involved in groups at a community level where they saw that they could make a difference and saw the results of their hard work. That is a key point. Only when we are seen to bring results to people in Northern Ireland, as politics moves and develops, will more women want to get involved, because they will see that politics works and politics matters. It is incumbent on all of us in this place — men and women — to show that a career in politics is something that they should aspire to.

I recently met Jessica Grounds, who runs the Running Start programme in America. She works to bring young women into politics and to get them to think about politics. She said that girls and young people were very ambitious in their desire to change their communities, the country and the world, but young women were 50% more likely than men to say that working for a charity was the best way to bring about change.

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

Mrs Overend: Certainly. As I said before, I am delighted to speak on this. It is important that each one of us does our part to inspire more women to lead.

Ms Lo: I have been invited to speak on this subject on many occasions in different settings since my election to the Assembly in 2007. I am glad to have the opportunity today to speak in this debate in the House, where it matters most.

We know the poor statistics for female public representation: 23% of MLAs and local councillors and 22% of Westminster MPs are female. Mrs Overend also

mentioned the poor statistics for public appointments. Why are women not getting into politics here? I would not be the first to mention that this is often a macho and, at times, petty and adversarial environment. Tribal politics and a lack of delivery on many bread-and-butter issues turn many women off politics. They see this place as a hothouse of trivial party politics and bickering. The general frustration with politics is a significant factor. It is not only women who are not getting involved but people with moderate views, young people, ethnic minorities and members of the LGBT community. We need to ask ourselves what we are doing to rectify the general apathy in politics.

Gender imbalance is a serious matter. The Assembly should be representative of society. To have integrated and effective governance, we need to bring different qualities and perspectives to the debate. Let us face it: we make important decisions here that affect the daily life of our population. We need both sexes to make informed and balanced decisions. We want to bring more female politicians in here, not for them just to highlight women's or family issues but to give a comprehensive, all-round basis for the decision-making process.

How do we do that? Suggestions that we change the electoral system, introduce quotas, party practices and training and support provisions for women are sound, but it is important to recognise that we have an institutional and societal problem. This is still very much a male-dominated society in which many women, through socialisation, feel that they should be in the background and have a supportive role instead of leading from the front. Girls do well in schools and universities but often pull back in their career progression because of caring responsibilities for children, parents or elderly relatives. Women need access to affordable childcare. Where is the long-awaited OFMDFM childcare strategy? Men need to share half the domestic and childcare responsibilities so that it is not only the mothers who take the children to school, collect them and make dinners at night.

Parliaments need more family-friendly hours so that parents of both sexes can go home in the evening before their children go to bed. Why do we not have a crèche here for our MLAs' or employees' children? Many large companies have such a facility in situ. I firmly believe that, as long as we fail to have balanced representation, we will fail to have comprehensive debates. I hope that we will see the time when we can discuss issues such as tax-varying powers or female reproductive rights in a thoughtful and constructive manner with equal numbers of male and female MLAs. I support the motion.

Ms P Bradley: I also thank the Members who tabled the motion. We know that women are not the minority gender in Northern Ireland; the last census made that point clear. When it comes to public life, an outsider would be forgiven for thinking that we were the minority in Northern Ireland. Politics is meant to be representative of everyday life, yet women in the Assembly account for only 18% of its Members. The situation is not much better in councils, especially when we look at the number of councils on which women hold the position of chair or mayor. I guess that I have been an exception to the rule, having served terms as Deputy Mayor and Mayor of Newtownabbey Borough Council and by sitting in the Assembly. However, the road to this point has not been easy. I believe that

women who have already travelled it have an obligation to work hard to ease the path of the women who will follow. In meeting various women's groups, we often hear about women who get to the top and pull the ladder up after them. I do not believe that any of us in the Assembly would adopt that practice, and I never want to see it here.

The story of how I got into politics is more to do with fate than design, because it was not something that I ever wanted to do. It was not a place that I ever wanted to be. I was perfectly happy with my life pre-politics. Not that I am saying that I am unhappy with my life now, Mr Speaker, but that is part and parcel of the problem. There are so many women out there, and I meet them regularly. Mr Nesbitt brought up UNSCR 1325, and I chair the UNSCR 1325 all-party group in the Assembly. We have many battles in it, but one of our biggest battles is getting people to attend. On paper, it looks good that we have lots of women signed up to be part of the all-party group, but in reality not many people, including women, attend it. It is an all-party group that fills us full of enthusiasm and motivation to do what we can for women and to empower them, not just women in politics but across the board — women in business, the public sector and the private sector. Therefore, it is a very worthwhile group to be on. I took over as chair, with Anna Lo having chaired it before me. She did an excellent job, and I have taken on the mantle to see where UNSCR 1325 will take us here in Northern Ireland.

1.15 pm

How we look and how we present ourselves has been raised in the debate already, especially by Ms Fearon. It is an absolute disgrace, in my opinion. Men get it also, of course — how they look and how they present themselves — but women suffer more criticism than men. It does not really matter what my hair or make-up looks like: as long as I am well presented and well turned out, that is good enough for me. What is more important is our ability. Ability is the main thing.

Ms Fearon mentioned quotas and her party's opinion on them. Many people have that opinion, but it will be no surprise to anybody that, as a member of the DUP, I do not share that opinion on how we advance women in politics. My opinion is that it should be based on ability. Sometimes when I say that, people go, "Yeah, OK. Here we go: ability", but I mean ability across the board. I mean men and women with ability.

Another problem that I have come across when I speak to women is a lack of role models in politics. We do not have that many female role models in politics, but every female in the Chamber is a role model in promoting politics and promoting politics for women. I say a big "Thank you" to my colleague Arlene Foster, who is sitting beside me, and Diane Dodds, because, without them, I would not be where I am today. It is because of their encouragement and support, and I saw them as my role models. I hope that people are looking at me today and saying —

Mr Frew: I thank the Member for giving way. Does she agree that we have role models even at council level in the DUP? Ballymena Borough Council has had a female DUP deputy mayor, and another female is currently mayor of Ballymena. They are role models for the population of Ballymena.

Mr Deputy Speaker: The Member has an extra minute.

Ms P Bradley: Thank you, Mr Deputy Speaker, and I thank my colleague for the intervention. Yes, I agree with him, but are we going far enough? We need to roll that out across all councils so that we have female role models showing the way, promoting politics and saying, "It may not be the best job in the world at times, but, hey, it is not actually that bad".

In my party, as I said, the support that I got from those role models went a heck of a way to bringing me to where I am now. Our MEP, Diane Dodds, is engaged with Ballybeen Women's Centre, supported by European funding, to encourage women to become involved and participate in politics.

I am so glad that you have brought this to the Floor today. As someone said earlier, it is a shame that it had to come to the Floor and such a shame that the room is not filled with people saying, "Yes, we agree with you". If we ignore the issue and let it slip away, we are certainly not being democratic and not living in a democracy. I support the motion.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. I also thank my colleague Megan Fearon for bringing this important debate to the Assembly. The Member who spoke previously talked about role models. Given the week that it is, with International Women's Day, on which women all over the world celebrated the achievements of women, it is important to say that everyone in society, especially women, have women as role models. We all have great women in our lives, be they our mothers or grandmothers, whom we looked up to and who had an impact on the way that we live and the experiences that we had.

As other Members have pointed out, just 19% of our MLAs are women and 15% of our TDs are women. Only 23% of our councillors and 34% of our public appointees are women, despite us making up over 50% of the population. Those figures clearly show that, in Ireland today, women are still seriously under-represented at all levels of the decision-making process in political and public life. Such under-representation is caused by a number of factors, primarily the inequality of power and other factors such as poverty, educational disadvantage, violence against women and young girls, and social exclusion.

The primary benchmark for women's engagement with and representation in politics is the UN's Fourth World Conference on Women, which took place in 1995. The conference identified two strategic objectives: ensuring women's equal access to and full participation in power structures and decision-making and increasing women's capacity to participate in decision-making and leadership. It then proposed a series of actions for Governments, political parties and all other concerned parties to facilitate those objectives.

We need to change things. It will take a lot of political vision and political will to do that, but it is achievable. Others have pointed out that parties in this Chamber have different views on how those changes might be achieved. Our party believes in positive action to address under-representation of women and the legacy of female exclusion, particularly in leadership positions in political and public life.

All political parties have a responsibility to ensure that more women are elected to the Assembly and to

other political institutions. Therefore, they should adopt strategies to increase the number of successful women candidates by using positive action in the recruitment and selection processes to ensure that we are all working towards achieving that 50:50 parity. They can also be proactive by engaging with women's groups and organisations on the ground that work day and daily at encouraging and supporting women to enable them to become more involved in political life. It is worth noting that many of our leaders in the community and voluntary sector are women, and we should encourage them to become elected representatives.

Government has a key role to play by ensuring that women have access to supported training and mentoring programmes to encourage more of them into politics. Bearing in mind the great contribution that women bring to the development of society as a whole, it is necessary for all those agencies to ensure that all possible mechanisms for advancing gender equality are used.

Mr McEliduff: I thank the Member for giving way. Women in sport is a crucial area, and we are joined in the Public Gallery by very many young women from St Ciaran's College, Ballygawley, who have excelled in their sport.

Ms J McCann: The Member makes a very valid point. Congratulations to you all.

Mrs D Kelly: I thank the Member for giving way. Does she agree that many women across society have faced many challenges and have given up roles, in particular family and caring roles, to do as these young women have done and as the Armagh ladies did.

Ms J McCann: Both Members make a valid point: young women and older women who are carers for elderly parents or children play a key role in society.

None of us will be surprised by the extent of the obstacles that can be placed in the way as women seek to take on more active political and public roles. Part of what we have to do is change the way in which society has been taught to view and understand how politics works. Late sittings of decision-making institutions such as this have an impact on family roles. Sometimes, that is not very conducive to people — not just women but men also — who want an active part in their children's and family's lives. So, we have to look at changing how we organise our political institutions so that women and men who want to play that active role have time to do so.

Women political leaders can be positive role models for other women to become involved in politics, but that is not just the responsibility of women. This is very important: men also have a responsibility to challenge those inequalities and bring more women into political and public life.

Mr Deputy Speaker: Will the Member draw her remarks to a close?

Ms J McCann: Gender discrimination and equality are issues of concern to us all and should not primarily be issues just for women.

Mrs Dobson: I also welcome the opportunity to speak on the motion today, coming as it does after Saturday's International Women's Day.

We all know that women make extraordinary and indeed unique contributions to our political and public life, and, as we look at the make-up of the Assembly, with 20 females

or 18%, it is clear that the political representation is imbalanced. The motion speaks about encouraging more female candidates to stand for election. When I first stood for selection for my party in 2010 for Craigavon Borough Council, there were three of us standing, all of whom were women. When I was selected, with my name on the ballot paper, all the other candidates were men. I was humbled to win that election with 64% of the vote, so, for those of you who feel that there is a need for a quota and, indeed, all-women selection lists, that came about without any quotas or restrictions placed on selection.

Mr Agnew: I thank the Member for giving way, but does she also acknowledge that the make-up of this Assembly came without any quotas? That is not to say that individuals cannot beat the barriers, but the fact is that the barriers are still there, and we need positive action to change that.

Mr Deputy Speaker: The Member has an extra minute.

Mrs Dobson: I thank the Member for his intervention. It is important to note that we need to inspire change and not to force it.

I wonder whether, if quotas were to be introduced, this would trivialise a woman's right to enter politics on her own merits rather than through men's obligation to appear inclusive. I do not want it to appear that women are demanding more important roles without having the skills to carry them out: women do have the necessary skills. However, a quick look at the statistics shows that those skills are not being utilised to the full in the workplace, not least in the Northern Ireland Civil Service, where a significant gender imbalance exists and persists.

Thanks to the questioning of my colleague Michael McGimpsey, we have found that, out of 12 permanent secretary-level staff, one is female, which is 8%; out of 39 grade 3 civil servants, nine are female, which is 3.5%; and out of 163 grade 5 civil servants, 63 are female, which represents 38%. Those statistics show a clear gender imbalance, one that surely only Sir Humphrey Appleby could manage to find justification for.

For far too long there has been an ingrained attitude of "Tea room, not board room", which has to change. Gender should never be an impediment to the recruitment, promotion and retention of personnel into senior grades. There is a real job of work here for the Minister of Finance and Personnel to identify the reasons why there are so few women in the top roles of the Civil Service. Indeed, of the 19 internal and external promotions at grade 3 alone since 2009, eight have been to females. I believe that women can do exactly the same jobs as men, but we need to encourage more women to enter politics, give them the right training and remove any stigmas that exist.

Speaking of women taking on roles traditionally seen as the preserve of men, I joined 50 women on Saturday at Foymore Lodge outside Portadown. We were with the British Association for Shooting and Conservation (BASC) and other country sports organisations at an event called Women Call the Shots. I was delighted to be asked to lead this event alongside the BASC who, with others, are the driving force behind the all-party group on country sports, of which I am a member. I would like to pay tribute to my party colleague and chair of the group, Danny Kinahan.

Mr Kinahan: Thank you very much for giving way. One Sunday, I was discussing how somebody else wrote all her speeches and got everything done on a Sunday, as did I. I was then told that I was getting the lunch ready and that I was getting the school uniforms ready, so I would like to salute all women in politics, because the time it takes is huge. I salute everyone else in the Chamber, but particularly women — and the husbands who help them do it and, at the same time, my wife.

Amber Hill was here a week ago, having won a Sports Personality of the Year award for her shooting skills in a male-dominated sport. Do you think that we should have some committee that forces every grouping, whether it is a committee or a body, to look at how we can get more women into whatever the event is?

1.30 pm

Mr Deputy Speaker: The Member has an extra minute.

Mrs Dobson: I thank the Member for his intervention, which was such a ringing endorsement of women in politics. I agree that we need to look at that to see whether we can have more Amber Hills for Northern Ireland.

I have no doubt that, on Saturday, we whetted the appetite of many of those who were taking up country sports. That is what International Women's Day is all about. It helps to encourage and advance women everywhere and in every way. If women are to have equality with men, they need to inspire change, not force it.

In closing, I encourage the Finance Minister to take head-on the gender imbalance in the Civil Service. As we proved at Foymore Lodge on Saturday, women can compete with men on an even playing field, so watch out, boys.

Mrs Cochrane: I, too, welcome the opportunity to speak on this important topic.

There is no doubt that female political empowerment continues to pose challenges locally, nationally and globally. Despite much progress in anti-discrimination and equality legislation and various international treaties aimed at promoting and protecting the rights of women, a global gender gap remains in many areas of society. In politics, fewer than 20% of parliamentarians worldwide are women, while, economically, women currently hold only 4.6% of the Fortune 500 CEO positions. From a regional perspective, not only do we have only 21 female MLAs but a mere 34% of public appointments are held by women and there are only 19 female chairpersons in our 126 public bodies. This is an imbalance that we need to address. However, let me be clear: I do not believe that any individual should be appointed or elected solely on the basis of their gender. Such an approach would do a disservice to women whose outstanding leadership and political acumen, historically and currently, shine as an example for all.

Mr Agnew: I thank the Member for giving way. Does she agree that you should not have to be an outstanding woman to achieve these feats and that, actually, a woman who is simply good enough or as good as the next man should be able to get those appointments? A woman should not always have to be an outstanding woman.

Mr Deputy Speaker: The Member has an extra minute.

Mrs Cochrane: I agree that you do not always have to be outstanding. There are plenty of men here already

who are not outstanding. *[Laughter.]* That was not a personal comment, Mr Agnew, just to be clear. *[Laughter.]* The motion specifically mentions training and support programmes aimed at the political empowerment of women. I agree that these are a positive step forward towards encouraging more females to consider a role in politics. This concept is also supported by the founder and executive chair of the World Economic Forum, Klaus Schwab, who said:

"The key for the future of any country and any institution is the capability to develop, retain and attract the best talent. Women make up one half of the world's human capital. Empowering and educating girls and women and leveraging their talent and leadership fully in the global economy, politics and society are thus fundamental elements of succeeding and prospering in an ever more competitive world."

Although it is important that we recognise the under-representation of women in our political institutions, this cannot simply be a case of cosmetics, tokenism or number crunching. Instead, it should be an opportunity to wisely grasp and harness the skills, talents and capabilities and potential of half of our population. From my own working life in the public and private sectors, before the Alliance Party approached me to get me involved in politics, I saw plenty of examples where it was more difficult for women to get ahead. If we are to successfully engage and empower women to fulfil their potential, we need to consider and address the various factors that hold them back.

Some of those barriers can include, for example, a lack of confidence or the masculine model of politics with its structures, cultures and ways of working. Furthermore, the inflated egos of some of our male politicians and the culture of political point scoring do little to attract women, who are often seen as the ones who just want to get in there and get things done.

Like others who described their route into politics, I was coaxed into it by a formidable woman, Naomi Long MP. I firmly believe that, if we are to change things going forward, there are a number of things that we need to do, not least ourselves, as the women who have spoken here already have said, to encourage and enable other women to contribute and participate in Northern Ireland's often spirited and challenging political environment which, I believe, would be all the more enriched by such input. I support the motion.

Mr Agnew: I welcome the motion. I apologise to the proposer and to the House for missing the start of the debate. I was caught up in a Committee meeting that overran.

Today has been great, and, since I arrived, we have heard from strong, powerful female speakers, but we know too well that the make-up of the House is male-dominated and that only 19% of MLAs are female. The facts are clear: without positive action, we will not change this. It has not changed organically, and, as a member of the Green Party, I support organic growth. In this case, we need to make interventions. I support the motion and everything in it. If anything, it does not go far enough, although I believe that it will be unanimously supported.

Because we have done little or nothing, the trend of representation in the Assembly is going backwards, with

fewer female MLAs elected in 2011 than in 2007. It is clear that what we are doing is not working. Ultimately, we need to achieve a culture change in the Assembly, in wider public appointments and in the private sector, where women do not occupy enough of the top positions.

How do we encourage women on the outside to get into politics through our parties? My party is proud of having set a quota that one third of candidates in any multi-candidate election will be female. I do not accept the charge that this is tokenism or whatever else, because I know that, in my party, the strong women are there. However, they are not putting themselves forward or are not being encouraged to put themselves forward, and we have sought to change the culture in our party to encourage them to do so. Where male candidates who would do are available but there are better female candidates, we can seek them out and put them forward.

Ms Fearon: Will the Member give way?

Mr Agnew: Yes.

Ms Fearon: I agree with your point about positive action, which is the only way we will implement change quickly and effectively. I have heard Members talk about tokenism and the merit principle, but does the Member agree that we never discuss the merit principle when it comes to the position of a man in power?

Mr Deputy Speaker: The Member has an extra minute.

Mr Agnew: I completely agree with the point. The default position is for men to be put forward. Mrs Cochrane made the point that plenty of men, arguably some of them are in the Chamber, are not outstanding.

Mr McNarry: Speak for yourself.

Mr Agnew: I want women to be equally represented, and that should be on the basis of ability. Female candidates should not have to be outstanding, which is what is required now. Credit to the females who are here because so many barriers have to be overcome. I want it to be as easy for a woman to get elected as it is for a man.

Ms P Bradley: I thank the Member for giving way. He and others mentioned the barriers to women getting involved in politics. How do we get rid of those barriers and make this an acceptable place for everybody?

Mr Agnew: I thank the Member for her intervention. We need to provide encouragement, and all the things that other Members talked about need to happen. We need a culture change outside politics to get women thinking in those terms. We also need a culture change within politics. When my colleague in the English Greens, Caroline Lucas, proposed job sharing for MPs, it was lambasted as a ludicrous idea. Why is it a ludicrous idea? It has been necessary in other workplaces to ensure that people, whether male or female, with childcare responsibilities can pursue a career and have appropriate childcare. We need to look at alternatives. We cannot simply say, "That is not how you do things in politics". We put up too many barriers to women getting into politics, and, if we are to change the level of female representation, we need to change the culture of our politics from how we treat one another to the pressures that we put on our political representatives.

I am proud to say that approximately 50% of the candidates that the Green Party will field across Europe in the forthcoming European elections will be women. That

shows that it can be done. I defy anyone to say that any of those women is a token candidate. There will be a strong slate of male and female candidates in Green parties across Europe.

I want to mention quickly that on Saturday night we had hundreds of strong, independent women in the Great Hall. We had 25 powerful speakers who spoke about domestic and sexual violence, discrimination in the workplace and inequality in our society. In some cases, we heard from people who come from countries where women are oppressed, who said how delighted they were to have freedoms in Northern Ireland. I am disappointed that some have chosen to lambaste a female for using her freedom of expression in a way that she saw fit —

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

Mr Agnew: — and have even brought the matter to the House to condemn her for it. Yet again, it is males putting down females when they seek to express themselves.

Mr McNarry: I could be on a hiding to nothing with this, but here goes. It is a rare opportunity, and I am glad to have the opportunity as a member of UKIP to dispel any opinions that people may have about comments that some former colleagues in my party sadly and very poorly made. I emphasise the word "former", and I am personally glad that they are former members.

I wanted to participate in the debate, because I commend the motion. I heard it said during the debate that it was a pity that the motion had to come before the House. I understand that remark. It is not as though women are not recognised in here and in all walks of life, where they play a key role and are informing men daily — certainly me — that we do not know it all and do not know better. Some may think that people of that opinion — I am not of that opinion — speak for so few. I would like to say that to the House and for the House to appreciate that such opinions are the opinions of so few. Thankfully, they are not the opinions of the majority — by far the greater majority — of people in our community.

UKIP is very comfortable with the motion. In fact, I am all for being considered equal to women in politics. I am all for being able to treat people in politics as equals, which is what we all are.

I will focus momentarily on women in leadership. Without risking capitulation or sounding patronising, the saying goes — we have all heard it; we certainly did as we were growing up — that behind every great man there is a great woman. It is not that I am great, but I see how that works at home, and I pay tribute to the information that I get there. If she has not been mentioned — perhaps she has — we should mention Margaret Thatcher. She showed remarkable and tremendous leadership qualities. I admired and respected her and did not see her or think of her as a woman; I saw her only as a formidable leader. Where role models are perhaps being sought, you would go far to find one that is better as a leader. She is certainly one that I think worthy of following.

Women have played and do play a major role in my political life. My wife, who is from a deep-rooted political family, has taught me much; my two daughters, who keep me alert to their opinions, also teach me much; and

my female — majority female — support staff show me aspects that I do not immediately see.

They all keep my feet on the ground and give me a perspective. I think that men should be allowed to say and to appreciate that it is a perspective. We cannot be expected to think exactly alike on all issues.

1.45 pm

I still give up my seat on public transport, still open the door and still encourage women to push forward. I apologise for being late, but the reason I was late was that I was spending some time encouraging a young woman to come forward in politics to stand for election. I saw her only as a candidate. I did not see her as anything else. I think that is what we are looking for. I wish the motion well. Let us see how far it takes us forward after today.

Ms Ruane: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le Megan Fearon as an rún seo. I thank Megan Fearon, who is the youngest Member and the youngest woman in the House, for bringing forward the motion. It is very timely. It is interesting that, earlier this morning, one of our people from the back there — Mr Allister — was jumping up and down about media reports, but he is not here for a very important debate. It is a pity because he could learn a lot from it. We have a lot of gatekeepers who do not want change and who want to make sure that women are kept in particular roles, but that ain't going to happen.

I thank everyone who spoke in the debate and thank the men who attended. The tone of it was very good. There is a lot of commonality among all us women. I know that we have differences on issues such as quotas, and we will continue to debate those differences, but I, personally, am delighted that women on the opposite Benches spoke about how they got into politics, and I can tell you that I am glad that you are in politics. You make this place a better place.

I was glad to hear David McNarry and Steven saying that they are out looking for women because, of the four parties down there, they do not have one woman among them — UKIP, NI21 and all the rest. I welcome what they are doing. I also welcome Steven Agnew's defence of women this morning on the media, and I would like to put that on record.

I want to quote very briefly some statistics, which I find shocking, but, sometimes, we have to shock ourselves. In the South of Ireland, 25 out of 166 Dáil seats are held by women. That is 15%, which is an all-time record. Some 91 women have been elected to Dáil Éireann since the foundation of the state. Since 1918, out of 4,744 Dáil seats, 260 have been held by women. That is 5.48%. There were five more women elected to the Dáil in 2011 than there were in 1992. In case the North or anyone gets cocky about what is happening here, there is nothing to be cocky about. In 1998, we had 14% women. In 2003, we had 18%. In 2007, we had 18%, and, in 2011, we had 19.5% — not even 20%. We are a new institution, so there is no excuse for us.

Looking at Ireland — the South of Ireland — on the international stage, UN statistics show that we are 106th out of 184. We are twenty-fourth out of 27 in the European Union. Eight out of 10 men are in the boardroom. We are

twenty-sixth out of 34 in the OECD. We are between India and Egypt.

So, what are the barriers? We have heard them from the women in the room. Sometimes, I think that people are not listening enough. We will tell you what they are. Candidate selection and putting women into winnable seats is the single biggest barrier. Another is childcare. Look at how expensive it is, look at how inaccessible it is, look at this place. This place is better than others, but it is still not family-friendly enough. One of our Members, Sandra or maybe Jo-Anne — sorry — mentioned the lack of a crèche. Anna mentioned it, too.

Anna also mentioned the macho culture. That is what we have, lads. There is no other word for it; we have a macho, adversarial culture. If only I had a pound for every time a woman said, "I don't know how you put up with that up there". We need to listen to that. Do not just dismiss it. I see Edwin raising his eyes to the ceiling. Listen. Listen to what women are saying. It is not a culture that is conducive to good politics.

I move now to confidence. If women are constantly being put down, they will not have the confidence to stand up again and again and again, and we should not have to defend ourselves again and again and again.

How do we overcome those barriers? This is where I part company with some of the women who spoke. We need quotas, for without them we will not make the changes that are necessary. Most of the countries that have the highest number of women in their national Parliaments have quotas: 17 out of 20. We need a critical mass of women in the Assembly and, equally, in our political parties because, if there is not a critical mass, women will not be selected and will not speak up. They will not speak up unless there is a certain percentage.

I cannot deal with all the comments that Members made. Megan sent a message to which people need to listen: sexist jokes are not funny. We are sick of them. It is not that we do not have a sense of humour. We do, but we do not have a sense of humour about sexist, racist, anti-gay or lesbian jokes. They are just not funny.

Pam Brown talked about Women's Aid. Violence against women and children is the biggest barrier for us in society. What women are going through is awful. Every one of us women understands the impact of violence against us and our children. The rape of women is unacceptable, and we need all voices, male and female, arguing and fighting against that.

Dolores Kelly talked about quotas. I support her. Section 42 of the Electoral (Amendment) (Political Funding) Act 2012 in the South states that 30% of candidates have to be women, with the number rising to 40% in the next seven years and going to 50%. If there is not 50%, parties are financially punished. That is when parties start to listen.

Sandra talked about STEM careers, and she is absolutely right. Paula talked about the women who pull the ladder up behind them.

Mr Wells: On a point of order, Mr Deputy Speaker.

Ms Ruane: Paula Bradley. Gabh mo leithscéal.

Mr Wells: On a point of order, Mr Deputy Speaker. I assume that the lady, when she refers to "Sandra", means the honourable Member for Mid Ulster Mrs Overend. If that

is the case, I think that it is proper that the lady is properly addressed rather than simply addressed by her Christian name.

Ms Ruane: My apologies to the women to whom I did not give their full name.

Paula Bradley talked about the ladder being pulled up behind them. This is where I part company with David: Margaret Thatcher was one those women, unfortunately. That is why she was not a good promoter of women.

Steven Agnew talked about challenging the system. I welcome the fact that he spoke about bringing forward female candidates.

Sinn Féin is a party in which women with power is a party norm. We have 10 women MLAs; three of our five Ministers are women; our party vice-president is a woman; our Chief Whip is a woman; our youngest woman MLA is Megan, who is here today. However, that is not enough. I am not going to defend the inadequate representation of women in my party. It is not enough, and Sinn Féin has the best record in the House on gender. I challenge my party. I am sure that all the women and men here will join me when we have 50:50 representation, when we have women managers and strategists at every level and when we have women leading election teams, as well as being candidates. I do not think that any woman in Sinn Féin believes that there is real power sharing among women and men in Sinn Féin. That has to change. I believe that it will change, but it will take time. Men need to work with us in bringing about that change.

I spoke earlier about violence against women and children. We must have zero tolerance to violence against women and children. There is a lack of convictions. There is ambiguity around the issue. It is a crime. If one message goes out from the House today, it should be this: let us stop criminal behaviour against women and children. Those who carry out criminal behaviour should be behind bars. Another young woman was killed last week. How many more have to die before violence against women and children is treated as the crime that it is?

I thank everybody. Gabhaim buíochas maidir leis an díospóireacht seo. Bhí sé an-mhaith. We now need action not talk.

Question put and agreed to.

Resolved:

That this Assembly recognises the lack of female representation in politics and public life; further recognises the positive outcomes that result in tackling this inequality, when support and training programmes are put in place to encourage more female candidates to stand in elections; and calls for the introduction of a training and support programme to encourage more female candidates to stand for election.

Mr Deputy Speaker: As Question Time begins at 2.00 pm, I suggest that the House takes its ease until then.

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

2.00 pm

Oral Answers to Questions

Employment and Learning

Mr Deputy Speaker: Question 1 has been withdrawn.

Teacher Training Review

2. **Mr Eastwood** asked the Minister for Employment and Learning to outline what efforts have been made to consult staff in teacher training institutions regarding the initial teacher training review. (AQO 5714/11-15)

Dr Farry (The Minister for Employment and Learning):

Members are aware that I have initiated a review into the teacher training infrastructure in Northern Ireland. The review panel invited each of the initial teacher education institutions to submit their views on the structures necessary to create a world-class system of initial teacher education in Northern Ireland. The panel also invited submissions from other interested stakeholders. That provided an opportunity for staff, if they so wished, to make their views known to the panel. The closing date for submissions was 18 December, and over 100 responses were received. All have been passed to the panel. My officials have prepared a summary report of the responses, and that will be published on my Department's website shortly. The review panel recently met the initial teacher education providers and a number of interested stakeholders. It will draw the information from those meetings together with all other relevant information to inform its final report. Once the assignment has been completed, it will form the basis for further dialogue with the various institutions, with the intention of finding an agreed way forward.

Mr Eastwood: I thank the Minister for his answer. Has his Department undertaken any estimates of how current staffing levels at the existing colleges will be affected by the review?

Dr Farry: We have not explored that issue to date. The Member will appreciate that we are at the second stage of a process, which involves looking at the options for the potential reconfiguration of the current structures. We are expecting a number of options. The Member can take reassurance, as can others, that we have always sought to engage with all relevant stakeholders at each stage of the process. If and when we get to the point of having concrete proposals for change, we will, of course, be seeking to engage with the institutions, which, in turn, will seek to engage with their staff over the potential ways forward.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I put on record my continuing support for the retention of St Mary's University College. Was each of the representative bodies of the various school sectors in the North — the controlled, Catholic maintained, integrated and Irish-medium sectors — consulted by the review team in the form of face-to-face meetings?

Dr Farry: The panel invited submissions from right across the community, and a number of those organisations did

not respond in writing. A number were subject to direct meetings, so there has been a detailed engagement with all the relevant stakeholders, and the types of organisations that the Member mentioned were very much part of the process.

Mr Allister: Has the Minister any concerns about how the matter was handled at Stranmillis College, where an academic leadership team prepared a draft, which was changed by the Minister's appointee as chairman of the board of governors without reference back to the team? The changed draft was then submitted without the team knowing its contents, and then —

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

Mr Allister: — the panel visited the university on 24 February without the staff being told. Furthermore, there has been no feedback to the staff. Does that strike the Minister as the level of consultation that he would expect with staff?

Mr Deputy Speaker: Order. I must insist that a question be put.

Dr Farry: I am grateful to the Member for his rather elongated question. The issues that he outlines are matters for Stranmillis as an institution. It is the board of governors that has the responsibility for running the college, and it is with the board of governors that the Department has direct liaison on such matters. Stranmillis has been fully engaged in the process to date. We have received a detailed submission from it, and it has been awarded a more detailed face-to-face meeting with the panel. It will be a key delivery partner on the way forward.

Students: Housing Support

3. **Mr Agnew** asked the Minister for Employment and Learning to outline the housing support available for students of regional colleges who are not entitled to housing benefit due to being in full-time education. (AQO 5715/11-15)

Dr Farry: Entitlement to housing benefit is a matter for the Department for Social Development. Some students in full-time education may be eligible for housing benefit, depending on their individual circumstances. Although my Department does not provide specific housing benefit, it provides a range of other financial assistance to students undertaking vocational courses at further education colleges. There are two main sources of support: further education awards, which are administered by Student Finance Northern Ireland; and hardship funds, which are administered by each further education college.

FE awards provide a maintenance grant to assist with living costs for full-time and part-time students over 19 who are undertaking an approved vocational FE course up to level 3. Hardship funds are administered by each FE college. They provide support to learners over 18 years of age who are experiencing exceptional financial difficulty with meeting costs associated with learning while enrolled in an FE college. The funds are aimed specifically at providing assistance with fees, books, equipment, travel costs and associated living costs. Students can apply for assistance from both sources, with the maximum amount payable capped at £3,500 a year.

Students attending full-time higher education level 4 or level 5 courses at a college may be entitled to a maintenance loan and means-tested maintenance grant to help with living costs. Funding for childcare costs is also available to eligible students who have dependant children. Eligibility for assistance from further education awards and/or college hardship funds is not based on the receipt of prescribed benefits but on a number of criteria such as means-testing based on household income.

Over the three academic years, the financial support provided through FE awards was just over £4.5 million, £4.6 million and £5.5 million respectively and, through the hardship fund, around £2 million, £1.8 million and £1.7 million in each year.

Mr Agnew: I thank the Minister for his answers and for outlining the support available for students who find themselves in hardship. I am aware of a case in our mutual constituency of a young person who is facing such hardship. They are, unfortunately, estranged from their parents and are struggling to meet costs and find housing. The Minister mentioned that the further education award was for those over 19. Will he tell me the rationale for setting the level at that age?

Dr Farry: The rationale predates my term in office, but it is something that we are happy to take a look at. If the Member has a specific case in mind and wants to get directly in touch — given that I am from the same constituency, I may have an idea of what that case is — we would be happy to take a more detailed look at that at a departmental level to ensure that any individual is fully aware of the potential sources of support available to them. It is important that someone considers all the potential sources that are out there.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister accept that there is a serious problem for students at the moment with accessing affordable housing while at college? Can the Minister give us an update on what he is trying to do to address that problem?

Dr Farry: The Member will be aware that issues relating to housing are primarily for my colleague the Minister for Social Development. However, I do have responsibilities to ensure that we are able to have accessibility to higher education and further education. As such, we have a widening participation strategy. I am happy to have more detailed discussions with Nelson McCausland around such matters. Depending on the particular course, maintenance support can be available. The Member will also be interested to note that we are conducting a review of higher education finance issues — not the issues of tuition fees, I hasten to stress, but some of the other issues relating to, for example, part-time study and, indeed, some of the anomalies that have occurred in our system as we move to different systems across the UK.

Mrs D Kelly: The Minister gave a very detailed answer to the initial question, but will he maybe expand a bit further on the right of appeal to the hardship fund and on whether he has any plans to link the education maintenance allowance (EMA) to housing status?

Dr Farry: If someone wishes to take forward an appeal, they are entitled to do so. EMA has been subject to its own review and, indeed, we had a public consultation on that matter. It is something for which responsibility is shared between my Department and the Department of Education.

It has been taken to the Executive, and we have an agreed policy outcome. It is worth stressing that Northern Ireland has a more generous form of EMA support than any other region or nation in the UK. That is a clear example of the importance of devolution in delivering for local people.

Shankill Job Assist Centre

4. Mr Humphrey asked the Minister for Employment and Learning if his Department will continue to support the Shankill Job Assist Centre. (AQO 5716/11-15)

Dr Farry: The Shankill Job Assist Centre has delivered the local employment intermediary service (LEMIS) on behalf of my Department in the greater Shankill area since April 2007, when the contract was awarded following a competitive tendering exercise. Following from the success of LEMIS, LEMIS 2 has been operational since April 2011. Since November 2012, LEMIS providers have been encouraged to caseload young people aged 16 to 24 who are not in education, training or employment as an early intervention measure in support of the Executive's Pathways to Success strategy. The current LEMIS contracts will come to an end early in 2015, at which point there will be a review of policy options to determine the way forward. All LEMIS providers will be evaluated as part of the Pathways to Success strategy evaluation, and a full modular evaluation report should be completed by June 2014.

The Shankill Job Assist Centre is also involved in delivering the contract for the community family support programme, partly funded through the Delivering Social Change initiative, following a competitive tendering exercise in September 2013. Five lead organisations and a range of partners have been awarded contracts to deliver the programme to at least 720 families across Northern Ireland between October 2013 and March 2015. In addition, the Department offered funding for the Promoting Employability in the Greater Shankill project, amounting to £101,000 from the European social fund, which is 40% of the project costs, and a £63,000 contribution by the Department to meet 25% of the project costs. The remaining 35% match funding is provided by a combination of the Department's LEMIS programme and Impact Training (NI) Limited. The funding is offered over a two-year period, from 1 April 2013 to the end of March 2015. The Shankill Job Assist Centre has demonstrated its ability and experience to secure contracts to deliver services for those most in need. I look forward to maintaining that partnership in this context.

Mr Humphrey: I thank the Minister for his very comprehensive answer. Only a few weeks ago, the Minister visited the Spectrum Centre with me and party colleagues for the 10-year anniversary of the job assist centre. He will know the valuable work that the centre is doing in the areas that he mentioned today, along with Impact Training. I pay tribute to both organisations. He mentioned the word "local" in his reply. However, does the Minister agree that the Shankill Job Assist Centre is not working with people just in the greater Shankill area, but in north and west Belfast and across the city? Does he agree that its work is invaluable?

Dr Farry: I thank the Member for his supplementary question and the comments that he made. I endorse what he said. It is important that we look to local delivery, particularly at community level, for a number of our

employment programmes. I pay tribute to the success of the Shankill Job Assist Centre in that regard. The Member will know that some of the success rate performance figures are actually quite dramatic, which is a real tribute to all who have been involved. I stress that, as we look to the future, my Department will roll out a number of other programmes. We will be looking for bids from the community and voluntary sector to take those forward, because, particularly when developing new policy, it is always good to have a pilot and to experiment with innovative approaches. I fully encourage and expect applications to come in from the Shankill Job Assist Centre.

Mr Deputy Speaker: Mr Trevor Lunn is not in his place. I call Mr Thomas Buchanan.

DEL: Sick Absence

6. Mr Buchanan asked the Minister for Employment and Learning what action he is taking to help reduce the days lost through sickness absence within his Department. (AQO 5718/11-15)

Dr Farry: The Department addresses sickness absence through a robust application of the Northern Ireland Civil Service inefficiency sickness absence policy and procedures and by providing a range of support services and interventions to assist all its employees to improve their general health and well-being. The Department has developed a managing attendance action plan aimed at reducing absence levels through a range of mechanisms that focus on governance, well-being strategies and stakeholder responsibilities. The plan includes divisional absence targets; early interventions in stress cases; a partnership approach to case management between human resources branch and line managers; and delivering a range of health and well-being initiatives in partnership with the Northern Ireland Civil Service Well programme.

In addition, the Department has sought to change its attendance culture. It issues regular communications to line managers and staff to reinforce their roles and responsibilities to ensure that there is a commitment to collaborative working on the issue. Managers are encouraged to attend training to develop the knowledge and skills required to deal with absence management. An e-learning package on managing sickness absence is scheduled to be delivered to all staff in the Department in the coming weeks.

2.15 pm

The staffing profiles of individual Departments are a contributory factor to their differing levels of absence. This is particularly relevant to my Department, which has high numbers of female staff, front line services and administrative grades, all of which have traditionally contributed to high absence levels. When the Northern Ireland Statistics and Research Agency (NISRA) adjusted the data in the 2011-12 year for a comparison based on these factors, it would have improved the Department's position from 11.4 days to 9 days. The absence rate in the Department has been reduced from 17.7 days in 2003-04 to 11.5 days in 2012-13, and the expected out-turn for 2013-14 is estimated at 10.2 days. I congratulate the staff on their efforts to date. The Department is committed to building on the progress made so far.

Mr Buchanan: I thank the Minister for his response and the work that has been done. Given that the Department for Employment and Learning has one of the highest rates of sickness absence days, will the Minister advise whether he or the Department has any intention of carrying out an internal audit of that to try to reduce it further?

Dr Farry: With regard to audit, the Member will be conscious that the Northern Ireland Audit Office (NIAO) takes a keen interest in the matter, which is entirely appropriate given that there is a significant financial cost to the Northern Ireland Budget from sickness absence. It will never be entirely driven out of any organisation, but there is recognition that our levels are too high, judged in comparison with other organisations in different sectors in other parts of these islands and elsewhere in the world. Although we have some historical patterns of sickness, it is something that we have to be very proactive in trying to combat, as it is important for taxpayers and customer service.

Mr McKinney: Will what you have outlined, Minister, be sufficient to future-proof the Department for mental health-related illness?

Dr Farry: Looking to the future, I am pleased that we are making progress in the right areas. The Member is also right to draw attention to mental health. Often, we view sickness purely in physical terms, and it is appropriate to extend the same consideration to mental health issues. Of course, mental health issues can cover a broad spectrum of conditions. Therefore, it is important that we offer support to people with varying mental health conditions to remain in the workplace. Through cooperation with a number of organisations in the community and voluntary sector, we are becoming more sophisticated in that regard.

Mr Deputy Speaker: Mr Sammy Wilson is not in his place.

Students: Entrepreneurial Spirit

8. **Mr Milne** asked the Minister for Employment and Learning how further and higher education institutions strive to create an entrepreneurial spirit among their students. (AQO 5720/11-15)

Dr Farry: Our further and higher education institutions have developed programmes and ways of teaching that give students an insight into entrepreneurship and embed the skills of enterprise.

There is some confusion about the meaning of the terms "entrepreneurship" and "enterprise", and I would like to clarify how my Department uses them. In the educational sense, I believe that enterprise is about developing enterprising individuals who have personal attributes to enable them to make unique, innovative and creative contributions to the world of work, whether in employment or self-employment. On the other hand, entrepreneurship is supporting those who wish to establish a business. Our further and higher education institutions address both areas in providing for their students. For example, Belfast Metropolitan College offers students an exciting and award-winning creativity programme named FRESH, which is designed to inspire and motivate them to problem solve through a creative process and embed enterprising behaviours as an outcome. Other colleges have similarly innovative ways of encouraging students to acquire an

enterprising spirit, which, for some, can develop into a desire to become an entrepreneur.

The business and education through skills and strategy (BEST) awards, which were introduced in May 2011 by Colleges NI, were designed to celebrate the creativity and innovation of the sector and, in particular, to recognise the excellent project-based learning taking place across the colleges. In an increasingly competitive labour market, higher education institutions must provide graduates with opportunities to develop a portfolio of skills, attributes and experiences that will set them apart in the world of employment, and that very much includes entrepreneurship.

Mr Milne: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire go dtí seo. I thank the Minister for his answer. Does he know whether there is much of a difference between the number of students in further and higher education who start their own business?

Dr Farry: It is fair to say that we do not yet have enough people across the board in Northern Ireland who establish their own business. In so far as we are successful in providing people with the right skills for employers, we do not yet have enough people who are prepared to go out and start their own business. It is not as much a part of our culture as it is in some other societies, so it is important that we try to engender such a culture in everything from careers advice to the further education colleges and higher education institutions that offer that support. I draw attention to some of the very innovative work happening in further education, where more and more students are being supported in creating a business. Indeed, we encourage businesses to come to further education to find gaps in research to be addressed. Through that type of collaboration, we will encourage more students to go into business directly.

Mr Ross: One of the best ways to inspire and encourage young people is through the use of role models. Is any thought being given to, perhaps, working with Invest Northern Ireland to establish local role models who could help to inspire young people to start up their own business or get involved in some innovative ideas?

Dr Farry: We would be happy to take forward such discussions with Invest Northern Ireland. Of course, it has the lead on entrepreneurship, and there are a number of mentoring programmes at present, although they tend to concentrate on those who are slightly beyond the stage of being in a college or university setting. I agree with the Member that, potentially, we can do a bit more work to bring in business more directly to encourage individuals who show a flair for entrepreneurship.

Mrs Overend: Connections between businesses and the further and higher education institutions are really important. Could the institutions do more? Could they be more welcoming and listen more to businesses to improve those connections and inspire young people in business?

Dr Farry: I thank the Member for her question. If we broaden this slightly beyond direct support for entrepreneurship and talk about the role and relevance of universities and colleges to the economy, we can then look, for example, to the higher education strategy, which places at its centre what universities can do to support the economy. Businesses should be interacting with universities and colleges in a range of ways, from providing

advice on curriculum content to providing placements for students to gain invaluable work experience. One of the most critical areas in which we need to improve is employability skills. Our colleges and universities can provide the knowledge and/or technical skills required, but employability skills cannot be taught in a vacuum, so it is important that businesses collaborate with our institutions to provide work placements in particular.

Energy Sector: Opportunities for the Unemployed

9. Mr McAleer asked the Minister for Employment and Learning how his Department aims to maximise the opportunities for unemployed people in the sustainable energy and energy efficiency sectors of the economy. (AQO 5721/11-15)

Dr Farry: My Department offers a wide range of provision to help the unemployed and employers in all sectors, including the sustainable energy and energy efficiency sectors, to equip their workforce with the right skills to help to drive their business. The further education colleges, for example, provide a range of courses specific to the needs of the sustainable energy sector that may assist those who are unemployed to gain qualifications or develop skills in areas such as renewable energy production or technologies. They include foundation degrees specialising in wind technology and renewable energies. Colleges also offer a variety of professional and technical courses at different levels that are relevant to the renewable energy sector. Courses cover topics such as solar energy, sustainable business practices, responsible sourcing of materials, biomass heating systems and wind turbine specification and installation.

I recognise the importance of high-grade welding skills to not just the sustainable energy and energy efficiency sectors but the wider engineering industry in Northern Ireland. A range of training to level-3 standard is available through the further education college network to provide the accredited qualifications that the sector needs. In addition, the Assured Skills programme provided £140,000 to upskill two Belfast Metropolitan College lecturers and to train four NVQ assessors in wind turbine maintenance, to upskill a further five lecturers in hydraulics training relevant to the renewables sector and to develop level-3 hydraulics qualifications with City and Guilds.

Mr McAleer: Go raibh maith agat, a Leas Cheann Comhairle. Does the Minister agree that a community employment scheme in the sector would be an effective way to address not only energy inefficiency but unemployment?

Dr Farry: At present, we have schemes that are trying to address unemployment. In particular, we have the youth employment scheme. We also want to work in collaboration with employers on their training needs. In particular, we have the skills solution service, which is a one-stop shop for employers to talk through and find the most appropriate scheme for attracting and training their required staff. Bridge to Employment also offers a means by which unemployed people can be attracted into businesses and provided with the relevant skills to be taken forward.

As we look to the future, particularly with the review of public administration, at a more localised level and through

the future community planning powers that councils will have, the opportunity will be there to better scope skill levels and to engage with the relevant FE colleges that serve the very particular aspects of the economy in different parts of Northern Ireland.

Area-planning Steering Group

10. Mr Storey asked the Minister for Employment and Learning what input his Department has had in the area planning steering group since attending the first meeting on 6 November 2013. (AQO 5722/11-15)

Dr Farry: The area planning steering group's role is to coordinate and oversee the continuing development of the education and library boards' area plans to embed a single approach to area planning for schools. The Department has been represented at the last three meetings of the area planning steering group to ensure that the planning process takes account of the provision at further education colleges. Area planning should make full use of the effective partnership working that exists already between schools and further education colleges. That will help to ensure that the education system can respond to the needs of pupils and the skills required in growing the economy. For example, in considering accommodation and innovative approaches to curriculum delivery, consideration should be taken of further education colleges' state-of-the-art buildings, equipment, expertise and local employer knowledge. Those are all available for use by schools to make the curriculum provided through the entitlement framework stimulating for pupils and relevant to the world of work. I believe that the policy for 14-to-19-year-old school pupils should seek to address the core issues of access to a full, relevant and motivating curriculum that has an appropriate balance between high-quality academic and vocational provision. My Department's input to the work of the area planning steering group can help to ensure that the important contribution that the further education sector can make is recognised and utilised to the full.

Mr Storey: I thank the Minister for his answer. In working out the policy implications of his Department's involvement on the steering group, can he expand somewhat on how those working relationships will translate into capital projects? I am well aware that he currently has money that he has to spend, and I am aware of capital money that is proposed to be spent in the Department of Education. Is there any meeting of minds so that the maximum benefit is gained from a substantial amount of capital provision in the two Departments?

Mr Deputy Speaker: I ask the Minister to be brief, please.

Dr Farry: I am happy to have those conversations. The Member is right to stress the importance of trying to coordinate what we do. I want to ensure that we make a rounded offer to young people that includes academic and vocational alternatives. In many respects, the FE system has the economies of scale to provide a more effective vocational offer than could be offered in the school system.

2.30 pm

As we look to the future in area planning, it is important that full recognition is given to the opportunities that exist in the FE sector, rather than diverting resources into trying to replicate what happens in the FE sector and duplicating

the provision that we already have at the expense of doing something more effective with those resources. I am confident that, through effective engagement within the structures, we can have a solution that works for the best interests of young people right across the board.

Mr Deputy Speaker: Order. That ends the period for listed questions. We will now move on to 15 minutes of topical questions.

Salisbury Report: Further Education

1. **Mr McMullan** asked the Minister for Employment and Learning for his reaction to a report published by Robert Salisbury that indicated that industrial relations in the six further education colleges are not fit for purpose. (AQT 841/11-15)

Dr Farry: I very much welcome Sir Robert Salisbury's report, which will hopefully provide a new beginning for human resources relations in the FE sector. It is important to stress that Colleges NI commissioned the report, and it was reported to them. This was not imposed on the sector; indeed, the sector was quite proactive in taking it forward. The Member will recall that such a process was one of the recommendations arising from the McConnell report on the industrial relations situation in North West Regional College.

Mr McMullan: I thank the Minister for his answer. In the report, the current system is described as "largely ineffective and dysfunctional", and a complete overhaul has been recommended. Will the Minister seek to implement that?

Dr Farry: The Member will be aware that 17 recommendations are contained in the Salisbury report. I believe that, holistically, those recommendations will create a new beginning for industrial relations. Indeed, Colleges NI is happy to endorse the recommendations that it has received and is now engaging with various stakeholders to implement them. I am happy with the report's content and the commitment to deliver upon its recommendations.

STEM Subjects

2. **Mr McKinney** asked the Minister for Employment and Learning what he is doing to encourage more people to stay in the North to benefit the economy here, given that, in 2012-13, 46% of Northern Ireland-domiciled students at UK higher education institutions were engaged in a broad STEM subject, while 23% were engaged in a narrow STEM subject. (AQT 842/11-15)

Dr Farry: First of all, the Member is right to put emphasis on STEM subjects. Tomorrow, I head to the United States to talk with the US State Department and a number of organisations about how we can further explore opportunities for the United States Government and businesses to support our STEM agenda locally.

We have taken forward initiatives to create the space and opportunity for more training and education in STEM. First, we have expanded the number of university places by 1,350 through to 2015-16. All those are in STEM subjects. We have also doubled the number of publicly supported PhDs in Northern Ireland. Again, all those are in areas of economic relevance.

The Member will also be aware that we are concluding a major review of apprenticeships. The idea there is to make sure that we provide a form of advanced vocational training that is highly relevant to the world of work. As our economy moves more and more into STEM-related areas, I expect that that form of apprenticeship training will reflect that change.

Mr McKinney: I thank the Minister. Will he give his assessment of schemes such as the free graduate boot camp that the University of Ulster is running? What impact could they have in encouraging students to stay or to compete in the labour market here?

Dr Farry: A lot of good initiatives are being taken forward, whether it is by the University of Ulster, Queen's University, the Open University or, indeed, our schools and further education colleges. When representatives of the US Government visited us at the end of January, they were very impressed by the commitment here and by some of the initiatives being taken forward. Where the challenge lies locally is in scaling up and expanding those to ensure that more and more young people go through those experiences and get a real love of science, technology and engineering. It will be through that approach that we will increase the number of locally based people able to provide jobs in the new economy.

Stranmillis University College

3. **Mr Wells** asked the Minister for Employment and Learning, alluding to the question asked by Mr Allister earlier, when the review of the future of Stranmillis University College is concluded, to give us a cast-iron guarantee that the ethos of Stranmillis, which is so important to many people in the Province, is retained. (AQT 843/11-15)

I hope that before he jets off to the United States, the Minister will find time to congratulate Kelly Gallagher on her outstanding success at the Paralympics, particularly as he is a Member for North Down.

Dr Farry: I am not sure that I will be doing a detour from the flight plan to the United States to go to Sochi. However, I certainly join the Member in passing on my congratulations on an outstanding achievement for Bangor and for Northern Ireland as a whole.

We are looking at a way forward for teacher education that provides a rounded solution that meets the needs of Northern Ireland society as a whole. I firmly believe that we have to have a system of teacher training in which any individual can be trained to work in any type of school and in any sector of our education system. I believe that there are a number of different formats in which that can be achieved.

The Member refers to the ethos of Stranmillis, but I would stress that Stranmillis is not and should not be viewed as an exclusive training college for the controlled sector. Although its enrolment figures may contain a majority of Protestants, they are much more diverse than people might at first recognise. Indeed, its ethos is one of sharing and of providing teachers for across the spectrum of provision.

Mr Wells: I know from personal experience that the Minister is absolutely right: Stranmillis is extremely mixed. The difference is, of course, that it is not a Catholic teacher training college like St Mary's, and there is a concern that

this merger could lead to a diminution of the tradition of Stranmillis, which is so important —

Mr Deputy Speaker: Will the Member come to the question, please?

Mr Wells: — and has educated so many good teachers.

Dr Farry: In some ways, the Member is right, first of all, that we should not draw or seek to draw a parallel between Stranmillis and St Mary's. That often happens, but they are not established in the same manner. They have different histories and different traditions that have built up over time, and they have different forms of governance.

Stranmillis should be there for the entire spectrum of schools. There are anomalies in the system about which there is a sense of injustice in terms of equal opportunities. Those are things that I want to see addressed on the back of the current review of teacher training infrastructure. It is important that we look towards a shared future and ensure that we have a teacher training system in Northern Ireland that is very much in keeping with that ethos.

A&E Doctors: Training and Retention

4. **Mr Hazzard** asked the Minister for Employment and Learning to outline what discussions he has had with the Health Minister on the training and retention of emergency doctors in the North, given the ongoing crisis in our A&E departments. (AQT 844/11-15)

Dr Farry: I have not had any direct conversations with my counterpart, the Health Minister, in regard to that. However, the Member should be aware that the setting of those numbers is a matter for the Department of Health. Indeed, it part-funds the training of doctors in our system. I encourage the Member to direct those comments to the Minister of Health, but I fully understand his point.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer thus far. I take on board the points that he has made. In light of those comments, what can your Department do to increase the number of emergency doctors that we train and, most important, maintain their numbers and possibly recruit them back from places such as Australia, to where we see a large number of emergency doctors fleeing?

Dr Farry: In the event of greater funding from the Department of Health — it is for the Health Minister to judge whether that is appropriate — we can commit to responding to the institutional setting for that. As the Member will know, we have a new vice-chancellor of Queen's University who comes from a medical background, so those issues will be to the forefront.

From my knowledge beyond my remit as Minister for Employment and Learning, I do not think that the issue is purely to do with the number of doctors being trained. It is about ensuring that the doctors who are trained are attracted to working in the field of accident and emergency as opposed to other specialties.

University Admissions: North and South

5. **Mr Rogers** asked the Minister for Employment and Learning what discussions he has had with his counterpart in the South and what discussions have taken place

between UCAS and CAO about the perceived CAO inequality that prevents students from the North accessing third-level courses in the South. (AQT 845/11-15)

Dr Farry: This is an ongoing issue and is, indeed, of deep concern to me and John O'Dowd, the Minister of Education. Trinity College Dublin and Dublin City University recently relaxed their entry requirements to facilitate applications from Northern Ireland more readily. University College Galway is considering making similar moves. However, we are not yet at a stage at which the Central Applications Office and university policy across the board will be uniform to facilitate ease of access.

Looking at the issue from a more strategic level, it is of deep concern that many more students from the South of the island come to the North to study than flow in a North to South direction. There are a number of barriers, and recognition of our qualifications is only one of a number of issues. Others include careers advice and universities in the South of Ireland actively encouraging applications from Northern Ireland.

The Member should also be aware that there are different demographic pressures in the two parts of the island, which, in the short run, may exacerbate the current inequity in student flows. Our university age population is falling whereas numbers are growing in the South of Ireland. That creates a pressure in its own right.

Mr Rogers: I thank the Minister for his answer. You are right: the National University of Ireland (NUI) is proactive in addressing the issue. Have you any plans to meet NUI representatives to discuss the issue further?

Dr Farry: Our direct channel of communication is with our counterparts in the Department of Education and Skills in the South. I am due to have a meeting with my counterpart Ruairi Quinn within the next couple of weeks, and I know that John O'Dowd will be having a similar meeting. Officials from both Departments are also meeting regularly at a senior level. It is for us to encourage our colleagues in the South to encourage a change of policy through their arm's-length bodies. That has been a source of ongoing discussion.

Over the past number of years, it has been a source of great frustration, and a number of Members have joined in that frustration at the very slow pace of change. I dare say that a partitionist approach is taken to higher education on the island of Ireland, and I would not necessarily broaden it out into that sort of politics. However, there is much more scope for progress, and not enough has happened over the past months and years.

Stranmillis University College: Board of Governors

6. **Mr Storey** asked the Minister for Employment and Learning what guarantee he can give that those who will be appointed to the board of governors at Stranmillis will be those people who have an interest in and a defined protection of the ethos and identity of Stranmillis University College, given that, following previous questions about Stranmillis, he will be well aware that his Department is seeking to reconstitute the board of governors, and, given the key role that boards of governors play in other sectors, a board of governors is the gatekeeper of ethos and identity. (AQT 846/11-15)

Dr Farry: I probably need to make two points in response to that question. First, I urge caution in trying to construct a Stranmillis ethos that may be part of the past and does not reflect the reality of where the college stands today. Secondly, the appointment of governors to Stranmillis will, like all such public bodies, be fully in line with the code on public appointments. There is no political test for those appointments, whether that is to do with what the Member said about potential appointees being signed up to the ethos of Stranmillis or, indeed, for potential governors to be signed up to anything that I have said over the past number of months about the future of teacher training.

2.45 pm

Finance and Personnel

Mr Deputy Speaker: Question 6 has been withdrawn.

Rates Revaluation

1. **Mr McGimpsey** asked the Minister of Finance and Personnel for an update on the non-domestic rates revaluation process. (AQO 5727/11-15)

Mr Hamilton (The Minister of Finance and Personnel): The last revaluation of business properties in Northern Ireland was done in 2003 and based on 2001 rental values. The current revaluation process for the 73,000 non-domestic properties is based on 2013 values and will come into effect in April 2015.

The exercise is about restoring fairness in how the business rates burden is shared. It is essentially about rebalancing the same amount of business rates but using current values to share out the liability.

Land and Property Services (LPS) was engaged, in the second half of 2013, in collecting and analysing rental information, building cost data and other business information. Detailed work on the valuation phase of the revaluation by LPS professional valuation staff is well advanced and on target to produce draft valuations for all offices, shops, warehouses and factories by the end of March.

Other property types will follow over the next four months. All draft values, when completed, will be extensively reviewed and quality-assured until late September, when they will be released in bulk form to councils and my Department to assist with district rate and regional rate projections for 2015-16.

Mr Deputy Speaker: I call Mr Gregory Campbell. Sorry, I call Michael McGimpsey for his supplementary question.

Mr McGimpsey: That is quite all right, Mr Deputy Speaker. I have been called many things in my life but never "Mr Gregory Campbell".

I thank the Minister for his comprehensive answer. We have 50% rebates for the owners of empty buildings and similar rebates for owners of rented properties above and below a certain valuation. Where does he expect those rebates to sit once his revaluation is completed?

Mr Hamilton: Perhaps the Deputy Speaker thought my answer so comprehensive that it answered the Member's supplementary question.

The revaluation will not have any effect per se on the reliefs and allowances in place, and I have no intention of touching, for example, the relief on vacant properties, which is at 50% and is far more generous than the relief in place across the water. From time to time, I hear some business organisations, and even some Members, say that we should increase that relief to 100%. However, compare us with what happens across the water. In Scotland, there is only 10% relief, and the relief is being done away with completely in England and Wales. The revaluation is, as I said, an attempt to rebalance the rating system so that it is fairer but still raises the same amount of money. The sorts of reliefs and allowances that the Member asked about will not be touched or affected by the revaluation.

Mr Campbell: Will the Minister give us his assessment of what the revaluation will do for empty shops in town centres, which, based on the stats that we see, are competing with edge-of-centre and out-of-centre developments?

On the subject of stats, will he join me in congratulating Kelly Gallagher, who is an employee of the Northern Ireland Statistics and Research Agency (NISRA), a body for which he is the Minister responsible?

Mr Hamilton: I will deal with the latter point first. I join others in congratulating Kelly on her fantastic success in Sochi this morning. Mr Campbell is right: she is an employee of NISRA, which is part of the Department of Finance and Personnel. She is on a career break, and if members of the Civil Service wish to take career breaks that result in winning Paralympic or Olympic gold medals, they will be very much encouraged in that endeavour.

The issue of empty properties is one that I am well aware of. There is not a town in Northern Ireland that I have visited in my capacity as Finance Minister that has not been affected by empty properties. I visited Coleraine very early on in my tenure, and it was one of the issues raised by traders as something blighting their town centre.

The revaluation cannot and will not deal with empty shops directly. Part of the problem with empty shops in Northern Ireland comes from the fact that there are myriad reasons for their existence, such as advances in technology and people doing their shopping online. Obviously, the growth in large retailers and supermarkets has had a negative impact on many of our town centres. In some ways, there has traditionally been an oversupply of shops in Northern Ireland, and there is little that any change in the rating system can do about that. What I can ensure is that, until the end of 2015, empty property relief, which was introduced by my predecessor and gives 50% relief for empty and vacant properties, will continue into the first year of operation. To date, I am pleased to report that some 229 businesses in Northern Ireland have opened since April 2012 as a result of that policy and are employing hundreds of people across Northern Ireland. That has seen some £791,000 in rates relief go to shops that were previously vacant but are now thriving businesses.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Ba mhaith liom ceist a chur ar an Aire faoi ghnólaictaí a bhfuil dúil acu go bhfuigheadh siad laghdú sna rátaí a íocann siad. The Minister is probably aware that many businesses are holding out the hope that this revaluation process will bring a reduction in their rates bills. What is the likelihood that those hopes will be fulfilled?

Mr Hamilton: I am not in the business of dashing anyone's hopes, but one has to be realistic in this case. As the Member will know, certainly from his work on the Finance and Personnel Committee, there will be some winners with revaluation as some people will see their rates bill go down. However, some people will see their rates bills go up. The vast majority of people will probably see their rates bill remain more or less the same.

The last time the revaluation was done over a decade ago, the vast majority of people saw their rates change by plus or minus about 20%. I appreciate that there is some hope, having all asked for this revaluation to happen and wanting it to go ahead when it did and not delay it further as it had been already delayed. I notice that England has delayed theirs for a further two years and the Government there are under heavy criticism because of that. I think that it is right that we proceed, albeit within a challenging environment.

It is incumbent on us all not to raise hopes too high without justification and suggest to everybody that, because of the revaluation, their bills will automatically go down. Some will see their bills go down, but that depends on changes in trends of shopping in particular localities. Perhaps, where large retailers have had a bigger impact on some towns, we might expect to see rates in town centres go down, but that is by no means guaranteed. It is important that we get the message across to people that this is being done in order to try to restore some fairness and balance to the rating system, but that does not necessarily mean that everybody will be a beneficiary.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. Revaluation has obviously long been overdue, but there are genuine concerns about the impact that it may have on business overheads. Has the Department carried out an assessment on the extent of the possible impact that this will have on jobs and businesses or does it intend to?

Mr Hamilton: As I mentioned in reply to Mr McGimpsey's question, the work is ongoing and we do not have all the data in place yet to say what the new NAVs for properties will be after the revaluation. We do not know what the rate poundage is for that first year in 2015 when these new valuations become valid, so it is kind of hard to work that out. However, I re-emphasise that the overall rate take will remain the same.

Although some people will see their rates go up a little and some will see their rates go down a little, overall cost to business through non-domestic rating in Northern Ireland will not change at all as a result of this valuation. As I said, I expect that there will be some people who will win and some who will lose, but, for the bulk of people, it will remain more or less the same.

Public Sector Reform

2. **Mr McKay** asked the Minister of Finance and Personnel to outline any public sector reform proposals he has discussed with the Minister for Public Expenditure and Reform, Mr Brendan Howlin TD. (AQO 5728/11-15)

7. **Mr Ross** asked the Minister of Finance and Personnel to outline the work carried out by the public sector reform division. (AQO 5733/11-15)

Mr Hamilton: Mr Deputy Speaker, with your permission, I will take questions 2 and 7 together.

I met the Minister for Public Expenditure and Reform, Brendan Howlin TD — I am glad that the Member changed his original question, otherwise he would have had a very short answer — to discuss the approach to reform being taken forward in Republic of Ireland in order to understand how best practice has been applied and how this could be adapted and implemented in Northern Ireland. I have also met John Swinney and his officials, who are responsible for public sector reform in Scotland. I have also accepted an offer to meet Francis Maude, the Cabinet Office Minister. My officials will meet their respective counterparts in Dublin this week to further the discussions on potential areas for collaboration and learning in the area of reform going forward.

The public sector reform division (PSRD) is engaged in building informed and skilled capacity to facilitate the progress of public sector reform and improvement in Northern Ireland and encourage innovation in future service delivery and policy development. The team, which comprises staff from several Departments, has been engaging with a wide number of stakeholders to develop a programme of work and a future action plan, which will incorporate input from other Departments, the community and voluntary sectors, the private sector and other arm's-length bodies to inform methodologies and develop strategic plans.

PSRD staff have also been testing out some of the proposed innovative approaches through collaboration with cross-departmental representatives to garner views and suggestions on how best to support and encourage staff in creating a culture of continuous improvement.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer and welcome the fact that he is looking to a number of different places, close to home and further afield in Europe, to inform his public service reform proposals.

Public service reform by the Dublin Government is very much synonymous with proposals to cut public sector jobs, which is something that we should all be concerned about. What guarantee can he give to public sector workers here in particular that public service reform in the North does not equal job cuts?

Mr Hamilton: I thank the Member for his supplementary question. I am very keen to learn from any jurisdiction; we do not have any monopoly on wisdom in Northern Ireland, no matter what some of us may think. I am prepared to learn from anywhere and everywhere, and I hope that my answer outlined that I am not averse to learning from counterparts in the Irish Republic, Scotland or elsewhere within the United Kingdom or, indeed, across Europe and further afield.

I am not prepared to think about us in isolation because all those states I mentioned — I could quote from a fairly extensive list — are grappling with the same problems that we are, such as decreasing public expenditure, lower growth in the economy and rising public expectations. We all grapple with the same problems, and some of the answers, whilst not directly applicable from one jurisdiction to another, will have some positive learning contained within them.

In some ways, actually, other jurisdictions have things to learn from Northern Ireland. The Republic of Ireland is, in some areas of reform, a little further behind than

Northern Ireland. I know that one of Mr Howlin's ministerial colleagues, Brian Hayes, the Minister responsible for the Office of Public Works, visited Northern Ireland to look at our shared service provision about a year or so ago. There are areas in which they can learn from us, just as there are areas in which we can learn from them.

On the Member's particular point about job losses, the quantity of problems that the Irish Government face in public spending puts them in a slightly different position to us; they are at a slightly different starting point. Our pressures are similar in that we have less public spending but, obviously, they have had to go incredibly fast in cutting the cost of government. We are not coming at that from exactly the same position and, therefore, I can give some assurance that reform is not code for gutting public services and sacking people; in fact, it is quite the opposite. It is about getting the most from what we have and the expenditure that we are putting into public services in Northern Ireland so that our citizens — the people who elect us to serve them here in Stormont — are getting the best possible outcomes.

Mr Ross: I hope that all of us support increased effectiveness and efficiency in the public sector. On that note, will the Minister indicate to the House what direct engagement he has had with his ministerial colleagues in Northern Ireland and whether they are positively embracing his vision for reform in the public sector?

Mr Hamilton: I have begun a series of engagements with ministerial colleagues on a one-to-one basis, in the initial stages, to outline why I think reform is required and to promote what the public sector reform division in DFP is doing and the areas of work it is developing. I want to get people to see it for what it is, which is a central resource located in DFP for other Departments to use as and when they think it necessary. Of course, reform might be something that I want to positively push and promote, but, ultimately, reforms will remain the responsibility of individual Ministers. I have commenced that direct one-to-one engagement with ministerial colleagues; I have met the Minister of Justice, the Minister for Employment and Learning, the Minister for Social Development, the Enterprise Minister and the Health Minister. I am due to meet the First Minister and deputy First Minister next week, on their return from the United States, and I have meetings lined up with other ministerial colleagues. So far, the reaction has been positive. All Ministers identify that, moving forward, there is a challenge in public spending, but that we will have to continue to improve the services we deliver on behalf of our people. I have had positive responses to the areas of work that we have assigned to the PSRD, and I can see many Ministers seeing the opportunities that the PSRD presents to them. I look forward to developing that initial interest and coming forward with concrete initiatives.

3.00 pm

European Investment Bank

3. **Mr Humphrey** asked the Minister of Finance and Personnel for an update on his engagement with the European Investment Bank. (AQO 5729/11-15)

Mr Hamilton: I recently attended the official announcement of the University of Ulster's greater Belfast

development scheme along with senior officials from the European Investment Bank (EIB). The project, which will provide a significant boost to Belfast city centre and, indeed, the Member's North Belfast constituency, has benefited from £150 million of European Investment Bank financing. Of course, the Executive also recently provided £35 million of financial transactions capital funding to the project.

As the University of Ulster project demonstrates, there may be significant opportunities for Northern Ireland to benefit from the competitive lending rates that the EIB can offer, including, within the new local government structure, the regulated asset base such as our electricity, gas and telecoms infrastructure or, indeed, other private sector projects. I am very keen to see the European Investment Bank fund more projects in Northern Ireland and I intend to engage further with senior officials from the bank in the very near future.

Mr Humphrey: I thank the Minister for his reply and welcome the £150 million investment in the University of Ulster campus in north Belfast. How will the Minister explore further opportunities for European Investment Bank funding in Northern Ireland?

Mr Hamilton: The £150 million loan from the European Investment Bank to the University of Ulster is a real vote of confidence in the university, in Belfast and in Northern Ireland as a whole, and I look forward, over the next number of years as the project rolls out, to seeing that corner of our capital city redeveloped and regenerated for the benefit of not just Belfast but the whole Province.

There are opportunities beyond the University of Ulster project, which was the first direct investment by the EIB in Northern Ireland for over a decade and certainly since the return of devolution in 2007. There are opportunities elsewhere in the university sector, and, in our reformed and reorganised local government, there are opportunities for those new councils, with the new powers that they will get, to perhaps avail themselves of EIB funding.

I will be meeting officials from the European Investment Bank in Luxembourg later this month to hollow out how we might be able to produce and patch together some of the large-scale deals that they are interested in and that would benefit Northern Ireland's infrastructure development.

I also intend to follow it up with a seminar later this month with guests, including local government chief executives and others in the university sector and elsewhere, to look at not just the potential for EIB funding — we should not look at EIB funding as the sole answer to developing infrastructure in Northern Ireland — but other opportunities, including financial transactions capital or other financial instruments such as tax increment financing. I am keen to scope out with local government and other partners the extent of their ambitions to invest in infrastructure in their areas and see whether the EIB or some of those other options are available.

Mrs Overend: I thank the Minister for his responses so far. Will he advise whether the EIB's investment schemes are significantly different from the loans available under the reinvestment and reform initiative (RRI)?

Mr Hamilton: There is a technical but nonetheless significant difference in how I and my Department would deal with loans from EIB versus those from RRI. With RRI,

we are allowed to borrow from £200 million a year up to a total of £3 billion in Northern Ireland, and we are very close to that at the minute. It is repayable but, significantly, does not score against our balance sheet as a loan coming in and does not come away from the capital departmental expenditure limit that we receive from the Treasury on an annual basis. There is a significant difference with EIB funding. If the Executive were to borrow money from the EIB for a hospital project, education project or even a transport project, the problem is that the Treasury would take what we borrow from the EIB directly from our capital departmental expenditure limit and we would still have interest to repay on the loan.

Instead of being in a better position through taking an EIB loan, we would be in a far worse position because, ultimately, we would be down money. Clearly, we do not want to get into that position, but that does not mean that the option of EIB funding is completely closed down. That is why I am keen to explore opportunities with the likes of local government, those who are in ownership of our regulated asset base, like the energy sector, and elsewhere in the university sector to see whether they, because they do not fall foul of the same Treasury rules, would be keen to look at EIB or, indeed, some of the other financial instruments that are out there.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. The Minister has just answered my question.

Public Sector Energy Campaign

4. Mrs Cochrane asked the Minister of Finance and Personnel to outline the operations of the public sector energy campaign. (AQO 5730/11-15)

Mr Hamilton: The campaign has two main strands. The first involves the collation, analysis and presentation of data on the energy use and performance of buildings occupied by the Northern Ireland Departments and other public sector bodies. Officials in my Department are drafting the 2011-12 report. The second strand is the central energy efficiency fund, used to support energy efficiency projects in buildings occupied by public sector bodies in Northern Ireland. Over its lifetime, the fund supported 2,598 projects. My Department has also hosted a series of seminars to raise the profile of energy efficiency for premises officers, departmental energy managers and energy representatives from the wider public sector, and that will continue into the future.

Mrs Cochrane: I thank the Minister for his answer. I have read about a number of the campaign's best practice case studies. Does the Minister have proposals that will ensure that the scheme is rolled out further so that the benefits of reduced energy costs can be appreciated by other public sector bodies?

Mr Hamilton: The scheme was a success when it was in operation, and the Member is right to identify that there were some best practice examples that we are rightly proud of. However, the fund was closed at the end of March 2011, and there were two broad reasons for that. First, the generally short payback periods involved in investing in energy efficiency technology provided a sufficient incentive for public bodies to invest via their departmental budget and use the benefits that accrue over time or via the invest-to-save opportunities that my Department releases from time to time. The second

broad reason was that there were other drivers to promote and incentivise energy efficiency, including the carbon reduction commitment energy efficiency scheme, which was formerly known as just the carbon reduction commitment.

At present, I have no plans to reintroduce a scheme like the central energy efficiency fund. One of the reasons is that the new regulations for public sector buildings — the Energy Efficiency (Eligible Buildings) Regulations 2013 — came into force in January. Regulation 5, which comes into practice in June, specifically addresses public bodies and public sector buildings and requires each public sector body to have an energy efficiency plan in place. So, instead of having a fund that Departments or public sector bodies could dip into as they came up with ideas, we have mainstreamed it as a duty on Departments to have energy efficiency plans and to invest their resources in technologies that will release energy efficiency benefits.

Mrs Dobson: There was a finding that the baseline was not sufficiently robust to measure targets. Has that been corrected? What were the main results for the past five years?

Mr Hamilton: As I mentioned in my answer to the original question, we are still finalising the most recent results, which are for 2011-12. I will be keen to reflect on what improvements have been made in that period.

This is an incredibly important area of work, although it is maybe not the most upfront piece of work by the Department. However, it is incredibly important that we look after our public sector estate, which is quite sizeable and quite old, and try not only to reduce its carbon footprint but to increase its energy efficiency. We have identified that in our departmental plans as an area in which monetary savings can be made. I am keen to make sure that that area is pursued. I am not convinced that the energy campaign that we had before, which, as I said in response to Mrs Cochrane, had a fund that Departments could bid for, was absolutely the right way to do it. Perhaps that is why some of those problems developed over time. I think that mainstreaming it, as we are, through a regulatory duty is probably a better way to get the results that we want.

Mr McKinney: Thank you, Mr Deputy Speaker, and I thank the Minister for his answers thus far. Have the Minister and his colleagues conducted any assessment of the value of LED public street lighting, particularly its financing, given the potentially vast savings involved?

Mr Hamilton: Principally, it will be a responsibility for my colleague the Minister for Regional Development. Without trying to answer for him — I know that it is an occupational hazard for the Minister of Finance and Personnel to get asked questions about everybody's responsibility — I can say that I think that the Minister and Roads Service have been rolling out LED lights and street lighting right across Northern Ireland. I have seen some of them in my constituency and elsewhere, and I am convinced that it will save money. It would obviously have to be done on a case-by-case basis and the business case would need to be robust, but I will not be found wanting in trying to fund that sort of work. In fact, a lot of the money that we have given to DRD through monitoring rounds this year and in previous years has been specifically for street lighting. I imagine that, when that hits the ground and is rolled

out, it will be in exactly the format that the Member is talking about.

Belfast Transport Hub

5. Mr Spratt asked the Minister of Finance and Personnel what discussions he has had regarding the proposed new Belfast transport hub. (AQO 5731/11-15)

Mr Hamilton: Although the detail of the proposed new Belfast transport hub is a subject for the Regional Development Minister, it is something that I have discussed with a view to exploring potential funding options. My officials have been engaged with DRD regarding the potential use of financial transactions capital to fund the project. It is also one of the projects that I was referring to last week and, indeed, earlier, when I said that I want to personally follow up the possibility of further European Investment Bank investment in Northern Ireland when I have talks with bank officials in Luxembourg later this month.

Mr Spratt: I thank the Minister for his answer. The scheme has huge economic benefits for the whole of Northern Ireland, not just the city of Belfast. Does the Minister see the proposed new transport hub in Belfast as an opportunity to partner with the private sector?

Mr Hamilton: I see it as the perfect opportunity to do that. I know that Mr Spratt, in his capacity as Chair of the Committee for Regional Development, has been very supportive of the scheme since its inception. The proposed Belfast transport hub would be in his South Belfast constituency. I think that it is a perfect opportunity and a fantastic project. I want to support the project and the DRD Minister in taking it forward. That is why I have been personally engaged with him on it and have authorised officials to do likewise with his officials. It would represent an excellent modern infrastructure and a new gateway into Belfast and Northern Ireland and would be an integrated public transport hub for our capital city.

Where, I think, it has the opportunity to be a proper beneficial public/private partnership is in the obvious potential for the development of office space. I think that DRD has earmarked around 10 acres for about one million square feet of mixed-used development on the site. Although we will do the transport bit pretty well in government, mixed-use developments and office space is not something that we do in government. So, if we are to avail ourselves of the huge opportunities on the site in Great Victoria Street, it would be an ideal opportunity for us to partner with the private sector. That is why I have spoken to the Regional Development Minister about potentially using financial transactions or capital that requires us in government to directly partner with the private sector. Given that that opportunity exists, I believe, it might mean that a scheme that might have taken several years to come to fruition might be advanced much more quickly.

Mr Cree: I am interested in the Minister's responses. The hub has the potential to create quite a lot of economic growth and to probably increase property values. Can the Minister advise whether there is a strategic plan in place that includes stakeholders to ensure that we make the maximum use of the development?

Mr Hamilton: The Minister for Regional Development and his Department are very much in the lead in taking the

scheme forward. My involvement, as you might expect, is to try to find the money to make it happen. Moving forward, investment in our infrastructure — you will hear me talking about this all the time — is key to growing our economy again, particularly where it involves reviving the private sector side of the equation. As the Member will know from his membership of the Committee, the public sector has kept up its side of the balance; in fact, it has kept up an increasing side of the balance over the past number of years. We need to reinvigorate our private sector, and this is an opportunity to do that. He is absolutely right: given the strategic nature of the site, there is a huge opportunity to create new jobs and, perhaps, to answer some other issues and questions that we have, including the development of grade A office accommodation in and around the city centre. To see this as solely a transport issue would be wrong. We need to widen it out and see it as being strategically important for the whole of Northern Ireland and to develop it accordingly.

Mr Deputy Speaker: That concludes questions for oral answer to the Minister of Finance and Personnel. We move now to 15 minutes of topical questions.

3.15 pm

Going for Growth: Additional Funding

1. Mr McAleer asked the Minister of Finance and Personnel whether he will support the Agriculture Minister in her bid for additional funding to support the Going for Growth strategy, in light of the reduced bids budget in the rural development programme. (AQT 851/11-15)

Mr Hamilton: Responsibility for the rural development programme remains with the Minister of Agriculture. If she believes that there is a shortfall in the programme, it is her responsibility to come forward with bids at the appropriate time when we get to the Budget next year.

Mr McAleer: I am reflecting on the irony of the Minister's response, given that it was a court challenge initiated by him that resulted in this decision in many ways. Has the Minister had any discussions with the Minister of Agriculture and Rural Development or any of his Executive colleagues about the possibility of Executive funding to bridge this gap?

Mr Hamilton: I would rather not have spent part of the Christmas break with lawyers in the High Court in Belfast fighting a case, which, I want to put on record and remind people, I, of course, won. I would rather that we had not had to do that. I would rather the Minister had taken a much more mature and sensible approach to the issue. If she had, a resolution could perhaps have been found. However, she left me with no option but to go to the court and, of course, to win that case, which showed that she had breached the ministerial code. I do not think that there is any irony in that regard.

I have been on record repeatedly, before the case and after it, saying that some of the schemes that are funded by the rural development programme, particularly those that diversify our rural economy, are schemes that I am supportive of. In respect of the likes of Going for Growth, I have been on record as saying that I will not be found wanting when bids come forward for funding to exploit the huge potential that there is within the agrifood sector in Northern Ireland. Of course, however, those are issues for

the Minister of Agriculture, primarily, to come forward with appropriate bids for, at appropriate times, for Executive funds, which are, of course, as everyone in the House will know, scarce.

Economy: Assessment

2. Lord Morrow asked the Minister of Finance and Personnel for his assessment of the current state of the Northern Ireland economy. (AQT 852/11-15)

Mr Hamilton: I think that our economy is improving. There are almost daily signs that our economy is moving in the right direction and that we are well on the road to economic recovery after five or six very difficult years in Northern Ireland. I very much welcome the publication today of the latest Ulster Bank purchasing managers' index, which has shown a further sharp rise in business activity in the private sector. It is encouraging to see new business starting to develop, employment going up and exports going up, and some firms are even reporting backlogs of work within their business. All in all, coupling that with our official statistics in respect of unemployment, our economic growth of 1.2% between quarter 3 of last year and quarter 3 of the year before, the fact that housing market activity is starting to accelerate and, as I think I saw last week, the fact that new car registrations in Northern Ireland rose by 20% last year, I think that our economy is moving slowly but surely in the right direction, albeit with the odd bump on the road to recovery.

Lord Morrow: I thank the Minister for his reply, which I have listened to very diligently. It was quite comprehensive. However, there is great concern at the lack of clarity about the scale of the Ulster Bank's future operation, which, in turn, is causing concern among staff and clients. Does the Minister agree with the latest remarks from the Institute of Chartered Accountants that banks pose a threat to recovery?

Mr Hamilton: I think that everyone in the House, no matter what we have seen in our constituencies and no matter what our experience of businesses operating in our own localities, would agree that we absolutely need our banks to do their job, even if some of them have not been doing their job over the last number of years. I absolutely understand the points that constituents are making to Lord Morrow; they make the same points to me, and I know that they make them to many Members. There are employees of Ulster Bank who are not entirely sure about what the future holds for them.

A few weeks ago, along with the First Minister and the deputy First Minister, I met Ross McEwan, chief executive of the Royal Bank of Scotland (RBS) Group. I am in regular contact with Jim Brown, chief executive of Ulster Bank, and Ellvena Graham, head of Ulster Bank in Northern Ireland. As you would expect, we have sought assurances on what the bank will look like in Northern Ireland.

We need to emphasise how important Ulster Bank is to the economy of Northern Ireland: it is by far our biggest bank, with a huge market share of business customers. However, it is clear from those conversations and from the review that was published a couple of weeks ago that, moving forward, the Ulster Bank in Northern Ireland and, indeed, in Ireland as a whole will be a much smaller bank. When I listen to them talk about how online transactions and telephone banking are increasing exponentially, it is easy

to see why the branch structure will not be as big as it is currently, albeit that it will be incredibly hard when it does impact.

Notwithstanding the uncertainty about which branches will close and how many people will be retained in employment by the bank, I am somewhat assured that the Ulster Bank brand is here to stay; that credit decisions will still be taken in Belfast; that the board of the Ulster Bank will remain in place; and that, to improve service, there will be better integration between Ulster Bank and RBS in IT and the products that they provide. I share the Member's concerns, but there is some positive news in the review that Ulster Bank will not be subsumed into RBS and therefore done away with as a local bank.

Public Sector Reform

3. Mr McMullan asked the Minister of Finance and Personnel for an update on the work and progress of the public sector reform division, the establishment of which he announced last August. (AQT 853/11-15)

Mr Hamilton: I am tempted to refer the Member to the answer that I gave a few minutes ago. The reform division was established in the early autumn and has been busy developing a programme of work since. It is looking at a range of issues that are troubling not just our public sector but public sectors across Europe and further afield. It is working with other Departments, as I mentioned in response to Mr Ross's question. I am engaging with other Ministers to show that the public sector reform division, which is a small core staff that has drawn staff from the old performance and efficiency delivery unit (PEDU) and from business consultancy services, is already working in partnership with some Departments, including the Department of Agriculture on a particular project, and will extend that work to other Departments to bring not just efficiencies in how we deliver services but clear improvements and better outcomes in our service delivery in Northern Ireland.

Mr McMullan: I thank the Minister for his answer. Will the Minister outline whether the division will include in its consideration the privatisation or outsourcing of work that is currently carried out in the public sector?

Mr Hamilton: That is not an issue that the division is looking at, although I am not averse to working with people from outside the public sector. As I said, I do not think that any of us has a monopoly on wisdom, and the same goes for Governments. Governments should be actively working not just with the private sector but also with the third sector. We could bring in external expertise for some of our work; for example, the task-and-finish group format or using innovation labs, which we are actively looking at.

In answering some of the big social and economic problems that we face in Northern Ireland, thinking that we have the answers solely in the public sector is wrong. We need to draw in experience. I have no ideological hang-up about who delivers public services, and I think that that is mirrored in the views of the public in Northern Ireland. In fact, many of our services are delivered by social enterprises, third-sector organisations and charities. There is huge potential for more of the work that we are doing, but not always succeeding in to achieve the right outcomes, to be done by the third sector.

I am keen to look at alternative models of service delivery such as social enterprises, charities and community and voluntary organisations. I am also keen to look at how we could develop a mutual sector in public services in Northern Ireland, again giving workers, who tend to know how such things work best, a lot more power in delivering services. We will look at a wide range of areas, but, as I said in response to Mr McKay, this is not about the wholesale privatisation of public services in Northern Ireland.

Financial Transactions Capital

4. **Mr Copeland** asked the Minister of Finance and Personnel to advise, if possible, whether all the financial transactions capital (FTC) that has been allocated to Northern Ireland will be spent during the current year. (AQT 854/11-15)

Mr Hamilton: Not all the money allocated this year will be spent this year. Along with other devolved Administrations in the United Kingdom, I was successful in negotiating a flexibility. We are allowed to move up to 20% of expenditure this year rolled into next year, which is roughly £8 million of our FTC allocation. Next year, the figure is 10% from a total of about £60 million. The Chief Secretary allowed us to do that because he realised that this was a new device and we were developing various projects, many of which were in their infancy. He realised that some flexibility was required. We have successfully negotiated that, and some £5 million has gone unspent this year. That is allowed to be rolled into next year, which means that no money has been lost to the Northern Ireland Budget.

Mr Copeland: Will the Minister indicate whether he expects the funding through the financial transactions capital to grow over the next two or three years?

Mr Hamilton: I do, and there is good evidence that that will be the case. The current year is the first year, and, as I said, we have a £40 million budget this year and £60 million next year. It then rises quite rapidly to £127 million for the following year, which, as the Member and the House will appreciate, is a large amount of money and, at 10%, a large percentage of our overall total capital budget. That poses a challenge for me and for Executive colleagues to come up with the type of project that we talked about earlier that will fit neatly into that public-private partnership approach. The figure of £127 million may not be the final level of FTC for 2015-16. I am not certain, but I expect that next week's Budget announcement may see a further switch from current expenditure to capital and that FTC will be the vehicle that will be used to increase capital expenditure moving forward. The figure may rise beyond £60 million next year and £127 million the following year, which will pose huge challenges for us as an Executive.

Housing Market

5. **Mr McQuillan** asked the Minister of Finance and Personnel for his views on how the local housing market is performing. (AQT 855/11-15)

Mr Hamilton: I thank the Member for his question. I answered Lord Morrow in positive terms about the economy in general, and I think that we can be confident about the housing market. Confidence is returning to our housing market. In quarter 4 of last year, house sales were

at 4,800, which was a six-year high, and house sales in the Member's constituency were among the highest and had the best prices. Those 4,800 sales represented a 28% increase on the same quarter in 2012, so, after many years of there being little or no activity in private housing in Northern Ireland, we are at last seeing confidence return. The housing market is more buoyant and is moving forward, no matter what the Chancellor or the governor of the Bank of England might say.

Mr McQuillan: What are the Minister's thoughts on recent reports about negative equity in Northern Ireland?

Mr Hamilton: This time last week, I read reports in the press about negative equity being a particular problem in Northern Ireland. I accept that it is a problem here, just as it is a problem elsewhere. I will attach one health warning to the figures that were widely reported in the press: it was reported that 41% of mortgages were in negative equity, but the fine print states that it is 41% of mortgages taken out since 2005 that are in negative equity, so it is a considerably lower percentage of the total number of mortgages. Mortgages taken out since 2005 account for less than 10% of our total housing stock in Northern Ireland. It is bad, and I accept that it is bad. Negative equity is bad because it obviously stops people moving, but it also saps the confidence of people who maybe want to move but do not, for fear of getting caught up in it. We want to see some positive progress. I am not sure about some of the wild ideas out there that government should somehow financially get involved in the area. Hopefully a rising, more buoyant and more confident property market will resolve many of the negative equity problems in Northern Ireland.

Mr Deputy Speaker: I ask Members to take their ease for a moment while we change the top Table.

3.30 pm

(Mr Principal Deputy Speaker
[Mr Mitchel McLaughlin] in the Chair)

Private Members' Business

Legal Highs

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. All other Members who are called to speak will have five minutes.

Mr Buchanan: I beg to move

That this Assembly expresses concern at the open sale of psychoactive substances known as "legal highs", which are being sold under false pretences, by using disclaimers such as "not fit for human consumption", when, in reality, young people are becoming addicted to them; notes the damage such substances cause to the lives of young people; and calls on the Minister of Justice to bring forward proposals, including pursuing emergency legislation, to restrict the sale of these substances.

I thank the Business Committee for bringing this very important motion to the House today.

Anyone walking into any of the head shops in Northern Ireland today would be forgiven for thinking that drug abuse is legal in this country. New psychoactive substances, commonly called "legal highs", can be purchased across the counter with the same ease as that with which we pop into our local supermarket to do the weekly grocery shopping. In the same way as we can collect loyalty points for our groceries, drug taking is being normalised by the rewarding of loyalty points for purchasing such products in conjunction with drug-taking paraphernalia and all sorts of weird and wonderful gadgetry aimed at making your drug-taking experience more pleasurable.

The online market in legal highs is also exploding. In that lucrative market, a website that claims to be probably the number one head shop in the UK openly sells all manner of drug-taking equipment in conjunction with urine neutralisers, which have apparently saved thousands of skins in the war against drugs, with a full list of instructions on how to evade getting caught taking them. That is against a backdrop in which so-called legal highs are sold legally by sellers hiding behind thinly veiled disclaimers that the products are not fit for human consumption, when it is clearly evident that their sole use is for human consumption.

It is imperative that we tackle the issue of the unregulated availability of these drugs. Cannabis, heroin and marijuana are old news. The so-called legal highs are slick impersonations of banned illegal drugs but are more lethal and more potent than any of the outlawed products, the effects of which they are designed to mimic. Hanging around seedy street corners trying to locate a dealer is no longer the case for users. Head shops are available all over the country, and the rise in online purchases of these products is alarming.

A so-called legal high is a drug that is not controlled under the Misuse of Drugs Act 1971 and is therefore legal to possess. However, although not regulated by the Misuse of Drugs Act 1971, those substances are regulated by the Medicines Act 1968, which means that it is illegal to sell, supply or advertise them for human consumption. It is that loophole in legislation that ensures that manufacturers of those products are able to package legal drugs in highly attractive packaging deliberately targeted at our young people. All they need to do is label the package with the disclaimer "not fit for human consumption". They are openly proffering their wares in towns and cities all around the UK and on the Internet. There is something badly wrong with the legislative system in this country when that loophole in the law enables such brazen practices, which are setting our young people on the path to destruction and, in tragic cases, death. Manufacturers are not held accountable for what they are doing, and the statutory agencies sit back and wring their hands in despair that nothing can be done.

Another problem with legal highs that makes them notoriously difficult to police and control is the sophistication behind the rapid development of new products. One of the most widely recognised drug monitoring groups, the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), stated that 280 potentially harmful legal highs were produced in 2012 in Europe alone. It is estimated that a new product is brought to the market every week in the UK. Given the immense scale of the problem, governments, statutory agencies and community groups have hit a brick wall in trying to control, monitor or restrict the sale of those products. The rapidly evolving drug landscape seems, on the surface, to be impossible to man. The Government and the law are constantly playing catch-up with the suppliers, who have sophisticated mechanisms to produce more and more effective concoctions. Banning named brands, such as Magic Dragon, is not the answer, because as soon as one product is banned, suppliers will go back to their manufacturers and, within days, their chemists will provide a slight tweak to the ingredients and have a new creation ready for the market the following week. What is needed is a ban on generic substances of a particular type and class that are found in many different brands.

Scientific data is scant, if available at all, due to rapid development, turnaround and manufacturing. Scientific research lags behind highly sophisticated manufacturing processes. When a young person takes some form of product, they have no guarantee of what is in the substance, the concentration of dosage or what symptoms they will experience. After admission to hospital, when something goes wrong after taking a legal high, toxicologists can be fighting a losing battle against the clock in an effort to even begin to determine what has been taken, never mind the dosage. By taking legal highs, a person is gambling with their life, and the stakes are high. In most cases, young people have no idea how lethal, potent and dangerous the product that they are taking is. Potent, dangerous and fatal products are freely available across Northern Ireland and online. Our children could potentially buy legal highs with two clicks online.

The disparity is ridiculous. How is it that, in this day and age, with the sophistication of technology and advances in legislation, it is possible for manufacturers to get around the law in such a simple manner and for such deadly

products to be freely available on the market? In my constituency, there is a head shop in the centre of Omagh town. The owner does a lucrative trade in legal highs labelled as potpourri, incense or bath salts. The seemingly innocent exterior of the shop masks a lucrative trade in products that are destroying the lives of our young people.

In the absence of published data on those products, it is necessary to rely on anecdotal reports from users. One of my constituents, a 24-year-old man, is an example of a young person who got hooked on legal highs. His initial introduction was to a substance called Bumblebee. He started taking them as a social activity to fit in with others. The packages had no warnings on them, and he became heavily addicted. Looking back, he reports that he was addicted within one week of taking them. He then started smoking another product called Magic Dragon, which he described as smokable heroin. If he took it with alcohol, he became violently ill, and so he smoked it without mixing it with other substances. Initially, it gave him a high, but he described the never-ending cycle of constantly chasing for the next hit.

After coming off those drugs, and almost six months on from treatment, he still cannot work due to suffering from depression, and he still has days when he has no motivation or cannot even get out of bed. That is one example of a young man who had a good job and a good wage and who has lost everything as a result of the addiction to legal highs. The sale of those goods not only affects the young people who go there for their next fix, it has been linked to the rise in suicides in our area. The side effects of those drugs are diverse, and many report extreme lows after taking them, which could contribute to the feelings of hopelessness and depression experienced by many young people in Northern Ireland today.

It is high time that we tackled legal highs head on. I believe that legal highs must be regulated by the Misuse of Drugs Act and should not hide behind the Medicines Act 1968, as the reality is that those substances have no known medicinal use.

A new approach in the battle to control those substances is required. In recent weeks, we have seen how Belfast City Council handled a landmark case and was successful in removing substances from head shops across the city. Orders were granted against the head shop owners as safety and labelling information was deemed to be inadequate. Although I welcome that action, which paves the way for the management of enforcement of legal highs, it does not address the root problem. Although it is a step in the right direction, I feel that it does not go far enough. It is not enough to shake our heads and condemn the sale of those substances and, due to complications surrounding legislation, lament the fact that nothing can be done. We have to do something and look at the problem from an alternative angle to find a solution to rid our society in Northern Ireland of this highly sophisticated, dangerous and misleading scourge. Every delay means that our young people are being unwittingly dragged into an addiction that can have far-reaching implications —

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

Mr Buchanan: — for their health, their employment, their families and their relationships. In some cases, it can lead to death.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the motion, which calls for a change in the legislation. If we look at other jurisdictions — I will focus on two that have changed their laws recently — we see that they have proved to be very successful in tackling the problem of legal highs being sold, particularly through outlets known as head shops. In the South of Ireland, the proliferation of head shops across the Twenty-six Counties caused a wave of controversy and protest from communities. The authorities responded by introducing the Criminal Justice (Psychoactive Substances) Act 2010. Prior to that, the Department of Health had raised serious concerns regarding the scale of substances that were causing negative effects on young people and, in some cases, death. The new Act banned a long list of legal highs; 200 different types were deemed illegal. Beforehand, the authorities could only tackle each substance as it arrived on the market, meaning that the law was merely playing catch-up. The new Irish law was passed to prohibit the sale, in general, of any dangerous or harmful psychoactive substance. As a result, 150 head shops closed overnight.

As Mr Buchanan said, we must reflect on the dangers of those substances. They are legally defined as substances that have the capacity to stimulate or depress the central nervous system, resulting in significant changes to motor function, thinking or behaviour. Under the new law in the South, an Garda Síochána is empowered to intervene immediately by serving a prohibition notice on an offender. If the offender does not comply with that notice, the courts can issue a prohibition order. Selling, advertising and non-compliance with the prohibition order can carry a five-year prison term.

3.45 pm

In similar fashion, Poland passed a new law last year eliminating the open sale of psychoactive substances not controlled under drug laws, which resulted in the closure of 1,200 head shops. The new law had been prompted by reports from Polish hospitals of young people arriving in hospital with conditions consistent with poisoning caused by those substances. As in the South of Ireland, the new Polish law punished suppliers rather than users.

The law here is inadequate, as the previous Member who spoke said, and Belfast City Council is to be commended for recently seeking the court's permission to destroy seized substances that were believed to be legal highs. The council's argument was that the labelling and safety information on the products were inadequate. The seller no longer supplies those products. However, the key point here is that other substances may have replaced those that were found to be unsafe. We cannot have a situation where individual councils are chasing after those suppliers. Just because a substance is legal does not mean that it is safe. These products are a risk to the user's health because production is not regulated and the buyer cannot be certain as to what is in them or what their potential effects might be.

The law needs to be changed, and I support the motion.

Mr McKinney: I welcome the opportunity to speak in the debate, and I support the motion. Legal highs are an ongoing and increasing problem in our society, and it is incumbent on the House to do all it can to limit the availability of psychoactive drugs and inform those who

may be faced with the choice of taking them of the acute dangers that they present. This debate gives us the opportunity to do just that.

The phenomenon of “legal highs”, which is a misleading term, originates in a gap in the legislation. The Misuse of Drugs Act 1971 does not specifically prohibit the sale or use of legal substances, despite the harmful effects they may have. We are told that, under section 151 of, and schedule 17 to, the Police Reform and Social Responsibility Act 2011 powers are now available to temporarily ban for up to a maximum of 12 months any substance that does not fall under the Misuse of Drugs Act 1971 and that may be capable of producing harmful effects. The question is this: is that enough, and is it curbing the presence of those drugs in society? We do not believe so.

The words:

“having, or is capable of having, harmful effects”

are particularly relevant. Legal highs often make use of disclaimers such as, “not fit for human consumption”, but their content is not always clearly identifiable. Disclaimers do not say why the substances are unsuitable or how they may negatively affect someone’s health. Any drug that is intended for human consumption undergoes rigorous medical testing under the auspices of the Medicines Act 1968. These drugs have not been tested in that way and often have not been tested at all.

The SDLP fully recognises that the gap in the legislation on these psychoactive drugs must be addressed. It is crucial that a joined-up government approach is taken on the issue. In 2012, in the UK, 251 new psychoactive drugs were identified that were legal and being used by the population. Furthermore, we are told by the Public Health Agency that, on average, one new drug is identified every week. That makes this a unique issue. The use of drugs such as cocaine, ecstasy and marijuana is a historical problem, but people know what they look like, what effect they will have on their lives and what legal sanctions will be imposed if they are caught using them or, indeed, selling them.

However, these psychoactive drugs are ever-changing and the landscape in which they operate is shrouded in a sort of semi-legality. For that reason, it will be extremely difficult to legislate against any psychoactive drug and it may take a long time. The market in which they operate is self-regenerating, and so it is a reasonable contention that banning one drug for 12 months may do nothing, as, in reality, another one — as we have just been hearing — will come into play almost instantly. While we search for an appropriate legislative response, the portfolios of Health and Justice must work together, not only to consider creating appropriate legislation if that is possible but to increase awareness of the dangers of such legal substances.

We have only to look at the inconsistencies that have arisen out of the lack of legislation on this issue to know how big the problem really is. Head shops are businesses that sell drug-taking paraphernalia and psychoactive drugs on the same premises. The claim is that they do not distribute legal highs for human consumption, yet these substances are on the same shelves as paraphernalia designed specifically for human consumption.

We have to take action to deal with the blatant profiteering that arises, often to young people’s detriment. At this point, it is important to stress that the majority of young people are not falling victim to psychoactive drugs. Most are aware of the dangers that they present and consequently do not get involved. However, some ultimately experience great anxiety due to their use of the drugs. As the mover of the motion said, some suffer varying degrees of depression as a result and, sadly, some ultimately take their life.

There has been an imaginative attempt by Belfast City Council to proactively counteract the sale of psychoactive drugs. Its enforcement activity has led to the courts granting a forfeiture order against head shops in Belfast. However, that is one council: what are we doing regionally?

The sale of psychoactive drugs will not be dealt with by a quick fix. There will not be one statute or legal order that stops this constantly changing but rampant market. The SDLP supports the motion but also calls on the Health Minister to work closely with his counterpart in the Department of Justice to find imaginative solutions to the problems that have resulted.

Mr Beggs: I, too, support the motion. First, I declare an interest as a committee member of the Carrickfergus Community Drug and Alcohol Advisory Group, which means that I am aware of issues that revolve around some of these drugs. Indeed, it was as a result of a constituent’s addiction to a legal high that I first got involved with the subject and subsequently with the group by arranging a meeting in Carrickfergus town hall a number of years ago.

What struck me was the power of my constituent’s addiction to methedrone. She sold off her Christmas presents within a matter of days and weeks, even her mobile phone. The youngest dealer from whom she had bought methedrone was 10 years old. At that stage, legal highs were operating under the radar, with few in the adult community aware of them. I am pleased that, as a result of her talking about her situation, with support from her sister, others learned of the dangers. Mothers, schools and the police became more aware of the dangers, and, indeed, Preventing Addiction Larne subsequently emerged. A group of mothers who were concerned by recent deaths in Larne wanted to make a difference by making young people more aware of the dangers and by providing additional health and well-being support in the area.

As other Members said, legal highs have psychoactive effects that are not covered by the UK-wide Misuse of Drugs Act 1971. Vendors use the term “legal highs”, but, as others said, that is very misleading because there has been no product testing. Anyone who consumes these products takes a huge risk. One does not know what will happen. What makes it worse is that, often, they are taken in cocktails with a range of other drugs and perhaps with alcohol, which is very dangerous.

I am pleased that some policing and community safety partnerships are now active in this area. I am aware of a meeting — later this week, in fact — with Carrickfergus policing and community safety partnership to look at the misuse of drugs in the area. It is important that everyone understands that a multi-agency approach is needed to try to address the issue.

The chemists involved are, as others said, very adaptive and tweak the chemical make-up to try to get round the

authorities. In 2012, some 251 new substances were discovered. Now, one new product is discovered every week. Many are profiting from the misery of our young people or those who become addicted.

I was fascinated by a programme that I saw about how a chemist based in Holland designed his products. He sent off the instructions to China, and when the packages arrived, he distributed them and made a fortune. This question has to be asked: what is the international community doing about this? What are the Chinese Government or, indeed, other governments in the Far East, where those products tend to be manufactured, doing about it? Although they can perhaps be manufactured locally, there is a tendency for them to be manufactured in the Far East, so we certainly need more international cooperation to try to minimise the dangers.

There is a danger with all drugs, whether they are alcohol, cannabis or legal highs. Those who become addicted to them experience significant highs and lows. As I said, mixing drugs increases risks. People can also have mood swings, which I believe can have a significant effect on and reduce their well-being and increase the likelihood of suicide. So, we all need to take an interest in this.

I am pleased that Belfast City Council has taken a new approach, not through the Misuse of Drugs Act but through the General Products Safety Regulations 2005, and that it has been able to shut down several suppliers. That can only be good. I hope that other councils in Northern Ireland, particularly in my constituency, do the same, because I am aware of young people from Belfast coming to Larne to get new supplies. There are difficulties in most areas, and I urge every council to copy what Belfast has done to try to stop the supply of those products.

Mr McCarthy: Although I and my party are happy to support measures that would see the scourge of legal highs and their distribution eradicated, as I understand it, this is not a devolved matter and it is up to the Ministry of Justice, the Department of Health and, indeed, the Home Office at Westminster. Our Alliance MP at Westminster, Naomi Long, has been working, and continues to work, on the subject.

Mr Beggs: Will the Member give way?

Mr McCarthy: Briefly.

Mr Beggs: Is the Member not aware that Belfast City Council used the General Product Safety Regulations 2005 to help stop supply in Belfast?

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

Mr McCarthy: Thank you, Mr Principal Deputy Speaker. I am not aware of what the Member is saying.

Once again, I thank the Research and Information Service in Parliament Buildings for preparing such a vast array of information on the topic. I also pay tribute to the many organisations in Northern Ireland that offer advice services and support to those who have become involved in this activity. I welcome the Public Health Agency's efforts to educate people on the dangers to their health of becoming involved in the consumption of legal highs.

Legal highs are also known as psychoactive substances, which in itself should raise concerns among everyone, and their use is detrimental to the health and well-being of

all who take them. As always, some of our young people who are exposed to drug culture may not be aware of the dangers to their health and the side effects, such as drowsiness, reduced inhibitions, paranoia, coma, seizure, stroke and even death. If that is the result of taking such substances, it is imperative that the Assembly works to find an answer as soon as possible to this latest curse on our society's well-being.

Surely the information that was pulled together in the research paper, in particular the media coverage, is or should be enough to make each and every Member sit up and take notice. Indeed, we must do more. We have to take action and ensure that the issue of legal highs is tackled and dealt with in the interests of our young people and our population in general.

The motion calls on our Minister of Justice to bring forward proposals, including pursuing emergency legislation, to restrict the sale of those substances. Our Minister of Justice acknowledges that legal highs are a major problem, but, as has been said, the legislation associated with the misuse of drugs in Northern Ireland is a reserved matter for Westminster.

At the beginning of 2014, the Home Office announced that it was to lead a review of how the legislative response can be enhanced to maximise its impact and how the enforcement response can be improved. That review, with recommendations, will be complete by spring 2014. We are almost there. We are in spring at the moment.

4.00 pm

Our Justice Minister wishes to see a consistent and uniform response to this serious issue. His Department continues to engage with key stakeholders to respond positively at an early date. If the House passes the motion, it will send a message that we are deeply concerned about this issue. It will be a start in making our concerns clear. I am happy to add my voice to those calls.

As I have said, the current review of the legislative provision, as it relates to the new psychoactive substances, is due in the Home Office shortly. I fully expect Northern Ireland to be involved. I hope that the motion will contribute to that. We must also make it clear that, although it is a matter for Westminster whether substances are legal or otherwise, some agencies here can be involved in cracking down on these substances and their uses. For example, depending on how the products are marketed, we can take action by using local agencies such as those involved in environmental health and consumer protection, and perhaps food standards rules.

As we are unable to pursue the criminal approach here, we must make sure that our health approach is as strong as possible. That includes making people aware of the health dangers that these products pose and ensuring that our health service is notified of the best way to treat cases of illnesses caused by such substances. As a result, I hope that our Health Minister will inform us on how the health service is coping with overdoses and similar conditions from legal highs.

In conclusion, it is vital that we begin to tackle this issue, because it is harming the health of some of our constituents. We must pursue a joined-up approach that involves the Government in Westminster and our Executive Departments.

Mr Wells: Although I support entirely the motion and its aims, it is worth saying that we in Northern Ireland have, for centuries, had two legal highs that many in the Chamber partake of: alcohol and cigarettes. Mr McCarthy can speak with a clear conscience because he takes neither. I think that a look at the statistics on those legal highs puts into perspective the issues that we are discussing. In 2002, 238 people in Northern Ireland died from the abuse of alcohol, including poisoning and other issues. In 2005, the figure was 246. In 2008, it was 276. In 2010, it was 284. Those are alarming statistics. The total number of drug-related deaths, including from legal highs and illegal drugs in Northern Ireland, in 2012, was 72. So, the legal high of alcohol is killing three times more people than the drugs issue that we are discussing. Indeed, between 2002 and 2012, in Northern Ireland, 2,849 people died as a result of alcohol abuse. So, we need to get this issue into perspective. We also have the legal high of cigarettes, which, we now know, kills 2,300 people a year in Northern Ireland. So, let us get some sense of perspective.

Unfortunately, at the moment, there are things going on with our youth that would have been unimaginable when I was growing up. That was a long time ago, but there are things going on out there that are absolutely unimaginable. We are giving our children and young people all the freedom of the fox in the chicken run. Nobody is saying no; there are no barriers or constraints. We have a perfect storm as far as legal highs are concerned, and, when I say legal highs, I mean all forms of stimulants. We have the Internet, which makes many of these, which were unobtainable to past generations, available at the click of a button. Then, we combine legal highs with an abuse of alcohol, and that is a very serious concoction indeed. Therefore, our young people are under the most enormous pressure.

The difficulty faced by our Minister and other Ministers in the United Kingdom is that, as fast as we, as a legislative Assembly, ban one product, another one can be devised and concocted within days.

I have sat on the Health Committee for five years, and we regularly have subordinate legislation brought forward by the Minister to ban a certain product. That is the right thing to do, but we know that, within days, in a laboratory in China, someone will have a different chemical concoction and produce a totally new product that the Department has then to ban.

The legislation that we have was formed when there was not such speed of change. I was interested to hear about the situation in the Irish Republic and in Poland. The Irish Republic banned 200 substances that they knew about, and that was the right thing to do. Since then, I have no doubt, another 200 substances will have arrived on the scene. We need catch-all legislation that will ban any product not tested before it can be used by a member of the public and give the Minister, the Department and councils the powers that they need to ban these products.

Folks, when you go to these head shops — every constituency has them — there is this nonsense that they have labels on them that say “Not fit for human consumption”. However, they are not being sold by veterinary suppliers or pet food merchants; they are being sold on the high street with other products that clearly are for human consumption. The whole thing is one big scam,

and there is a criminal element and vast amounts of money being made as a result of this dreadful trade. Therefore, we need to take action to make it extremely difficult for our young people to obtain these concoctions. It has to be a case of “The answer is no, now what’s the question?”. In other words, it is up to you to prove that this product has been tested and is up to the standard for a human being to take. If that is not the case, it is a ban. We need to change the legislation radically on the issue.

Mr McCartney: Go raibh maith agat, a Príomh-LeasCheann Comhairle. Beidh mé ag labhairt i bhfabhar an rúin.

We will speak in support of the motion. I apologise for being late. I was at another event in the Building, so to the proposer of the motion I offer that apology.

All of us, on an almost ongoing basis, are all too aware of the problems of drugs, legal highs and, as the previous Member said, alcohol, the damage that they do and how they lead to people needlessly dying. In all those instances, we always try to legislate to ensure that people’s ability to do themselves harm is reduced. That is the tone and tenor of this debate.

No one can say that a recent death in Derry was down simply to legal highs. There may have been a variety of factors, but the young man’s parents and family spoke in graphic and emotional terms of drug abuse. As a result, an addiction task force was set up last week. Many people, from the statutory sector and the trust, health boards or community and voluntary organisations to agencies such as HURT and the Northlands centre in Derry, came together and were in agreement that legal highs were still prevalent, were a great cause of harm and, in many instances, led young people to take their life.

Jim Wells rightly reminded us about other “highs”, be it alcohol or illegal drugs. The practitioners and experts said that there was no doubt that, whereas alcohol and some drugs took a long time before doing the damage that led people to die needlessly or, in many instances, to take their own life, with legal highs the effect was immediate and sometimes because of the nature of the high, the rate of change in a person’s life was swift. That is why they said that particular work needed to be done on legal highs. Indeed, last year, representatives of the board, the trusts, the PSNI and the Justice Department had a meeting in Derry, which I attended. They spoke about the mechanisms in place and laid out the process that begins when a “high”, as they are described, is identified, which leads to it being banned. In fairness to the people involved, the process is swift enough. Some may disagree about it being swift, but most of the people there accepted that the perception was that the process could take up to a year and laid aside that concern. The Health Department talked about the drug and alcohol monitoring information system (DAMIS) and how they, through public awareness campaigns and their work, point out the dangers of legal highs.

There is something very telling in all this, whether it is a reserved matter or the responsibility of Belfast City Council, the Health Department, the Justice Department or whoever. In the final part of Jim Wells’s speech, he touched on the idea of putting the onus on suppliers, which was tackled in Leinster House. There is absolutely no doubt that, when a high is banned, another one takes its place. The legislation that was enacted in Leinster

House put the emphasis on suppliers to ensure that people who set up what is called a "head shop" have to prove that the substances and products that they sell do not have unintended consequences and are not downright dangerous. The measure of any legislation is the outcome, and the outcome down there has been that the number of head shops has greatly reduced and a large number have closed. That is not the end of the matter, because we all know that there are other avenues, and the Internet has been talked about.

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

Mr McCartney: It is important that, whatever we do, things are not left to fate.

Mr Dunne: I too welcome the opportunity to speak on the motion, and I commend my party colleagues for tabling it.

Unfortunately, drugs continue to be an ever-growing scourge in our communities. Recent tragic deaths from drug use have sadly brought home to us all the severity and scale of the problem. Given its seriousness, it is vital that we continue to do all that we can to stop the misuse of drugs that are becoming a particular problem among our young people.

Drugs are very unpredictable, and legal high drugs often contain a mix of ingredients, many of which are illegal, very dangerous and, sadly, potentially fatal. Such drugs, which can be in powder, capsule or pill form, are not regulated and are therefore not subject to verification or quality assurance procedures. The ingredients can often be very different to what is stated on a label, which leads to dangerous and potentially lethal consequences for users of such drugs.

Young people, many of whom can be vulnerable and seeking a purpose in life, often go for these drugs in their search for a thrill. Drugs and legal highs often lead to an increase in crime, antisocial behaviour, depression, paranoia, self-harm and anxiety. They can often result in young people being caught up with paramilitaries and falling into serious financial trouble. They need money for the drugs and often borrow and have to repay at excessive rates.

The fact is that drugs destroy lives, which is why we must destroy illegal drugs. I know of a young person in my constituency who, sadly, is a drug addict. His parents have been left heartbroken and looking for treatment and a safe place of rehabilitation for him. Such a facility, which gives young people a chance to reform and have rehabilitation, should be provided by the Health Department more locally. The problem is trying to get such young people to engage. In this case, the young person has been to various centres and has had counselling, but he still needs more support.

4.15 pm

The recent Belfast City Council initiative, which gives the council powers to destroy seized substances, is a positive step forward. Perhaps other councils should consider a similar scheme in their efforts to tackle the growing problem of legal highs. Legal highs, also known as psychoactive substances, are synthetic drugs that can be bought online. The fact that they are readily available for anyone to buy online is a major concern.

I am well aware, as are other Members, of the excellent work done by charities such as the Forum for Action on Substance Abuse. It does a tremendous job in helping

those who are victims of drugs. I recently visited the FASA outlet in Bangor and saw at first hand the work that it does through its counselling and therapy facilities. It also has a rehab centre at Ballywalter where young people are involved in constructive work such as gardening and running tea rooms. Many people work there as volunteers and provide excellent support. Those facilities must be supported through our Health Department and the trusts. I know that money goes towards them, but it is important that funding continue to be made available for such facilities.

As with many areas aimed at improving the health of our population, it is vital that a joined-up, interagency approach is adopted. I am sure that the Minister will elaborate on what he and his Department have done and are planning to do to tackle the real scourge of drugs. We need to see the PSNI, the Department of Justice, the trusts and the Public Health Agency, as well as others from our community and voluntary sector, working together to help tackle the terrible scourge of drugs. I support the motion.

Mr A Maginness: My apologies to Mr Buchanan and Mr McQuillan for not being here at the start of the debate: I was at an event in the Senate Chamber.

This is a complex and difficult problem but one that can be solved, and there is no doubt in my mind that it can be solved. What Belfast City Council has done under existing regulations — the General Product Safety Regulations 2005 — has been a good step forward to deal tactically with head shops in Belfast. Other councils should follow suit and act in the same way to counteract this vile, despicable and immoral trade. Those involved in it may be smart and say that they are doing nothing criminal in actual fact, but their activities are criminal, mercenary and merciless in spirit. These people ought to be condemned for their vile activities.

As far as dealing with the overall problem is concerned, as Mr Beggs said, it is a global problem that requires a global response. However, in the context of the European Union, we require legislation. I am disappointed that the British Government and the Minister in charge have rejected the European Union's initiative. That is wrong. We should have gone along with the initiative, as it would help stem the tide of psychoactive substances coming into the country.

Mr Beggs: Will the Member give way?

Mr A Maginness: Yes.

Mr Beggs: There is a major amount of trade between the United Kingdom and China. What would be wrong with simply requesting that China stop the production of the drugs? If it were France or Germany, Canada or the USA, there would be no difficulty getting to the bottom of the problem and stopping damaging drugs from being manufactured and shipped from there. Why can that not happen with China?

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

Mr A Maginness: I thank the Member for his intervention. It is an interesting point. I am not sure that the trade is as open as a normal trade in perfectly ordinary bona fide drugs or other substances. There is a certain black market in the production and trading of these drugs.

Leaving that aside, I go back to my original point, which is that the European Union should act. It is acting, and Britain

should be part of that, together with the Republic, to deal with this problem in a united fashion.

This problem has been about for the past number of years and is becoming worse, but there has been a good deal of inaction by the British Government in dealing with it. I look south of the border and see the action that was taken by the Republic's Government, which has been a major step forward in dealing with the problem in the South.

Mr Byrne: I thank the Member for giving way. Does he agree that it is unfair to depend on district councils to deal with the issue and try to have local decisions made? I applaud Belfast City Council, but there is a gap between what the Assembly is doing and what the British Government are doing.

Mr A Maginness: I agree entirely with what my colleague said. Belfast City Council is dealing with it tactically, not strategically. We have to deal with it strategically, and, if we do not do that, the British Government ought to deal with it strategically at a national and European level. That is the way to go forward, and we should borrow from the example of the Southern Government. They dealt with the problem of catch-up; in other words, they reversed the process of verification and put the onus on the trader rather than on the Government. They were reversing the onus of proof, which is the important thing. We should borrow from that instead of having further investigations and reports etc. If we really want to seriously tackle the problem, that procedure should be borrowed and should become part of the law of the United Kingdom. The Government are remiss in not using that model to tackle this problem.

Unfortunately, although you can close head shops, you cannot close down online sales of these substances. That is a serious problem that we face.

Mr D McIlveen: When an individual loses their life in particularly tragic circumstances, it is not unusual, as part of their epitaph, for it to be said that they died too young. I have that comment in mind when I state that, last year in the United Kingdom, there were 52 people who died too young as a result, indirectly or directly, of these so-called legal highs. One of those individuals was a young man from west Belfast called Sean Paul Carnahan, who was 22 years old. I am sure that none of us who listened to what his heartbroken mother had to say about her son, with his whole life in front of him but cut so short indirectly as a result of these legal high drugs, could have heard her grief and not said that something had to be done about this.

When you listen to what the medical experts say about these substances, you discover that they carry certain health warnings, as I am sure you would imagine. One such health warning is that you increase the risk to yourself if you combine alcohol with any legal or illegal substance that causes a high, including the risk of death. Your inhibitions are reduced, you have drowsiness or you can become excited or have paranoid states. You can even go into a coma or find yourself having seizures, and, ultimately, using these legal highs can result in death. Because legal highs are often new and, in many cases, the actual chemical ingredients in a branded product can be changed without you knowing, the risks are therefore unpredictable. Therefore, the medical professionals are telling those who choose to use the substances that, in effect, they are playing Russian roulette with their life.

Therefore, we have to do something in the Assembly to deal with the issue and the scourge that it has become on our society.

It is disappointing to hear comments that were clearly made on behalf of the Justice Minister about his responsibility to legislate and use devolution to deal with the issue. A question has to be asked of the Justice Minister. I accept that he is not here to answer this question, but I am sure that the message will be taken back loud and clear. When will he step up to the mark and start dealing with challenging issues such as substance abuse, prostitution, illicit tobacco and all manner of admittedly difficult and challenging issues that we, as a society, have to face in Northern Ireland? Sometimes you need to invoke legislation to provoke behavioural change. We cannot shy away from that, and I agree entirely with my colleague Mr Wells, although I think Mr Wells is perhaps more the farmer than the fox in his analogy of the fox and the chicken house — at times, anyway.

We have to accept that behaviour sometimes has to be challenged and changed by legislation. When the smoking ban was brought in in public places, which I entirely support and agree with, a choice was given to people. If they want to face the elements and go outside and smoke, they have to do that. If they want to think twice and maybe consider changing their behaviour when they would have previously lit up a cigarette in a restaurant or wherever, they were given that choice. I believe that legislation is needed to —

Mr McAleer: I thank the Member for letting me in. We all no doubt accept that, first and foremost, our concern is about people, particularly young people who get hooked on these legal highs masquerading as bath salts, incense or whatever. Does the Member also accept that so-called head shops can have an impact on bona fide traders in the areas in which they are located? It effectively gives the area a bad name, and that could have a wider impact, particularly in town centres, where traders are already under pressure.

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

Mr D McIlveen: I agree entirely with the Member. Of course this type of shady activity going on in areas across our Province will have a detrimental effect and bring the whole area down.

I conclude by saying this: we have had too many incidents in the past six months with legal highs, alcohol or even drugs that are already classed as illegal, and we have to deal with the cultural problems in Northern Ireland in our obligation to our young people. We have a duty in the Assembly, and there is a responsibility on parents to make sure that our young people are kept safe and are protected from whatever manner of evil is out there. So-called legal highs are up there on that list of evils today.

Mr Elliott: I also apologise to the proposer of the motion for not being in at that time. Like others, I was attending another justice-related event.

This is an issue that affects a wide range of people. A number of individuals and people in the community may think that it is a very narrow issue, but it is not. It affects the justice system, the Police Service, the health service and, indeed, many other agencies. Most of all, it affects individuals and families. We need a coordinated approach

to it locally and globally. We cannot deal with it in isolation. No Department, single agency or individual can deal with it on their own.

4.30 pm

The term "legal high" is very misleading. Most of the substances are regulated by the Medicines Act 1968, which makes it illegal to sell, supply or advertise them for human consumption. The substances are generally bought from head shops or Internet sites. Many suppliers use descriptions such as "bath salts", "incense" or "plant food" and claim that the substances are not intended for human consumption as a way of getting around the drugs law. There is an incorrect belief that, because the items are legal, they are safe.

In July 2013, the Health Minister indicated that around 110 people had died last year as a result of drug misuse. Mr McIlveen just mentioned the figure of 52, and I am happy for the Minister to clarify this when he speaks. Whether it relates to prescription drugs or illegal drugs, about nine people die every month as a result of drug misuse. That is a truly shocking statistic, and we cannot just sit back and do nothing about it. Proactive action must be taken.

The Public Health Agency made this crucial point:

"It is often not clear what is contained within individual drugs. The quality and content of such drugs varies greatly and the name used may not bear any relation to their actual contents."

It went on to state:

"These drugs are not controlled in any way and you can never know what you are taking. The only way to avoid all the risks is to not take any drugs which haven't been prescribed for you."

Those who take drugs often mix them, either with alcohol or other drugs, including prescription drugs, illicit drugs or legal highs. Again, mixing those drugs is a major risk, with three out of four drug-related deaths in Northern Ireland involving more than one drug.

The dangers of taking drugs are now further compounded by the emergence of these so-called legal highs over the past few years. Government legislation has had an impact on preventing a number of substances being sold, but the Public Health Agency is aware that new substances continue to be promoted and sold over the Internet, through head shops or by friends and even drug dealers. These substances present a real risk to a person's health as their production is not regulated. As they are new and constantly changing, it is also difficult to know their effects. It is not only among the wider public that they are a problem but in prisons. We hear of people taking legal highs and putting themselves and, indeed, other prisoners at risk.

I want to pay tribute to a number of organisations that do sterling work in the field, particularly FASA, Opportunity Youth and other organisations that deal with individuals face to face and give very good advice and help.

The bottom line is that we need to stand together as an Assembly, a community and a society and, importantly, educate our people. It is important that we have an education system and process that explains the dangers and difficulties of legal highs. We need to ensure that we reduce the

opportunity for the public to get legal highs, and, finally, we need to educate them on their real dangers.

Mr G Robinson: I congratulate my colleagues for bringing the debate to the Assembly.

Legal highs destroy and damage lives and families and are therefore among the most dangerous items that, unfortunately, some of our young people enjoy. Those who sell them are peddling harm and death and are therefore committing a heinous crime. The sooner we rid society of this scourge the better.

On 25 February 2014, the Minister described legal highs as:

"potentially more dangerous than better known drugs such as ecstasy and cannabis."

This is a stark warning that will, hopefully, be adhered to. I am sure that the Minister will condemn the use of all illegal drugs, as I do. They can, and have, led to tragic suicides. I contend that this is a health, police and justice problem.

On 28 June 2013, the Public Health Agency stated:

"These substances present a real risk to a person's health ... Light-hearted street names can mislead people into believing that they are indulging in low-risk fun when in fact these new psychoactive substances can be more dangerous than traditional drugs."

Those are two stark and clear warnings on the dangers of using these drugs. I also contend that the habit or addiction places more pressure on our already overworked health service and its staff, who all do such tremendous work throughout Northern Ireland.

The direct effect of legal high use is on one person, but the consequences can be felt by an entire family circle left grieving or dealing with someone severely disabled.

I believe it reasonable for the Minister of Justice to put forward proposals, including emergency legislation, to restrict the sale of these substances, as the motion calls for. That is the best way to minimise access to these lethal substances. The courts have access to severe penalties for those who deal in them.

I urge all Members to join me in supporting the motion, as I am sure that the problem exists in most of our constituencies.

Mr Newton: Like others, I pay tribute to my colleagues for raising the issue. I support the motion and was disappointed by Mr McCarthy's remarks. He said that it was nothing to do with his Minister and that, because this is not a devolved matter, it was really Westminster that was dragging its feet. That seemed to me a Pontius Pilate-type approach. I was looking for the dish of water in which Pontius Pilate was washing his hands of the matter.

That said, I pay tribute to Belfast City Council and will outline its process. Although the issue had been raised in the press and, as Mr McIlveen said, a young man had recently died, there was no action. My party colleague Gavin Robinson took the opportunity to bring a motion that the council approved unanimously. Every councillor who spoke referred to the dangers, just as we have done here today. The motion went to the policy and resources committee, and out of it came action by the council's legal department, which realised that there was legislation under which it could address the issue. That department did not wash its hands, Pontius Pilate-like; it took action

because the council was forcing it into it. I pay tribute to the council's officers for that.

I first came across legal highs when I was with OFMDFM at a meeting in the Isle of Man. At that stage, the Isle of Man was waiting for action from Westminster, but nothing was happening. Like the Republic, it went ahead and banned legal highs. It realised that there were issues with such a ban, including that the drugs were not just sold in shops but could be bought online, so it was not perfect. However, the Isle of Man made legal highs subject to an annual rolling ban, and, every year since, has continued the ban, including just recently. The Isle of Man introduced a ban on the basis that it was in the best interests of the community that these substances were not available to young people, many of whom are impressionable.

They realised that this material was being created not just in China but the Far East in general. They realised that it was being brought into the UK not by legal or overt methods of trading but by hidden methods. I was going to say "illegal", but that is probably too strong a word. There is no regulation on this. It is constructed in, I suppose, substandard clinics, and there are no clinical tests on it.

We may not realise it, but this is part of the war on drugs. It is a part of the drugs trade. As others said, it has been described as plant food, bath crystals and pond cleaner. What type of shop, or head shop, sells those sorts of things? They have no interest in plant food or pond cleaning. They are selling it, purely and simply, to make huge profits, and that exploits young people and the deaths of young people, as has been referred to. Legal highs, particularly when mixed with alcohol, create dangers. It is difficult to see that you would not get legal highs being used at the same time as alcohol.

If you identify some components of the legal high, you will see that there is always going to be the problem of the mixture being changed. However, that should not stop us taking whatever action we can.

Mr Poots (The Minister of Health, Social Services and Public Safety): Thank you very much, Mr Principal Deputy Speaker. It is a privilege to be able to sit through and participate in this debate, and there have been some very good and informative speeches. I thank Mr Buchanan and Mr McQuillan for bringing the motion to the House. I apologise to Mr Buchanan for missing the first few minutes of his speech, but what he said was very effective and powerful, particularly his comments relating to the young man from Omagh whom he knew who was so badly affected as a result of these so-called legal highs.

One of the most important public health challenges facing us is the need to prevent and reduce the harm that alcohol and drug misuse causes to individuals, families and communities. Episodes such as the major incident at the Odyssey, or, more tragically, the number of potentially drug-related deaths that have occurred over the past year, serve to highlight the real consequences of substance misuse. I should add, for Mr Elliott's benefit, that 110 people died from drug-related causes and that 75 of those cases involved drug misuse. So, those are the figures as they stand.

Worryingly, a new challenge has arisen through the availability of these so-called legal highs. They are substances that have a psychoactive effect but that are not covered by the UK-wide Misuse of Drugs Act 1971.

However, the term "legal highs" is misleading, and we, therefore, refer to them as "new psychoactive substances". The key message that needs to come from the Chamber today is that these substances are not safe. They are marked "not for human consumption" for a reason, as the sellers are trying to get around our existing drug laws and medicine regulations. So, let us be clear about this: taking any substance that has not been prescribed for you comes with real risks. These new psychoactive substances have not been tested. They do not go through quality assurance, and there is no way of knowing what they contain. Therefore, they are potentially more dangerous than drugs such as Ecstasy or cannabis.

Given the nature of the issue, it is difficult to get an accurate picture of how prevalent the misuse of these substances is. However, a survey in 2010-11 indicated that between 2% and 2.4% of the population had taken the then legal mephedrone and new psychoactive substances respectively. Obviously, things may have changed since then, and, in 2014-15, that survey is being rerun to give a clearer picture about the current extent of use. Figures from our treatment services in 2012-13 also indicated that 16% of those in treatment reported the use of the now banned mephedrone.

Where tackling supply is concerned, the key legislation, the Misuse of Drugs Act 1971, is a reserved matter and is led by the UK Government at Westminster. This is an area that my Department — my Department — has raised through the British-Irish Council and the North/South Ministerial Council. I will ensure that it remains on the agenda of those key groups. Although there are local regulations, these stem from the Misuse of Drugs Act. Therefore, we have to work closely with our UK counterparts to address the issue.

4.45 pm

Mr McCarthy: I am grateful to Minister for giving way. Given that the Minister has just admitted that it is a reserved matter and the responsibility of Westminster, will he advise his comrades that the unjustified attack on my Minister was wholly irresponsible and wrong?

Mr Poots: I think that Minister Ford is well capable of defending himself. He does not need me to help him. What I will identify today are the actions that I have taken. Perhaps, at some point, the Member's party leader will identify the actions that he has taken. I have not been furnished with material on those actions for today's debate. I do not know whether he has, or has not, taken actions because I have not been furnished with that level of material.

Mr Byrne: I thank the Minister for giving way. Does the Minister agree that this matter, and how it affects the young people and families who have suffered, is another example of where two Ministers in the one Executive should be talking?

Mr Poots: I will explain to Members that I have been engaging with people who have key responsibilities. Members and the public can judge if I should be the only Minister who is doing that.

As I indicated, I have raised this matter with the British-Irish Council and the North/South Ministerial Council. The Advisory Council on the Misuse of Drugs, in particular, plays an important role in assessing these substances and making recommendations. I acknowledge that it would

be difficult to replicate the expertise and capacity of that group at a local level.

Enforcement of the Misuse of Drugs Act is the responsibility of the PSNI, for which Mr Ford is the Minister. My Department also helps to address the issue through the enforcement of the Human Medicines Regulations. Where the sale of new psychoactive substances breaches either of those pieces of legislation, enforcement activity can, and is, undertaken, as evidenced by the recent conviction of the proprietor of a Belfast shop for possession of a controlled drug in the guise of a legal high.

I am in the very unusual position today of being able to add to Mr McCarthy's huge volume of knowledge. He was clearly not aware of what Belfast City Council had done when Mr Beggs posed the question to him. Belfast City Council, supported by a range of key agencies, took enforcement action against head shops using the General Product Safety Regulations. That resulted in a forfeiture order and the destruction of the materials seized. I know that other councils have been watching Belfast's innovative approach. Congratulations to Belfast City Council. I hope that this will encourage other councils to take similar action in their areas.

In 2011, following approaches from various stakeholders, including my Department — my Department — the UK Government amended the Misuse of Drugs Act to incorporate a new classification for placing drugs under temporary control for up to 12 months. The temporary banning power is aimed at tackling the threat that new substances pose to public health by responding on a precautionary basis. While the temporary ban is in place, enforcement is only for trafficking offences. These carry the current class B penalties. However, the possession offence does not apply so as not to unnecessarily criminalise young people while a full investigation of the drug is under way. Some good first steps have been taken in addressing the issue. So far, temporary or permanent bans have been imposed on more than 250 substances. These bans, combined with the enforcement activity that I highlighted earlier, help us to begin to tackle the issue.

However, I believe that we have to do more. That is why I recently raised the issue with the Home Secretary to seek a more robust and consistent approach. In response, the Home Office has announced a review of how the UK's legislative response can be enhanced beyond the existing measures of the Misuse of Drugs Act 1971. I am pleased that the review will be informed by a range of evidence, including the various international approaches that I highlighted to the Home Secretary. That includes approaches from the Republic of Ireland, from which we have a lot to learn, the United States of America and New Zealand. It is anticipated that the review will be completed by spring 2014. In response to Mr Byrne, I think that he will see that the Department of Health and I are taking that very seriously by pressing and pressing to get more effective tools. It is essential that we take a consistent approach across the UK for any efforts to be effective. I welcome the fact that Northern Ireland is part of this review, and I will continue to work with key partners across government, across the United Kingdom and, indeed, Ireland, to press for further action and new legislation.

So far, I have focused on the sale of these substances in shops. However, it is clear that the Internet also plays a substantial role. Although addressing sales in head shops

might only be part of the solution, I believe that it would be an important step. The availability of these substances on our high streets has the potential to change our social norms. Therefore stopping these sales will send out a clear message that drug misuse is not acceptable and that it is not part of everyday life. However, I recognise that we also need to work with the UK and the EU to address this issue in a broader context and to work with agencies such as Interpol to tackle international sales.

At the local level, we have also set up an early-warning system in partnership with the PSNI, the PHA and the Department of Justice. This system, known as the drug and alcohol monitoring and information system, seeks to get information from local communities, identify new substances and provide advice to the public as soon as possible. The system has already been used to disseminate information about a range of substances, and the Chief Medical Officer has issued alerts based on information from the system. It is also used to feed into the permanent or temporary banning processes and to inform policy and practice. My Department and the Public Health Agency will continue to use this information to raise awareness of the dangers of these substances and to put treatment services in place.

This is an area that I will continue to address. The actions taken so far are positive, but they are just a beginning. I will consider all the issues raised today and ensure that they are fed into our discussions in Northern Ireland and across the UK and Ireland. However, experience to date shows that banning these substances will not make them go away. We all need to play a role in ensuring that people do not feel that they need to use drugs and to make drug misuse unacceptable in our society.

Mr McQuillan: I will wind up on the motion, but, before I summarise Members' contributions, I will offer my own. Legal highs are often created in labs in the Far East and brought to Europe. There is no doubt that, in our society today, drugs are more widely available than before, and it is sad that there is, unfortunately, a demand for them, especially among our young people. Partaking in this drug culture early can have life-changing consequences, and that was apparent in the BBC programme that was broadcast over a number of weeks on the drugs charity Forum For Action On Substance Abuse (FASA), to which I pay tribute for its work in picking up the pieces of people's lives.

We need to see action taken to tackle the underlying drug epidemic, and one way of achieving this is to tackle the open sale of psychoactive substances, or legal highs as they have been labelled. They have no place in our society and should not be on sale in shops that are open to the general public. The very fact that it is stated on those substances that they are not fit for human consumption should indicate that such substances are harmful. However, it is clear that the harmful effects are neither here nor there when it comes to an individual purchasing them for consumption. These drugs are usually available in shops selling drugs paraphernalia, which includes items such as equipment to enable people to smoke cannabis. Although there is nothing illegal in selling the means to take drugs, I have to ask why. Surely, we are inviting drug abuse. At a time when we are looking to ban smoking in cars where children are present, why are we not focusing

on banning the sale of materials and equipment that aid drug misuse?

The Minister of Health, Social Services and Public Safety, Edwin Poots, has been proactive in tackling this epidemic, but the problem lies in the law that provides those selling these harmful chemicals with an open invitation to sell. I regard that to be immoral and unacceptable. In recent weeks, it has become clear what pressure the health service is coming under, and, although the pressures do not all concern drink and drugs-related conditions, the sheer number of individuals being treated for such a set of circumstances only goes to put more stress on accident and emergency departments. That is where individual responsibility comes into play. I know that the Westminster Government are reviewing the sale of legal highs. However, this is not an excuse for us to sit back and wait for someone else to come up with a solution.

It falls to the Minister of Justice in this region of the UK to act to save lives. I also welcome the court ruling in February in favour of Belfast City Council, which granted it permission to destroy substances that were believed to be legal highs that were seized from a shop in the city centre. I join others in the House in calling on the Minister of Justice to respond rather than sit idly by, and the sooner the better.

I will now move on to summarise Members' contributions. The proposer of the motion, Mr Buchanan, said that anyone walking into one of these shops would think that drugs are legal in Northern Ireland, and he also said that legal highs are not fit for human consumption. He went on to say that there was a loophole in the law that had allowed the manufacturers of legal highs off the hook. He said that 280 harmful highs were introduced each year and that that would have to be stopped. He gave an example of a young person in his constituency who was off legal highs for the past six months but was still in no fit state to hold down a job. He also welcomed the Belfast City Council judgement.

Seán Lynch welcomed the motion and stated that the South of Ireland had responded to head shops, and a new law meant that 150 head shops had closed down overnight. He went on to say that Poland passed a new law in the past year that meant that 1,200 head shops closed down. He said that the law here is not good enough and that we cannot leave it to individual councils to carry on.

Fearghal McKinney supported the motion and said that the Misuse of Drugs Act 1971 was not enough. He said that legal highs are not always fit for human consumption and that it is also crucial that government takes a joined-up approach. He went on to say that Health and Justice must work together to try to close down head shops and to get support for users.

Roy Beggs declared an interest in working with a group in his constituency, and he gave an example of one young person. He said that it is very dangerous for young people to take a cocktail of drugs. He also welcomed the PCSPs taking an interest in legal highs, and he wanted to know what the international community was doing about the situation.

Kieran McCarthy was somewhat unclear in his contribution. He said that he and his party supported the motion, but he then passed the buck to Westminster. He went on to say that young people were not aware of the damage that they were doing to themselves and that we

need to take action, but, once again, he passed the ball over to Westminster and asked it to take up the issue rather than push his own party leader to do something about it. That is where the problem lies: we need all the Departments to work together.

Mr Wells supported the motion but said that two other legal drugs are available to all of us: alcohol and cigarettes. He went on to quote some numbers. He said that the legal high of alcohol was killing more people than any other legal high and that we are giving our children too much freedom. It is like a fox in the chicken run.

Mr Wells also said that, with the day of banning the change at loss — I cannot read my own writing; I do not know what that was. *[Laughter.]* We need to make sure that we catch the entire issue in one bout of legislation rather than having to come back to it.

Raymond McCartney supported the motion and said that all of us were only too aware of the effects that drugs had on people's lives. He also mentioned alcohol. He talked about recent work in Londonderry and supported what we could do on it.

Gordon Dunne welcomed the motion and said that he had recently been to Bangor to see the work of FASA. He praised FASA and welcomed the Belfast City Council court case. He also said that we need a joined-up approach to tackle the problem.

Alban Maginness started off by apologising for not being here for the start of the debate. He went on to urge other councils to follow Belfast City Council's lead and condemned the owners of the head shops. He was disappointed that the British Government did not follow the European Union's lead and said that the problem is becoming worse with the British Government's inaction. He praised the Republic of Ireland Government's action —

Mr Beggs: Will the Member give way?

Mr McQuillan: Yes.

Mr Beggs: Does the Member agree that, if the National Crime Agency operated in Northern Ireland, it might be easier to trace some of the moneys that are being transferred to the companies manufacturing these products?

5.00 pm

Mr McQuillan: I agree. As I was speaking, the thought came into my head that the National Crime Agency could do something here. Part of its remit would be to control the drugs that are coming into the country. If it were up and running here, that would certainly help.

David McIlveen said that 52 people have died too young as a result of taking legal highs. He mentioned a young man in west Belfast who died too young. He said that people increase the risks to themselves if they take alcohol along with these substances. He believes that we have to do something in the Assembly rather than dismiss the problem and pass it to somebody else. He said that he is disappointed with comments made on behalf of the Justice Minister. He asked what the Justice Minister is going to do to step up to the mark and said that he should not shy away from taking the hard decisions. Mr McIlveen used the smoking ban as an example of how that might work.

Mr Elliott apologised for not being here at the start of the debate. He said that legal highs affect a large section of our community and that we need a coordinated approach. He said that "legal high" is a very misleading name. He went on to say that 110 people have died from drug misuse. He said that legal highs are not controllable in any way and that mixing drugs and alcohol, or any other sort of drug, is a major risk. He said that new legal highs are being sold over the Internet as well as in head shops and can be purchased at any time. He praised FASA, which does a great deal of face-to-face work with young people caught up in the cycle of drugs.

Mr Robinson said that families caught up in the cycle of drugs are destroyed. He condemned those who sell drugs, adding that solving the problem is a Health, Justice and police matter. He said that legal highs place more pressure on the health service. He said that it is the responsibility of the Minister of Justice to bring forward emergency legislation.

Robin Newton supported the motion and was disappointed with Mr McCarthy's approach to the whole thing. He paid tribute to Belfast City Council, his party colleague Councillor Gavin Robinson and the council's legal department for following up the issue and taking action, which is more than the Justice Minister is doing here. Mr Newton first came across legal highs on the Isle of Man, which went on to introduce its own legislation because it could not wait any longer for Westminster to legislate.

In responding to the debate, Minister Poots said that it was a privilege to sit through the debate, as public health is one of the most important challenges in —

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

Mr McQuillan: I will motor on.

I thank Minister Poots for what he is doing. A joined-up approach is needed on drugs. I thank everybody who took part in the debate.

Question put and agreed to.

Resolved:

That this Assembly expresses concern at the open sale of psychoactive substances known as "legal highs", which are being sold under false pretences, by using disclaimers such as "not fit for human consumption", when, in reality, young people are becoming addicted to them; notes the damage such substances cause to the lives of young people; and calls on the Minister of Justice to bring forward proposals, including pursuing emergency legislation, to restrict the sale of these substances.

Adjourned at 5.03 pm.

Northern Ireland Assembly

Tuesday 11 March 2014

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we move to today's business, I once again inform the House that the information screens in the corridors and elsewhere in Parliament Buildings are still experiencing some technical difficulties. I assure the House that we hope to have them fixed as soon as possible. Members may wish to be kept updated with business in some other way in the meantime. I apologise to the House for the difficulties that Members are experiencing with the television screens.

Ministerial Statements

School Pupils: Evaluation and Assessment

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a Cheann Comhairle.

A Cheann Comhairle, ba mhaith liom ráiteas a dhéanamh leis an Tionól ar an cheist chriticiúil faoin dóigh a measúnaítear, a n-aontaítear agus a dtuairiscítear foghlaim ár ndaoine óga. I would like to make a statement to the Assembly on the critical issue of how our young people's learning is assessed, recognised and reported. At each stage of their education, it is important that we know how our children are progressing. Teachers, school leaders, parents and children all have an interest in how our education system is delivering for our young people. The level of information that each needs is, of course, not the same, but the principle of knowing how well our system is meeting our needs remains. It follows therefore that our arrangements for assessing pupils and evaluating our system must be appropriate. It was for that reason that I was keen for us to be part of a much wider Organisation for Economic Co-operation and Development (OECD) review of evaluation and assessment frameworks and their contribution to school improvement.

I thank the OECD team that visited us in February/March last year and published its report on 10 December. I encourage all Members with an interest in education to take a close look at that report, as it tells a very positive story. The OECD observed many points where our approach to pupil assessment and school and system evaluation was in line with international best practice. I want to use the OECD report to inform a number of significant pieces of work that are going on at the moment.

I will start with pupil assessment because it had become a matter of concern and attention prior to the OECD visit and is an area in which considerable work is already going on. First, I want to address the issue of computer-based assessment (CBA) in our primary schools. We currently make available an interactive assessment tool free of charge to all primary schools. Its purpose is to help teachers to improve outcomes for children in literacy and numeracy and to provide information to parents on how they can support their children's learning in those critical areas. The practice of having this sort of universal, formative assessment in primary schools, mapped to our curriculum and delivered at the start of the academic year, is noted with approval by the OECD, so the policy is sound. However, it follows that a sound policy is no good if its implementation is not up to scratch. The procurement of the new assessment tools, NILA and NINA, and schools'

experience of using them were not without difficulty. That was highlighted in the OECD report and well documented elsewhere. As the Assembly knows, I commissioned a small team of specialists to review the different aspects of the computer-based assessment programme and advise on how it may be taken forward. The report, by John Harkin and Jonathan Hudson, will today be published on the DE website. It is highly critical in places, but I believe that, together with the experiences and learning from other countries that have gone down this route — not without their own difficulties — it provides us with a solid basis on which to advance this work.

The report makes a number of key recommendations, and I have accepted all of them. Given the difficulties that we have experienced, simply abandoning CBA might seem attractive to critics. That would be the easy way out. The fact is that OECD's report commends our work to introduce a centrally developed, computer-based assessment tool that is used for diagnostic purposes. Our challenge is not to walk away but to walk forward and address these issues head-on. We will do just that.

What does this mean for schools come the new school year? Until I am absolutely satisfied that the system works for schools, I will not specify the current NILA and NINA tools. In other words, schools will not be legally obliged to use them. However, I hope that they will choose voluntarily to use them and continue to share their experiences so that CCEA, C2k and others can continually improve the service that they offer to schools. While the OECD report signals the risk of over-reliance on commercial tests that are not aligned to the curriculum, it also acknowledges the benefits of a centrally provided tool that is designed against our curriculum. I believe that there is continued benefit for schools in using a bespoke assessment. For that reason, NILA and NINA will continue to be available to all primary schools on a voluntary basis in 2014-15.

As we consider future policy options, I am determined that procurement policies need to work for us, not against us. We will ensure that that happens. The independent review emphasised the importance of building our expertise in procurement and economic appraisal so that we deliver what was always intended: a solution that meets the needs of teachers and pupils.

I move on to end of key stage assessments. Reliable, consistent teacher assessment that has the confidence of parents, principals and teachers remains my objective. I do not believe that teacher assessment at that level can or should be replaced by standardised testing. Parents need to have the rounded and nuanced picture that only a teacher can provide. Our approach to end of key stage assessment was designed with the involvement and support of teachers and their representatives, but, in its implementation, we again appear to have lost some ground.

The OECD report recognises the value of assessment of pupils by their teachers against the levels of progression that relate to the revised curriculum. The report also identifies that we need to do more to build the confidence of teachers in the process of standardisation, assessment and moderation. I want officials to continue their engagement with teachers and their representatives to discuss and develop the practice of pupil assessment in the context of the agreed levels of progression. Given the ongoing commitment to dialogue, I ask teacher unions

to reconsider the need for continued industrial action in opposition to assessment arrangements that have been acknowledged at an international level as being sound and congruent with European practice.

I want to make it clear that, at system level, we do not make judgements about schools based on the percentage of pupils who achieve or do not achieve at the expected level. Our processes of evaluation and, indeed, inspection are much more sophisticated than that. A below-average performance might generate some questions about whether a school needs support, just as a high performance might generate interest in finding out more about a school's approach. However, it is the answers to those questions — understanding the context in which the school operates — that is key. In that regard, I want to scotch some of the myths that have sprung up about inspection.

External school evaluation is broad, is based on quality assurances and emphasises school improvement. The district inspector system is appreciated by schools and can provide timely qualitative feedback. Classroom observation is a core part of school evaluation, and the principle of using that important first-hand evidence is well established. There is also well-established and tailored support for schools to promote the use of data in self-evaluation activities. ETI good practice reports in areas such as literacy and numeracy and practitioner-led conferences promote professional reflection and the dissemination of existing good practice.

When our young people get to the age of 16, there is increased formality in how their progress is assessed and rewarded. That is done through the awarding of qualifications that have a wider status when it comes to further and higher education and to training and employment. Members will also have an interest in how I plan to respond to the review of GCSEs and A levels that CCEA carried out and the report that resulted from that exercise. The report was published for consultation in the autumn, and, in light of the responses received, I confirm that I have accepted all 49 recommendations in the report. I have tasked officials to work with CCEA and other stakeholders to organise the implementation of those recommendations and call for action. Some actions have already begun, and others are to be taken forward in the longer term.

I would like to express my thanks to the members of the expert group who were involved in the development of proposals up to now and, I hope, will continue to be involved in the longer-term visioning to follow.

Our young people must have access to qualifications that enable them to follow pathways to further study, training and employment, including those that will take them outside this jurisdiction. I have no intention of acting in a way that will disadvantage our young people wanting to study across these islands. Indeed, I believe that my decision to retain the coupling of AS and A2 in a modular A level has already provided a genuine advantage to those applying to universities in England, which value AS marks as indicators of potential overall performance.

One issue that I had to consider very carefully is whether the changes being made elsewhere are so great that they might affect our ability to maintain an open qualifications market for schools. I want to make it clear that I can see

value in ensuring that schools have access to as wide a range and choice of qualifications as possible. Therefore, I do not intend to restrict schools here to qualifications offered by CCEA and WJEC. Schools will continue to be free to choose exam specifications from other awarding organisations, provided that those organisations can satisfy us that they meet the requirements of our curriculum. I expect that, in the majority of subject areas, that will not be problematic. However, I want to make clear my position on GCSE English.

As has been noted previously and favourably commented on by the OECD, our curriculum has a focus on knowledge and skills. Our focus on literacy therefore encompasses not just reading and writing but the wider skill of communication. Employers and their representative organisations frequently stress to me the importance of ensuring that young people can communicate effectively and can apply their knowledge in practical settings. Qualifications in English at GCSE will only be considered valid for our young people if they include, as an integral part of the award, the assessment of speaking and listening. Those are fundamental aspects of the skill being assessed by the qualifications and required by any employer.

10.45 am

With the same concerns in mind, I will be paying close attention to the development of science exam specifications in England. If they cease to include practical assessment, I shall have to consider what adjustments might be needed to meet our needs before such qualifications can be offered here. I hope that my clear view, as set out today, will allow schools to make plans in advance of the proposed introduction of the new science specifications in England.

I am also not persuaded that CCEA's GCSE qualifications should be banded from 1 to 9, replacing the existing A* to G grades. Nevertheless, I shall keep this issue under review in order to ensure that no pupil is disadvantaged.

On school evaluation, I want to return, in conclusion, to a point that I made earlier. The progress that our pupils make and the qualifications that they achieve are important benchmarks for our education system, just as they are in most other countries. It would be naive to say that we should not seek to measure how our pupils progress in critical areas such as communication and mathematics and that we should not use those measures to assess the effectiveness of our policies. However, it would also be naive to think that these are the only measures that we can have.

As parents, we know that school is about so much more than the achievement of levels or qualifications. With this in mind, I have asked my officials to undertake further work on a potential basket of performance measures, both for schools and the system overall. We want to explore whether we can come up with an approach that would allow us to draw more sophisticated conclusions about the quality of our system than are possible from looking purely at exam results or assessment outcomes. We want to involve teachers and school leaders in that work.

The challenge of measuring the wider value of schooling is one that is being grappled with in many countries, with varying degrees of success. However, we have already shown ourselves to be capable of coming up with

approaches to assessment and school improvement that are among the best in the world, and I think we are up to that challenge.

Mr Storey (The Chairperson of the Committee for Education):

I have to say to the House that I am disappointed that the Minister's statement is not about the most pressing issue in our schools: funding. We still await the Minister making a statement to the House on the common funding formula.

I move to the statement that is before us. The Minister made a number of references to the OECD report on evaluation and assessment frameworks. I am glad that he acknowledges the gap between the policy intention of things like computer-based assessment and the levels of progression and the experience on the ground, with teachers in our schools outworking these policies.

I am sure that the Committee will study with interest the report that has been published on the Department's website. I think, however, that the Minister owes many of the teachers an apology, especially those to whom he referred as "will nots" in regard to the implementation of a failed computer-based assessment process. Will the Minister confirm whether he accepts all the findings of the OECD report, including its assertion that there is an imbalance between the challenge provided by the Education and Training Inspectorate and the greatly diminished level of pastoral and supportive assessments and backup for teachers in our schools available through CASS and the district inspectors?

Mr O'Dowd: I thank the Member for his question. I assure him that schools will be informed of their common funding allocations, as has been normal practice in previous years. That will be done in the very near future.

In relation to the report published today on my Department's website, which I referred to in my statement as highly critical, it was commissioned by me. In fact, it was the second report I commissioned into finding out what exactly went wrong in the implementation of computer-based assessment. There are a lot of lessons to be learnt from the report. I have no doubt that Committee will, rightly, interrogate that report closely. I assure the Committee of my Department's full cooperation on that. If the Committee requires any further information, it will be provided. Mistakes were made at many levels in many parts of my own organisation and organisations outside the direct control of the Department. Those lessons are being learnt. I assure the Member that, from my point of view, there will be no headlong rush to replace the current NINA and NILA systems until I am satisfied that all those lessons have been learnt; that the procurement exercise can be carried out in a way that ensures that all the skills bases that we require are in the procurement team; and that the next system, wherever it may come from — it may be in-house or from an external provider — is fit for purpose.

Regarding apologising to teachers for my comments during previous debates that there were elements of "will not", there were elements of "will not carry out the computer-based assessments". Of course, there was evidence of "could not", and that is not good enough. When we provide a system to schools, purchased through public funds and endorsed by the Department, I expect it not only to work in its practical settings but to provide the information necessary for teachers to perform their tasks

and for parents to allow them to support their children in home learning.

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. I thank the Minister indeed for his statement. On the back of the Chair's comments on the OECD review and given recent developments surrounding St Pat's, Armagh, will the Minister outline what the OECD review said about selection in our education system?

Mr O'Dowd: I thank the Member for his question. I beg his indulgence because there was one point in the Chair's question that I did not respond to about the OECD and its comments about support to schools. I acknowledge and support the recommendation of the OECD that we have to ensure that we have the proper supports in place for our schools for continuous teacher development and support. I assure the Member that, in the period ahead, there will be announcements about how we propose to move forward with that.

I return to Mr Hazzard's question. The OECD touched on academic selection. As is best practice across Europe and internationally, it is shown that academic selection is not the best way forward for our education system. I welcome yesterday's decision by St Patrick's Grammar School in Armagh to move away from academic selection. It is a bold step, but it shows that, for a school dedicated to quality education, as were the three schools in Lurgan the week before, it can and will be provided in the absence of academic selection.

Mr Rogers: Thanks to the Minister for his statement. Minister, assessment is useful only if it informs teaching and learning. Your statement says:

"The report also identifies that we need to do more to build the confidence of teachers".

Have we ever really looked into why teachers have no confidence in this system? As a teacher who taught maths for 30 years, I frankly think that the end of Key Stage 3 assessments were irrelevant at that stage. This is simply not fit for purpose. Minister, at the end of Key Stage 2, a child with a level 4 in English can have a standard score of anywhere —

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

Mr Rogers: — between 94 and 125. There are miles between those two scores. Minister, when will there be a root-and-branch review of the end of key stage assessments?

Mr O'Dowd: There has been a root-and-branch review of end of key stage assessment. I brought in the internationally respected OECD to take a look at it. I do not think that I could be asked to do much more in looking at our assessment system. They are saying to us that the assessment systems are fit for purpose but we have to work with teachers and professionals in schools to ensure that they have confidence in them. I have committed to doing that. Over this last period of months, we have been involved in detailed discussions and negotiations around this matter with teachers' representatives. We are making progress. We have made changes along the way to accommodate the genuine concerns raised by teachers and their representatives. We continue to meet teachers' representatives, and meetings are scheduled for the next couple of weeks on that matter.

This is a process involving discussions with many interested bodies, including the Education Committee, which endorsed the process and allowed it to move forward. We all accept that there have been lessons learned since then and that teachers have raised valid concerns about levels of progression, but let us not throw the baby out with the bath water. Let us correct it and make sure that it moves forward in a way that everyone can have confidence in.

Mr Kinahan: I welcome much that is in the Minister's statement, particularly the independent review of CBA and the review of the GCSEs and his approach to it. However, I wonder why we were not able to see the Harkin and Hudson report so that we could ask questions on it today.

Following the Chair's point, my question is about the time that teachers have. I welcome the fact that the Minister wants to involve them more, but, to allow us to get the absolute best from them, is anyone in the Department looking at the time that teachers have to do all the work that is thrown at them in the form of guidance and consultations? They do a fantastic job, but who is studying the use of time?

Mr O'Dowd: One of the concerns raised by teachers' unions and representatives was the time dedicated to completing assessments and forwarding them to the Department. That is part of our discussions on how we can minimise the time involved in those matters. I assure the Member that I have regular engagements with the trade unions and with schools and teachers across a wide range of subjects to drill down into the impact, both positive and negative, that departmental policies have on their teaching. As I said in response to, I think, Mr Rogers, further discussions are taking place with teachers' representatives next week about levels of progression. I believe that we have made significant progress and that we can bring this matter to a conclusion.

Mr Lunn: I welcome the Minister's statement. I want to ask him about the option for schools to use the examination specifications offered by other awarding organisations. I presume that that means that they can use the exams offered by the Scottish, English or perhaps even the Irish authorities and can pick and choose subjects according to the particular board that they are dealing with. Will the Minister explain why he feels that that is necessary? I know that it is already the case, but does it not cause complication and confusion? What is the reason for it, and what is the advantage?

Mr O'Dowd: Minister Gove — Secretary of State for Education Gove — and I do not agree on many matters, but I agree with him that there are far too many awarding bodies for exams out there. That can cause some confusion about the specifications set by each of them. When I refer to outside awarding bodies, I mean that they have to be awarding bodies that are in line with our curriculum. Previously, those in line with our curriculum were the Welsh-based awarding bodies, who were dealing with GCSEs and A levels, and the English education awarding bodies, as well as our own CCEA. We do not have an influx of Scottish qualifications, which are based on a different curriculum, or those coming from Dublin, which are, again, based on a different curriculum. I have met the awarding bodies that operate in our system — my officials will meet them again next week — and I want to ensure that the qualifications that they set do not corrupt

our curriculum and are not driven by their commercial needs in the sense that they operate in a larger market in England than they do here.

I believe that we can overcome those matters, and the discussions thus far have been quite good. I have decided to keep the market open to them. My Welsh counterpart has decided that there will be only modular examinations, which may rule out the English examination bodies coming into Wales, but that is a matter for the Welsh. However, it is something that we will keep a close eye on. I have decided to keep the market open at this stage, because I believe that we can facilitate the awarding bodies. They can work with our curriculum, and, if they cooperate with my Department, I assure them that I will cooperate with them.

Mr Craig: Minister, I read the statement with interest, and I want to go back to something you have already touched on, which is the NILA and NINA situation. Over £3 million was spent on that process. Has there been any clawback from the consultants, given that it has been a failed process and most schools are not using it? If there is to be a mark 2 of it, can we be absolutely certain and can you assure the House that there will be definite financial clawbacks if such a situation were to arise again?

Mr O'Dowd: There is no planned financial clawback at this stage. As I said in my statement, I have not stipulated the use of the NINA and NILA systems this time around.

I want our primary schools to use the system; I want them to work with CCEA and the providers to ensure that any final glitches in the system are ironed out so that we can have full confidence in it.

11.00 am

As we move forward, I want to take time to study the policy to ensure that lessons are learned from the two reports that I commissioned and which were published on the Department's website. Whatever procurement process we are involved in, I want to ensure that the skills base in the procurement exercise is right and that everyone is crystal clear about what we are trying to achieve and the product that we require. I want to ensure that, when that product is delivered, it has the capacity to meet the needs of our curriculum and our teaching workforce.

I am not going to rush anyone on this matter. The report is quite detailed and informative, and I want to make sure that lessons are learned from it so that we do not end up in this scenario again.

Mr Lynch: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement. Will he outline the ongoing use of the free school meal entitlement and the OECD's opinion of it?

Mr O'Dowd: The OECD reported that the use of the free school meals entitlement was a robust measure of social deprivation — in the absence of any other measure, it has to be said. I am moving ahead with it as a robust measure in the absence of anyone else coming forward with further proposals. I understand that the Committee for Education will conduct an inquiry and produce a report on international practices in identifying social deprivation, and I look forward to receiving that report. However, the OECD certainly did not point out any failings in the use of

the free school meal entitlement as a measure of social deprivation.

Mr Dallat: I also thank the Minister for his statement and I pay tribute to all those fine people in the teaching profession. He said that he is not in any hurry, but he promised to walk forward and I promise to walk with him. However, can he tell me when we will be in a situation where we do not have 4,000 young people who leave school every year not able to read or write and who end up getting their education in Magilligan jail?

Mr O'Dowd: I welcome the Member's spirit of cooperation in moving forward to ensure that we improve the lives of all our young people. The changes that we have made in education over the past number of years have resulted in a marked reduction in the number of young people leaving school without proper qualifications and skills in numeracy and literacy. It is an indictment of our entire society that those who populate our jails come from the lower socio-economic classes, have a lower educational outcome and suffer from mental health illnesses. That is something that we have to rectify.

I believe that the policies that we have in place will assist us in doing that, as will early interventions. I also firmly believe that the Programme for Government will assist us in doing that, particularly Delivering Social Change, to which all Departments have signed up and to which they are all contributing financially and through the use of departmental resources.

Mrs McKevitt: I thank the Minister for his statement. He spoke about school evaluation, but it is obvious that self-evaluation is not well embedded in all our schools. What is his Department doing to further that practice?

Mr O'Dowd: I am sorry; I missed the relevant part of the question.

Mr Speaker: Will the Member repeat the question?

Mrs McKevitt: The Minister spoke about school evaluation, but it is obvious that self-evaluation is not well embedded in all our schools. What is his Department doing to further that practice?

Mr O'Dowd: One of the key pillars of the Every School a Good School policy is self-evaluation in schools. Schools are encouraged to do so, and, indeed, under the policy, they have to self-evaluate their own programmes of work. It is the best form of evaluation because, if a school can be self-critical and self-enquiring of its own practices, it can learn many lessons. Our schools are involved in that. As I said in my statement, the role of the district inspector is highly valued by our schools because the inspectors can assist schools with self-evaluation.

Mr Byrne: I thank the Minister for his statement. Does he agree that it is crucial that the confidence of teachers is gained, retained and sustained to make assessment work? In that regard, will the Minister please ask his senior officials to conclude the discussions with trade unionists to make sure that the current impasse is ended?

Mr Tom McKee was an excellent educationalist and the regional organiser for the NASUWT. He passed away recently. He made an enormous contribution to the trade union movement and to education in Northern Ireland.

Mr O'Dowd: I acknowledge your tribute to Mr McKee. He was not involved during my time, but I am certainly aware

of his work. I pass on my condolences to his family and friends on his passing.

We are keen to conclude discussions and negotiations with the trade unions, but, to conclude any negotiations or discussions, both sides are required to reach agreement. I believe that both sides have entered those discussions with the desire to reach agreement, and, if we continue along that pathway, I have no doubt that we will reach agreement.

Mrs Overend: The Minister said that the Department does not:

"make judgements about schools based on the percentage of pupils who achieve or do not achieve at the expected level."

However, parents do, and the challenge for the Minister is to balance parental choice with schools competing with each other. In the context of the end of key stage assessments, what measures are being put in place to ensure that some schools are not manipulating the process for pupil assessments to give their school a false positive assessment?

Mr O'Dowd: First and foremost, we must recognise and have faith in the professionalism of our teachers and the senior management teams in our schools. I also believe that moderation will assist us in ensuring that figures can be relied on by the school, schools in an area, parents and others who are observing educational practice.

Mr Newton: The Minister's statement says:

"I have asked my officials to undertake further work on a potential basket of performance measures, both for schools and the system overall."

I imagine that that will lead to concerns among many principals and teachers who have performance measures that they enjoy — if that is right word — and find useful in deciding how to take their school forward.

Does the Minister also accept the OECD finding that there is an urgent need to do three things? The first is to:

"build ... trust in the new moderation system for end of key stage assessments".

The second is:

"to minimise the reporting burden on schools."

Mr Speaker: I encourage the Member to finish.

Mr Newton: The third is to provide an official consultation platform for parents between parents, the schools and the education system generally.

Mr O'Dowd: The first of, I think, four points was about the evaluation processes that schools value and the basket of evaluations that I want to move forward with. That is about working with schools and learning from best practice in schools. It is also about responding to the demand from schools and others about measuring added value, which is much more difficult to measure than GCSE or A-level results or whatever it may be. I am responding to that, and I want to engage with schools on how they measure added value and how we can move that forward. Education cannot simply be measured on the basis of five good GCSEs from A* and through.

You made three other points. My answer is yes to the first point and yes to the second point. You also mentioned greater parental involvement in education, and there is also a role for schools in that. The most successful schools are those that have a good connection with their local community and with parents, and I accept that, in certain areas, it may be difficult to engage with parents and communities for a variety of reasons, including their own poor educational experiences. I have put in place a number of measures to assist and support schools and communities in doing that, but the best and most practical way for schools to engage with parents is at a local community level.

Mr Humphrey: I thank the Minister for his statement. I welcome his assertion that he is committed to listening to teachers. Why did he not listen to teachers three years on from the implementation of the computer-based assessment system?

Mr O'Dowd: I have listened to teachers. If I had not, I would have just imposed a system, let them continue to use it and battled with them. A couple of years ago at the teaching unions' conferences, I committed that, if, after enquiring into the matter further, the computer-based assessment systems NILA and NINA did not do exactly what it said on the tin, I would set them aside. I have set them aside, in that there is no longer a legislative duty on schools to use them. However, progress has been made, and I encourage as many primary schools as possible to engage with the NILA and NINA systems this year. If and where issues arise, schools should report them to the centre so that we can work with them. We can learn together about the way forward in improving a centrally provided computer-based assessment system and learn the lessons of the aforementioned report.

Transforming Your Care: Progress Update

Mr Poots (The Minister of Health, Social Services and Public Safety): I wish to update the House on the progress that has been made on implementing Transforming Your Care (TYC).

Members will be only too aware of the real challenges facing Health and Social Care (HSC), now and in future. Those are a growing and ageing population, a growth in chronic conditions, a growth in demand and an over-reliance on hospital-based care, all set against a backdrop of continuing and increasing financial constraint.

Members will recall that I commissioned the Transforming Your Care review and the subsequent consultation on proposed service changes shortly after taking up my ministerial portfolio in May 2011. In commissioning the review, my prime objective was to ensure a high-quality, effective, integrated health and social care system, now and in future.

We are making significant progress on implementing those changes to transform the delivery of health and social care services to deliver the right care, at the right time and in the right place. The recent pressures on our emergency departments have made me even more determined to ensure that our services can meet the demands placed on them.

Recent research carried out in England indicates that around 18% of those who attended emergency departments admitted that they did not need to be there. It is only by reshaping our model of care to provide alternative services, earlier interventions and better patient self-management that we will be able to divert that group of people to more appropriate services. I hope to be in a position to update Members next week on the work to improve emergency department care.

As I indicated before, this is a three- to five-year journey, with the emphasis on getting it right in a safe manner rather than on rushing blindly ahead. The safety of patients and service users must remain at the heart of the transformation process, in line with our commitments under Quality 2020.

I am only too aware of the importance of avoiding unnecessary bureaucracy during the transformation process. The operational planning and delivery is being undertaken by the Health and Social Care Board (HSCB) and the Public Health Agency (PHA). I will hold those organisations to account for the transformation through existing governance and accountability arrangements, including the annual commissioning plan and regular assurance and accountability meetings.

As far as having the right care at the right time is concerned, the best treatment is, of course, prevention. We all know that smoking is one of the key causes of preventable ill health and early death, particularly among people who live in areas of social or economic deprivation. Some £4.5 million is invested each year in stop-smoking campaigns and support services, which are available in a variety of places, such as community pharmacies, GP surgeries, hospitals, schools and workplaces. In 2012-13, over 23,000 people, almost three quarters of all those who set a quit date, did so through a community pharmacy. It is in not just in anti-smoking campaigns that pharmacists have an active role to play in improving patient care. Their enhanced role was clearly identified in TYC, and, in

the coming weeks, I will be launching a new strategy for pharmacy. It will provide a clear direction for community pharmacy services over the next five years to help people use medicines effectively and live healthier lives.

11.15 am

It was apparent from the responses to the consultation exercise that the prevention of illness, with a particular focus on supporting children and families through early intervention, was strongly supported. There are now 17 family support hubs active in four trusts, with a further five to be up and running by the end of March. The hubs provide early intervention and support for families who do not require the full-time services of a social worker. The hubs are one of the signature projects delivered through the Delivering Social Change initiative. The hubs complement the three family nurse partnership teams active in the Western, Southern and Belfast Trusts. Under the voluntary home visiting scheme for first-time young mums under the age of 20, a specially trained family nurse visits regularly, from early in pregnancy until the child is two, to provide advice and support. I will quote one young mother:

"My Family Nurse has been visiting me since I was 28 weeks pregnant and has been a great support. She really helped to prepare me for what to expect when I went into labour and since the birth has given us lots of tips on looking after our son like bathing, feeding and handling him."

That is a clear example of the right care at the right time.

My Department is also actively seeking new services for children and young people. It has been active in the early intervention transformation programme. Drawing £30 million of funding from five Departments and private philanthropy, the programme will focus on changing how mainstream early intervention services for children are delivered.

Moving to the right care in the right place, it is appropriate at this point to update Members on the consultation on the regional criteria to evaluate the viability of statutory residential homes. I have been very clear that the regional process, which I asked the HSC Board to lead on, has been about listening to and improving outcomes for elderly people. The consultation, which has just closed, included visits by Fionnuala McAndrew, who is director of social care and children at the HSCB, to each statutory home, together with the commissioning of Age NI peer facilitators, who were available in each home to support residents to have their views heard. It is now vital to take time to carefully consider each and every response to inform how the process moves forward.

The TYC review predicted a drop in demand for those older services, due to the availability of alternatives better suited to the individual. Those included assisting people to remain independent at home, through reablement or support services. Delivering some of those alternatives through the development of a hubs and spokes primary care infrastructure model is one of the building blocks of the TYC programme. It brings together a range of disciplines to provide services, such as diagnostics, that are accessible and responsive to local needs.

Five tranche 1 hub projects are already under way in Newry, Lisburn, Ballymena, Banbridge and Omagh. The total capital equivalent investment in those facilities will

be in the region of £150 million. I continue to believe that there are benefits in working closely with the private sector to deliver the infrastructure as soon as possible, rather than waiting longer for more traditional allocation of moneys. Funding options for further hubs and spokes may include capital funding, ring-fenced transactions or through 3PD. They are all subject to the business case process, confirming value for money and affordability. I expect Banbridge and Ballymena to be completed by summer 2015, and work on Omagh is due to start shortly. I hope to announce the successful bidders for the Lisburn and Newry health care centre (HCC) projects later this year.

We are also investing in new regional and secondary care facilities and services. The provision of the first of the 24/7 regional cardiac catheterisation services now operates in the Belfast Health and Social Care Trust. It will ensure that heart attack patients bypass emergency departments and go straight to a catheterisation lab for immediate and appropriate treatment. I anticipate that the complementary service for the western half of Northern Ireland, based in the Western Trust at Altnagelvin, will be operational by the autumn. The new £73.5 million North Wing building at Altnagelvin Area Hospital will be completed in 2016. That will ensure that people across Northern Ireland will continue to have access to modern facilities.

Last August, I visited the site of the new £97 million Omagh local hospital and was impressed with the progress being made there. It will offer a wide range of integrated services, including a local hospital with 40 intermediate care beds, a renal dialysis unit, an urgent care and treatment centre and a women's health department for the local area.

New facilities at the Royal Group of Hospitals include the £150 million critical care building. That will begin phased operation from January 2015 and will provide regional emergency and trauma services to some of the most severely injured people in Northern Ireland. Alongside that, the new £46 million maternity building there, which is due for completion in mid-2017, will deliver a first-class regional maternity service.

Large impressive building projects are only one element in the delivery of the right care in the right place. The vision for supporting people with a mental illness, set out by Bamford and reinforced in TYC, was that treatment should be provided in the community, close to families and friends, where appropriate. At the time of the Bamford review, we were spending 60% of the mental health budget on hospital services and 40% on community services. The balance has now shifted and, last year, we spent around 44% of the mental health budget of £240 million on hospital services and 56% on community services. That investment in community-based services to reduce inpatient treatment has been brought about by the development of crisis response teams, the increased use of home treatment teams and provision of community mental health teams. The use of such teams also means that those who need inpatient treatment can be discharged sooner than was previously the case, with access to appropriate support in the community. Through focusing on prevention and early intervention, we are providing a better service closer to home.

In the Southern Trust area, the new ambulatory unit at Craigavon Area Hospital, which is staffed by two advanced paediatric nurse practitioners and supported

by the medical team, takes referrals from the emergency departments and GPs to treat children for a wide range of conditions including dehydration, respiratory conditions, vomiting, diarrhoea and fever. The new unit avoids stressful hospital experiences for children, reduces the overall length of stay and can prevent overnight hospital admissions, where appropriate. Dermatology patients in the Southern Trust area who previously had to travel for a specialist consultation or review are now able to use video-conferencing facilities from home or in their GP's surgery for a consultation.

In the Belfast Trust area, a multidisciplinary team is developing a consultant-led urgent pathway for older people as an alternative to ED attendance or admission. The team is working with three GP practices as first responders and, to date, 36 patients have been provided with alternative acute care at home. The team has also developed an ambulatory care centre at Musgrave Park Hospital to improve access to falls services and comprehensive geriatric assessment as a quality alternative to our oversubscribed emergency departments.

New support services have also been developed for those with learning disabilities, with a significant shift from day centres towards community-based day opportunities. The Southern Trust offers work placements as part of its day opportunities programme. The Zest coffee shop is one such example where service users make a valuable contribution to the smooth running of the gift and coffee shop. They are encouraged to be independent by travelling by taxi or public transport to their work and to attend other activities, such as local gateway clubs. Many of them have completed the NVQ level 1 in catering and hospitality. Their comments on their experiences say it all. David, who works in the kitchen, said:

"I like getting food ready, drying dishes and tidying up when everyone leaves."

Christina, who also works in the kitchen, said that she loves working at Zest. She also said:

"I like organising people in the kitchen."

Gregory expressed his future ambitions when he said:

"I like being busy and cleaning the kitchen. I would eventually like to get a job in catering."

During the recent Assembly debate on health inequalities for people with learning disabilities, I outlined the investments by the HSCB in regular GP checks for adults with a learning disability. Those were in line with the TYC focus on intervention. I am proud to report that the uptake of this service in Northern Ireland is generally higher than in England and Wales, with some 90% of Northern Ireland GP practices registered.

Members also frequently express their concern about suicide, particularly among our young people, and urge me to provide resources to tackle the problem. I allocated over £2 million of Protect Life funding to support local communities with the development and delivery of suicide prevention initiatives. These include bereavement support, counselling, awareness and intervention training, and complementary therapies. The Public Health Agency worked closely with GP practices to raise awareness of these support services. These initiatives are providing access to services closer to where people live and where

communities are best placed to know what their local resources, issues and challenges are. This intimate knowledge is vital in tailoring services and initiatives to address local needs.

On several occasions, Members reminded me of their enthusiasm for the speedy adoption of new ways to access services. I inform the House that the self-referral physiotherapy service will be available throughout the South Eastern Trust from April 2014. Following successful implementation, it is planned that the service will be rolled out regionally by March 2015. At the other end of the spectrum, the Public Health Agency and its partners are working to ensure that our older people remain in good health for as long as possible through health improvement programmes, fall prevention services and initiatives to address social isolation.

The experience of Adrian, who lives in the South Eastern Trust area, demonstrates just what can be achieved when we work together. Adrian is in his 60s, lives alone and previously attended his GP only when he felt unwell. He was recently signed up for a neighbourhood health check programme run by the South Eastern HSCT. This is aimed at keeping isolated older people well and feeling safe and supported in their own home. The project nurse working from the local community centre carried out a range of basic health checks for Adrian and was able to refer him to another health professional for advice on a long-term condition. She also encouraged Adrian to attend a stop smoking support group and to join a local walking group, where he has benefited from new friendships as well as exercise.

Other parts of the HSC family have the responsibility to support people who are recovering from an illness or injury to regain the skills that they need for daily living and to maintain their independence. Traditionally, there has been a tendency to focus on doing things for people rather than supporting them to become independent again. While well intended, that did not always serve patients well. The ambition of the new reablement model is to provide support appropriately and enable people to achieve independence again.

One real life example is of a normally confident older lady in Armagh who broke her leg. After discharge from hospital and as the reablement support began, she found the basic everyday tasks of washing, dressing and making food difficult to manage. This left her feeling vulnerable. However, when she sat down with her occupational therapist, they were able to figure out together what was needed to help her. Through providing the right support and encouragement, she was able to get back to coping with everyday tasks. Very importantly, this lady reported that the reablement workers treated her with the highest degree of respect and dignity, which are key elements of the quality care that must remain central to our transformation programme.

These examples illustrate that the right care in the right place delivers a better service for patients and service users. Some of us may eventually need to avail ourselves of palliative and end-of-life care. It is important that we deliver the right care at the right time, using the right people and in the right place. A significant reform process is under way in this area based around the recommendations in my Department's palliative care

strategy for adults, 'Living Matters, Dying Matters', and the wider Transforming Your Care reforms.

Evidence from the Delivering Choice programme in England has shown that it is possible to make a significant difference to patients and their families at a very difficult time. In September 2013, the Health and Social Care Board along with Marie Curie Cancer Care began the redesign of services to transform palliative and end-of-life care locally. Funding of £250,000 is being provided for the programme, with matched funding from Marie Curie Cancer Care.

11.30 am

All the examples that I just outlined depend on good communications between healthcare professionals and between healthcare providers and patients. The emergence and application of technology is a key enabler for good communication and healthcare transformation. You have seen recent examples of that, such as the Northern Ireland electronic care record, which enables healthcare professionals to access a single secure overview of key information about their patients; telemonitoring of patients at home; the use of teleconferencing to provide virtual clinics; and the potential development of mobile applications. Through our work on connected health not only is Northern Ireland benefiting from this improved healthcare but we are contributing to the growth of innovative solutions in the healthcare marketplace and enhancing Northern Ireland's economy.

Of course, although the implementation work is bearing fruit, there is ongoing pressure to deliver more, higher-quality care within the same financial envelope. Although the £139 million of saving opportunities that were identified in June 2013 are on track to be delivered and reinvested, the healthcare system still faces a funding gap. Therefore, during the current financial year I sought additional in-year funding of £28 million transitional moneys to support Transforming Your Care initiatives. My Department was fortunate to receive £9.4m in transitional funding to support TYC initiatives in the June 2013 monitoring round. Of that, £4.5 million was allocated to supporting ICPs and the commissioning of ICP-related services; £1.3 million was for improvements in stroke services; £0.1 million was for the Delivering Choices programme in association with Marie Curie; £0.2 million was for home oxygen therapy; and £3.3 million was to provide the dedicated teams to support the transformation programmes.

When discussing health and social care delivery in Northern Ireland, it is important that we retain perspective. I know that our emergency department service is under extreme pressure, and I have listened at first hand to the concerns of staff who are delivering front line services. I commend those staff for continuing to deliver an excellent service and to do what is necessary to meet the immediate challenges. However, it is clear that a longer-term solution can come only from actually implementing TYC.

The reality is that the whole of the NHS in the UK is facing challenges. You will be aware of the recent media stories from England and Wales on the shortage of skilled staff, pressures to deliver acute services locally, excessive pressures on emergency departments and fears that patient care could be compromised. Those problems were highlighted in Northern Ireland by the TYC review, and the solutions that are now proposed in England and Wales sound familiar.

It is important that we continue to drive forward and to complete the transformation journey to deliver the right care at the right time in the right place for every patient while remaining true to the core principles of the National Health Service. I commend the statement to the House.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement, and I welcome it. However, Minister, I suggest that wider public opinion on Transforming Your Care, including the views of staff, the medical professions, patients and public opinion generally, is certainly not as rosy as the statement that you placed before the House today. I will go further than that to say that Transforming Your Care is, indeed, in crisis. I ask the Minister to comment on that.

I note that the Minister said:

"I hope to be in a position to update Members on the work to improve emergency department care next week."

Will the Minister expand on the work that has been ongoing, given the crisis in our emergency care departments?

The statement also talks about transition funding for Transforming Your Care. At the beginning of this process, we were told that £70 million was required to implement TYC in totality. We understand today that £19 million was allocated in 2012-13 and a further £9 million in 2013-14. That, in my calculation, leaves a shortfall of £42 million. I therefore ask the Minister: is TYC in crisis as a result of that funding shortfall? Where will that funding be found? Are you even in a position to use it now?

Finally, I ask the Minister for assurances that the private sector investment that he refers to — particularly the magnetic resonance imaging (MRI) scanner, but equally the health hubs referred to in the statement — will not be the privatisation of our health service and will not effectively become care on the cheap.

Mr Poots: I will seek to deal with all the issues that the Chair raised. As for the Member's view about Transforming Your Care and the medical professions not having as rosy a view as I do, I have to say that the medical professions are working very closely with us on cooperating and delivering. The medical professions and the bodies that represent them have at no stage indicated that Transforming Your Care is not the right way forward. They are working closely with us, and I challenge the Member to identify where the opposition is coming from, because the only opposition that I have heard thus far is from trade unionists, and that is for particular reasons. We need to be very clear about that. It is for particular reasons that they oppose Transforming Your Care. Transforming Your Care is in the best interest of the public in Northern Ireland, and I have to deal with that.

Ms Maeve McLaughlin: Will the Minister give way?

Mr Poots: There is no opportunity to give way in these circumstances. I will bring a report on emergency departments next week. What we have been doing has been in the public ether, so I would have anticipated that the Chair of the Committee would know what most of the general public already knows: that we brought the

Regulation and Quality Improvement Authority (RQIA) in and that there are courses of work ongoing. Informing the Assembly is the appropriate means for a Minister to keep the Northern Ireland public informed, because I am answerable first of all to the Assembly.

We have already received almost £30 million of funding in the second year of Transforming Your Care. We are looking at delivering Transforming Your Care over a three- to five-year window, so there are certainly opportunities to continue delivering Transforming Your Care. I will be honest: I would have liked to have greater availability of money at this point, but I recognise that there are challenges for all Departments. We have to make our case. We have made our case and did not get as much as we would have liked. The Health and Social Care Board has sought to do things differently in-house on the back of that. Nevertheless, we have still been able to make excellent progress with the funding that has been made available to us.

Finally, on privatisation, the last words that I said in my statement were about supporting the principles of the National Health Service. When I leave office, whenever that happens to be, it will be a National Health Service in Northern Ireland that provides healthcare to those who need it, free at the point of need. I will not diverge from that principle.

Mr Wells: Following on from that question by the Chair, during the Budget debate the Minister revealed that he had managed to find £700 million worth of savings in his budget. I notice from his statement today that he has also been successful in finding another £139 million worth of savings, but he mentioned earlier that he has not been able to obtain all the funding that he has requested from the monitoring rounds to implement Transforming Your Care. Does the Minister believe that there is much left in the system in the way of savings in order to produce more money for Transforming Your Care?

Mr Poots: Savings are generally about delivering care more efficiently, and to do that you need to get to the patient more quickly, and, consequently, you can deliver a better patient experience at the same time. Savings should not equate to cuts, albeit that there can be very challenging circumstances for people to operate in.

Looking at where we have come from, we can see that, yes, there has been waste stripped out of the system. Is there still waste in the system? I expect that there is, but it will be considerably harder to identify, find and strip out. It is important that we all recognise that we were operating on a very difficult budget on the basis of what was given to us by the national Government due to circumstances that were largely beyond their control. Although we had a very tight budget, we have been able to reduce waiting times across the sectors. We have been able to improve cancer care. We have been able to improve rehabilitation after a stroke. We have been able to improve the outcomes for people who suffer a heart attack. Across the board, we have been able to improve a range of services and, at the same time, make savings.

We have been able to reinvest in our capital infrastructure. Perhaps we have not been able to do that as much as we would like, but certainly, with the new building at the Altnagelvin cancer facility going ahead, the new hospital being developed in Omagh, large-scale expansion at the

Ulster Hospital and a range of other facilities, one can recognise that we remain wholly committed to the National Health Service.

Mr Byrne: I welcome the Minister's statement, given its wide range and remit. Can the Minister state when building work will start at the Omagh hospital, which we are all waiting for? Can he say anything about the acute mental health unit, which we still hope will be there?

How significant is it that Mr Donaghy, the chief executive of the Belfast Trust, has resigned suddenly? Is this evidence of a problem with the administration of health management in the city of Belfast?

Mr Poots: Enabling works commenced some time ago at the Omagh hospital. I do not need to tell the Member about Omagh; he knows it much better than me. He knows that, to allow access to the new hospital, a bridge had to be constructed and a new road opened up. Some buildings had to be removed, and certain courses of work had to be carried out. All that work has been moving ahead. In fact, it has been progressing ahead of plan. We are happy that that is the case, and the Omagh hospital is scheduled to be opened at the appropriate time.

The Member has raised mental health services with me on a number of occasions, privately and in the Chamber. I have not yet received the report from the Health and Social Care Board, but, when I do, I give the Member and the House an assurance that we will respond promptly with a decision on the final location for mental health services in the Western Trust area.

Last week, I learnt that Colm Donaghy had been offered a job elsewhere and had decided to take it. I wish him very well. The Belfast Trust is the second-largest trust in the United Kingdom, and it needs to be recognised that its chief executive position, which has all the pressures of managing both local and regional services, is a very stressful and tough job. I think that the challenges mean that it will always be difficult to get people to carry out this job, but I am confident that there are people in the system who will step up to the mark to take on that very challenging position.

Mr Beggs: I thank the Minister for his statement, in which he acknowledges the pressures on our accident and emergency centres. He also highlighted a survey in England that stated that some 18% of patients did not have to be there. When will every town in Northern Ireland, including Carrickfergus and Larne in my constituency, have a modern primary health and care centre, extended out-of-hours GP services and nurse-led treatment so that people do not have to go to A&E for treatment?

Mr Poots: Mr Beggs raises a very valid point. It is OK to say that 18% of people — the figure the survey identified — should not have been in emergency departments. However, if members of the public attend A&E because they do not know what else to do, it is not their fault. Some people are repeat offenders — people who come to an emergency department at the drop of a hat — but many people who have a problem do not know where else to go. So, we need to be to the forefront of ensuring that we offer people the alternatives: minor injury units; enhanced primary care facilities; and greater opportunities to access GPs. We recognise that all those things will assist in keeping people out of emergency departments.

11.45 am

The Member also mentioned the facilities in Larne and Carrickfergus. I have visited the Carrick facilities and know what they are like. I recognise that they are very cramped and will not be able to provide the wide range of services that we envisage in Transforming Your Care. It is absolutely necessary that we look at those facilities and change them.

Currently, the various trusts are drawing up their list of which facilities should come first, and we are looking at proposals as to how we can move that forward. We have obviously used the private sector to a fairly modest extent thus far, but I entered office in an era in which capital funding had largely been identified and the previous programme of developments for primary care centres had been put on the shelf by the previous Minister. I took the programme down from the shelf, dusted it down and am trying to reinvigorate the process. I do not think that we are capable of delivering the health and social care services that the public need unless we fully utilise the services in the primary care sector and give them the support and staff to allow them to be delivered in local communities where people can access them.

Mr McCarthy: The Minister made a rather long statement. There were some good things in it, but I am afraid that there was also a lot of wishful thinking.

I support what the Chair said. In his statement, the Minister informed us that £139 million of saving opportunities are on track, but he went on to say that there is a "funding gap". He asked for £28 million more to support Transforming Your Care initiatives. He got £9.4 million, which leaves a shortfall of some £18 million. Is that one of the reasons that our elderly and infirm senior citizens have to accept a big reduction in domiciliary care, in the number of hours that carers are allowed to spend with them and in the number of community meals?

Mr Speaker: Will the Member please finish his question?

Mr McCarthy: Those senior citizens will eventually end up in hospital.

Mr Poots: The Member sits on the Committee, so I wish that he would either inform himself better or desist from misinforming the Assembly. In fact, more hours are being provided for domiciliary care.

I see the Member shake his head. He maybe has a little difficulty with the facts. For the benefit of the whole House, let me say that, in 2012-13, £759 million was spent on care for the elderly, including £160.6 million on domiciliary care. The first six months of 2013-14 saw a significant increase in expenditure on domiciliary care by the trusts, and there will be an additional — *[Interruption.]* Just listen to this, Mr Speaker and the House, just listen to this — *[Interruption.]*

Mr Speaker: Order.

Mr Poots: To deal with the misinformation that the Member is putting out, there will be an additional 800,000 hours — 800,000 hours, Mr McCarthy — provided, at the cost of some £12 million in 2013-14. Furthermore, an additional £5 million has been secured in the January monitoring round for domiciliary care. So do not come to the House spouting nonsense when what you say is not borne out by the facts.

Mrs Cameron: I thank the Health Minister for his statement on the progress of Transforming Your Care. We

all know that good-news stories on health are not often heard. What specific measures will assist families whose children and young people experience neglect?

Mr Poots: The issue of children and families facing neglect is something that we take very seriously. I really welcome the interest that we receive from the Office of the First Minister and deputy First Minister on the matter. The work that it carries out in conjunction with the Department of Education, my Department, DSD and others will make a real difference to families under severe pressure.

I referred in my statement to the £30 million spend that we are achieving in developing hubs, which goes across five Departments. I mentioned three Departments, and the Department of Justice is another one that is involved. That will make a real difference, but we are also seeing the investment that is coming through other funding from OFMDFM. We are supporting a number of parenting programmes that are largely being developed through the Public Health Agency and with stakeholders through the Child Development Project Board and the Children and Young People's Strategic Partnership. Those programmes focus on vulnerable groups and include Parenting Your Teen, the Strengthening Families programme, the Incredible Years programme, infant mental health training and the Triple P model of parent and family support programmes.

We recognise that, in Northern Ireland, many families are in very difficult circumstances, including financially, and that many parents have not had the right opportunities in life and, therefore, are not well skilled to support their own children. We want to provide support and help to those parents to break the vicious cycle that has existed for some time. We want to make an investment now that I, as Minister, will probably not see the significant benefits of. However, I hope, in a generation's time, that Northern Ireland in general will see the significant benefits of the long-term investment that has been made, even at a time when finances were tight.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I, too, thank the Minister for his statement. Minister, you mentioned that one of the issues facing the health service is the growing and ageing population. We have been told that, by 2020, our elderly population will have doubled. People are living longer but not necessarily more healthily. There is a perception that older people do not receive the same level of treatment as younger people. That is compounded by a recent report that said that older people do not receive the same level of cancer care and treatment as younger people. Can the Minister assure us that, if that inequality exists, he will ensure that it does not continue and that there will be equality in the treatment of people whatever their age and condition?

Mr Poots: I thank the Member for his question. I know that the Member does not mean any ill, and sometimes I do it myself by referring to it as a problem. However, the fact that people are living longer is not a problem. Although it is perhaps an issue that we will have to deal with, it is something that we should be celebrating, and it is a demonstration that healthcare is working very well because people are living longer. Older people are now getting heart bypass surgery, which would not have been the case heretofore. Older people are also getting hip and knee replacements and so forth more quickly, and many older people will benefit from that.

I heard the views of the professor on the radio this morning. I was taken with his comment that age itself should not be the judge of the treatment path; it should be the person's ability to receive it — their physical and other health conditions. It may not be appropriate to give chemotherapy to someone in their 70s who happens to have two or three chronic conditions. Very often, those things clash, and chemotherapy is a very powerful treatment. Basically, it puts poison into your system, and not everybody is able to withstand that. So, very often, they are clinical decisions that are made for the right reason; not because someone is old but because their immune system could become so compromised that their other chronic conditions may be affected as a result. All the decisions should be clinical and should be based on the ability of the patient to receive the care as opposed to the age of the patient, and I would accept that.

Mr D McIlveen: Whilst I in no way support one or two of the unintelligent diatribes that we heard this morning, it appears, Minister, that Transforming Your Care is, at times, moving slower than many of us envisaged. Do you agree?

Mr Poots: I accept that that could be the perception. I also accept that, in some instances, it is the case. However, I would say that we have still made remarkably good progress. When we devised Transforming Your Care, we identified a process of change that was almost certainly leading the way in the United Kingdom. I have to say that, as others look at how they address the problems of actually providing better quality healthcare, with a restricted envelope and greater demand, many of them are following us.

Processes of change are never easy. We are trying to get the public to a point. That can be challenging, particularly when people do not want the messages to get out there. We are trying to get the public to the point where they recognise that going to hospital is not necessarily the best means to support their healthcare. There are many other ways of doing it, and many other supports can be provided. Integrated care partnerships, which have all now been established, will play a key role in that. Very often, the community pharmacist should be the first port of call, followed by the general practitioner. However, people choose to go many other ways. Sometimes, I hear people say that they cannot see their GP for three weeks. In many cases, people will be offered a GP, but they want to see a particular one and will insist on waiting for that GP. Sometimes, when they do not get to see their GP of choice, they end up in an emergency department as opposed to seeing another general practitioner in the same practice.

So, in all of this, we need to ensure that the public are well informed about their options and that they take the right actions. We need very much to be the Department of Health, not the Department of illness. To be the Department of Health means investing in public health and getting the right messages. As I indicated, we spend £4-5 million on stopping-smoking campaigns. I want to introduce many other things in the House that would be challenging and debated and would make it much more difficult for people to take up smoking in the first place. It would be better for a 16-year-old never to have smoked in the first place than, 20 or 30 years later, to be struggling with their local pharmacist to try to quit when the damage has already been done.

Mr Rogers: I thank the Minister for his answers. The Transforming Your Care review talked about the drop in demand for residential care. Is it not therefore a bit disingenuous for trusts to put a ceiling on numbers in the likes of Slieve Roe House, which is the residential home in my town? Looking at the commissioning group last week and, as the Minister mentioned, the fact that there will be around a 40% increase in the number of people living beyond the age of 65 over the next 10 years, is he prepared to remove that cap on the numbers in a residential home so that there is a level playing field for all older people?

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

Mr Poots: Where residential care is concerned, I am clear that we can do better for people in some of the oldest care homes. However, I also recognise that individuals have to want to move. It is not our job to tell people that they cannot live in a residential care home. That is where I believe the previous process was flawed, and that is why I moved to stop it. There are people who feel very comfortable where they are, no matter how attractive the facilities may seem to others. I know that Fionnuala McAndrew has been going out and visiting every home, and I look forward to hearing her findings and the outcome of that consultation and making a decision thereupon.

We are very clear about what we want to offer older people. As I say repeatedly, we all have a vested interest in this. I believe that it is much better to support people in their own home and to develop other facilities that will ensure a degree of independence than to move people from their home into care facilities where everything is done for them.

12.00 noon

I know that people cherish and seek to maintain their independence for as long as possible, and we need to support our older people in doing that. The Member mentioned a facility in his constituency. I visited another facility in his constituency, in Downpatrick, that we provided with one of the housing associations. I encourage every Member to visit that facility because that is where you will see our vision for older people. You will also see that our vision does not wish to compromise, in any way, shape or form, the kind of support that there can be for older people. If you talk to the older people in that facility, they will tell you that it is the best possible service and that it is what they want and support. That is where we want to be in future. However, we need to be very careful in how we deal with the present so as not to cause distress to older people in residential care homes.

Mr Cree: I also thank the Minister for his statement, which contains many interesting facts. Minister, you referred to the £28 million for Transforming Your Care, and you have obtained roughly a third of that. Are you satisfied that the Finance Minister is giving you and the health service as much priority as he can? As the Budget year is just around the corner, how much more do you reckon you will need to support Transforming Your Care initiatives?

Mr Poots: We set out a proposal for some £70 million in the first instance, and we have received close to £30 million. Over the next two to three years, we hope to receive another £40 million for the delivery of such

initiatives. We will continue to seek investment in that course of action, and we will hopefully have the Department of Finance's support in doing that.

I recognise that the Department of Finance has its own pressures and stresses, with many other Departments making demands of it. We in healthcare need to ensure that, on the one hand, we manage effectively the money that we get, which, by the way, is almost £5 billion, and that, on the other hand, we get good responses from the Department of Finance and Personnel where there is real and genuine need.

I am just after saying that we received an additional £5 million for domiciliary care. That is a response by DFP to an identified need. We also received an additional £6 million or £7 million for children's services. Again, that is a response to an identified need. That need arose because, in the past year, a higher number of children has been identified as vulnerable, largely as a result of media activity around Savile and so forth. If you are asking whether DFP is responsive to our needs, the answer is that I think that it is. We do not always get what we want, but DFP does make an effort to meet the requests that we put to it.

Mr Storey: I thank the Minister for his statement. He will no doubt be aware of this issue, given the issue that he raised on the consultation on residential homes. He will be glad to know that I, along with my colleague Alderman Bill Kennedy, delivered many hundreds of responses to the consultation to the board's headquarters last Friday, and we await the response to that. The respondents referred particularly to the Roddens in Ballymoney and their support for that provision. I ask the Minister to update the House on the option appraisal for the Causeway Hospital in north Antrim.

Mr Poots: I thank the Member for his question. First, on the issue of residential care homes, I appreciate people's efforts to make their views known and the public representatives who facilitated that. Transforming Your Care never identified that 100% of residential care homes should be closed. The trusts thought that they would do something different, and I think that it was appropriate to take steps to stop that process because it clearly caused distress to older people. It is absolutely essential that, in a process of change, you manage such things delicately and carefully and ensure that you provide the best quality services to our older population when you can.

The Northern Health and Social Care Trust has been working to take forward the implementation of the turnaround improvement plan for the Causeway Hospital. A key element of that work is a series of service reviews. The turnaround and support team has advised me that an appraisal of future management options should be informed by this work and should, therefore, follow on from it. On that basis, I decided that these processes should be substantially in place before further work is carried out on the options appraisal for future management arrangements at the Causeway.

I want to be very clear: the Causeway has a strong future. It is a distinct facility in an area that is quite a distance — almost equidistant — from other key facilities at Altnagelvin and Antrim. A large population is based in that area, so I see the Causeway Hospital having a significant role. Whether that role happens to be in the Northern Trust or the Western Trust, under that management system, it is

important that the facility delivers many services for the local community.

Mr Allister: I suggest that the consultation on the viability of statutory residential homes has been a farce. It was made so by the Minister in his direction that the present admissions policy should persist during the consultation, which, in the Northern Trust area, means no admissions. Therefore, to try to evaluate the viability of homes to which you are denying admissions is to tie the hands of those homes behind their backs, making it a farcical exercise. The Minister has ducked and dived on who gave that direction. At a consultation meeting that I was at, the HSC was clear that the direction came from the Minister. Is he now man enough to admit that he directed that the current admissions policy should persist during the consultation?

Mr Poots: Not unusually for the Member, he gets it wrong —

Mr Allister: Just tell us.

Mr Poots: — because there is an open admissions policy in a number of trust areas, whereby people choose to go to other sectors. That is just a matter of fact. There are hundreds of available places in residential care facilities across Northern Ireland, which is why the restrictions were put there in the first instance. Indeed, Members from parties other than mine lobby that we should give greater support to the private residential sector at this time because it has a lot of empty spaces, and that could cause problems.

I make it very clear to the House that the consultation process that we have been going through is no farce. We will await the outcome of that consultation and make appropriate decisions without —

Mr Allister: Did you give the direction?

Mr Principal Deputy Speaker: Order.

Mr Poots: — prejudging the outcome. The Member has been well known for prejudging a range of outcomes —

Mr Allister: Did you give the direction?

Mr Principal Deputy Speaker: Order.

Mr Poots: — and he is very well known for getting it wrong.

Mr McKinney: I listened to the Minister intently. When I first heard that he was going to make a statement, my colleagues and I considered that he was going to cover the issues that are dominating the public mind: GP waiting lists, accident and emergency cover and even the potential that some people might have died while on waiting lists. We thought that he might outline a plan of what he was going to do. Such a statement would have been welcomed, but this, in our view and in that context, amounts to fiddling while Rome burns. Will the Minister now conduct a comprehensive review of Transforming Your Care, which, in our view, is leading to intolerable pressures and crises in our health service?

Mr Poots: If I have correctly picked up what the Member said, he is blaming Transforming Your Care for leading to intolerable pressure on the health service.

I know that he is relatively new to the job, but that is probably one of the most silly statements that I have heard in the House. The health service has growing demands, such as the number of people accessing it and the multiplicity of people who have a series of chronic

conditions, many of them elderly. There is also a demand on us to acquire all the new drugs that are becoming available, and we are doing that within a constrained envelope.

If the Member is suggesting that continuing to do the same thing over and over again will actually work, that is really very silly. We are not even in the position of getting the same outcomes if we keep doing the same things. If we keep doing the same things, we will get worse outcomes.

Transforming Your Care is a document that is being looked at not just in Northern Ireland but in many other places, which are saying that it is what they want to do in their region or country. Northern Ireland is taking the lead on the issue. I welcome the fact that the health service now has leadership and a pathway to follow. We in the DUP have taken on the mantle of giving that leadership.

The SDLP had the opportunity to take the health portfolio. It shirked that opportunity. It did not have the guts to take it. We have the guts to do this job, and we will do this job. We will deliver Transforming Your Care and an improved healthcare service in spite of the financial constraints put on us. *[Interruption.]* I hear Mr Nesbitt chirping, but he stood for the Ulster Conservatives and Unionists - New Force (UCUNF) at the last election. They are the people who put the health constraints on us. We are dealing with those issues and will deliver a better health service in spite of them.

Mr Dunne: I thank the Minister for his statement on Transforming Your Care. The Minister will be very much aware that the Ulster Hospital serves a large area. Its A&E is almost as busy as the Royal's. Will the Minister advise us how, under Transforming Your Care, he intends to address the pressures at the Ulster Hospital A&E?

Mr Poots: The Ulster Hospital A&E has come under huge pressure. The population in north Down, Strangford and east Belfast tends to be older. Therefore, there is immense pressure on the hospital. A lot of the work being done through Transforming Your Care will be about directly admitting older people to hospital to avoid their going into emergency departments in the first place. It will also be about ensuring that the social care side is working as efficiently as possible so that those in hospital get out at an appropriate time; ensuring that there are available hospital beds; and ensuring that the reablement programmes that we talked about are acted out on the ground and that people can quickly get back on their feet. All that work will be critical to ensuring that we can deliver better service and care in the emergency department at the Ulster Hospital.

Private Members' Business

European Union Funds: Drawdown

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 of the amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr Nesbitt: I beg to move

That this Assembly notes the significant funding available for drawdown within the European Union; commends the Minister for Regional Development for leading the Northern Ireland Executive in the successful drawdown of competitive funding; further notes with grave concern the imbalance in the drawdown of European funds for economic development between Northern Ireland and the Republic of Ireland under the framework programme 7, whereby Assembly research statistics show that while Northern Ireland secured €35 per capita, the equivalent in the Republic was €590; and calls on the First Minister and deputy First Minister to take steps to ensure an increased drawdown of competitive European funds across Departments, in addition to identifying an appropriate region of the EU against which Northern Ireland can benchmark its performance.

It is a pleasure to commend the motion to the House. This debate is about ambition. How ambitious are we about drawing down competitive EU funding? How ambitious are we for a successful EU? And how ambitious are we to explore every avenue available to us to do what we said we were going to do in the Programme for Government, which is to put the economy at the front and centre of everything that we do?

12.15 pm

I will give a little context. We rely on the block grant or subvention from Westminster for our economic survival. In relatively short order, it has risen most dramatically: from £3 billion to £5 billion to £7 billion to £10 billion per annum. Is that healthy? Is it wise? Is it a sustainable trend? As we move inexorably towards the referendum on Scottish independence, I believe that the answer is clearly no. The implication of the vote in the Scottish referendum on independence is that, whatever happens, there will be a recalibration of the Union of Great Britain and Northern Ireland. While it is certain that we do not know the detail of how that will fall, it is not necessarily negative. We can hope and, indeed, expect that one outcome will be the devolution of the power to set our own rate of corporation tax.

If we want to recalibrate our dependence on the block grant and seek an alternative, we must look seriously at the European Union. How keen are we? In June 1975, we held a referendum, and only 52.1% said yes. We note that, at the time, Sinn Féin and the DUP were for pulling

out. Nearly 40 years on, are we any more engaged? Well, we will see on 22 May with the European elections, but if we can be accused of standing still for 40 years, the EU certainly can not. In 1973, there were nine member states; there are now 28, which has gone way beyond the original economic open zone intentions.

Economically, how competitive are we with drawdown? How successful are we? The proper measure, I suggest, can be judged by the number of requested financial contributions that came out of Northern Ireland for framework programme 7 (FP7), a key business development programme in the EU. How often did we put in an application for assistance? On a per capita basis, we requested €35.33 from framework programme 7. Compared with Wales, that is almost exactly the same; compared with England, it is less than half; and, compared with Scotland, it is about a third. However, the shocker is the comparison with the Republic of Ireland where, per head of population, they requested financial contributions of €590. The Republic has a population of 4.6 million, and we have a population of 1.8 million, so they are approximately two and a half times the size of our population, and yet, in their ambition, as measured by the requested financial support from FP7, they are 17 times more ambitious than we are. If our benchmark of €35 per head is the right one, the Republic should have been requesting only €87.50 —

Mr McKinney: Will the Member give way?

Mr Nesbitt: Let me finish the point, please, Mr McKinney.

If their benchmark is correct, at €590 per head, we should have been looking for €236 per head, not €35.

I will give way to the Member for South Belfast.

Mr McKinney: I thank the Member. Would he be surprised to learn that evidence given to the Committee in the recent past showed that, while there is an action plan for 2020, no strategy has been developed at all for the uptake of these moneys?

Mr Nesbitt: I thank the Member for his intervention. I think that it proves the narrative that we are trying to develop, which is that more can and should be done to take a strategic view, particularly with Horizon 2020 coming on stream with a pot of £80 billion.

The comparators with the Republic of Ireland take us to the thorny question of benchmarking, because it was our impression that we would benchmark our performance in Europe against defined regions. The argument has always been made that to benchmark against the Republic of Ireland is not fair because the Republic is a nation state in charge of its own affairs while we are a region dependent on policy coming out of Westminster. There is merit in that argument but, again, the Republic's population is two and a half times the size of ours, not 17 times, so there is an issue with the ambition.

I believe that there is also an issue with benchmarking. In evidence to the Committee for the Office of the First Minister and deputy First Minister last year, Colette Fitzgerald, who is head of the EU office in Belfast, was asked about benchmarking. She said:

"When the task force was set up in 2007, officials in Brussels ... carried out a benchmarking exercise."

She went on to say that:

"They identified about half a dozen regions"

including some in France and Spain:

"that were judged to have a population of a similar size to Northern Ireland."

Those regions "did not have state capitals". In other words, here was a good starting point to identify one or two regions against which we should benchmark ourselves. It is 2014 — seven years on — and we have yet to identify the right place at which to benchmark ourselves.

We can curse the darkness, or we can light a candle. As we look ahead to Horizon 2020, I think that we should shine more light on how we do that. On that basis, we welcome that officials from DEL have been seconded to work through Queen's University, the University of Ulster and the Agri-Food and Biosciences Institute (AFBI) to give that kind of top-down approach that is going to be essential if local businesses are to achieve what they can out of Horizon 2020.

Again, it is about ambition. What is our ambition for Horizon 2020? Apparently, it is to target £10 million. However, the Republic is targeting €1.4 billion. If they are two and a half times our population, that would suggest that our target should be nearer €0.5 billion, not £100 million. Of course, we need to rebalance our economy to make it oranges against oranges or apples against apples, because the Republic has, of course, had huge success in attracting foreign direct investment and, therefore, has a lot more of the large companies for which these programmes are better suited.

Let me praise the Regional Development Minister, Danny Kennedy, for the work that he has done in leading the Executive in competitive drawdown. As part of the Trans-European Transport Network (TEN-T), DRD drew down £1.789 million in the baseline year of 2010-11 and a further £2.9 million in 2011-12, representing 16% of the total in the baseline year and 18% of the total in the following year. That means better public transport, better infrastructure and a more attractive Northern Ireland to potential foreign direct investors.

There is nothing more important to us in seeking additional funds beyond the block grant. Let us ask this old question: what has the EU ever done for us? Between 1998 and 2013, the answer is an investment measured at €7.533 billion. For those who think that it is all about agriculture and fisheries, those accounted for €2.862 billion of that total, while other areas accounted for €4.671 billion.

Mr Allister: Will the Member give way?

Mr Nesbitt: It sounds like a lot, but over 25 years that is less than one year's block grant. I will give way very briefly.

Mr Allister: When the Member asks what the EU has done for us, will he also reflect on what we have done for the EU? In 2013, we as a nation contributed £17 billion. Even with the rebate, all we ever got back in grants and rebates was half that figure. Every day, £23 million is the price of EU membership. So, rather than ask what it has done for us, I suggest that he should look at what we are doing for it.

Mr Principal Deputy Speaker: The Member's time is almost up. Will he confirm that he has moved the motion?

Mr Nesbitt: Yes, I will finish with that, Mr Principal Deputy Speaker. The facts are, and the Member knows this, that there are no definitive figures for what goes out of here and what comes in here from the European Union. That is a fact, and Mr Allister knows it.

It is my pleasure to move the motion and to commend it.

Ms McGahan: I beg to move the following amendment:

Leave out all after "commends" and insert:

"the Executive for setting an increased target for our drawdown; further commends those Ministers who have been successful in securing significant funding to date; and calls on the Executive to ensure that they maximise all potential funding opportunities from Europe."

Go raibh maith agat. I oppose the motion. I attended an EU funding event in Ranfurly House in Dungannon last Friday, which was organised by our local MP, Michelle Gildernew, and our MEP. The attendance was reflective of the ambition and potential in the local economy, provided that the proper advice and expert resources are made available.

The feedback from the well-attended information session addressed by Martina Anderson MEP has been extremely positive. Many of those in attendance were unaware of the extent of funding available from Europe for research and innovation projects in areas as diverse as technology, health, transport, energy, agriculture, food and so on. People need to know what is available to apply for it. As the saying goes, "If you are not in, you'll not win". Such events empower people, and it is important to remember that EU competitive funding is not pre-allocated.

It was stated at an OFMDFM Committee that EU funding is not there to be drawn down readily; you have to fight for your money. There may also be examples of where applications for EU funding were made, but no match funding was available. We need to remember that we do not get 100% EU funding for a project; you have to match-fund it.

Experience shows that small and medium-sized Irish companies North and South are not taking full advantage of the potential of EU funding opportunities. The new EU programme Horizon 2020, which supports the research, innovation and science sectors, offers tremendous opportunities for high-level links and collaboration with other companies and research bodies across Ireland, Europe and further afield.

Do we need to draw down more funding? Of course we do. The Barroso task force and the appointment of the four desk officers was set up to help the Executive to support Programme for Government commitment 26, which is to facilitate delivery of the Executive's 20% target for increased drawdown of competitive EU funds. The specific remit of the task force is to support efforts in the North to improve competitiveness and to create sustainable employment, mobilising the service of the commission most concerned with the competitiveness and sustainable employment agenda. Particular importance is attached to reducing dependence on the public sector and creating a more dynamic private sector.

As part of the Barroso task force, four desk officers were appointed. That should be starting point. It should be

more. Our MEP, Martina Anderson, has been stating that as junior Minister and now as an MEP; it is a central plank of her work. The First Minister and the deputy First Minister met Commissioner Máire Geoghegan-Quinn to shape and influence Horizon 2020, and the two Ministers were also in Brussels in January this year as well as two major visits to Brussels in 2012. Those visits are part and parcel of doing the spadework to network and engage and thereby increase our efforts to maximise the drawdown of funding from the EU. I believe that our infrastructure is getting better, but, of course, we have to build upon it and do more.

One key area that needs closer examination is to remove the additional layer of bureaucracy when assessing applications from funding to the Special EU Programmes Body (SEUPB). There is a steering committee that Departments already sit on that assesses the applications that come into the Special EU Programmes Body and determines which ones should be awarded funding. That takes approximately 21 weeks or less from application to assessment and letters of offer being agreed. However, after that, the application, with the Special EU Programmes Body decision, then goes to Departments and the whole process starts again. Yes, Departments match-fund EU funding, but that does not mean that they should put a dead hand on letters of offer. Departments should have the appropriate personnel to sit on the steering committee to make the assessment and then the letters of offer should be issued. In fact, there was a woman at the EU funding event in Dungannon last week who complained about the length of time that it takes Departments to process the letter of offer after it has been agreed by the Special EU Programmes Body, and sometimes it ends up being too late for the project. That is not good enough.

In conclusion, let us support the new EU funding phase from 2014 to 2020 with a renewed and more focused approach. We need to ensure that we do all that we can to simplify the system to help small groups to apply and be successful. Let us, working with our colleagues in the Brussels office, ensure that we leave no stone unturned in bringing home as much of those resources as we can. That is the task of our junior Ministers, all the Departments and, do not forget, our MEPs. We on the Committee will do our bit to ensure that the issue is kept front and centre in the coming period.

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 12.29 pm.

On resuming —

2.00 pm

Oral Answers to Questions

Health, Social Services and Public Safety

Mr Principal Deputy Speaker: It is time for questions to the Minister of Health, Social Services and Public Safety. We will start with listed questions. I inform members that question 6 has been withdrawn.

Royal College of Nursing: February Summit

1. **Ms Boyle** asked the Minister of Health, Social Services and Public Safety for an update on the outcomes of his summit with the Royal College of Nursing on 19 February 2014. (AQO 5741/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): The following two important measures will address the main issues that were raised when I attended the RCN summit on emergency care, where I had the opportunity to hear from front line emergency care practitioners. The Chief Nursing Officer has commissioned work to develop a framework for emergency care nursing. It will include setting key professional standards and developing a career pathway for emergency care nurses. The work will be led by the RCN emergency care network and supported by the Northern Ireland Practice and Education Council (NIPEC). The baseline emergency staffing tool (BEST), which is a workforce planning tool, has been developed by the RCN Emergency Care Association and the Faculty of Emergency Nursing and is being evaluated as part of the delivery care programme. As a result of the summit and in the spirit of collaboration, the RCN emergency nurses network will be a key stakeholder in the College of Emergency Medicine summit that I have planned for early April. The learning and key points from the RCN summit will be incorporated into the next summit.

Ms Boyle: Go raibh maith agat. I thank the Minister for his response. How will the Minister address the recommendations to further increase staffing levels and stop the closure of beds?

Mr Poots: The Chief Nursing Officer is in the process of commissioning work to develop a framework for emergency care nursing that will include settling key professional standards and work to develop a career pathway for emergency department nurses. The work to develop a framework for emergency care nursing will be led by the RCN care network. Through the programmes led by the Chief Nursing Officer, we will seek to ensure that we have the appropriate number of nurses to carry out the jobs that are required of them.

Mr Dunne: I thank the Minister for his answers. Will the Minister give us some detail on the BEST, which I understand is the baseline emergency staffing tool, and how it can be drawn down to improve efficiency in the service?

Mr Poots: It is a workforce planning tool that has been developed by the RCN Emergency Care Association and the Faculty of Emergency Nursing. The BEST tool is undergoing validity tests to ensure its reliability. The National Institute for Health and Care Excellence (NICE) will include the BEST tool as part of its evaluation of workforce tools, which is expected to be reported on in July 2014. The BEST tool review in Northern Ireland will take account of the NICE evaluation outcome within the work stream of the normative staff working programme that is being developed by NIPEC.

Mr Rogers: I thank the Minister for his answers thus far. Minister, you talked about workforce planning, and that needs to be planned, managed and resourced. In the wider picture in terms of nurses, there is a lot of pressure across the sector. What plans are there to review nursing levels across the hospital sector?

Mr Poots: These things are constantly under review. As things change, as programmes of care change and as nurses take on more and more responsibilities, where it is identified that there is a need for additional nurses, they will be provided. I have previously told the House about the increased number of nurses during the past three years during which I have held office. That has been on an upward trajectory, and the entire House should welcome the fact that there are more front line staff in our health service than was previously the case.

Mrs Overend: Leading on from that with a slight twist, specialist nurses can play a crucial role in enabling patients to receive support away from A&Es and without excessive waits to see their GP. Will the Minister ensure that the postgraduate nurse training budget is not cut further and, instead, is returned to previous investment levels?

Mr Poots: It is essential that we have more specialist nurses. I have asked the Chief Nursing Officer to identify how she can work with the trusts to ensure that nurses have the time allocated to them by the trusts to allow them to train up and further their skill levels. I have just come from a Marie Curie event, for example, where I was told of the great work that nurses do in delivering chemotherapy, IV antibiotics and blood transfusions in people's homes. The more we can develop those skills, the less pressure there will be on our hospital system and our emergency departments. The standard of care will be better because people will receive that care at home, which is a much better environment for them. However, we can do that only by having the requisite number of nurses, and the Chief Nursing Officer has to ensure that we have enough appropriately trained nurses.

Hospitals: Serious Adverse Incidents

2. Ms McGahan asked the Minister of Health, Social Services and Public Safety how many serious adverse incidents resulting in deaths which may have been connected to waiting times have occurred in each health and social care trust over the past five years. (AQO 5742/11-15)

Mr Poots: I am committed to openness and transparency on the issue, and I want to see such information as it is possible to see in the public domain. My officials have been working closely with the Health and Social Care Board and the Public Health Agency to establish what

the figures are and what can be published. That involves individually reviewing information on every serious adverse incident (SAI).

The HSCB has advised me that, in the past three years, from January 2011 to December 2013, there have been fewer than five SAIs regionally in which a delay in an emergency department may have been a contributory factor. That includes the two confirmed cases already reported in the media, which were identified in a learning letter distributed widely to relevant organisations, including health and social care bodies, across Northern Ireland in January this year. Those cases have been through the serious adverse incident investigative process. However, the delays identified are not necessarily synonymous with waiting times. They may, for example, arise because of issues with the triage of a patient with or a missed diagnosis. The Department will not publish other actual numbers relating to fewer than five individual patients in order to protect patient confidentiality.

There are a small number of other cases from the same three-year period in which a serious adverse incident investigation is ongoing. Most relate to serious adverse incidents reported during 2013. We need to await the completion of the investigations to determine whether the conclusion is that delay may have been a contributory factor.

In the context of the question, I would like to clarify a number of points. Serious adverse incidents cover a wide range of situations, not just a death. An SAI is defined as any risk — potential or actual — of serious harm from which there could be learning.

Mr Principal Deputy Speaker: Time is up.

Mr Poots: Perhaps I could have half a minute to finish.

Mr Principal Deputy Speaker: Yes, go ahead.

Mr Poots: Thank you.

The reporting of an SAI does not automatically mean that there was a problem with the quality of care provided. Since 1 October 2013, for example, there have been mandatory requirements for the reporting of child deaths and cases of suicide, if the client has been in contact with health and social care services within the previous 12 months. Suicide also accounts for around one third of serious adverse incidents.

The purpose of the SAI system is to ensure that, if a serious event or incident occurs, there is a systematic process in place for safeguarding service users, staff and members of the public. The process is a clear, regionally agreed approach for reporting, management, follow-up and learning in respect of serious adverse incidents.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response. Will he clarify why he was not made aware of the recent deaths that may have been connected with waiting times? How will that be rectified moving forward?

Mr Poots: I was not informed because the trust did not inform me. I believe that it should have informed me, and I have asked trusts to ensure that we are kept informed of the circumstances of such incidents. It is to everybody's benefit that we know when things have failed in some way so that we can ensure that responses are carried out and are very strong.

Mr Weir: I would like to put this in context. Minister, how many serious adverse incidents are reported each year in the Northern Ireland health service?

Mr Poots: Some 83,000 adverse incidents are reported each year. Obviously, there is a smaller number of serious adverse incidents. However, as I indicated, the factors relating to the serious adverse incidents often have nothing to do with the incident leading to the death of the individual, but there is a series of reasons why that should be included. We have given a definition of that, and that is something that is very important.

Serious adverse incidents are a useful tool for us in identifying where best practice may not have been met and where we can seek to improve that. This is an improvement tool that we are using in the system. In January to December 2009, there were 287, and, in January to April 2010, there were 75. Across Northern Ireland, over the past year, there were 386; in the previous year, there were 269; and, in the year previous to that, there were 243. They are of significance, but there is also significant benefit to be derived from the learning.

Mr McKinney: On the basis of the statistics available to him, can the Minister outline whether the legal duty to inform the coroner on the day of any serious incident has been fully adhered to during this time?

Mr Poots: I understand that the hospitals involved have been working closely with the coroner. The duty to report deaths to the coroner is set out in section 7 of the Coroners Act (Northern Ireland) 1959, which puts a statutory requirement on every medical practitioner, registrar of deaths or funeral director, every occupier of a house or mobile dwelling and every person in charge of an institution or premises in which a deceased person died to report a death to the coroner if it has resulted, directly or indirectly, from violence or misadventure, was by unfair means, was a result of negligence or malpractice on the part of others or was from any cause other than natural illness or disease for which the deceased had been seen and treated within 28 days of death or was in such circumstances as may require investigation. It is done urgently, and, occasionally — on a bank holiday, for example — it may be the day after that such deaths are reported, but that is something that all our trusts take very seriously.

Mr Beggs: The figures for serious adverse incidents are particularly high in the Northern Trust and Belfast Trust areas. Those are also areas where there are excessive four-hour waits. Does the Minister agree with Dr Jonathon Millar, formerly of the Royal Victoria Hospital, who indicated that excessive waits at A&E could contribute to serious adverse incidents? When will we reach GB levels of four-hour waits?

Mr Poots: The number of excessive waits has fallen quite dramatically. Just a few years ago, we were looking at almost 1,000 people, on a monthly basis, waiting for over 12 hours. It is now about one tenth of that. We take excessive waits very seriously. That is why considerable work has been done to reduce that 12-hour waiting time, which has happened. I have met Dr Millar; I met him quite a while before he went on the TV. We discussed the issues. It was after that meeting with Dr Millar and others from the Royal ED that I decided to bring in the RQIA to

conduct its work. So, I take very seriously what clinicians say if they raise concerns.

GP Practices: Lurgan

3. **Mr Moutray** asked the Minister of Health, Social Services and Public Safety, given that accommodation for several GP practices in Lurgan is at capacity, at what stage are his plans to create a medical hub in the area. (AQO 5743/11-15)

Mr Poots: Work is under way as part of a regional programme to develop a hub-and-spoke model to facilitate the improved provision of health and social care services in the community. The southern local commissioning group has identified a Lurgan hub with associated spokes as one of its priorities for inclusion within the next tranche of hubs. Those priorities will have to be considered together with the overall regional priorities within the capital programme and the availability of capital and revenue funding before the timing of individual projects can be determined.

Mr Principal Deputy Speaker: Before I call Mr Moutray for a supplementary, I remind Members that this is a constituency-specific question.

2.15 pm

Mr Moutray: I thank the Minister for his response. What is his assessment of the facilities that he visited recently in Lurgan and Donaghcloney?

Mr Poots: I welcome the opportunity to visit such facilities and to see at first hand the conditions that people operate in. If you look at what we propose to do under Transforming Your Care and at some of the facilities that GPs operate in, you will quickly ascertain that those facilities are not suitable to meet the medium- to long-term needs of the health and social care sector. Therefore, we need to look at how we can address that. That is why the Southern Trust has identified Lurgan as one of the areas that is suitable to have hubs in place. That will give people with certain conditions a much greater opportunity to see a GP who specialises in, for example, dermatology, gynaecology or a range of other things. A specialist GP will be able to provide that support in a local community, and that will avoid people attending hospital. That is all a key element of Transforming Your Care, as we will look at how we can ensure that the primary care clinics are rolled out across Northern Ireland, with a spoke model to support smaller but nonetheless very essential facilities in villages such as Donaghcloney.

Adoption: Legislation

4. **Mr Dickson** asked the Minister of Health, Social Services and Public Safety for an update on his plans to introduce legislation on adoption reform. (AQO 5744/11-15)

Mr Poots: It is my intention to introduce a draft adoption and children Bill in the Assembly in the current mandate. The Bill is substantial, with 150 clauses and five schedules. My officials are continuing to instruct counsel, and, subject to the timely completion of the drafting of the Bill, I intend to seek Executive approval to consult on the draft Bill. With the agreement of the Executive, the consultation will commence in July 2014 and finish at the end of September 2014. It will be necessary to consult over the summer months to ensure that the Bill is introduced within the

timescales required to enable its passage through the Assembly in the current mandate. My officials are keeping key stakeholders apprised of developments, including the proposed timescales for consultation.

Mr Dickson: Thank you for your response, Minister. Can you tell the House what the current status is of either unmarried or same-sex couples who are deemed suitable for adoption in the current circumstances?

Mr Poots: It is as defined by the High Court's decision.

Mrs McKevitt: Given that consultation on the issue began back in 2006, why does the Minister believe progress in this area has been so slow?

Mr Poots: It is certainly something that I wanted to progress. Unfortunately, the Human Rights Commission took a case that went to court and consequently delayed the process of the Bill. The Bill will shorten the time taken to carry out adoption. I think that it is hugely unfortunate that the Assembly will not be making law in that instance, that the ability to make that law and to make decisions was taken off the Assembly and that the consultation that was carried out will not be reflected in the legislation that we will produce, because it appears to have been set aside by others.

HSSPS Funding: 2013-14 Underspends

5. **Mr Cree** asked the Minister of Health, Social Services and Public Safety for an update on any additional funds his Department may receive following underspends in other Departments in the 2013-14 financial year. (AQO 5745/11-15)

Mr Poots: The Executive have committed to closely monitoring the financial position across Departments over the remaining months of the financial year to ensure that any further resource surrenders can, if deemed appropriate, be recirculated towards my Department through the urgent procedures process. However, at this stage, my Department has not received any additional funding through that process.

Despite significant internal efforts to reduce and manage expenditure, our current assessment is that some £21 million is still needed to balance the books and to ensure that the safety and quality of services can be maintained. Without those additional funds, my Department will not be able to live within its budget control totals. I ask all my ministerial colleagues to urgently provide any additional support that they can to our pressurised health and social care services by declaring further reduced requirements to DFP. In the meantime, I will not support actions — nor, I suggest, would the wider Executive — that compromise patient and client safety and lead to poorer standards of care.

Mr Cree: Thank you, Minister, for that. I know that, during the year, because of the heavy pressures, you received £100 million in additional health funding through in-year monitoring. There was an allocation of £20 million for inescapable settlements arising from clinical neglect: how do you propose to meet those on schedule and from moneys that have yet to be bid for?

Mr Poots: All those things are part of the assessment that has been carried out, and it was unforeseen, in that we normally spend around £30 million a year on clinical negligence cases, which is a very large amount of money.

Most cases are historical, and we have to meet those requirements because it is in law that we must. We have no means of reducing the historical clinical negligence claims that are coming in. The best way of reducing the number of cases for future Ministers is to ensure that the quality of care is such that there are fewer clinical negligence claims. Some very large claims are coming in on very complex cases, and people are left with very complex conditions. Often, families whose child was injured at birth will require money to provide support and care for that child for its lifetime. Therefore, it is something that we have to live with.

The number of new cases created and closed for the year to date is in line with the numbers for 2012-13, which were around 207. However, there has been a significant increase in the number of settled cases exceeding half a million pounds. In 2012-13, eight cases were settled for in excess of half a million pounds, as was the case in 2010-11 and 2011-12. However, of the 207 cases that have been settled at this point, 23 have been settled at more than half a million pounds, which is one of the reasons why we find ourselves in these circumstances.

Mrs Cameron: Does the Minister believe that money exists in other Departments, and, if so, when will that money be surrendered?

Mr Poots: Hopefully, people will be indicating at this point that there may be some funding that they can surrender. Twenty-one million pounds sounds like a lot of money, but, on a budget of close to £5 billion, it is not an awful lot of money. People cannot blame us for handing money back to Westminster. We are looking to spend the money that we have because we need to spend it to provide that level of service and care. I have made it clear throughout that, whatever the financial pressures, we cannot compromise on the quality of the care provided to the public and it is important that we continue to challenge waiting lists and waiting times and ensure that people are treated at an appropriate point with the right care and support.

Mr Principal Deputy Speaker: Before I call Dolores Kelly, I remind Members and the Minister to use the microphone.

Hospitals: Bed Shortages

7. **Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety what impact the shortage of beds in hospitals is having on emergency departments. (AQO 5747/11-15)

Mr Poots: Although the number of patients requiring emergency admission has increased by 3.5% over the past five years, the average length of stay for all patients in Northern Ireland has fallen by 13.5% since 2008-09. That change has taken place against the background that use of acute beds in Northern Ireland was approximately 25% higher than in England, they were not used as intensively and lengths of stay were longer. It is essential that the health and social care trusts ensure that bed capacity is used to the best effect so that patients do not wait excessive lengths of time in emergency departments. HSC has adopted a whole-system approach to improve the smooth movement of patients through and out of hospital, with improved internal hospital processes, multidisciplinary team working and interface between hospital and community services.

Mrs D Kelly: I do not know whether the Minister is aware that, from 6.00 pm last night, ambulances were backed up at Craigavon emergency department and staff did not know where patients were going to be admitted to because no beds have been available in Craigavon Area Hospital for the past number of weeks. Will the Minister not be honest and tell the Assembly that there is simply not enough money? The trusts are managing their end-of-year budgets because they do not have enough money to open the beds. Will the Minister commit to additional funding for Craigavon Area Hospital so that the two wards that are closed and are held for winter pressures can be opened to meet the need of the emergency department?

Mr Poots: That was an interesting speech from the Member. She knows full well that the Southern Trust applied for and received more beds for winter pressures. We did not hold off the Southern Trust or, indeed, any trust. Each trust and hospital will come under pressure, particularly at this time of the year, and it is important that, across Northern Ireland, we seek to manage that and ensure that other trusts step in and provide support when a particular trust is under pressure.

It would be remiss if we did not clearly identify what we are doing in bed management. More and more people receive intravenous drugs, blood transfusions and chemotherapy in their own home. That is right, and it needs to continue to grow. It works, and it is better care for the patient. That is why 'Transforming Your Care' is such an important document: first and foremost, it is about better care for the patient, but it also addresses the needs of the health service to meet the greater demand that is coming our way and will continue to come our way, because we are successfully keeping people alive longer and want to ensure that they get the best possible care while they are living.

Mr Brady: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answers so far. Apart from the bed shortage in Craigavon, will the Minister detail other areas where there is a bed shortage, the impact it has on patients' treatment and how he plans to address the issue?

Mr Poots: Where there are bed shortages, we need to look at whether there is an inappropriate use of beds. There are certainly trusts in which around 30% of beds are taken by people who could have been moved into the social care side of things more quickly, and it is important that we address that. In the Belfast Trust, for example, more than 20 people were waiting for more than a week to move out of a hospital bed, and that is an inappropriate use of beds. The issue is not the number of beds in a hospital but the fact that we need to improve the social care side and the packages that are available for people in their own home. That is why I was able to tell Mr McCarthy earlier today that 700,000 additional domiciliary hours had been provided. That was before we got an additional £5 million from the Department of Finance and Personnel in January to support domiciliary care further. If we are genuine about wanting to take hospital beds out and care for people in the community, that is what we need to do, and that is what we are doing.

Mr McCarthy: Not only is there a shortage of hospital beds but there is a shortage of capacity in the wards. How can the Minister defend a constituent of mine being dumped out of a bed into a corridor and remaining there for

six days during the week? It was only when I complained that — guess what? — he was discharged home. How can the Minister defend what is going on in our A&E hospitals?

Mr Poots: I think that the Member will find that beds and wards are the same thing. Beds are part of our hospital system and are kept in wards.

We can all identify circumstances in which someone did not receive the appropriate care. I have done so in the past, I hear about it now, and we seek to deal with it when it arises. Hospitals operate under immense pressure, and there is greater and greater demand. More and more people use our hospitals so it is important that we have the right responses, including responses that, when appropriate, keep people out of hospital and in their own home and provide hospitals without walls.

That is an absolutely superb concept that is coming out of Transforming Your Care. When you talk to people who have used it and benefited from it, they are high in their praise, and we need to do more of it.

Mr Principal Deputy Speaker: That ends the period for questions for oral answer. We now move on to topical questions.

2.30 pm

Hospitals: Essential Maintenance

1. **Mr Cree** asked the Minister of Health, Social Services and Public Safety how essential maintenance is planned and monitored to ensure that patients and visitors are not inconvenienced in our hospitals. (AQT 861/11-15)

The Minister and I will have to stop meeting like this. This is the third time today.

Mr Poots: People will be talking, Mr Cree.

Each trust, in association with the health estates investment group (HEIG), has responsibility for essential maintenance. Where it becomes more technical, health estates will become involved; for example, with asbestos removal or a case of pseudomonas. A lot of expertise exists there. In the main, general maintenance will be provided by the trusts, and it is for them to manage it and ensure that it is done in a way that facilitates the public to access a hospital without compromising patient care. However, I suspect that I am going to hear something now.

Mr Cree: Yes, Minister. All politics is local. In Bangor Hospital, the sole lift has been out of order for several weeks, and no one can give a date as to when it will be repaired. Is there anything else that can be done to expedite its repair?

Mr Poots: We will certainly have it looked at. I know that a lift in this Building has been out of order for months. I do not know what is wrong with lift companies that they cannot ensure that lifts are fixed quickly. For people who access the facilities, particularly those with a disability, it is an important issue, and we give Mr Cree an assurance that we will come back to him on the matter. We thank him for drawing it to our attention.

MRI Scanner: Children's Hospital

2. **Mr Swann** asked the Minister of Health, Social Services and Public Safety whether he can intervene to expedite

the installation of the MRI scanner at the Royal Belfast Hospital for Sick Children, given recent news of a delay, albeit officials say that the installation is going to plan. (AQT 862/11-15)

Mr Poots: I heard some of the nonsense on the radio this morning. I have to say that the Chair of the Health Committee should have informed herself better before she went on. To say that it is for the Minister to answer the questions was pretty poor form, given that much of the information would be easily accessible by her.

A business case approval was granted in November 2012 for the magnetic resonance imaging (MRI) scanner. I supported the development of an MRI scanner in the children's hospital. It was not previously part of the plan.

People come on the radio and ask, "Why can you not just install this?" It must be recognised that we are installing not a 42-inch TV screen but a very technical piece of equipment that has the best imaging you can gain. It will involve having the right people in place to manage it, and its installation is very important. That involves piling, which has already taken place; removing asbestos, which is currently taking place; and ensuring that the building in which it is enclosed will not impact on other wards, bearing in mind that there is radioactivity involved. Criticism of the use of the private sector is bizarre because we are ensuring that people continue to get MRI scans through it while providing a scanner for the children's hospital, which is critical.

Mr Swann: I thank the Minister for his answer and for his commitment to progressing the matter. Other charities raised money to support the children's hospital; namely, the Children's Heartbeat Trust, which refurbished parents' accommodation in the unit. It has had trouble with the health trust in getting the unit open. Is there anything that the Minister can do to intervene?

Mr Poots: I am certainly very happy to talk to the charitable trust about that. I know that, for the children's haematology unit, as a result of money raised by the Northern Ireland Cancer Fund for Children (NICFC), new houses have been opened on the Falls Road. The accommodation is excellent.

I know, and the Member knows very well himself, the importance to parents of having accommodation when they have a sick child. Very often, hospitals provide beds beside children, but the importance of having accommodation — to which one parent can perhaps go back, have a shower and rest properly for a few hours and then come back and replace the other at the bedside of the child — is very important. I am happy to talk to the Heartbeat Trust about that issue. I know that there are others who are interested in developing houses for parents in order to provide support like that which is provided in Birmingham. The Member knows who and what I am talking about in that instance.

MRI Scanner: Children's Hospital

3. **Mr Lynch** asked the Minister of Health, Social Services and Public Safety to confirm that all the funding is in place for the MRI scanner at the children's hospital and, of that funding, how much is from the private sector. (AQT 863/11-15)

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. My question is very much along the same lines as the last question.

Mr Poots: The funding is in place. Some £2 million was raised by the charitable organisation, which was absolutely tremendous work. I was able to more than match that by providing £2.75 million of public funding, and also to make a commitment to provide staff to man the MRI scanner. It is good news for everyone when the scanner goes in place. The children will be able to get it at the children's hospital, as opposed to having to travel over to the adult hospital.

MRI scanning is somewhat more complicated for children because, very often, they have to be sedated, whereas adults do not. Consequently, if an emergency comes in at the adult hospital and the child's appointment has to be displaced although the child has already been through a sedation process, that is very negative because the child has to be sedated a second time. So, in the interests of our children, I think that it is critical that we do this. It will also be beneficial to the main hospital because it will not have to scan children and, therefore, will have more MRI slots for adults. So, installing the scanner is a win-win situation for both hospitals.

Mr Lynch: Gabhaim buíochas leis an Aire as an fhreagra sin. Can the Minister give a timeline for the scanner to be in operation?

Mr Poots: Yes. It is intended to go out for the main construction contract in June, with commencement of the work on that element of the development in August. Completion of the MRI suite is expected at the end of March 2015. Specifications for the equipment are currently being prepared by the trust's radiologists, in conjunction with the Regional Medical Physics Agency, and it is planned to procure this with a procurement and logistics service (PALS) call-off contract in time to facilitate installation in February or March 2015, prior to the handover.

I should say that, in acquiring scanners, the equipment improves constantly. It is one of those areas, like computers, where the equipment is always improving, so we are better to have the building in place and that element of the work done before we finally identify exactly what scanner we need, so that the two things come simultaneously.

Transforming Your Care: Delivery

5. **Mr Moutray** asked the Minister of Health, Social Services and Public Safety how allied health professionals can help to deliver Transforming Your Care. (AQT 865/11-15)

Mr Poots: Allied health professionals are a critical element to developing Transforming Your Care. For example, this morning I talked about how an occupational therapist was helping in the reablement programme. We can look at allied health professionals such as podiatrists, who are hugely beneficial in falls management and helping older people to stay on their feet. We are looking at people like physiotherapists, who can do so much to help with respiratory conditions and support the GPs in that. Allied health professionals are a key element in delivering Transforming Your Care.

Mr Moutray: I thank the Minister for his response. How does the number of allied health professionals at present compare with that when he took up office?

Mr Poots: Over the last two and a half years, we have been able to appoint an additional 300 allied health professionals. As I indicated, they are absolutely critical to providing quality care. They provide very good value for money and are considerably more cost-effective than doctors. They offer a different kind of service, and can reduce the pressure that is applied on hospitals, on consultants and the time of a lot of other people. In some instances, they can reduce the need for surgery. All in all, we are delighted to have those extra 300 allied professionals in the system because they are making a tangible difference.

Health Centres: Carrickmore and Fintona

6. **Mr McElduff** asked the Minister of Health, Social Services and Public Safety how close his Department is to identifying or securing funding to meet the capital or accommodation requirements of rural health centres, including in Carrickmore and Fintona in my West Tyrone constituency where there is real need, given the five tranche 1 hub projects in primary care that were mentioned earlier. (AQT 866/11-15)

Mr Poots: I thought that Carrickmore might get a mention, and the Member did not let us down. A course of work is being done on all of this, and I hope to report to the Assembly, certainly within the next couple of months but hopefully sooner, on where we are. If we cannot deliver within a shorter timescale, we need to develop the projects in the next comprehensive spending review. We need to identify that primary care is a priority and that we will spend the funding on that. If we are genuinely to deliver Transforming Your Care, we need to support the primary care practitioners with appropriate facilities to carry out the work that we ask them to do.

Mr McElduff: I thank the Minister for his answer and his commitment. He identified that a lack of physical accommodation was restricting or hampering the efforts of community GPs and nurses to do more. What level of communication is there between the Department, trusts and GPs to address the issue?

Mr Poots: All of the trusts are working with local communities. In Omagh, for example, we are building a new primary care facility, which I know will be well used and supported by the local community in conjunction with the local hospital. For that hub to work effectively, however, it is important to have spokes going out to Carrickmore, Fintona and other areas. The spokes would provide local support so that a general practitioner or allied health professional based in Omagh might travel one day a week to places such as Carrickmore and Fintona to deliver the care needed in those communities.

That is the concept of the model, and I think that it is a good concept. However, the Member rightly points out that, if it is to work properly, we need to have the facilities for people to work in. If a GP facility is cramped and has little consulting space, you cannot bring in a considerable number of additional people to offer a further range of services. That element needs to be addressed.

Internet Safety Strategy

7. **Mrs Overend** asked the Minister of Health, Social Services and Public Safety for his decision on an Internet safety strategy, given that, in an answer to a question to the Office of the First Minister and deputy First Minister on 24 February, I was informed that that Department, instead of taking responsibility for a cross-departmental strategy, had written to the Health Minister to ask him to do so. (AQT 867/11-15)

Mr Poots: Internet safety is obviously vital to all of us, particularly our younger population. We will look at and carry out work on it, because it is vital that children and their parents are well informed. They need to know about the dangers of predation on the Internet, the challenges that it presents to children and young people, and what they should avoid. Of course, parents have a key role in that.

When younger people engage on the Internet with people whom they do not know, they put themselves at risk, but parents are often oblivious to the risk. If parents were to see an older person talking to their child along the side of a road or wherever, they would be very quick to seek information and ask them what they were talking about and what they were doing. However, an awful lot of this happens in a child's bedroom and parents are oblivious to it.

So, in all elements of Internet safety, it is something that we all, as an entire Government, need to take very seriously. We in the Health Department will certainly take our side of it very seriously and seek to respond to it in any way that we can.

2.45 pm

Justice

Forensic Science Service

1. **Mr Hilditch** asked the Minister of Justice to outline any plans he has to develop the Northern Ireland Forensic Science Service. (AQO 5755/11-15)

Mr Ford (The Minister of Justice): A number of ongoing initiatives will help to ensure that Forensic Science Northern Ireland (FSNI) provides services that are cost-effective and support the delivery of faster, fairer justice.

Last October, I launched a transformation programme in FSNI to increase capacity in the laboratory and improve service delivery. That is a major reform initiative with a capital investment of over £17 million to ensure that FSNI is well placed to respond to the ever-changing demands of forensic science. Work has commenced on new accommodation for evidence recovery and DNA analysis as a result of that capital investment. A contract has also been awarded recently for the development of a new case management system and laboratory information management system.

In addition to the capital investment, a service improvement project has been developed to increase capacity and timeliness in the laboratory. A new method for profiling DNA, known as DNA 17, has also been delivered. FSNI is the first forensic science provider in the UK to use the new technology, which will provide

significant benefits for the justice system in Northern Ireland.

A recent inspection of FSNI by Criminal Justice Inspection Northern Ireland (CJINI) provided assurance that the scientific expertise provided to the justice system has been maintained at a high level, but it identified the need for a more joined-up approach to the delivery of forensic services. A comprehensive action plan has been developed in response to that report.

The Department is also committed to developing a strategy for forensic services in partnership with the main criminal justice agencies. The strategy will include forensic services provided by the PSNI and FSNI, taking into account the wider strategic needs of the justice system.

Mr Principal Deputy Speaker: I ask Members to use the microphones; there is some difficulty hearing people when they are behind the speaker.

Mr Hilditch: I thank the Minister for his answer. I know from working locally with police and victims of crime that there appears to be a lengthy delay in processing. What can be done to reduce that in the short term until some of those strategies are up and working?

Mr Ford: Quite a lot of work is under way on a number of initiatives to improve the speed at which services are provided. For example, we are looking at such things as live links to link scientists to the courts and save them taking time away from the lab. We have seen the introduction of the rapid analysis process for cannabis and a new streamlined process for other drugs. The PSNI is making preparations to include presumptive testing for cannabis, which will also reduce the number of cases that have to be submitted. I believe that all of those will help. We will also seek to provide shorter, more focused reports to ensure that the work can be carried forward more speedily.

Mr Lynch: Go raibh maith agat, a Príomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Can the Minister provide an update on his Department's progress on its action plan to try to tackle issues of delay and criticism of the length of time that is taken for the service to produce reports?

Mr Ford: I just answered that point to some extent in my reply to Mr Hilditch. I am certainly also aware of a number of criticisms that have been made by certain members of the judiciary, not all of which are entirely fair to the staff of FSNI. I have been engaging through the criminal justice delivery group with the Chief Constable and the Director of Public Prosecutions (DPP), and also regularly with the Lord Chief Justice, to see how we can ensure that we get the system better joined up and working better to meet its needs.

Mr Cree: How much of Northern Ireland's forensic science-related work is outsourced?

Mr Ford: I cannot answer that question precisely. A very small amount of it is outsourced. The vast majority of the work that is required is carried out in FSNI, although there are obviously certain specialist functions that are used so rarely that it would not be economical for us to manage them in the Seapark facility. If Mr Cree has specific questions about specific services, I will happily answer them.

Mr Dallat: I am sure that the Minister would be prepared to accept constructive criticism, particularly when it comes

from so many people who want an assurance from him that the forensic science service has the staff and resources to deliver those strategies, with which this House is choking.

Mr Ford: I think that Mr Dallat highlights a fair point. The issue is not about having strategies but about ensuring that they are implemented. That is why there is a very significant programme going on in FSNI, with an additional member of staff looking to see that we update the processes. What has emerged from the CJINI report is that the science that FSNI carries out bears comparison with that of any other agency anywhere in Europe. We certainly need to ensure that the business practices meet the quality of the science.

Mr Dickson: Minister, thank you for the information. I welcome the speeding up of, and improvements to, Forensic Service delivery in Northern Ireland. Will he explain to the House how that then dovetails into the wider and challenging programmes on speeding up justice generally across the whole system?

Mr Ford: As most Members will have heard me say, speeding up justice is a key issue. What is absolutely necessary is ensuring that, as cases proceed for criminal prosecution, all the relevant agencies work together. We have seen significant progress in the work that is being done between the Police Service and the PPS. We also need to ensure that where, for example, forensics are required, they are submitted in a timely way and that the research is done and reported on in a timely way to meet the ongoing needs. We have certainly seen some very good progress on case management, led by the Lord Chief Justice, which has ensured that cases proceed more speedily when they get to court. I believe that there is an emerging good tale, but it is not yet as good as it should be.

On-the-runs

2. **Mrs Overend** asked the Minister of Justice whether he will seek and publish the list of names of the on-the-runs who received letters informing them that they were no longer being sought by the police. (AQO 5756/11-15)

3. **Mr Rogers** asked the Minister of Justice what discussions he has had with the Secretary of State for Northern Ireland or the Attorney General for England and Wales in relation to the on-the-runs issue. (AQO 5757/11-15)

8. **Mr Easton** asked the Minister of Justice for his assessment of the events that led to letters being issued and the royal prerogative of mercy being granted to on-the-runs. (AQO 5762/11-15)

11. **Mr Irwin** asked the Minister of Justice for an update on any discussions he has held with the Northern Ireland Office on the current issue of the letters for on-the-runs. (AQO 5765/11-15)

12. **Mr Swann** asked the Minister of Justice when he, or any of his officials, first became aware of Operation Rapid. (AQO 5766/11-15)

Mr Ford: With your permission, Mr Principal Deputy Speaker, I will take questions 2, 3, 8, 11 and 12 together.

I was unaware of the so-called administrative scheme for dealing with on-the-runs (OTRs), Operation Rapid, the associated letters, and the issuing of the royal prerogative of mercy until shortly before the judgement in the Downey

case was made public. On learning of the detail of that, I sought an urgent meeting with the Secretary of State. I also received a briefing from a senior NIO official. I have had no contact with the Attorney General for England and Wales in relation to the on-the-runs scheme.

The Secretary of State clarified that the Department of Justice had no responsibility for that scheme, and she apologised for publicly suggesting otherwise. I made it clear that the DOJ would have no part in the shabby scheme, which was initiated during direct rule and before the devolution of justice to Northern Ireland.

Although the so-called administrative scheme has apparently continued since the devolution of justice, its operation and the exercise of the royal prerogative of mercy in relation to terrorism are matters for the Secretary of State. I note that the Secretary of State has said that the scheme has now ended and that no letters have issued since December 2012.

The content of those letters and the names of the persons to whom they were issued are also matters for the Secretary of State. However, the Prime Minister has announced that a judge will conduct an inquiry and is due to report by the end of May. I note that the Police Ombudsman is carrying out an urgent investigation and that the House of Commons Northern Ireland Affairs Select Committee will also investigate the matter. The outcome of those inquiries should bring a degree of clarity that is currently lacking.

Mrs Overend: I thank the Minister for his response. Can he inform us whether the PSNI has issued any information to the NIO about on-the-runs without his knowledge since the devolution of policing and justice powers?

Mr Ford: I am afraid that that really does fall into the category of unknown unknowns. I have no knowledge of what information may have passed between the PSNI and the Northern Ireland Office either before or since devolution.

Mr Rogers: I thank the Minister for his answers thus far. Minister, have you had any consultations with our Attorney General with particular reference to the legality of the letters?

Mr Ford: I thank Mr Rogers for the question. I have made it clear that I have sought legal advice. It is not convention that Ministers state from whom advice has been sought, so I am afraid that I cannot answer that question.

Mr Easton: I understand that the Minister knew nothing about this deal but that his permanent secretary did. Has the Minister had time to discuss this with his permanent secretary since? Can he tell the House what new information his permanent secretary has furnished him with? Can he also tell us whether he feels that his Department has now been undermined by that knowledge?

Mr Ford: I am afraid that Mr Easton is ill-informed. The permanent secretary of the Department of Justice had no knowledge of the scheme. In a previous role in another Department, the person who is now the permanent secretary of the DOJ was aware of the scheme, but that is an entirely different issue. Members should be well aware of the convention on access to the papers of a previous Government: papers are not released to incoming Ministers and information is not passed on in order to:

“protect the confidentiality and impartiality of Civil Service advice”.

Mr Swann: The Minister said at some stage that he has no responsibility for these letters. However, I assume that he has responsibility for the Northern Ireland courts. Is the Minister aware of any OTR letters being used currently in a Northern Ireland court case?

Mr Ford: Again, I have no knowledge, nor should I have any, of court proceedings as such. I would have knowledge only where my Department was directly involved, and I have no knowledge in that respect.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Minister, would the legal position, as such, not preclude the naming of individuals in this scheme?

Mr Ford: My presumption is that there would be significant issues under the Data Protection Act regarding the naming of individuals. However, since it is not my Department's scheme and I have no knowledge of what detail it may encompass, I am not the best-placed person to answer that question. I suspect that the Secretary of State may be better placed than I.

Mr McNarry: Is the Minister telling the House that in the process of transferring devolved power to his office, no papers or files marked “on-the-runs” were received by his Department from either the Northern Ireland Office or the PSNI?

Mr Ford: Yes. *[Laughter.]*

Mr Allister: The Minister claims ignorance of a lot of things, but surely one of the matters that he must have investigated is the startling revelation in the Downey judgement of applications from the Northern Ireland Prison Service in relation to OTRs. If he has made enquiries, what do they show?

Mr Ford: Yes, I have made enquiries. The issue arose when the Prison Service was the responsibility of the Northern Ireland Office. I have not yet got full details of what role the Prison Service may have had in that respect. However, clearly, as the Prison Service is now part of the DOJ, it is a matter of interest to me and I am following it up.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí. I am sure that the Minister is aware that the Attorney General for England and Wales, Dominic Grieve, said in the House of Commons, in regard to the principle underlying the letters — although not the John Downey letter — that this was an administrative process, and one that was certainly lawful. Will the Minister tell us whether he agrees or disagrees with that statement?

Mr Ford: I am afraid that I cannot. Since I have no knowledge of the scheme, I am in no position to judge whether or not it was lawful.

Mr Lyttle: Given the hurt that revelations about this scheme have caused to victims and the damage that it has caused to public confidence, does the Minister agree with me that the only way to deal with the past is in an open, ethical and comprehensive manner?

Mr Ford: Yes, I most certainly agree. Dealing with the past might have become more difficult as a result of the

Downey case, but it has also been proved to me to be all the more necessary. That is why people who say that they are walking away from talks and refusing to discuss the issues for which we, in this place, have responsibility seems to me to be a profoundly unwise statement. Whatever the reverberations and whatever may emerge from however many inquiries, we will continue to bear responsibility in this place for dealing with issues such as how we address the past. It is incumbent on all of us to work together to do that.

National Crime Agency

4. **Mrs Cameron** asked the Minister of Justice for his assessment of the impact locally of the limited operational power of the National Crime Agency since October 2013. (AQO 5758/11-15)

14. **Mr Anderson** asked the Minister of Justice what progress has been made in his discussions with the Northern Ireland Office, the Home Office and others on the full operation of the National Crime Agency locally. (AQO 5768/11-15)

Mr Ford: With permission I will take questions 4 and 14 together.

The National Crime Agency's remit here should be extended into the devolved arena, but under arrangements that respect our local policing architecture.

I believe that I have tabled appropriate arrangements to achieve that. I am continuing to press Sinn Féin and the SDLP to engage with me to resolve any remaining concerns.

3.00 pm

As feared, it has become clear that the limitations placed on the NCA locally are having a negative impact. As ACC Drew Harris told the Justice Committee on 20 February:

"we can start to see where cracks are opening up."

In particular, the PSNI and others are missing out on the operational assistance that the NCA is providing to forces elsewhere. This includes surge activity in support, and with the agreement, of the PSNI. As a direct result, the PSNI is faced with having to divert resources from other priorities or to turn down NCA requests. There is also no mechanism for removing, through the civil courts, assets from those engaged in criminality in the devolved arena, which is a serious gap.

We are not part of the NCA's planning and priority arrangements, and the potential consequences of that are obvious. It is likely that these factors will get worse. The reality is that the longer the impasse, the more the impact. The beneficiaries will simply be organised crime groups.

I recently discussed the issue with the Secretary of State and the Chief Constable. In addition, my officials have been working with the NIO, the Home Office, the PSNI, the NCA and other Organised Crime Task Force partners.

Mrs Cameron: I thank the Minister for his answer so far. Does he agree that the parties opposite, by their continued opposition to the National Crime Agency, are allowing paramilitary organised crime to flourish?

Mr Ford: It is close on two months since I wrote to the two parties opposite Mrs Cameron, seeking meetings to discuss their concerns, but, as yet, there has been no

response. It is very difficult for the DOJ to know how to address the problems when we do not know what those problems are.

Mr Anderson: I fully support what my colleague said. Does the Minister agree that, in light of ACC Drew Harris's recent evidence to the Justice Committee, the parties opposite must set aside their anti-British bias and support full cooperation with the National Crime Agency in Northern Ireland so that the police can properly tackle human trafficking, fuel laundering and other serious crimes?

Mr Ford: I simply want all parties to seek to provide the best possible support from the relevant agencies to the PSNI, in line with the existing policing architecture in Northern Ireland, so that we can successfully join the fight against organised crime, particularly, as Mr Anderson highlights, to deal with dreadful issues such as human trafficking.

Mr Kinahan: In the Minister's communication with the parties that are against the NCA, did he put proposals to them on alternatives or parts that need to be agreed as soon as possible?

Mr Ford: Mr Kinahan raises a valid point. We have put several rounds of potential points over various discussions, but the unfortunate reality is that those discussions ceased before Christmas and have not resumed. We urgently need a resumption if we are to join the fight against organised crime, with all the implications that have been highlighted.

Mr Byrne: Given all the blanks in communication relating to OTRs and other immunity issues, does the Minister agree that the SDLP is quite right to be sceptical until all accountability mechanisms are sorted out before we agree to implement and go forward with the NCA?

Mr Ford: I hope that the SDLP is not judging the Department of Justice by the standards that the NIO operated in the past. We have sought to ensure that the policing architecture is respected and that we have full respect for the roles of the board and the ombudsman, and the primacy of the PSNI, including the Chief Constable being the final arbiter of how the NCA is involved in Northern Ireland.

Those are key issues that make major changes to the way in which the NCA would operate in any police force area in England, Wales or Scotland. Those are fundamental differences whereby we have achieved a significant amount but, frankly, if the SDLP has a few more concerns, please come and talk to me.

Human Trafficking Bill: Clause 6

5. **Mr Ó hOisín** asked the Minister of Justice for his assessment of the potential consequences of clause 6 of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA Bill 26/11-15). (AQO 5759/11-15)

13. **Mr Boylan** asked the Minister of Justice for an update on the timeline for his Department's research into the extent and nature of prostitution. (AQO 5767/11-15)

Mr Ford: At the risk of sounding repetitious, and with your permission, Mr Principal Deputy Speaker, I will take questions 5 and 13 together.

Clause 6 of the Bill will criminalise the purchase of all sexual services in whatever circumstances. I have concerns that that may have unintended consequences. For example, I have concerns that those working in prostitution may be at increased risk of violence and abuse and that the police may be less able to offer protection against such exploitation.

At this time, we do not know enough about the nature and extent of prostitution in Northern Ireland to be able to assess the impact of clause 6 on sex workers and decide whether it is the appropriate course. We need to know what support is available and needed. There are other questions, such as whether sex workers are likely to choose to exit such work in the light of the clause and what the impacts would be on their welfare and safety if they did not. In dealing with vulnerable people, those questions matter, but clause 6 does not answer them. We need to be alive to the full facts before we decide whether a legislative course is appropriate, and, if so, what.

I have therefore commissioned independent research to test the concerns and from which to make proper evidence-based policy decisions on the future of prostitution regulation. In response to the publication of research specifications, tenders have been received. Those are being evaluated with the objective of awarding a contract by the end of this month, with the expected completion of the research to be in the autumn of 2014.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I acknowledge the Minister's acceptance that there will be unintended consequences from clause 6. Does he have any idea of the mitigating factors that may roll out as a result of the report?

Mr Ford: I said that there "may" be unintended consequences, Mr Principal Deputy Speaker, but the key reason behind having the research is that we look at the situation in Northern Ireland. We should not automatically assume that what works elsewhere will necessarily work here. It is important that we see the research through as speedily as possible so that the House can decide whether and, if so, how it might be appropriate to legislate in the future.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Does the Minister agree that, without this research, the effectiveness of the Bill would be undermined?

Mr Ford: I am sorry, but I did not catch the end of the question.

Mr Boylan: Would the effectiveness of the Bill be undermined without the research?

Mr Ford: I believe that the Bill provides a comprehensive way of demonstrating that Northern Ireland is part of a widespread UK, Irish and European fight against human trafficking. I believe that the Bill would stand close examination in the absence of clause 6. I am not sure that we can appropriately tackle prostitution, which is not the same as human trafficking — nor is human trafficking all about prostitution — simply by having one clause, which is to some extent ill-defined, in a Bill.

I have been working positively with Lord Morrow on a number of other aspects of the Bill. We have seen significant joined-up working and agreement between the Department, Lord Morrow and, I suspect, the Committee

on many other aspects of the Bill, and it is important that we see it proceed through the House later this year. However, I am as yet unconvinced that clause 6 is the best way in which to tackle issues such as the sex trade.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mo bhuíochas leis an Aire as a fhreagraí go nuige seo. I am glad that the Minister came to the point of referring to clause 6 as being "ill-defined". In the light of the recent PSNI evidence to the Committee in which it retracted its previous opposition to clause 6, perhaps he can give us a definition of which parts of the clause should be better defined if some parts are ill-defined.

Mr Ford: The definition will come when we have seen the research, when we have seen what the issue is in Northern Ireland and when we have seen how the sex trade operates here, instead of making assumptions based on how it operates elsewhere. I am not sure that I am in a position to suggest any better definition for clause 6 until the research is completed.

Domestic and Sexual Abuse

6. **Mr Dunne** asked the Minister of Justice what measures he plans to put in place to enhance the current services that protect and support victims and witnesses of domestic and sexual violence and abuse. (AQO 5760/11-15)

Mr Ford: Under the strategies Tackling Violence at Home and Tackling Sexual Violence and Abuse, my Department has played a significant role in introducing and taking forward many initiatives aimed at protecting and supporting victims and ensuring justice. The 24-hour domestic violence freephone helpline has recently been expanded to also support those affected by sexual violence and abuse.

In 2010, multi-agency risk assessment conferences were established. Since their inception, safety plans and support have been put in place for over 6,300 high-risk victims of domestic violence and abuse. In May 2013, the Rowan regional sexual assault referral centre (SARC) was established, where victims of sexual violence can obtain professional care, advice and support. Since its opening, there have been over 400 referrals.

My Department has taken forward two specific initiatives. In December 2011, I introduced a process that allows all victims of domestic violence to access legal aid quickly and to go to court and obtain non-molestation orders. My five-year victim and witness strategy was published in June 2013 and is aimed at improving services to all victims regarding their access to justice.

Members will be aware that the draft strategy, 'Stopping Domestic and Sexual Violence and Abuse in Northern Ireland', is out for public consultation. The document contains a number of proposed priorities regarding improving measures of protection and support for victims and witnesses. The responses to the consultation will help develop proposals in this important area.

Mr Dunne: I thank the Minister for his answer. We all recognise the success of SARC in Antrim. Does he have any plans to extend that service to other areas of Northern Ireland or, indeed, to consider the use of a mobile unit to cover rural areas?

Mr Ford: Although it was planned before my time as Minister, my understanding is that SARC was located at Antrim because it was believed to be the best possible location for easy access to all parts of Northern Ireland. Those of us who have seen the inside of the building recognise the huge benefits that the building and its specially designed architecture have. I am not sure that that service could be replicated easily in any kind of mobile unit. The reality is that those who provide the medical services, the social care and, where appropriate, the criminal investigation, believe that they have a good facility at Antrim, and I am keen to see it being used to the maximum.

Mr McKinney: I thank the Minister for his answers thus far. Will he assure the Assembly that there will be a policy of zero tolerance towards domestic violence and abuse?

Mr Ford: I entirely accept Mr McKinney's point. We need to ensure that there is a policy of zero tolerance. The unfortunate reality is that we know that, in many cases, people will suffer domestic violence — let us be realistic, women will suffer domestic violence — on many occasions before they will consider reporting it. That is why, to some extent, seeing an increase in the statistics is actually a good thing, if people are more open and better able to report it. Nevertheless, the fact is that we are developing better services and getting a joining-up between the different agencies in a positive way which, I hope, will encourage victims of any form of domestic violence to report it speedily.

Crime: Rural/Agricultural

7. **Mr D McIlveen** asked the Minister of Justice for an update on his Department's work in addressing rural and agricultural crime. (AQO 5761/11-15)

Mr Ford: Action plans, including one focused on business and rural crime, have been developed to deliver the commitments made in the community safety strategy. An update on the delivery of these plans was provided to the Justice Committee on 20 February 2014, and copies of the progress reports for each of the plans are available on my Department's website.

At a strategic level, my Department's work in addressing rural and agricultural crime has included providing funding in partnership with NFU Mutual for a rural crime analyst in the rural crime unit and launching a funding package in crime hotspots for fitting security equipment to farm vehicles.

At a local level, policing and community safety partnerships have developed action plans to address local community concerns, which include the development of tailored solutions to address rural and agricultural crime where appropriate. These include crime prevention initiatives such as trailer marking days, CESAR — construction and agriculture equipment security and registration — marking and Farm Watch schemes.

Mr D McIlveen: I thank the Minister for his answer. I am sure that he will be aware that the recent perceptions of crime survey did not include rural or agricultural crime as part of its questioning. With that in mind, is he minded to carry out some research specifically around the perceptions and fear of crime in rural and agricultural areas because of this blight on our rural communities?

Mr Ford: The fact that the rural crime unit was announced only last year at the Balmoral show and was set up over the summer is an indication that we are at a relatively early stage.

I certainly believe that the work that is being done there will ensure that we have better statistics as we look to the future and seek to ensure the more joined-up approach that I talked about.

3.15 pm

Mr Principal Deputy Speaker: That ends the period for oral questions. We now move on to topical questions.

North Belfast PCSP: Membership

1. **Mr A Maginness** asked the Minister of Justice how he has reacted to what is, in effect, a public scandal in the form of the widely held belief that a UVF commander is a member of the North Belfast Policing and Community Safety Partnership and that his position was considered by the Policing Board in March when a decision was taken not to replace him. (AQT 871/11-15)

Mr Ford: I am well aware of the concerns that Mr Maginness has expressed. Indeed, the individual whom he has highlighted is not the only individual about whom concerns have been raised in recent times. The authority to remove a member from a PCSP or, in Belfast, a DPCSP rests with the Policing Board and can be carried through only on the basis of a specific set of factors, namely conviction for a serious offence, a serious offence previously committed that has not come to light or an offence against the declaration against violence that independent members of the partnerships are required to make. I believe that the standard required on that is, effectively, the standard of criminal proof. That is the situation that the legal position leaves us in.

Mr A Maginness: I thank the Minister for his answer. He is conducting a consultation on policing and community safety partnerships and their membership. Will he assure the House that he will consider, over and beyond the criteria that he has outlined, another provision so that this situation cannot arise? [Interruption.]

Mr Ford: I have no doubt that Mr Maginness and others will respond to the consultation by making that point robustly. [Interruption.] It remains the case, however, that we need to ensure that due process is observed. If there are suggestions about how the concerns that he has highlighted can be addressed, I will happily listen to them.

Mr Principal Deputy Speaker: I ask for order while Members are putting a question or receiving an answer from the Minister. I call Mr Declan McAleer.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle.

Mr Principal Deputy Speaker: Sorry for waking you.

Mr McAleer: The Chief Whip was talking to me.

Hearing Loss Claims: RUC Officers

2. **Mr McAleer** asked the Minister of Justice whether he is aware of a growing level of frustration with the cost of RUC hearing loss claims to the public purse, given the recent announcement of an additional £103 million, which brings the total pot to around £250 million. (AQT 872/11-15)

Mr Ford: I am aware that individuals, including some in the House, have expressed their concern. It is administered by the PSNI, not the Department of Justice. As it is an operational issue, responsibility lies with the Chief Constable.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. Thank you for your response. Given that the issue predates the devolution of powers to here, is there any potential for the British Government to foot some of the cost?

Mr Ford: Not only is there potential; that is the case. At this stage, the first £12 million in any year is funded by the DOJ, and anything beyond that is funded by the Treasury. That is perhaps a slight good news story, if that is what Mr McAleer seeks.

Mr Principal Deputy Speaker: Mr Alex Easton is not in his place.

Domestic Violence: Criminal Act

4. **Mrs Cameron** asked the Minister of Justice to detail the plans his Department has to raise awareness of domestic violence as a criminal act. (AQT 874/11-15)

I thank the Minister for attending the Don't Silence the Violence event in the Long Gallery yesterday.

Mr Ford: It is always nice when somebody thanks me while asking a question, so I should thank Mrs Cameron for being the first person to thank me for something other than the generalities of my answers. It is always nice to get a little bit of constituency agreement, especially with you in the Chair, Mr Principal Deputy Speaker.

It is difficult to answer the question of how we publicise the fight against domestic violence. It is certainly not something that the Department can achieve, and it requires the sort of partnership that we saw in the Long Gallery, with a number of people from our local Women's Aid teams and a variety of other agencies and organisations.

Taking account of the video that we saw, the important issue is to make the maximum possible use of such methods of getting the information out and ensuring that the message is spread, not just among MLAs and those who are involved but to others. Indeed, I believe that it will shortly be available on YouTube if it is not already. That will mean that those who are vulnerable will be aware of the circumstances and how they can get help, particularly through the 24-hour helpline.

Mrs Cameron: I again thank my constituency colleague and Minister for his answer. Given his answer and in light of the growing statistics for domestic violence, will he ensure that the funding for voluntary organisations, such as Women's Aid, will not be cut because of budget pressures elsewhere?

Mr Ford: And then she goes and spoils it. Members will know that, in the face of the budget pressures on my Department, I cannot give a categorical guarantee that there will be no cuts. Over the past three and a bit years, we have ensured that we have protected the grant budget to voluntary groups as far as possible. Cuts in the Department, particularly in some core areas of the Department, have been significantly more than those to our budget to support voluntary activity, and I hope that that will continue to be the case. It also requires the House, for example, to

cooperate in dealing with some difficult issues, such as the budget for legal aid, if we are to ensure that we have money available to support voluntary activity.

Police Federation: Procurement Arrangements

5. **Mr Girvan** asked the Minister of Justice, given that his Department has provided the Police Federation with funding of £325,000 for 2013-14, whether that ensures that the federation abides by proper procurement rules. (AQT 875/11-15)

Mr Ford: Although the Department provides some funding to the Police Federation, it remains an independent body run by its officers and committee, who are responsible for issues such as proper procurement. I understand that the issue that, I suspect, Mr Girvan may be hinting at was recently addressed and found to have been dealt with properly. However, I cannot second-guess the way in which an independent body manages its affairs.

Mr Girvan: I thank the Minister for his answer. It did not necessarily go the way that I would have liked it to go. I believe that any body that receives public money should ensure that that money is spent in a proper and fully open and accountable manner. The Baker report was commissioned by the federation and it then tried to bury it — I use that term because it attempted to ensure that it never saw the light of day. That report was damning about the management of the federation. In light of that, I want to know what the Minister will do to ensure that public money that is being spent to run that organisation is either withdrawn or used effectively.

Mr Ford: I can only repeat the point that I made: the particular issue that is being hinted at was addressed and followed up. It was found that there was no problem with the procurement process.

The Police Federation operates as an independent body that is representative of police officers. We need to be very careful that we do not seek to micromanage its affairs. I suspect that most Members would not approve of that being done to any body representing staff interests in any part of the public sector.

Mr Principal Deputy Speaker: Mr Daithí McKay is not in his place.

Prison Chaplains

7. **Mr Dallat** asked the Minister of Justice whether he acknowledges that the chaplains in our prisons play a critical role in helping to rehabilitate those people who are serving time, and, if so, is he concerned that the cut in funding for prison chaplains will undermine their good work. (AQT 877/11-15)

Mr Ford: I certainly agree with Mr Dallat that extremely good work is done by the chaplains, who fill a role somewhere between the NGOs that come in and provide assistance in prisons and the formal Prison Service structures. I do not believe that the changes that are being made are seriously damaging the work that is being done, but Members will appreciate — I just made this point about other areas — that there are serious difficulties with the DOJ's funding at this time. It is not possible to fund everything at the level that we would wish. However, I have

visited all three prisons and have met chaplains in each of them, and I have seen extremely positive work being done by all of them. Indeed, on my first visit to Hydebank Wood, I met one of the chaplains, who had long enough to give me a brief handshake before saying, in effect, "Excuse me, but so and so wishes to speak to me, and they are more important than you are". That is the quality of the service that is being provided.

Mr Dallat: The Minister has made the point: the chaplain was too busy to talk even to a Minister. Will the Minister reconsider what he is doing, and will he reflect seriously on the work, which, I believe, is totally underestimated, done in rehabilitating into the world again people who, for whatever reason, have erred in their ways? Will he accept that even the word of God has a price on it?

Mr Ford: I am not sure that I want to get into the theology of that. I repeat the point: I fully recognise the value provided by the chaplains in prisons. I also recognise the value provided by many others who go into prisons and provide a service. I have seen some very positive work being done by a variety of groups working in that way, as I see it with the chaplains. However, until we can resolve the conundrum of the limits on funding, we cannot fund everything that we would wish to fund to the level that we would wish to fund it. I will certainly take Mr Dallat's hint and look at the current position on chaplaincy.

Legal Highs/Prison Service Early Retirement Scheme

8. **Mr McCarthy** asked the Minister of Justice to update the House on the Prison Service voluntary early retirement scheme, and, given that yesterday in this Chamber I was compared to Pontius Pilate, will he tell the House that responsibility for dealing with legal highs lies with the Home Office at Westminster, not with this Assembly. (AQT 878/11-15)

Mr Ford: I did not think that my colleague was entitled to be Pontius Pilate, because I was labelled Pontius Pilate by the leader of the Ulster Unionist Party last Thursday evening in a tweet. He actually spelt it "Pilot", which, as somebody subsequently pointed out, at least indicates that I am someone who knows where he is going, unlike you, Mike. Clearly, there is an issue, but, before the DUP laughs too much at Mike Nesbitt, a number of DUP Members yesterday suggested that I should somehow change the law on legal highs in an area that is clearly reserved. I can accept it when nationalists tell me that I should do things that are reserved to the Westminster Parliament, but it seems a little inconsistent when unionists tell me that I should do things that are reserved to the Westminster Parliament. I will not do things that I have no legal power to do. I will do my best to do that which I have.

On the serious point that Mr McCarthy made, which follows on from the point that Mr Dallat has just made, there are still a small number of senior officers and governors who have not yet received a letter to leave under the voluntary early retirement scheme. I have had meetings, including a meeting not that long ago with the Minister of Finance and Personnel, who has acknowledged that it would be a significant invest-to-save procedure to invest in allowing that last tranche of officers to leave. In many cases, they have stayed a couple of years longer than they thought they might have had to, because the VER scheme has not

moved as quickly as we had hoped. We need to give them the opportunity to leave with the same dignity as others have left with, and I certainly hope that we will see the money forthcoming very soon to enable them to go.

Mr McCarthy: I sincerely thank the Minister for his clear response to my case about legal highs. I now expect that a full-scale apology will come from the DUP Benches, including from the Health Minister, who said that the responsibility was for here and the Minister. Can the Minister tell the House that it is time that the whole Prison Service issue was brought to a successful conclusion in the interests of everybody?

Mr Ford: I am not waiting for the apology. The specific issue is that we are now left with, I think, 38 officers who have a right to leave under the voluntary early retirement scheme. They can be replaced because of the good work that is being done in training staff. They have served their time and deserve to go with dignity to allow others to come in to take forward the kind of work that has been highlighted by people such as Mr Dallat. I am keen to see that that happens. The House and the Executive owe to those officers, who served in difficult times, the opportunity to leave with dignity.

3.30 pm

Private Members' Business

European Union Funds: Drawdown

Debate resumed on amendment to motion:

That this Assembly notes the significant funding available for drawdown within the European Union; commends the Minister for Regional Development for leading the Northern Ireland Executive in the successful drawdown of competitive funding; further notes with grave concern the imbalance in the drawdown of European funds for economic development between Northern Ireland and the Republic of Ireland under the framework programme 7, whereby Assembly research statistics show that while Northern Ireland secured €35 per capita, the equivalent in the Republic was €590; and calls on the First Minister and deputy First Minister to take steps to ensure an increased drawdown of competitive European funds across Departments, in addition to identifying an appropriate region of the EU against which Northern Ireland can benchmark its performance. — [Mr Nesbitt.]

Which amendment was:

Leave out all after "commends" and insert:

"the Executive for setting an increased target for our drawdown; further commends those Ministers who have been successful in securing significant funding to date; and calls on the Executive to ensure that they maximise all potential funding opportunities from Europe." — [Ms McGahan.]

Mr Moutray: I welcome the opportunity to speak in today's debate on EU funding and the ongoing work that has been taking place to draw down significant funding from Europe for projects and schemes in Northern Ireland. I am glad that I can stand here today safe in the knowledge that we are a proactive region that has done tremendous work in drawing down funds that have enabled us to complete revenue and capital projects that are of significance in the community.

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

Members will be aware that, in 2011, the Executive put their head above the parapet where EU funding was concerned when they collectively placed in the Programme for Government a 20% increase target, something that no other region or country has committed to. Today, I am pleased to say that we are well on track to meeting that target, with figures showing that, already, we have achieved some 64%, which equates to £41.3 million of the £64 million that we hope to draw down. Twenty per cent was and remains a challenging figure, but I am delighted that work is afoot to reach the target and, possibly, even increase it in future. Like everyone else in the Chamber, I support the extension of that target.

I was somewhat bemused but not surprised by the notice of the motion today, because it is a typical attempt by the Ulster Unionist Party to undermine the good work that has been going on throughout the Departments and to engage in the backslapping of its solitary Department, which, in

truth, lends itself to applying for large capital projects, which are, in my opinion, easier to obtain finance for because of their tangible outcome, as opposed to revenue projects, which are much more difficult to quantify.

The drawdown of the funds from Europe is difficult owing to the fact that Departments are not permitted to apply directly. There is, therefore, a reliance on stakeholders or third parties to apply, and ensuring that the capacity is there can be challenging. In addition, it is sometimes difficult for organisations to obtain moneys owing to the fact that funding streams are specific and, sometimes, not in sync with their line of work. However, we need to commend some Departments. We need to commend DEL on its level of drawdown from the European social fund, which has totalled €71 million since the start of the programme and a further €25 million as of December 2013. I commend the Minister of the Environment for his foresight in dedicating a small team to deal specifically with the promotion of and drawdown from competitive EU funding streams for climate change and energy projects. I also commend DETI on its encouragement and support for other research organisations and companies to apply for EU R&D and innovation funding and DRD on the A2 project and A8 improvements, to name but a couple of excellent projects.

The figures thrown into the melting pot by the UUP today regarding the Republic of Ireland are headline grabbers, but, in truth, they do not paint the whole picture, given that, when they are broken down, the money used to calculate the €590 million is, in fact, the amount that the Republic of Ireland applied for to Europe, not the amount that it received. I am sure that if we were to calculate the amount applied for by our Executive, as opposed to the amount received, we too would be able to enhance our per capita figures. However, I want to see the money being spent where it is needed most.

Additionally, it would be remiss of me not to mention local government and the hard work that is done in this regard. I know that Craigavon Borough Council is active in seeking funds from Europe in a range of areas. It has been successful in achieving finance for the life-science supply chain project, the creative edge programme, the Space project, rural development grant aid and many other creative and innovative programmes. In the past three years, Craigavon council has drawn down £23 million, and I congratulate it.

My point is that there is much more work to be done outside of the Stormont Departments to tap into funding from Europe. However, I commend the Executive for their hard work. They are certainly making strides with regard to the funding gap that once existed in this region. There is still a way to go, but I believe that Departments have made progress. I look forward to seeing us achieving and in all likelihood exceeding the target adopted in the Programme for Government. I believe that the Barroso task force introduced —

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

Mr Moutray: — by the Northern Ireland Executive has been effective and that it will play a strong role as we move from FP7 to Horizon 2020. Our party will support the amendment.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas le moltóirí an ruin seo as é a thabhairt os ár gcomhair. I thank the proposer of the motion for affording us the opportunity to debate the issue.

I am slightly confused, in that the motion calls on OFMDFM to identify an appropriate region of the EU to compare our performance with, yet the same motion starts by comparing our performance with just such a region — the one a few miles down the road from us. Perhaps the proposer does not believe that that region is an appropriate comparator, but they also want the Assembly to note the imbalance in that comparison with grave concern.

Mrs Overend: Will the Member give way?

Mr McGlone: Briefly, Sandra.

Mrs Overend: I will clarify that we are comparing the position with the Republic of Ireland as a state in the European Union, whereas Northern Ireland is a region within the United Kingdom. That is the difference.

Mr Deputy Speaker: The Member has an extra minute.

Mr McGlone: I have often spoken and heard other Members speak about a Europe of the regions. Anyway, thank you for that.

We can at least agree that the Executive's performance under the framework 7 programme was less than successful. Some would rate it quite abysmal. As we heard, competitive EU funds are the sum of EU non-structural funds and the INTERREG IVb and IVc moneys. Funds for projects from EU programmes are assessed and support awarded on a trans-European competitive basis. For 2010-11, the revised baseline was set at £13·4 million of EU competitive funds drawn down by NI Departments. The targeted increase of 20% translates into a four-year drawdown value of £64·4 million.

Now would be a good time to hear a further update on the target set by the Executive in their European priorities 2013-14 implementation plan to facilitate the drawdown of £12 million of competitive EU funds by NI Departments between 1 April 2013 and 31 March 2014 and, importantly, how that compares, as a relative performance, with the highest-achieving European regions. That figure is, after all, £1·2 million less than the target for the period between 1 April 2012 and 31 March 2013. In fact, in 2011-12 — year 1 of the Programme for Government — £23 million was drawn down, and, in 2012-13 — year 2 — £18·3 million was drawn down. That seems to suggest that the target set for this year is less than ambitious.

Perhaps we will also hear of progress on the preparation for the introduction of the new 2014-2020 competitive funding programmes targeting ERASMUS+, Creative Europe, social change and innovation and, of course, Horizon 2020 programmes. The Enterprise Committee has put in considerable effort on the Horizon 2020 stuff. We can make a comparison with the other jurisdiction on this island. The Government in Dublin have targeted a drawdown of €1·4 billion from the Horizon 2020 fund. Our "ambitious" target is £100 million. So it is €1·4 billion compared with £100 million.

As of September 2013, the majority of the Executive's European targets were categorised as green. I wonder whether that position has changed. If not, the Assembly should expect a very successful outcome to the

Executive's efforts to increase the uptake of European funding by 20% over 2012-15. Where I differ somewhat from the supporters of the motion is in their choice of appropriate comparisons. As the Executive have identified, we should benchmark our relative performances against the highest-achieving European regions. Indeed, at the Committee, Mrs Overend will have heard from InterTradeIreland that, at last, there has been quite a bit of tick-tacking and collaborative effort between both parts of the island to make sure that there is mutual benefit. There has, I believe, been a recent change to the approach in that the comparison will be with the best-performing region in each of the European Union competitive funding sources. The completion date for the benchmarking has also slipped to March 2015. Whether it is OFMDFM or someone else, the sooner steps are taken to put the benchmarking in place, the better, because a key element to all of this is the flow of information around accessibility to what EU funding is available. Frankly, we are not performing as well as we should. Even a Statutory Committee of the Assembly — the Enterprise, Trade and Investment Committee — has difficulty accessing such information. There are lessons to be learned and, more importantly, actions to be taken pronto.

It is outcomes that my party is interested in. I am sure that the Minister for Regional Development has done a good job and will appreciate all the good wishes that the signatories to the motion want the Assembly to send his way, but it is results that matter. The drawdown of funding is just the start. Ticking off targets set along the way is all very well, however dubious some of them may be, but the public whom we represent want to see outcomes. They want to see a vibrant society, and they want jobs. They want to see sustainable economic growth and prosperity, and, for us, our engagement with Europe — with the rest of Europe, I should say — is vital to achieving those aims to bring about a prosperous society.

Ms Lo: Northern Ireland as a region has benefited substantially from EU structural funds through the European regional development fund and the European social fund, as well as from agricultural subsidies under the common agricultural policy. The peace and reconciliation programme, which is into its fourth round, has poured millions of pounds into Northern Ireland to help with the peace process. However, the European Commission has 22% of the EU budget that is allocated for competitive programmes in research, education, health and youth actions. It is in that area that Northern Ireland as a region has performed poorly, particularly when compared with the success of the Republic of Ireland under framework programme 7.

The current Programme for Government has set a 20% target for the increased drawdown of competitive EU funds over the four-year period from 2011 to 2015 against a baseline of £13·4 million a year, as Mr McGlone said. Therefore, over the four years, we need a total drawdown of £64·3 million or £16·1 million a year to meet the set target of a 20% increase. Conflicting drawdown figures were reported by OFMDFM for the two years 2011-12 and 2012-13. However, the latest reported drawdown total for the two years amounts to £41·2 million, which means that we need to draw down only £11·5 million a year over the next two years. The figures are even below the baseline figure for 2010-11. The 20% target therefore seems unambitious, hardly motivating Departments to push

themselves to achieve better outcomes. I hope that the inquiry by the Committee for the Office of the First Minister and deputy First Minister into the effectiveness of the Barroso task force will shed some light on that.

We need to do better. The unique Barroso task force, which was established in 2007 to help us become more competitive and participative in the EU, has provided us with the impetus to connect and profit better from the European Union. We also have the Barroso task force working group —

Mr McGlone: Thanks very much to the Member for giving way. It is crucial that we also start to see what the product is from that task force. We need to see tangible results from its work start to trickle down into the community.

Ms Lo: Absolutely. I agree.

We also have the Barroso task force working group, which is chaired by the two junior Ministers. More recently, four desk officers were installed in the Office of the Northern Ireland Executive in Brussels. DOE also has a small team of four full-time staff who deal specifically with the climate change and energy thematic priority. It is disappointing that the Department over the past two years was able to draw down only £13,000 under the LIFE+ programme.

We can no longer justify our lack of success with excuses about the EU being inaccessible, with us at the periphery.

3.45 pm

Contrary to the suggestion in the motion, I believe that DRD is not the Department with the largest competitive fund drawdown, although I have to say that it has done very well. It is actually DEL, as the sponsor of the universities under FP7, although that is often processed through the DETI figures as DETI has overarching responsibility for research. Northern Ireland also does proportionately well in exchange programmes under Erasmus, and the Employment and Learning Minister is actively pursuing the wider opportunities to extend exchange schemes beyond university students to apprenticeships and vocational training.

Mr Nesbitt: I thank the Member for giving way. Can she give us the figures for competitive drawdown from DEL over the past two years?

Mr Deputy Speaker: The Member has an extra minute.

Ms Lo: Let me see. I will have to refer back to it. I certainly consulted my colleague, and that is the information given to me. The figures are lumped together between DEL and DETI, so I am sorry. I certainly read through the figures myself.

It is vital that relevant Departments collaborate effectively with each other and with stakeholders to access the FP7 successor programme, Horizon 2020, which has a budget of about £60 million. The Irish Government have set themselves a drawdown target of €1.25 billion for that funding stream for research and innovation.

Mr Deputy Speaker: Will the Member draw her remarks to a close?

Ms Lo: Am I getting extra time? OK.

I am pleased to note that DETI and DEL are now funding, through an £1.8 million higher education UU support fund, a network of Northern Ireland contact points —

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

Ms Lo: — across UU and Queen's to coordinate —

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

Ms Lo: — and facilitate the making —

Mr Deputy Speaker: I call George Robinson.

Ms Lo: — of bids to Horizon 2020.

Mr G Robinson: This is a debate with the potential for every citizen of Northern Ireland to benefit from it, and I am pleased to say that my party MEP, Mrs Diane Dodds, has been to the forefront in directly assisting bodies with European funding. If every Department was as proactive as Mrs Dodds, the figures for drawdown would perhaps be greater. That also points to this debate being an election ploy by some, instead of them having real concern about the topic. It is also worth noting that, when a Democratic Unionist was Regional Development Minister, he actively sought and achieved European funding for the provision of the first batch of new trains for our railways. European funding will always be a welcome boost to projects in Northern Ireland.

I seek clarification regarding the figures that the OFMDM Committee Chair used in the press release and the motion. It is my understanding that the per capita drawdown for successful bids in the Republic of Ireland is actually €119, rather than the €590 he claims. It is essential that like is compared with like, hence my concern for the accuracy of the figures.

Mr Nesbitt: Will the Member give way?

Mr G Robinson: I am moving on.

I would also be grateful if clarification could be given on how the target in the Programme for Government is being met. I was led to believe that, halfway through the Budget period, a figure of 64% had been achieved — not as bad as some would like us to believe.

I firmly believe that more can be done by individual Ministers and the Executive to boost our funding drawdown. However, that is not something that will be achieved overnight. I understand that target-setting is an ongoing process, which I am sure the First Minister is dedicated to achieving.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. I rise to speak in support of the amendment and in opposition to the motion. I want to speak specifically in recognition of Ministers for the successful drawdown and spend that has happened. I want to look specifically at DARD and the number of very successful actions emanating from the rural development programme over the past number of years.

For the rural development programme 2007-2013, we were looking at a pot of around £500 million — £250 million from the Executive and £250 million of EU funding. Some £100 million was spent directly on rural communities, and the rest went to farm modernisation schemes and the development of the farming industry. To date, 500 jobs have been created and £75 million spent. It is expected that the number of jobs created will rise to 1,000 by 2016 and that full expenditure will happen before the current programme runs out.

The impact of this money on the ground can be seen in projects including childcare and economic development. The Committee recently got a flavour of the projects when it met the local action groups (LAGs). They cited the Chocolate Memories social enterprise in Moneyreagh, the Pear Tree Barn in Lisburn, hostels, village renewal, young farmers' woodwork schemes and many other schemes throughout the Six Counties that the rural development programme has had a huge impact on from 2007 to 2013.

As well as the rural development programme money, pillar 1 of CAP works out at around £250 million a year. This year, CAP has been paid earlier and more efficiently than ever before. It represents the delivery of quite a big chunk of EU funding, and the Department is striving to increase the target year on year.

Many challenges face us in the new rural development programme. Unfortunately, as well as paying for the Going for Growth strategy and trying to address the very bad economic climate, our rural development allocation is the lowest in Europe. Ironically, one of the reasons for such a cut is that the Tories — the sister party of the party that tabled the motion today — negotiated a 22% cut to the rural development budget. We have £60 million or so less than we had in the previous round of European funding, and that will create challenges. In comparison with the Twenty-six Counties, our allocation is very low. That will have to be addressed, and we will have to make the best use of the resources that we have in the time ahead.

The Regional Development Minister seems to be leading the other Ministers when it comes to funding, specifically the Trans-European Transport Network (TEN-T) funding referred to earlier. For 2014-2020, we are looking at a pot of between £56 billion and £62 billion, and, in the last round, we were working from a £50 billion pot. TEN-T funding is vital. The objective is to create a core corridor around Europe for the free movement of people, freight, goods and services, which is critical. We would have liked the TEN-T funding to extend beyond the eastern seaboard of the island, and one way that could have been done was by making the case more forcibly for Derry city to be included as a core node on the network. That would have a huge reach and bring the network into the west. It is very important that we do that because, 50 years ago last week, a decision was made here to rip up the infrastructure in Tyrone and Fermanagh and close down the railway network.

The European transport and policy funding unit told the Regional Development Committee that it had achieved an exemption for our rail network and turned binding deadlines into aspirations.

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

Mr McAleer: As Europe develops and the core network develops around it, we fear that this part of the island will be left behind because there is not enough forward thinking and bigger thinking on these matters. Go raibh maith agat.

Mr Spratt: I welcome the opportunity to speak as a member of the Committee for the Office of the First Minister and deputy First Minister. I declare an interest as the Chair of the Regional Development Committee, given that DRD is named in the motion.

I have to say that I am disappointed with the wording of the motion. It is political, confused and erroneous to make comparisons between the Republic of Ireland and Northern Ireland. I do not say that for political reasons but for economic ones. In the past, the Republic was regarded, along with Spain, Portugal and Greece, as one of the poor four regions in the European Union. It was a net beneficiary of exceptionally high levels of EU funding. In contrast, for many years, Northern Ireland, as part of the UK economy, was a net contributor. Therefore, it is unbalanced to compare the two regions. I have to say that I am slightly sceptical about the figures quoted about funding secured per capita. Perhaps the junior Minister can shed more light on that when she eventually speaks.

I am surprised that the Minister for Regional Development has been selected as the leader in the drawdown of EU funds, given all the other successful bids for funding from OFMDFM, particularly for social cohesion, the European social fund and Peace funding. All of us know of several projects in our constituencies that have benefited from funding. Those projects have touched the lives of many people, and their impact should not be underestimated.

I turn to the funding secured by the Regional Development Minister, as referred to in the motion. The Regional Development Committee first wrote to the Department during the summer recess of 2011 asking it to identify its EU priorities. The Committee received its first presentation on that topic from departmental officials in January 2012, when it was advised that, under the Commission's proposals, the majority of Northern Ireland's TEN-T network would be on the comprehensive network. It was also told, however, that the amount of funding available for transport would be significantly less than that proposed under the CEF. The Department stated that, as those are reserved matters, it has fed and continues to feed into the UK's consultation and negotiation processes. We were told that it has engaged with officials from the Department for Transport in London, Transport Scotland, the Welsh Assembly, the Department of Transport, Tourism and Sport in Dublin and colleagues in the Executive's office in Brussels.

The Committee agreed that the Minister should continue to lobby within the EU but was not content that significant thrust was being applied. The Committee then undertook a visit from 24 April to 26 April 2012, during which it was advised by a senior EU Commission officer that Northern Ireland was attached to mainland Europe by the Channel tunnel and that freight could be transported by train carriages from docks, despite the fact that there are different rail gauges.

Members also met one of the EU parliamentary rapporteurs prior to the Minister or his officials. That visit confirmed the misleading understanding of the region, and we were advised that a stakeholder event was being held on 14 May 2012. The Committee wrote to the Minister and senior officials asking the Department to take part in it. The Department refused on the basis that an invitation had not been extended directly to it. Committee members then attended the stakeholder event and successfully briefed a second rapporteur and members of the EU Transport Committee. Briefing papers were then circulated to rapporteurs and the Committee, and the Committee is firmly of the belief that this early intervention with the Commission, and, in particular, with the rapporteurs, was

critical in future departmental and MEP negotiations on TEN-T.

I disagree with the motion, which commends the Minister for Regional Development for leading the Executive. The Committee for Regional Development has played a vital role —

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

Ms Lo: Will the Member give way?

Mr Spratt: I am happy to give way.

Ms Lo: Thank you very much for giving way. Mr Nesbitt earlier asked me the same question about the figures. I have found the page, which is from a briefing paper to OFMDFM, with a list of funding. It sets out that DRD's drawdown was £2.9 million. DETI's drawdown was £9 million. I just wanted to clarify the point.

4.00 pm

Mr Deputy Speaker: The Member has an extra minute.

Mr Spratt: She did not have those figures earlier. So, I am sure that Mr Nesbitt will be very pleased that she has given them now.

I think that the motion is wrong, and, as far as we are concerned, we will support the amendment.

Mr Dallat: There is nothing like a motion that has an element of self-congratulatory spice in it, and this motion is just that. However, that is politics. I bounded out of bed at 5.30 am to come to address a packed House full of Ministers — crammed to the rafters — all excited about how we will milk the European cow. More about her later.

However, I seriously hope that this is not about political point scoring and that the purpose of the motion is to see how we can improve our endeavours at sourcing European funding and shaping the programmes in the first place. That is key. So, let us be fair and call a spade a spade and give the outside world some restored confidence in this place to deliver. Let us have some contrast to the kind of antics that we saw earlier today.

Whether we like it or not, the Department for Regional Development has been successful at drawing down European funding. If I were Mr Nesbitt, I would be worried, because it looks as though Danny will remain in the ministerial car. That is a fact.

Mr Spratt: I thank the Member for giving way. I know that he was one of the Members who went to Brussels. Does he agree that the Committee, and the work that that Member did personally, played a very pivotal role in making sure that TEN-T funding would be made available?

Mr Deputy Speaker: The Member has an extra minute.

Mr Dallat: I will cover that.

The recent setbacks on the A5 have had a devastating impact on those who recognise how important transport infrastructure is and whether it is fit for purpose. Likewise, the continuing squabbles about funding for the Narrow Water bridge smacks of everything but joining together the infrastructure that generates wealth for everyone. That is what we are talking about. The need to invest up to £1 billion in the Belfast to Dublin Enterprise service should be

much further advanced than it is. The embarrassment of still having no motorway connecting our two major cities — Belfast and Derry — or of being recognised as part of the TEN-T network is a failing. Yes, under the current Minister there have been considerable improvements to the rail service between Belfast and Derry, but it is still far short of a modern rail service connecting two major cities. The suspension of the ferry service between Magilligan and Greencastle, after carrying two million passengers, is a disappointment. Again, I suspect that there is a major failing somewhere, because there is a European programme, called motorways of the sea, and if that is not something that should qualify, I do not know what is.

If the motion is serious and not simply an election stunt that is designed to be self-congratulatory to some and disparaging to others, let us create the vision that places us on a par with other European members who have taken the benefits of the European Union seriously.

In conclusion, we have come a long way from the time when the political advice —

Mr McGlone: Will the Member give way?

Mr Dallat: Yes.

Mr McGlone: For the record, last week the Enterprise Committee met in Newry. Will the Member accept that if Euroscepticism were to prevail, it would be a disaster for both parts of this island, given that SMEs in both jurisdictions rely heavily on cross-border trade and all that goes with it? Does he further agree that we cannot have further red tape put in the way in the way that some of our extreme-right colleagues in the Eurosceptic wings of the Tory party and, potentially, elements in the DUP would do?

Mr Dallat: I could not agree more with my colleague.

We have come a long way from the time when the political advice was to milk the European cow and then to slit its throat. We have matured beyond that. We are now Europeans, but we are sadly failing in our endeavours to be part of the vision, because we are still bogged down in a past that benefited no one and failed everyone. The European flag flies over the Building but once a year. Perhaps, if we must talk about flags at all, let it be the one that my former party leader John Hume believed in; the one that promotes unity and prosperity and that generates a vision for a future that delivers hope for all.

If there is to be one flag that I am happy to fly from Stormont every day, let it be the flag of the European Union, which gives us so much in common. It recognises diversity and promotes unity.

In conclusion, I wish to acknowledge the work of the Chairman of the Committee for Regional Development, who has provided leadership in identifying European funding. Whether you call it rivalry or competition with the Minister does not really matter. It certainly gave me a great deal of satisfaction to find that when the Committee was going to Brussels, suddenly the Department was going as well. It was useful to go there to establish what funding sources are available. However, we have failed to mould those programmes, which could have created the money needed to provide infrastructure. This country has been left badly disadvantaged due to issues that arose from partition in the 1920s. We look forward to the future.

I am sorry that there are only around 20 people present for the debate. I will not say that they are only junior Ministers, because I do not undervalue them, but —

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

Mr Dallat: Where are the rest? That is the issue. We need to take this seriously. I hope that it is not about politicking, as I suspected. I hope that it is genuine, Mr Nesbitt. Yes, your Minister has done all right. However, much more could be done.

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

Mr Cree: The debate is most appropriate in a European election year. I do not know whether everyone can hear me all right, as I am having difficulty hearing other parts of the House.

Mr Nesbitt: Sorry?

Mr Cree: What?

Indeed, as we meet here today, we are just over 10 weeks away from elections to the European Parliament. Too many people still regard Brussels and matters European as a long way away and of little relevance to them or their daily lives. That is not a new phenomenon. I recall when the UK joined the EEC, as it was then, in 1973. I know that some of you are surprised that I can remember that far back. Few could have predicted the changes that have taken place in the intervening years. Nine member states became 11 with the accession of Spain and Portugal. The end of the cold war saw the EU expand eastwards to the extent that it now has 28 member states. They represent a marketplace of some 300 million people with whom we can trade freely. It is vital that we engage with Europe in order to ensure that Northern Ireland takes full advantage of the many opportunities that exist, not least with regard to funding streams.

Other Members referred to the Barroso task force, which was established following a visit to Belfast by EU Commissioner Barroso in 2007. It has the remit of helping the Executive to make the most of EU policies, networks and funding programmes. Indeed, there are nine competitive EU funding streams at present. The Programme for Government has a commitment to increase the competitive drawdown of European funds by 20% during the current Budget period. I know that Departments are making good progress towards meeting that target. At the halfway point in the Budget period, £41.3 million had been drawn down, which represents 64% of the target. Departments are well on track to realise the total drawdown target of £64.4 million by the end of March 2015. The relative ease with which the Executive can meet that target indicates that the bar has been set too low and that a much more ambitious target is required.

As we have already heard, the framework programme 7 research and technological department project's funding period is winding up. However, an incredible €80 billion will be available under the new research and innovation funding package, Horizon 2020, between 2014 and, indeed, 2020. It is the duty of the Executive to maximise their efforts to ensure that Northern Ireland begins to punch well above its weight in Brussels.

If Members take time to glance through the European priorities for 2013-14, they will find much to interest

them. There is a raft of programmes with which the Assembly and the Executive are involved. The Barroso task force working group has four cross-departmental subgroups: competitiveness and employment; innovation and technology; climate change and energy; and social cohesion. Those in turn have 29 objectives and 113 individual targets, which constitute the European priorities 2013-14 implementation plan. It is quite a daunting document, but the bottom line is that Northern Ireland needs to engage fully in Brussels at all levels to ensure that we can access the various funding streams available. We must also put in the work at home to ensure that our SMEs benefit from that whole funding scheme. Too often, we hear that small businesses face red tape and bureaucracy and simply cannot access funding.

The figures outlined earlier by my party leader from the Assembly briefing paper, 'Framework Programme 7: Per Capita Statistics for 2007-2013', which, for the benefit of Members, is dated 20 December 2013, highlighted just how the Executive are faring. In EC-requested financial contributions since the start of the programme, Northern Ireland requested €63.3 million; Wales requested €110.5 million; Scotland requested €505 million; England requested €4,526 million; and the Republic requested €2,715 million. Northern Ireland and Wales are very similar, with around €35 per capita.

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

Mr Cree: Quite simply, we need to ensure that any barriers are removed and that we can effectively set up a one-stop shop for those seeking advice about Horizon 2020.

Mr Allister: One, especially from outside the Executive parties, could not listen to this debate and not be struck by the internecine playground charge and countercharge of who has done most and achieved most, whether the Minister for Regional Development is the leader in calling down funding from Europe or whether it is his Committee that outshines him, or whether someone else needs some backslapping. However, the one thing that I have not heard talked about in this debate is where this money comes from. Here we are talking about pursuing some pot of gold in the European Union without ever pausing to ask this question: whose money is it in the first place? The answer to that question is that, by and large, it is our own money coming back to us.

As I indicated in an intervention with Mr Nesbitt — you do not have to take my word for any of this — the UK Treasury document that annually produces a table of contributions to the EU demonstrates that, as far as 2013 is concerned, the UK's gross contribution is £17.184 billion. That is then assisted in being reduced by the UK rebate, which has now diminished, thanks to Mr Blair, to only £3.3 billion. At the end of all that, what we get back in public sector receipts is £5.2 billion. So we pay in £17 billion of UK taxpayers' money, and after all the grandiose schemes of CAP, fisheries, Peace funding, structural funding — all of that — the United Kingdom, as a net contributor, gets back £8.6 billion, which is only half of what it pays in.

Mr Nesbitt: I thank the Member for giving way. He gave us the UK figures. Will he give us the Northern Ireland breakdown, please?

Mr Deputy Speaker: The Member has an extra minute.

Mr Allister: The Northern Ireland breakdown is not produced in that form, but if one applies a pro rata division to the UK contribution, we discover that it is something short of £500 million per annum.

4.15 pm

No matter how you beef up the CAP, Peace and structural fund figures, and all of that, they will struggle to rise above £400 million per annum. Therefore, for a region that does better than most regions out of the United Kingdom, even we are a net contributor to the EU. Of course, you have to add to that the colossal price placed on business by EU bureaucracy.

The EU Commission has itself produced a report that shows that EU regulations cost business €600 billion per annum to implement. No matter what way you look at the EU, it is a horrendous deal financially for the United Kingdom. When you add to that the fact that it does great despite to national sovereignty; it treats us as a region that cannot, because of EU rules, control even its own borders; it determines with whom we will have trade agreements, because those will be on an EU-wide basis only; and it means that we cannot exercise any of the functions that a free and independent country would exercise.

Ms Lo: Will the Member give way?

Mr Allister: No, as I am fast running out of time.

To me, the EU is not a panacea. The EU is a dreadful waste of our resources and our national sovereignty and independence. There are local dimensions to add, with the abuse of EU funding administration in Northern Ireland. We have seen in the order of £14 million of Peace funding go to ex-prisoner groups, while innocent victims' groups are left short time and time again. We have seen the waste of EU rural development funding under the Sinn Féin Minister in DARD, with funding going to promote the Tyrone GAA club. It is one of the richest clubs on this island, yet it is a huge beneficiary of rural development funding.

I am glad, however, that some of us did play a part, even though the Chairman —

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

Mr Allister: — of the Regional Development Committee did not appreciate it. Some of us played a part in making sure that the £20 million that was to be wasted on the Maze shrine has at least been diverted to more useful expenditure.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): Our experience of European engagement is positive. Guided by President Barroso's task force, we have participated in Europe in a positive, outward and forward-looking manner to promote and deliver our interests across a range of priority areas. We raise our positive profile by creating strategic alliances.

To equip our Departments and people to operate more effectively in Europe, the Executive set a Programme for Government target to increase drawdown of competitive EU funds by 20%. Departments continue to make good progress against the target. At the halfway point, £41 million has been secured, which represents 64% of the £64 million needed. That is less than half the value of the €199 million Peace programme that the Executive

successfully argued for in Brussels. Compared with the €889 million allocated to us in structural funds, it is a small amount. Compared with the €2.5 billion that we receive in CAP funds, £64 million is a very small amount, but that is not the point. The Executive-set 20% target is a developmental target, as no other Administration in Britain or Ireland have made such a commitment.

The primary purpose of the 20% target is to encourage participation in the Europe-wide networks and to facilitate partnership-working with the best in Europe across our priority policy areas. The Executive expect their Departments, arm's-length bodies and key stakeholders to network, if they are not already doing so, and to participate as junior partners in consortia as their experience grows. As that experience grows, they are then expected to become senior partners, leading other regions in strategic areas of interest to the Executive. The power of the 20% target is to focus engagement and ensure that we evolve through competition with the best in Europe. That will obviously not happen overnight.

I turn now to the motion. As the motion notes, there is substantial European funding available, but the key word missing in this context is "competitive". To secure this money, a joined-up approach in this region is essential. That is why junior Minister Bell and I, through the Barroso task force working group, coordinate departmental efforts. When competing with the best in Europe, collective action is and will be the most successful. The Executive recognised that from the outset.

I commend the Minister for Regional Development for his contribution of around £6 million to the Executive's collective target, mostly from the Trans-European Transport Network or TEN-T, which was mentioned earlier.

I am sure that Members understand and acknowledge that capital infrastructure projects, by their very nature, are substantially larger than those that promote, for example, student mobility or the creative industries. Also, most Departments do not compete directly for European funds but can facilitate the process through their arm's-length bodies in partnership with universities and SMEs. In the interest of fairness and balance, therefore, it is important to acknowledge the achievements of DETI and DEL in contributing £27 million to the target, mostly from framework programme 7.

On the matter of framework programme 7 comparisons with the South of Ireland, it is clear that the per head value of €590 is grossly overstated. The proposer of the motion has confused the amounts applied for from the South of Ireland and the moneys they have actually secured.

Mr Nesbitt: I thank the Minister for giving way. I think she will find that Hansard will record that I have not confused the two at all.

Ms J McCann: It is important to make like-for-like comparisons before drawing conclusions. When the correct calculation is made, the per head drawdown by the South of Ireland is €124, compared with €35 here in the North. Statistics from the Government in the South indicate their actual drawdown was €572 million, not €2.7 billion. On the most recent statistics available, our FP7 drawdown has risen to €44 per head, reflecting the sustained efforts being made by Departments.

For competitive funding programmes such as Horizon 2020, success will stem from joint applications with other regions. We need to collaborate, innovate and compete. That is the future, and we are already part of it. InterTradeIreland takes the lead on North/South collaboration on FP7 and Horizon 2020. It chairs the all-island Horizon 2020 steering group, comprising Departments, Invest NI, Enterprise Ireland, the North/South Ministerial Council and the European Commission.

Collaboration across the island of Ireland has delivered 89 successful projects, realising €81 million, which is giving us a success rate of 25% — above the EU average of 21%. This collaboration will continue, especially in areas such as health, ICT, agri-food, security and the Marie Curie scheme that encourages researchers to broaden their knowledge and experience.

We can all agree that everyone wants to see more EU funds coming to this region. That is why the First Minister and deputy First Minister regularly monitor progress on the 20% target through the all-party ministerial budget review group. As I said, the 20% target was a developmental target. By that, I meant that the target encourages Departments that are not engaging in European networks to begin networking. Those that are networking, but do not have partners, need to do so. Those that are junior partners in consortia must become lead partners. Evolution is built into the 20% target because it was designed that way.

We are conducting a mid-term review of the Programme for Government. In taking stock of progress, we have set an important principle, namely that the refocusing of commitments will build upon the progress achieved to date. In considering the outcome of this review, the Executive will take into account the level of ambition for the 20% target. As we build capability and capacity through networking and partnerships, it is only natural that our aspirations will grow.

Our absolute performance in drawing down competitive funds against the target is strong. This has to be seen as a good news story. The Executive are committed to benchmarking their relative performance against the best-performing European regions. That is foreseen in the delivery plan for the 20% target. Benchmarking is challenging, not least because of the difficulties in getting statistics that give meaningful, like-for-like comparisons across the many hundreds of regions in Europe. A single, high-level comparison on a broad range of socio-economic indicators will not deliver this region to the leadership position in Europe. To make a meaningful difference to our citizens and businesses, European benchmarking needs to be built from the bottom up. The most effective and efficient way forward is for Departments to assess relative performance within the main competitive EU funding streams. We will be able to take account of new funding programmes being developed and rolled out and to identify new areas of potential drawdown. Our approach to benchmarking will identify the best principles and practices in each sectoral policy area. Transferring knowledge in that way will give us the competitive edge in Europe.

Engaging with Europe on the policy priorities that matter most to us is fundamental to success in our economy, society, environment and culture. All of us in the Assembly want to increase the competitive funds that we receive from Europe. Our shared objective is to provide

opportunities to improve the life of people whom we represent. We need to understand that Europe is complex and requires committed and sustained engagement. The Executive are in this for the long haul. We have set challenging targets, but let us be clear that we are well on track to achieving them.

I have dealt with a number of issues in my statement, but I did not deal with benchmarking between the South and us on Horizon 2020, as suggested by the proposer of the motion. He might be unaware that the South is a member state in its own right; the North is a region. Being a member state gives the South much greater capacity in research and in the availability of services through which to draw down funding.

If there are other issues on which Members would like clarification, I can write to them.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. First, I apologise for not being in the House earlier. I had to attend the funeral of a close friend.

Bronwyn McGahan moved our party's amendment earlier. On first reading the motion, which I oppose, I thought that it was a bit petty and self-serving. I then thought that it was more mean-spirited than that, particularly in light of the fact that its proposer chairs the Committee for the Office of the First Minister and deputy First Minister and very recently had the opportunity to hear directly from officials about the relative success of the 20% target set by the Executive as a whole in the Programme for Government. I also thought it mean-spirited in light of information on the Executive's EU priorities, including the need for a European capacity-building fund that would enable a range of other people to help to draw down funds.

The amendment seeks to do what John Dallat referred to earlier: when we have something positive to say, we should say it. That is not to say for a second that all is rosy in the garden — far from it. The junior Minister, in her concluding remarks, said that, if you try to make a comparison between this region and the rest of Ireland, you find that they are not comparable at all. Whatever Members' views are on Europe — I accept that even in the Chamber there are wide-ranging political views — there is no contest. In years gone by, and probably even fairly recently, it is clear that the South of Ireland has acted as a sovereign state whereas the North has been treated as a peripheral region. Under many Westminster Governments, it has been treated as quite a poor peripheral region at that. As said previously, you cannot compare the drawdown that we get here with that of the South.

Suffice it to say that our amendment seeks to confirm that we recognise that significant funding is available to be drawn down. It welcomes the fact that the Executive have set targets, and I am glad to hear that they are being met. The junior Minister referred to them as developmental targets, which they clearly are. They have to be the start, not the end. One would like to think that, as we move on and gain more experience, we would have even greater success in accessing moneys that may well be available to our local economy.

4.30 pm

There are Members of this House who were involved in, for example, the European partnership boards, which were established in the mid-1990s. I know that some people are

opposed to the peace process, so they would not have been supportive of the EU Peace funding. Hand on heart, I would not say that all that money was spent wisely or totally successfully, but I would clearly and fundamentally argue that it was a critical element of building the peace process that we now largely enjoy, notwithstanding the setbacks and difficulties that surround the whole process that we are involved in. Many of those who were involved in those district partnership boards back in the early and mid-1990s and who travelled to Europe, probably for the first time, to speak to commissioners, directors-general and so on would have regarded the differences in the figures involved as eye-watering.

For me, the Peace funding was one of the very important beneficial aspects of being involved in Europe because it allowed communities here and adversaries to work together to tackle real, live problems in their areas. As I said, I do not hesitate to say that all those moneys were as wisely spent as they might have been, but what Department can say that anyway about any of their budgets? It was a very important building block for the process that we have now, and it allowed people to train and get the capacity to draw down funding.

We have always had difficulties where Governments do not draw down the types of funding that they can have available to them, but there is no doubt that, in recent times, the Executive, with the increased target and the direct engagement between the First Minister and the deputy Minister, the Barroso task force, Máire Geoghegan-Quinn and the work of the junior Ministers and the MEPs, a tremendous amount of work is under way. In that regard, I commend my party colleague Martina Anderson for the work that she has been doing; that is not to suggest that the other two are not doing it, but other parties will speak for themselves.

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

Mr Maskey: A tremendous amount of work is being done to ensure that we give ourselves the capacity across all Departments. On that basis, in the spirit of our amendment, I commend all the Ministers and their Departments, people from the business and community sectors and all the others who have been battling for this region and getting money —

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

Mr Maskey: — and who will look forward to getting increased funding.

Mrs Overend: I thank our party leader, Mike Nesbitt, for proposing the motion. As he said, it is about how economically competitive we are in drawing down funds in the European Union. As Mr Cree said earlier, we compete with each and every member state for precious funding, and our ambitions for our Province and our people must, at least, match theirs.

The Executive have indicated their ambition to achieve around double the current drawdown levels, and the Republic of Ireland has indicated its ambition for €1.2 billion in comparison with €100 million in Northern Ireland. I believe that we need to do more.

Ambition needs to come from the top, and it must not be left to our small and medium-sized enterprises as they do not have the resources to seek funding. The Executive,

therefore, must knock doors, open them and make sure that it is as easy as possible for our SMEs to access this funding. Indeed, I know that our own MEP, Jim Nicholson, has been instrumental in opening doors for this region and, during his parliamentary term, he has had a very good relationship with the Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn. We must commend him for his ongoing work.

In particular, we need to maximise the opportunities provided by Horizon 2020. The FP7 research and technological development projects funding period is winding up, but €80 billion will be available under the new Horizon 2020 research and innovation funding package between 2014 and 2020. The Republic of Ireland has clearly made great steps towards securing a high level of funding through FP7 and will seek to secure even more funding through the new Horizon 2020 programme. This overshadows Northern Ireland's hopes of securing €100 million. The Republic has done that through a range of measures, and, as Mr McGlone said earlier, we heard a lot about it through the Enterprise, Trade and Investment Committee.

They have taken measures that include multi-agency shared support for applicants; assistance being given at all levels, from application to the project itself; encouraging link-ups across Europe; having representatives working in the Republic of Ireland and Brussels; and government buy-in from all Departments. That form of joined-up approach ensured that, wherever a company or research organisation went to in the Republic of Ireland's government structures, it was sure to be greeted with information about FP7. You can be sure that the same will apply for Horizon 2020. We need that sort of approach. We can debate how effective it is to compare nations on the basis of the money that they receive overall or per capita, but it is really important to compare the structures in place here with the structures in other countries and compare how effective they are in securing funding.

Northern Ireland has taken steps to adapt its strategic approach in advance of 2020. However, Enterprise Ireland said in a briefing paper that was submitted to the Enterprise Committee that, although Invest Northern Ireland worked well with a small client base, it could be more ambitious, that Northern Ireland could learn from the Republic of Ireland's strategic approach and that the success of the approach was demonstrated by the return on investment.

At this stage, I will refer to some of the remarks that Members made. Mr Moutray talked about the Ulster Unionist Party blatantly promoting the Regional Development Minister, but, during the debate, we also gave the DUP the opportunity to talk up the Departments for which it is responsible, so I make no apology for that. We are happy to join Mr McGlone in asking for an update on drawdown targets. He said that a key aspect was the provision of information and that lessons needed to be learned with that. I appreciate that contribution. Ms Lo agreed with us about the need for more ambition. She referred to the Barroso task force working group and the need to see the work from that group on the ground. We certainly agree with that. Mr Robinson asked for clarification of the figures, but I believe that they were clarified throughout the debate.

I am not sure why the Sinn Féin Member Mr McAleer opposes our motion. From what I got, I think that it was because we were promoting the Regional Development Minister. However, throughout his contribution, he promoted the Agriculture Minister, so that is like for like.

I thank Mr Spratt for his insight into the work of Regional Development Committee, and I congratulate the Minister for Regional Development for taking notice of that work. The Minister and the Committee seem to be working well together. I am sure that the Chair of the OFMDFM Committee would welcome similar working together with his Committee.

Mr Dallat referred to work by the Regional Development Minister, listed the further work that needed to be done and asked whether we accepted that work. We cannot rest on our laurels, and work must continue. I believe that the Regional Development Minister has already opened doors and made contacts and is fully prepared to continue in his work. So, I appreciate Mr Dallat's contribution to the debate.

Mr Allister asked where the money came from. Indeed, it comes from Europe, but the focus of our debate is to get back as much money to Northern Ireland as possible.

In response to Mr Maskey, it is also worth noting that, after the Assembly election of May 2011, the Barroso task force working group was chaired by junior Ministers Bell and Anderson. One of the themed objectives of the Barroso task force working group includes engagement in European networks, allowing us to benchmark our performance and learn from best practice across Europe in the delivery of services to citizens and business. So, it is clear that benchmarking is something that we should do.

Ambition is a key message from today's debate. We have to think big, promote big and try to get better structures of government and better information available so that we can access as much EU funding as possible. We simply must see greater ambition for Horizon 2020 funding and greater facilitation by Departments so that third-party organisations can secure funding. The bottom line is that we are too dependent on the block grant from Westminster, and we need to seek other major sources of income that will allow us to be less dependent on it. We need to rebalance our economy, grow our private sector and increase our export markets. It is basic common sense.

In Northern Ireland, we have a domestic market of 1.8 million people, we have Great Britain a short plane or ferry ride away and a market of some 62 million people, and, of course, we have a land border with the Republic of Ireland and its 4.6 million people. Therefore, although we may be at the north-western edge of Europe, we also have access to a huge marketplace of almost 300 million people in the shape of the European Union. That potential marketplace combined with the funding available should be all the incentive we need to prioritise our efforts in that direction.

It is clear that the Northern Ireland Executive must further step up their efforts to secure future EU funding. I want to see the Executive engage in the battle to secure our fair share of EU funding, not just in Horizon 2020 but in all the competitive programmes. We owe it to the people of Northern Ireland to do that. I commend the motion to the House.

Question put, That the amendment be made.

The Assembly divided:

Ayes 72; Noes 11.

AYES

Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dallat, Mr Dickson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr D McIlveen, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr McAleer and Mr McKay.

NOES

Mr Agnew, Mr Allister, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Noes: Mr Cree and Mrs Overend.

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes the significant funding available for drawdown within the European Union; commends the Executive for setting an increased target for our drawdown; further commends those Ministers who have been successful in securing significant funding to date; and calls on the Executive to ensure that they maximise all potential funding opportunities from Europe.

Waste Disposal: BBC 'Spotlight' Programme

Mr Deputy Speaker: Order. *[Interruption.]* Members, if you have conservations, will you take them outside the Chamber, please?

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. The proposer of the amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. I am conscious that the Minister indicated during Question Time last week that a criminal investigation was ongoing. Therefore, I ask Members to be particularly careful to say nothing that might prejudice that investigation or any resulting legal proceedings.

Mr Boylan: I beg to move

That this Assembly recognises the issues raised in the recently broadcast BBC 'Spotlight' investigation into illegal waste disposal and other irregularities; and calls on the Minister of the Environment to establish an independent public inquiry into waste disposal in the north-west to ensure that public confidence is restored and to allay concerns that other illegal waste disposal sites remain undetected.

Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin seo agus an leasaithe. I will speak in favour of the motion and the amendment. However, I add that, while we support the amendment in principle, the motion is about the activities that were carried out in the north-west.

I welcome the opportunity to propose the motion on behalf of my colleagues. The motion has come about following the shocking revelations in a recent BBC 'Spotlight' programme, which exposed an illegal waste dump at Mobuoy on the outskirts of Derry. The programme makers and an independent report from Professor Chris Mills shed light on the indiscriminate burying of half a million tons of illegal waste that had gone undetected for years despite numerous complaints from local residents and stakeholders such as the River Faughan Anglers.

Given the extent of the dumping on this occasion, the cost to the public purse of cleaning up such sites and the environmental impact that such incidents could have, the programme's findings are a wake-up call to us all. It is now imperative that we grasp the opportunity to examine accurately what has happened, and that is why we are calling for a public inquiry into waste disposal practices in the north-west. That is what is required to restore public confidence; that is what is required to address the problem; and that is what is required to protect our environment properly.

5.00 pm

There are three elements to this site: a landfill site, a sand and gravel extraction operation and a materials recycling facility. On the first element, Derry City Council had planning approval for a landfill site and refuse tip dating back to 1980. In 1996, City Industrial Waste Limited was granted a waste disposal licence by Derry City Council for the deposit, transfer or disposal of specified material,

presumably on this site, according to Christopher Mills's report. Earliest indications of the second element — extraction of sand and gravel by Campsie Sand and Gravel Limited — dates back to 1993. The third element, a materials recycling facility, was created in 2004 adjacent to the quarry and landfill site.

A referral from Planning Service in February 2012 to the environmental crime unit (ECU) led to an investigation and the discovery of illegal waste. That investigation is ongoing. Following that, on 5 June 2013, the previous Minister commissioned a review by Professor Mills, and that was reported on in December 2013. This report will help to form the future direction for waste management, resource efficiencies and enforcement programmes. The terms of reference of that review were to review:

"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 only gap in that review was on the question of whether there were any other undetected illegal waste sites, particularly in the north-west. The review of this site covers an area that is 1.4 kilometres in length and varies in width from 100 metres to 500 metres and is adjacent to the River Faughan. This is certainly a very complex case involving three sites that are linked. It has, in essence, provided the ideal location and conditions for illegal dumping to take place.

There is a long history of non-compliance and enforcement actions at the site. The landfill site had been in operation from 1980, and a closure licence was issued in August 2008. From 2003 to 2013, NIEA's waste management team issued 37 actions, events or correspondence relating to non-compliant processes or materials and issued a notice to close the landfill site. Between 2008 and 2013, pollution prevention and control (PPC) staff carried out 10 inspections, issued two warning letters, five non-compliance issues and an instruction to the City Industrial Waste company to deposit no further material. Between 2004 and 2013, from when the licence was issued to the materials recycling facility to when it was revoked, 42 inspections were carried out, leading to nine warning letters, 17 notices and four licence suspensions for a variety of non-compliance issues concerning type, quantity and storage of waste. Campsie Sand and Gravel has been extracting sand and gravel since 1993 but has carried out extraction without permission for a number of years. The timeline provided by Planning Service from 2000, when its electronic recording system was put in place, to date contains over 1,000 entries relating to its regulation of activities at the Mobuoy site or in the adjacent areas. The bulk of these simply track the progress of correspondence or note consultations relating to a total of 27 planning applications received during this period.

Planning matters referred to NIEA for comment between 2003 and 2013 included 37 consultations relating to sand and gravel operations, waste or recycling operations and infrastructure.

Given the number of complaints and the amount of correspondence, alarm bells should have been ringing, blue lights should have been flashing and action should have been taken as far back as 2007. A significant opportunity was missed to address the matter in 2007. The first incident was reported to have taken place on 7 December 2007 when a member of the ECU stated, having made a site visit to Mobuoy to check out a complaint of noxious smells, that it was believed to have been reported by Derry City Council.

A further site visit was made on 20 April 2008. Two gas tests were carried out in an area outside the licensed site where, subsequently, waste was found to have been illegally dumped. The readings were high and, in the opinion of the officer concerned, confirmed the presence of landfill gas, which, it was concluded, could only be caused by degrading organic material. The officer brought that matter to the attention of the line manager and recalled suggesting an intrusive survey. However, for reasons unknown to the officer, the investigation was not progressed beyond that initial site investigation. At the beginning of 2009, the officer concerned moved to another section. However, the validity of the report has been questioned by a senior member of staff in the ECU, and no incident report has been located to confirm it.

The second incident occurred on 15 December 2008, when the Loughs Agency wrote to the NIEA to pass on the concern of the River Faughan Anglers that there was a possibility of some material outside the disposal category that may have been shredded and disposed of on that site. There was no response to that letter either. The final incident took place in April 2009, when illegal dumping of the material was discovered by the NIEA, mainly within the boundary of the licensed site but also extending slightly beyond it.

There are a lot of questions that have not been answered, and a lot of questions to be asked. I commend Professor Mills for his in-depth report on the matter. I recognise that it is a complex issue that spans many different bodies, including the Planning Service, the ECU, the PPC, the WMU, environmental health, local councils, LRM, NIEA and a raft of legislation and regulation. I will provide all of those names for the Hansard staff. Surely, with all of that legislation and all of the groups involved, someone somewhere had to take responsibility.

In conclusion, Sinn Féin is calling on the Assembly to support the motion and the amendment and to establish a public inquiry into what really took place at Mobuoy. When did it start, and how long had it been going on for? What exactly took place at the site? Where exactly did it take place, and is there anywhere else associated with or connected to the site? Why did it happen and why was it allowed to continue for so long, given the amount of non-compliance and complaints? Finally, who knew what, where and when?

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

Mr Boylan: Who allowed it to happen, and who was responsible? Sin a bhfuil le rá agam. That is all I have to say. I propose and support the motion on behalf of our party. Go raibh míle maith agat.

Mr Agnew: I beg to move the following amendment:

Insert after "west":

"and the rest of Northern Ireland, including the role unauthorised quarries and related planning enforcement issues played in facilitating environmental crime,".

I am delighted to move the amendment on behalf of the Green Party NI, and I thank the proposer of the motion for supporting the amendment.

With the scale of illegal dumping in Northern Ireland, it is unfathomable how such a level of criminality has been allowed to continue for so long. In 2004, the UK Environmental Law Association branded Northern Ireland the "dirty corner of the UK" and called on us to establish an independent environmental protection agency.

Is there something about Northern Ireland that makes us particularly criminal and particularly bad? I do not think there is something inherent. Yes, we certainly have a high level of organised crime, and the Mills report points to organised crime as being the cause of this criminality — I do not think there is any other way you could describe criminality at that level — but I believe that systematic failures and institutional neglect have facilitated waste crime in Northern Ireland. A lack of enforcement has left a hole for illegal dumping to fill. Waste crime has not been given the attention that it deserves and has not been taken seriously. The Department has failed in its duty to enforce environmental and planning regulations, and the judiciary has failed to impose sufficient fines as a disincentive when convictions have been secured against those involved. The proceeds of waste crime are astronomical, so we need fines and sentences that act as a genuine deterrent.

We need to send out a message that crime does not pay by ensuring that the polluter does pay. We have to take this seriously because the financial, social and environmental costs are serious. The Mills report highlights the 516,000 tons of waste dumped illegally at Mobuoy and points to a minimum of £34.6 million in lost tax revenue. It is worth pointing out that that was lost from the Mobuoy site alone. Mills identifies a total of 26 illegal sites across Northern Ireland, and that is one of the reasons why, through the amendment, I seek to extend the motion beyond the north-west, where there is, of course, a particular problem. This is a problem, however, that is spread across Northern Ireland. Mills estimates that it will cost the taxpayer £250 million to clean up the problem of illegal waste dumping in Northern Ireland. Add to that the cost of lost tax income, the cost of investigation and, should it come to it, the cost of possible EU infraction proceedings. The question is whether we can recoup those costs. Will that happen? I certainly hope that the Department, along with other agencies, will ensure that, if possible, that is done. However, our record is not good, and, ultimately, the public paid the price for the unregulated mining of the Cavanacaw goldmine.

Prevention is better than cure, so we need to look at what failures led us to this situation. The fact is that illegal dumping, on the scale that it took place at Mobuoy, could not have occurred had the Department stopped unauthorised mineral extraction. One of the best phrases that I read, and I came across it in the Mills report, was from the Planning Service, which said that it took a "positive approach" to enforcement. The idea was that the service would not enforce its regulations if it were felt that there would be a detrimental impact on the economy.

I cannot help but think that the £250 million clean-up cost will have a detrimental effect on our economy, particularly if it has to be paid from the public purse, as, unfortunately, may be the case. It seems to be a very political position for an enforcement agency to take, deciding that it will not enforce its regulations because of economic considerations. The policy of positive enforcement has shown that DOE's Planning Service has positively failed to enforce the regulations that govern planning. This political decision-making reinforces the need for an independent environmental protection agency.

The failure to enforce planning has been further highlighted. I raised with the Minister the question of how many of the sites at Mobuoy that did not have planning permission did have discharge consents. Six of the unauthorised quarrying sites had discharge consents. You have to wonder why the operators felt that they could operate without planning permission but not without discharge consents. It sounds to me as though the Department enforces discharge regulations but has taken a lax attitude to planning, and we have had a culture of retrospective regulation of unauthorised sites. Planning has been taken very lightly by those in the mineral extraction industry.

5.15 pm

The EIA directive requires an environmental statement before any quarrying can take place. Yet, again, unauthorised quarries have been allowed to continue to operate without any sanction from the planning department and without any environmental statement. Why has the Department not been enforcing the EIA directive? In my view, this is a systematic failure of institutional neglect that has facilitated illegal dumping in Northern Ireland.

As well as the financial costs of the illegal dumping that has taken place, there are social and environmental costs. Again, if we look at the Mobuoy case, we see that the western edge of the dumping site stretches for 1.4 kilometres along the River Faughan, which is a special area of conservation. One kilometre downstream of the site is where two thirds of Derry's drinking water comes from. So, it is important to ensure that we keep those waterways clean for safe and clean drinking water and for the protection of people's health. The site also borders a special area of conservation with internationally important populations of Atlantic salmon and river otters. Indeed, the Department has shown poor performance with regard to the protection of special areas of conservation, with 33 out of 54 designated sites being in an unfavourable condition.

It is clear that we need a public inquiry across Northern Ireland to look at those issues and not just one site; indeed, not just the north-west, although I acknowledge the scale and the importance of looking at the illegal dumping in that area. However, Mills identified 26 sites across Northern Ireland, and that might not be an exhaustive list.

We must look not just at the illegal dumping but at the failures of governance that have facilitated the criminality. Obviously, this is an issue that will take some time. I have this question for the Minister: will the problems of unauthorised quarrying be passed on with planning to local councils? I believe that this is a legacy that local councils will not want to inherit.

We need a review of mineral permissions as required by the habitats regulations, and we need to end the culture of retrospective regulation of planning applications for mineral extraction.

Back when the Northern Ireland Environment Agency was established, Arlene Foster said:

"I, and my party, take the role of environmental governance too seriously to externalise the organisation." — [Official Report, Bound Volume 31, p2, col 2.]

Now, given that we have seen the failures of environmental governance in Northern Ireland, I and the Green Party take environmental governance too seriously to leave enforcement in the hands of those whose idea of positive enforcement is to positively ignore enforcement regulations.

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

Mr Agnew: We need an independent environmental planning agency, and I believe that a public inquiry into those issues would draw that conclusion.

Mrs Cameron: As a member of the Environment Committee, I support the motion. Illegal waste disposal is not only an unsightly blight on our landscape but has a further cost to society regarding health and wealth. Evidence suggests that the crime is not happening on an ad hoc basis but instead is connected with organised crime. It leads me to ask this question: when will law and order authorities in Northern Ireland get a grip on organised crime and those who profit from it?

Mr Humphrey: I am grateful to the Member for giving way. The Member makes a very salient point. Following the questions that were answered by Drew Harris at the Justice Committee only a couple of weeks ago around the issue, does she agree that the full extension of the National Crime Agency to Northern Ireland, where it could deal with waste crime, drugs, black-market trading, human trafficking and paramilitary activity, is vital to the point that she just made? Should all parties in the House not be agreeing to the full extension of the National Crime Agency to Northern Ireland urgently?

Mr Deputy Speaker: The Member has an extra minute.

Mrs Cameron: I thank my colleague for that intervention, and I fully endorse his remarks.

Mr Eastwood: Will the Member give way?

Mrs Cameron: I want to continue, if you do not mind.

As we have seen with illegal fuel, not only is the number of arrests pitiful but those who are arrested end up with little or no punishment through custodial sentences. So, the message that is sent out to the perpetrators of organised crime is clear: profit is great and risks are low, so carry on regardless. Given that organised crime is widespread and convictions are few, it is not surprising that people will continue to seek and to exploit a system that appears to be overly complicated and does not work as it was intended.

The Mills report from last December highlighted that there are various weaknesses in the current system that allow criminals to take advantage of a system to make quick money. Mills noted that the current system of investigation

is very weak and not fit for purpose. That is supported by the fact that locals in the north-west reported concerns about an illegal waste site up to six years before the site was properly investigated. Imagine reporting a criminal act and having to wait six years for that act to be investigated. Simply because the crime is of an environmental nature and is not against an individual person does not make it any less of a crime. I am also very concerned that the Mills report concluded that the penalties for that crime are neither robust nor reflect the serious nature of the crime. In fact, on reading the report, it appears to me that, more often than not, the punishment appears to be little more than a slap on the wrist, as opposed to a real deterrent.

Reducing our waste is a directive from the European Union. Yesterday, we noted how the average person in Northern Ireland makes efforts to recycle waste and to use the right carrier bag etc. On the other hand, however, organised illegal dumping is allowed to go unchallenged. Frankly, that makes a mockery of ordinary individuals' efforts. Illegal waste disposal undermines the efforts of society as a whole to act responsibly with waste. It places people's jobs at risk in those companies and individuals who comply with the letter of the law in their profession and places the health of those who live around the illegal dump sites at risk. We need to act now to tighten up on the policies, procedures, investigations and prosecutions on those issues. The public need to feel confident that, when they report their concerns, those reports are taken seriously and investigated fully to determine whether there are cases to answer. When a person or company is convicted of acting illegally, we must also ensure that the sanction is seen to be appropriate to the crime. Only by doing that can we be seen to be doing the right thing on waste disposal. I support the motion.

Mr Eastwood: I was absolutely devastated and extremely angry when I saw the extent of this illegal activity on the outskirts of our city. It was clear to me and to anybody who looked at it that this was a highly organised and developed criminal enterprise and that those involved had been allowed to get away with vandalising and devastating our local environment for far too long. I was glad to see at that point — I think that it was on 5 June — that the then Minister Alex Attwood acted immediately to revoke the licence of one particular company on the site. The 'Spotlight' programme was very important. However, it did not break the story: this story had been running for quite a while.

I am very conscious that a criminal investigation is ongoing, but it was very disconcerting to find that some people who were featured in the 'Spotlight' programme seemed more concerned with the state of a green on a golf course than with the wildlife or drinking water in my area. I found that very disconcerting indeed. I think that it has to be remembered that, although it is clear that massive mistakes were made in the lead-up to this that never should have happened, the Minister will say, and has already said, that those mistakes were the result of systematic failings. He has already proposed, and will propose, I am sure, further changes in his Department to ensure that those types of failings never happen again.

It is true that those failings were not only in the NIEA or anywhere else but there was massive failure right across. The Justice Department needs to look how it has responded. The Member who has just left the Chamber told us about the great work that the NCA could do in this

field. Unfortunately, the Serious Organised Crime Agency (SOCA), the organisation that preceded the NCA, did absolutely nothing on waste crime in Northern Ireland and nothing to stop those kinds of activities happening.

Lord Morrow: So are you going to support the NCA?

Mr Eastwood: I will give way if you want.

Lord Morrow: No. I will speak on it later.

Mr Eastwood: Silent once again.

Mr I McCrea: Will the Member give way?

Mr Eastwood: Gladly.

Mr I McCrea: Maybe it is the Members on these Benches or those on the Benches opposite who are confused; I am sure that the Member will tell us. If SOCA did nothing, as the Member claimed, — I think that Mr Maginness nodded that that was the case — can he tell us whether that would be a good enough reason not to support the NCA if it had the power to deal with this? Surely we should work to ensure that the NCA has the power to deal with it rather than say that, just because SOCA did nothing, we are not going to support the NCA.

Mr Deputy Speaker: The Member has an extra minute. Can he come back to the debate and the issue?

Mr Eastwood: I will attempt to get back to the debate presently, Mr Deputy Speaker.

My party is very proud of its record in ensuring that, after a long period of misrule in policing in this part of the world, accountability was put into the policing structures in Northern Ireland. We will not stand over a situation where accountability is removed from local policing or any other type of policing in this part of the world. I know that the Members opposite would be very glad to see that happen, but we will not stand for it.

I will get back to the point, Mr Deputy Speaker. The Minister at the time, Alex Attwood, acted decisively and ensured that the company concerned lost its licence. Unfortunately, a lot of other people were silent on that at the time. There was understandable concern about job losses but very little concern about the impact that the waste would have on our environment. The manner in which some of the employees were treated, not, I add, by the Department, left a lot to be desired. I am aware that I need to be careful not to stray into matters that are sub judice.

The Mills report was a robust, independent report on that activity. The Minister has been very public and open about the Mills report and said that he will act on its recommendations. I am sure that there will be announcements on that in the next number of weeks.

We have to be serious. If we want a proper public inquiry, let us have one. Let us have a proper public inquiry into every organisation that should be in charge of waste crime generally in Northern Ireland. Let us see everybody in the dock. Let us talk about fuel laundering and about the waste crime that has happened across Northern Ireland that should not have happened. It is clear to me and to anybody looking at it that this is highly organised crime that should not be allowed to continue and to profit on the back of people in Northern Ireland. The SDLP will not be found wanting when it comes to opening up any Department

or organisation to full and proper scrutiny. I hope that everyone else will do the same.

Mr Elliott: I welcome the opportunity to speak in this debate. Mr Deputy Speaker, I recognise your words of caution at the start about the legalities of the matter. I wonder why the 'Spotlight' programme is mentioned in the motion, given that the problem was going on long before it. It has been debated in the Environment Committee and raised in questions here. Anyway, I am sure that there is a reason for that.

This is not new. Widespread illegal dumping throughout Northern Ireland has been going on for years. Coming from Fermanagh and South Tyrone, I know only too well the cost to the environment and to the community of huge amounts of waste material being dumped illegally. I know that there was an agreement between the Northern Ireland Executive and the Republic of Ireland Government to repatriate some of the waste and share the cost.

It appears to me that, for far too long, NIEA, and its predecessor the Environment and Heritage Service (EHS), has concentrated too much effort on minor discrepancies and picked easy targets to clamp down on. I am talking about building contractors who have stored material that they can use later on another site or farmers who have moved a small amount of soil from one field to another. At the same time, big-time criminals are allowed to make huge amounts of money from the illegal dumping of waste.

5.30 pm

Resources have been targeted wrongly. I am aware of small businesses being closed because of the heavy-handedness of officialdom while millionaire criminals go unpunished. That has been a major fault with the process up to now. I hope that the Minister is taking action to resolve that, to turn the tables on those big-time criminals and not to concentrate as much on the easy pickings.

We also witness similar pollution dumps being created by fuel launderers, and there is no determined action to put such criminals out of business. They make millions on laundered fuel and dump the waste. Who has been caught? Who has been prosecuted? There are major questions to be answered.

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

Mr Humphrey referred to the benefits that the NCA could achieve. Some parties refuse to agree to the NCA working in Northern Ireland. I hope and am sure that, as with many other issues, those parties will come to their senses, realise the error of their ways and accept the National Crime Agency's work in Northern Ireland, as it has been accepted in the rest of the United Kingdom.

The motion and the amendment mention a public inquiry, and I am content to support the Minister considering a public inquiry. However, what will it inquire into? Mr Eastwood quite rightly referred to how wide-ranging and big that inquiry could become. A proper public inquiry into the illegal dumping of waste would need to be widespread. Let us not look at the small issues only. I do not know whether the Department of the Environment can afford such a huge task. The starting point is not a public inquiry; it is directing resources properly into investigating big-time criminals and making sure that they are caught at source. I am aware of reports of huge amounts of dumping, but

there was a reluctance and a delay in acting to clamp down on that, whereas the Department is quick to move on small amounts of dumping and minor discrepancies. There must be a balance and proper targeting.

Mr Flanagan: The Member talks about millionaire criminals being behind some schemes. Some schemes are operating in Fermanagh, where materials from former British Army barracks have been dumped illegally and are not being addressed by the Environment Agency. The Member spoke about the Environment Agency's "reluctance" to deal with these issues. I raised them with the Environment Agency and cannot get it to respond. Does he share my concerns over that?

Mr Deputy Speaker: The Member has an extra minute.

Mr Elliott: I welcome the Member's intervention. I do not think that the army dumped material. I understand that contractors were paid to take it away and dispose of it properly. If contractors cannot do that, it is entirely up to them. Of course, the IRA was quick to make loads of waste material in past years by trying to bomb the bases and other such establishments out of Northern Ireland. I do not think that the Member has anything great to crow about in that some people in his party were responsible for destroying parts of Northern Ireland.

Ms Lo: Waste crime is not new to Northern Ireland, but the illegal dump at Mobouy Road that 'Spotlight' highlighted was on a scale that we have never encountered previously. The estimated amount of illegally deposited waste is over 500,000 tons. Such a volume is staggering, and its close proximity to the River Faughan is very concerning. Although early readings from the river have not shown any significant impact, it will need to be continually assessed to determine the longer-term impact.

The comprehensive Mills report on the illegal dumping at Mobuoy sets out a list of useful recommendations, which I hope are being implemented by the Department. A disturbing finding shows that reports about noxious smells in the area were made to the NIEA in December 2007 but no action was taken. As others Members have said, this crime could have been stopped six years ago had it been investigated at the time. I understand that the clean-up of the site has begun and experts engaged to determine the best option for dealing with the waste. We may have to leave it in situ.

We know from a freedom of information request that the NIEA's spending on recruitment agencies has more than doubled in two years. Has the impact of replacing a large proportion of permanent staff with temporary workers been assessed? The Mills review states that not all regulatory officers possess the right aptitudes. We should ascertain whether that has had a detrimental effect on the agency's effectiveness. If there is to be a public inquiry, perhaps that should be included in the terms of reference.

The Mills review makes the point that some existing powers granted to the NIEA by the Waste and Contaminated Land (Northern Ireland) Order 1997 appear to have been underused or not used at all. Surely all the powers granted by the Order should be used to fight criminality. A recent FOI request asked how often the NIEA had used powers under the Regulation of Investigatory Powers Act 2000, which allows public bodies to carry out surveillance and investigation. It seems that some RIPA

powers have not been used in over two years. Has the NIEA abandoned that tool for investigating crime?

We need to tackle environmental crimes more effectively. We need to deal with the fragmented regulatory system in which our government officials work by taking a more joined-up approach across and within Departments. Having discussed the scale of criminality in the waste industry with my party colleague the Justice Minister, I know that he is clear that there is a sizeable criminal element in the Northern Ireland waste industry and that, unfortunately, a proportion of those involved have links to organised crime and paramilitaries. I understand that Minister Ford has held discussions with the Environment Minister on how best to tackle this.

I have to mention again that there is a real issue over the inability of the National Crime Agency to operate here in devolved areas, including environmental crime. If we are serious about tackling organised criminality, including that in the waste industry, we need to utilise all the resources and expertise available. Not having the NCA for political reasons harms our efforts.

I support the call for a public inquiry, but we must not assume that that alone will solve the problem of illegal waste disposal. We need to reflect on the lessons that we have learnt and the practical measures that we must take to ensure that further incidents are prevented. I support the motion and the amendment.

Lord Morrow: If the House is taken seriously on tackling crime, it will have to change its forte a bit. I noticed that, when Mr Eastwood was challenged about the lack of support his party gives to the creation, establishment and working of the NCA here, he got very prickly. He then failed to elaborate in any great detail on why his party took that stance, other than to say that, because SOCA did not succeed, the NCA would not succeed. I think that that was the implication.

The motion before us probably does not go far enough. That said, we, as a party, will support it so far as it goes. The illegal disposal of waste has become a very big issue, and I suspect the revelations to date are but the tip of the iceberg, whether it is the disposal of the type of waste that prompted this motion, the remnants left from diesel laundering or plastic bag disposal. This House took very definite action against plastic bags but, when it comes to dealing with a crime of this scale, we just do not seem to be up for it.

Mr Agnew: I thank the Member for giving way. To his list of areas that we need to tackle, would he agree that we need to look at unauthorised quarrying as another arm that facilitated this crime?

Lord Morrow: I am a strong supporter of the rule of law, whether in south Armagh, which is now recognised as one of the diesel-laundering territories, in quarrying or the disposal of waste that has been imported from another country and dumped here. I assure the Member and the House that I fully support all efforts in the drive against that sort of activity. I want to make that clear, and I hope that the Member accepts that. I do not care where the illegal activity is going on; I support the rule of law.

We cannot be half-hearted about this. Unfortunately, in the House, no matter what issue we debate, whether it is illegal dumping or human trafficking, everybody will stand

up and say that they are opposed to it, but then you wait for the row of "buts". You will hear 40 or 50 "buts" as to why they cannot go the distance. We have heard the "but" about why they cannot support the NCA, yet the absence of the NCA operating here in Northern Ireland blunts the drive against this sort of activity.

We had waste imported from the Republic of Ireland to my constituency of Fermanagh and South Tyrone, particularly in the south Tyrone area. I will be fair: the Minister at that time, Mr Attwood, took action to ensure that that waste was repatriated to where it had come from. However, I suspect that none of us will ever fully appreciate and understand the cost incurred — that is not his fault; I am not laying blame at his door — not only in pounds and pence but in hurt to the environment. We can take the environment seriously, or we can play about with it. We can all say that we are great environmentalists but, when it comes to the bit, are we?

I lifted a very useful paper provided in the Library, which states that a key intervention should be:

"To create a more robust regulatory service and regime which is designed to deal with criminality at all levels."

Is that what we are doing? I suspect not. I am a wee bit tired of listening to people who stand up and ask for criminals to be released from prison and for some of our play parks to be named after criminals but who tell the House today, "Oh, we are all opposed to criminality. We are, to be sure". They are not fooling the general public one little bit. If we are going to take the issue of the disposal of waste seriously, I suspect that there will be some hurt and pain.

When we hear about the diesel-laundering plants, do we ever hear of anybody being arrested? It escapes me if we do. I do not hear of any arrests. I wonder why nobody is arrested for operating the diesel-laundering plants. Surely to goodness, they cannot all be run by bogeymen — anonymous individuals who just melt into the environment. When the powers that be catch up with them, they are not there. Why are they not there? Where have they gone? There is a duty on the House and those of us who call ourselves legislators to be totally, not partially, on the side of those who enforce the law in this country. Until we get to that stage, we are not going to make progress. If there are unpleasant and difficult decisions to take, whether on diesel laundering, waste disposal or human trafficking, we must take them; I do not care what the crime is. The half-hearted stance that the Assembly has taken to date on a whole lot of these issues is to be deplored, and I regret that.

5.45 pm

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

Lord Morrow: I will, and I implore the House to be a bit more sincere. Only then will we get more respect from those who put us here.

Mr Milne: Go raibh maith agat, a LeasCheann Comhairle. I support the motion and the amendment. In moving the motion, my colleague, Mr Boylan, outlined the background of the issue in some detail and the rationale for bringing it before the House today. I want to focus my contribution on the need to move beyond the 'Spotlight' programme and the review by Mr Christopher Mills and to restore

public confidence. Equally, I want to acknowledge the contribution that both have made in bringing the issue to the fore.

The review and the media attention on the issue have exposed the scale of the illegal dumping and the catalogue of failures by the NIEA. The lack of joined-up thinking by the various agencies in the Department seems hard to believe. It would appear that confusion reigned when it came to responsibility, and in the aftermath of the Mills report there is a dire need for a robust change in NIEA. Now is the time for the Minister of the Environment to consider the establishment of an independent environment protection agency.

Over the past number of years, we have had many excellent initiatives aimed at encouraging recycling and waste reduction. Recycling centres and the blue household bins have been a huge success, and great efforts have been made at council level to work towards and meet EU landfill targets. Discoveries such as the site on the Mobuoy Road fly in the face of this positive work and leave questions as to whether the targets have been achieved or whether we are now further behind than ever before.

The Mills review is a detailed and informative piece of work, but its findings raise many unanswered questions. Why, for instance, despite all the warning signs, numerous complaints and a long history of non-compliance, did the site remain operational for so long? Why were the companies who were able to tender so low not scrutinised more? What are the consequences now of disturbing this waste material, and could the process of moving it be more environmentally damaging? What, ultimately, will be the cost to the public purse, and where will the money come from?

Crucially, if, as is suggested in the Mills report and that of Professor Sharon Turner and Ciara Brennan, the current conditions in the waste industry are wide open for exploitation by organised criminals, there is every reason to be concerned that the problem extends far beyond the Campsie site. Given the inadequacies in the Department's approach to date, how can the public have any confidence that Operation Sycamore will be any more effective than NIEA?

We need to tackle the issue of small and large-scale illegal dumping. If the NIEA cannot or will not deal with fly-tipping on rural roads, what faith can people have that it will deal effectively with large-scale operations such as the one we are discussing today? We need openness and transparency now, and we need to give people and groups the opportunity to come forward and have an input. The best way to do that is through an independent inquiry.

Mr I McCrea: As my colleagues have said, we will support the motion even though, as Lord Morrow said, it probably does not go far enough.

I agree with Tom Elliott who said that, as all Members know, this has been going on for many years. It is not a new thing that has just happened because 'Spotlight' got hold of some information and decided to do a programme on it. It has been going on across Northern Ireland for many years, in my constituency and in other constituencies that have been blighted by this issue. However, whilst we accept that this is a problem in our society, the issue around how we deal with the clean-up has not been given enough focus. Most Members around here have been on councils during some part of their career and

will know that, when those issues come before councils, they are very delicate and difficult to overcome. Under the Waste and Contaminated Land (Northern Ireland) Order 1997, councils have the option to clean up a site but have no legal sanction to allow them to go after the person responsible or, indeed, the landowner, if they are not aware of who carried it out. The difficulty is the cost that that brings to ratepayers. That point is sometimes lost when this is debated. On the other side, under the same Order, the Department has the power to take the legal action, clean it up and then pass the costs on to those responsible. It is important that we consider that as we debate this.

It was not during his tenure, but the Minister will be aware that, just over a year ago, the fly-tipping pilot was introduced with local government and the Department. As far as I am aware, about half the councils came on board, and that allowed councils to deal with the minor fly-tipping issues and the Department to deal with the more sinister types that Members have referred to, such as the tipping of waste and, indeed, fuel laundering. If the Minister has more information on that, he could give it to us, because I believe that a review is due at the end of this month. The outcome of the review should be that the Department fully resources any future process because, if it does not, the other 50% of the councils that were involved will be looking at whether or not this will have the proper resources and, unfortunately, if not, I feel that it will go backwards rather than forwards. It is important that, as we deal with illegal dumping — a number of colleagues around the Chamber referred to the NCA — it is not enough for us, as an Assembly, to pick sides of the House to support this or not. It is too important that we get to grips with the issue of the assets of the people who are responsible for this. Therefore, I support the motion.

Mr A Maginness: Like others, I was very shocked by the revelations in the 'Spotlight' programme. Of course, the programme merely highlighted what we had known before, but, nonetheless, the visual impact of it was quite devastating and shocking to everybody who viewed it. It highlighted the skill and the resources that criminals put into a criminal enterprise such as the illegal dumping of waste, and it illustrates the huge profits that there are in such criminal activity. Of course, that is an unintended consequence of the measures that we have taken in this society and throughout Europe to deal with the problem of waste.

The key policy driver has been to reduce waste in Northern Ireland and across Europe, and that is achieved through the landfill tax. However, the use of lowest cost tenders makes it easy for criminals posing as legitimate waste contractors to undercut legitimate businesses. One of the ill effects of these criminal enterprises is to undermine honest, hard-working people who are involved in the legitimate side of this business.

Mr I McCrea: Will the Member give way?

Mr A Maginness: Yes, I will.

Mr I McCrea: The Member makes a very important point. Will he not also accept that, as other Members have said, the lack of prosecutions does not really put fear into those people, who are intelligent criminals who really know what they are doing? Their lack of fear of prosecution allows them to undercut people.

Mr A Maginness: The Member has either been reading my script or scanning my brain, because that is exactly what I was going to say. *[Laughter.]* I agree with Mrs Cameron's particularly forceful comments on dealing with the criminals. First, the detection rates are too low. Secondly, after the laborious efforts of the Environment Agency and all the rest — the police and so forth — when people are brought to court, the penalties imposed are grossly inadequate. The monetary penalties have to be severe. I am not concerned about imprisonment, because I do not think that it works for this sort of crime. The greed is such that they prefer to go to prison, stash their money away and reap the benefits when they come out. The important thing is for the courts to realise the damage being caused to the environment and the extent of the profit being made by the criminal gangs.

There is a paramilitary element in all of this. Of that, I am quite certain. Not only do we have criminal gangs, we have criminal gangs with a paramilitary dimension, and who knows what paramilitary activity the money is being used for? We have a very dangerous situation that needs to be tackled.

I commend the previous Minister. When the situation was exposed, he acted quickly, revoked the licence and set about trying to address the issue. Of course, half a million tons of waste had been disposed of illegally, which is a massive amount. As ordinary citizens, we have to pay the price for cleaning that up. It is an extraordinary situation.

We must learn the lessons. As Mr Eastwood said, if there is to be an inquiry, let us make it a thorough and widespread one that covers all the areas mentioned during the debate. We must get to the very root of the problem, tackle the criminality and use our best efforts to bring the criminals to book. I think that, collectively, we can do that. There is enough goodwill and collective effort here to support the Minister, the Department and the Executive in having a coordinated and comprehensive attack on this crime, which does so much damage to our society and our environment.

Mr Durkan (The Minister of the Environment): Mr Deputy Speaker, thank you for the opportunity to respond to the debate.

I fully understand the concerns that have been voiced about waste crime. It is a serious and widespread problem here in the North and elsewhere. The real and potential damage to the environment from the type of waste dumping uncovered at Campsie is enormous. The financial loss to government, legitimate businesses and taxpayers is immense, as those moneys go to line the pockets of criminals who have nothing to offer and are fully intent on furthering their self-interest.

What I could not understand before today is why Members were proposing that there should be a further inquiry into the problem. As they are well aware, a full and independent review has been conducted and a full criminal investigation is under way.

6.00 pm

Last June, when my predecessor received the results of an unprecedented investigation into allegations of large-scale criminal offending involving the disposal of waste, he took decisive action, which I must say, as Mr Eastwood did, was criticised by some in this House. In fact, it was criticised

by those who tabled the motion today. In fact, up until the airing of 'Spotlight', Sinn Féin's interest in this issue was minimal, or maybe it had more of an interest than it let on.

One of the first things that Mr Attwood did was to instigate an immediate and independent review. He appointed the former chief executive of the Welsh Environment Agency, Chris Mills, to undertake the review. Chris Mills had the experience and credentials to be able to critically review the circumstances of the problem and recommend how to deal with it. Mr Mills carried out his review and presented his report to me in December. Members have seen it, or, at least, have access to it because I released it only a few days after receiving it to allow public debate on its important findings. The findings are comprehensive and the recommendations are comprehensive to ensure improvements in tackling waste criminality and waste dumping. In my view, it will, as the motion states, ensure that public confidence is restored.

A further study, as called for in the motion, is not essential and could simply be a distraction and a waste of public money. As Members will know, setting up a statutory inquiry, if that is what those who tabled the motion are calling for, will undoubtedly require substantial financial resources to pay for the panel, legal costs, expenses for witnesses and the like, and the staff resources needed to service the inquiry. It will also take time to conduct the inquiry, and experience shows us that these inquiries take considerable time to complete. We do not have that luxury. So, the key question is this: what would another inquiry produce beyond what has been produced by the Mills report and will be produced through the live criminal investigation? I venture that it would not add much of significance. What we need to do is devote our resources to taking immediate action and implementing the Mills report findings, not divert them into producing a review of a review, and to assisting in the criminal investigation in any way we can.

As I said during Question Time last week, when I got the Mills report, I directed my officials to prepare plans to implement the report's recommendations. I will outline those plans when I issue my response to the report later this month. However, as I said, time is of the essence. While the report findings are being assessed, I have committed to a major sustained effort to tackle the serious, widespread problems in Northern Ireland waste management and to fix them.

A key theme in the report is that the various government bodies involved — the Department, NIEA and local councils — need to strengthen the way that they work together. That needs to be in everything from stopping waste being created in the first place to properly regulating and managing the waste that is created and driving criminality out of our waste sector. That is why I am working closely with Terry A'Hearn, chief executive of NIEA, to drive major change in the way that the agency works. The agency is now working much more closely with local councils to ensure a strong combination in the way that councils manage their waste and the way that NIEA regulates and enforces waste work. That will help all waste operators to understand that central and local government are working together and expecting major improved performance and full compliance.

I am also looking to ramp up partnerships with business to stop waste being created in the first place, by treating their

so-called waste as the valuable resource that it is. That will help their bottom line. This will reduce the supply of waste for criminals.

I am developing a better regulation Bill so that good, compliant businesses are freed of pointless red tape and regulatory resources can be redirected to those who do not comply. That is an issue that Mr Elliott touched on.

A review of key legislative powers, such as who is a fit person to hold a waste licence, is also under way. I have also increased the number of enforcement experts in the NIEA environmental crime unit and I have increased the number of waste crime investigations.

In the context of Mr Agnew's amendment, I will say that the DOE planning enforcement policy allows for unauthorised development to be remedied in a number of ways, including by way of a retrospective planning application. Those applications include mitigation, assessment and conditions that allow development to be carried out in acceptable manner. Where development is —

Mr Agnew: Will the Minister give way?

Mr Durkan: I do not have time, Steven; sorry.

Where development is considered unacceptable, formal enforcement action will commence. I also emphasise that there are a number of enforcement cases and applications relating to Mobuoy Road, which the Department is taking forward with the environmental crime unit in the NIEA. I am not going to stand here and try to defend the indefensible. Huge mistakes have been made, and they were referred to today. It is important that we learn from those mistakes and ensure that they never happen again. Huge gaps have appeared, and it is important that we do not allow them to exist to be exploited again.

Recently, I announced that minerals and planning were among my top priorities. To that end, I have allocated more resources to the team in planning headquarters that is dealing with minerals. Believe me, it has plenty to do. In response to your earlier question, Mr Agnew, I am determined that that is done before the transfer of planning to councils.

Work has commenced between Planning Service and the environmental crime unit to look at unauthorised quarries, identify common concerns, share information and target resources better.

I will respond to some of the points that other Members raised. Mr Boylan stated that the only gap in the Mills review was in whether there were any other illegal dumping sites in the area. If that is the only gap, I have to wonder why Mr Boylan is calling for this further report. Maybe he is calling for it in the vain hope that I will refuse it. Mr Boylan said:

"alarm bells should have been ringing".

He also said that the failings to respond to those alarm bells highlight systemic failure. Certainly. He asked why it happened. My answer is that it happened because gaps exist, and, where gaps exist in legislation, regulation and enforcement, there will always be those who are willing, ready and able to exploit them for their own gain. It is up to us to close those gaps. Organised criminal gangs have run rings round the responsible authorities, and we will never make it as easy for them to do so again.

In the green corner, Mr Agnew said that we had been described as the "dirty corner". As always, Mr Agnew raised some very pertinent points. He said that waste crime of this extent could not have occurred had action been taken on unauthorised extraction. I agree. Those working in planning at that time must ask themselves why none was taken, and we must ask them, too. Mr Agnew said that the clean-up could possibly cost £250 million. That is the highest figure I have heard yet. I do not think that this problem needs to be exaggerated; it is big enough. However, like him, I would certainly like to see the polluter pay.

Mrs Cameron spoke in disbelief about the fact that no action was taken over six years between the irregularities at the site being reported and the point at which they were investigated. Hopefully, that is recognition that any positive action that has been taken has been taken by an SDLP Environment Minister.

Mr Eastwood referred to employees who have been treated with the same disdain as the environment. Just this week, I was contacted by a contractor who is still owed thousands of pounds by this company.

Mr Elliott referred to the fact that this was an issue before 'Spotlight', which is true. He, like Mr Eastwood, also referred to fuel laundering. I have met the Justice Minister on that issue and on the need for more stringent sentences to act as a better deterrent against that type of crime. He questioned who would pick up the Bill for the further inquiry. I will need to get extra resources from the Executive for that, and I look forward to all-party support in my attempts to do so. We cannot afford to throw more money into a hole in the ground, if you will pardon the expression.

Ms Lo spoke of possible paramilitary involvement. Lord Morrow referred to the positive and firm action that the House has taken against plastic bags. I am sorry that he has left, because I would have loved to remind him that it is all carrier bags and not just plastic bags. *[Laughter.]* We need to be realistic. Widespread, trans-sector problems cannot be fixed overnight; the BBC 'Spotlight' programme simply confirms that. I am tackling these problems head on with actions that address problems throughout the system. I am not taking the easy way out by putting in place a few piecemeal actions and pretending that that will sort the problems. I am doing what I can now to overhaul the system and will use the findings and recommendations of the Mills report to guide me on what more I can do to make the waste sector a legitimate and economically strong one.

In my view, setting up another inquiry could delay any real action. However, my approach, and that of my predecessor, is grounded in openness and transparency. In the interests of openness and transparency, I will not, in principle, oppose the call for the public inquiry before us today. However, I will make three points in conclusion.

I must reiterate my view that I see little of value being added to the action taken to date — the action that I have pledged and the live criminal investigation. In fact, it may serve only to divert resources, take more time and delay taking the critical action needed to address the problem. If a meaningful public inquiry is to be established, it must go much wider than illegal landfill sites. It must include, as a couple of Members mentioned, fuel laundering and other

waste crime and focus on the organised criminals behind it all. No stone must be left unturned.

As I said, I hope that I will have the support of all in the House when I go to Executive colleagues to seek funding for that more comprehensive approach. I am mindful that the Executive have already committed £1.5 million, which we have spent on removing the waste at Mobuoy that posed an immediate health risk, and to employ 10 additional enforcement experts, who are fighting waste crime across the North.

In the interim, I will not sit on my hands doing nothing. I will continue to drive forward the recommendations for change and learn the lessons in the independent Mills report. Mr Deputy Speaker, my message to the waste criminals is simple and the same as your message will be to me: your time is up.

Mr Deputy Speaker: Well anticipated.

Mr Agnew: I thank all Members, including the Minister, for their contributions to the debate. A few Members, including Mr McCrea, Lord Morrow and the Minister, suggested that, if we are to have a public inquiry, the motion does not go far enough. The intention of the amendment was to broaden it out. Other issues such as fuel laundering have been raised. I lend my support to those who have called for wider issues, such as waste crime, environmental crime and organised crime, to be included in the inquiry. Involvement in those activities must be investigated fully and, to quote the Minister:

"No stone must be left unturned."

A number of issues have been identified, many from the Mills report. The systematic failures that have led us here have been mentioned as has the lack of enforcement of existing legislation. Problems with our existing structures were mentioned, and someone pointed out the failure of our judiciary to impose sufficient sanctions to act as a real deterrent to these crimes.

6.15 pm

We face a number of problems. We need to take measures to prevent such crimes in the future, and I welcome the comments of the Minister and of Mr Eastwood that these failures will not be allowed to happen again. I hope that that transpires. I also welcome the Minister's statement that I picked up during his speech that mineral extraction at Lough Neagh, which is taking place but has not been authorised, is to be investigated.

There is no doubt that a clean-up operation will be costly. I thought that my figure of £250 million came from the Mills report. I will have to check it, but I did not think that it was an exaggeration. The costs will be significant, and we will have to see whether we can recoup them. It is unlikely that we will recoup them all, so we have to accept that there will be a cost to the public purse. That is regrettable, and we must learn lessons from that.

The debate about the NCA came up again. The issue stretches into many debates, but we have to look at it. It is an issue for the police and the Justice Minister. In the absence of the National Crime Agency, what alternative does Northern Ireland have to fill that gap? It is regrettable that SOCA, the predecessor to the NCA, did not take waste crime seriously.

Lord Morrow said that the motion does not go far enough. He said that there was a hint of not only organised crime but paramilitary crime. He spoke of the need to condemn and, indeed, to fully pursue paramilitary criminals. He will certainly get my support and that of the Green Party NI. I welcome Lord Morrow's commitment to the protection of the environment. As he said, all crime should be fully investigated.

It is right that we take environmental crime seriously, and Mr Eastwood pointed out the impact on the wildlife in his constituency and to the drinking water supplied to his constituents. We should remember that, when we talk about the environment, it is not an abstract idea and that the environment is simply where we live — from the house that we live in to the planet that we live on.

The Minister mentioned better regulation. Better regulation is regulation that includes enforcement. That has been lacking, and it needs to follow. It is fantastic if the regulations can be improved, but, if we enforce the regulations that we have, we will see improvements. The Minister raised the issue of retrospective planning applications, and it is true that there are certain permissions for unauthorised development. It is clear that the EIA directive does not allow development to take place before an environmental statement has been made, and it should not take place before planning permission is given. I urge the Minister to look at this issue because, if he is to say that development —

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

Mr Agnew: — on the scale of quarrying can take place, people will question whether development on the scale of fracking can take place without permission. We need to ensure that large-scale development only takes —

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

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt ar son an rúin. I will speak in support of the motion and the amendment. I thank everyone who contributed to the debate. It has been an important and interesting debate, which is of obvious public interest. The illegal waste may be situated in the north-west, but, from the contributions today, it is obvious that the problem has implications throughout Ireland and beyond.

I have absolutely no doubt that the Minister is well aware of the concerns, issues and questions that surround the matter. Indeed, his contribution today reinforced that. I have no doubt that he is working very hard to try to get to grips with the situation, but I do not think that it serves the debate well for him to question Sinn Féin's motivation for calling for a further inquiry and whether it took the 'Spotlight' programme to bring the problem to our attention. I think that our members on the Committee were highlighting the issue well in advance of the 'Spotlight' programme airing. The programme, in my opinion, had an impact on public opinion and public confidence, and that is why I think that an inquiry would be of particular relevance.

In proposing the motion, Cathal Boylan outlined the main issues, the implications of the Mills report, which is a good report, and, indeed, the 'Spotlight' programme. Other Members also spoke about the 'Spotlight' programme. His outlining of the need for a public inquiry, or an inquiry beyond the inquiries that we have had to date, was about

bringing clarity to the issue. We have to accept that there is still a degree of confusion around the issue. There is ample space, and that space is being well filled by people who continue to speculate about the nature of the problem, how the problem came to exist and how it is being resolved. We have no problem with supporting the amendment, because there may be other issues that need to be explored. However, the reason why we zeroed in on the north-west is because, in our opinion, good work has been done but there is still part of the job to be completed.

We have had a wide-ranging debate, and there have been suggestions that any inquiry should be extended to include fuel laundering and human trafficking. I know that the Minister obviously does not want to get into human trafficking, but a whole range of things was mentioned. We even had an examination of the NCA and its impact. Sometimes there can be an inquiry into everything, but you achieve nothing, and I do not think that any of us wants to see that.

I do not think that calling for a public inquiry — the definition and style of that inquiry is something that can be negotiated and discussed — undermines in any way what I consider to be an excellent report by Mr Mills on the failings over many years. Other Members and the Minister talked about that report's findings. I acknowledge the fact that the Minister is not standing in opposition to an inquiry. Indeed, he is in line with the Derry City Council approach. The council has also approved the need for a further inquiry, because, in fairness, I do not think that the Mills report's terms of reference were broad enough.

The Minister who commissioned the report set good terms of reference — no one is doubting that — but, on reading them, the inquiry's ability to call witnesses from beyond a certain Department was not very clear. Indeed, a number of contributors, among them Mr Eastwood, said that there may be Justice issues interwoven in this that meant that Mr Mills might not have been allowed to speak to people. It is not clear from the report whether he did or not. All those things have an impact, and that is why we feel that, whatever form the inquiry takes, it should be broader and allow the Minister to explore all the issues.

I am mindful of the fact that there is a PSNI investigation under way, and no one wants to impinge on that, but a criminal investigation in this instance, almost by its very definition, will not tackle many of the issues. It is looking just at whether there was criminal wrongdoing, whereas we know from the Mills report and from local knowledge that there were many failings, and not all of them criminally negligent. Therefore, an inquiry will help us to cover all the issues. I believe that the clarity required can only be brought about in that way.

The Mills report and even the PSNI investigation are site-specific. They do not go beyond that. We have heard it confirmed that, over a long number of years, there was opportunity after opportunity to prevent this from happening but the immediate and necessary steps were not taken.

That is one of the issues that an inquiry can explore. Evidence has emerged that diligent officials and members of the public brought this matter to people's attention. People should have acted accordingly but did not.

In the contributions of Alban Maginness and Ian Milne, the issue of low-cost tendering was mentioned. Many

now speculate that that was, perhaps, one of the causes of the whole issue. Perhaps there should have been something in place. If, in year 1, a council agrees a tender for a certain amount and, in year 2, the tender goes well below that, there should be a red flag system to bring that out. The Mills report achieved many things, but it did not get to the core of the problem. There are questions to be asked about when this should have been detected, who should have detected it and what steps will be put in place to ensure that it will not happen again. The people responsible must be made aware that they failed in their responsibilities.

I do not think that this should be a process of seeking out individuals to make them scapegoats. However, when there are failures in a system or process, we have to ascertain how the system failed, when it failed and who should have been responsible for keeping it right. That is the whole issue of accountability. None of us should be fearful of accountability. If people are responsible, they should be held responsible and that responsibility should be identified. I do not want to take this debate to the NCA, but that is one of the issues about it: where there is no accountability, people can act in whatever way they feel like. This is a case of that. People were not held accountable and felt that they could do whatever they wanted.

A number of people identified specific instances, and, indeed, the Minister referred to them. One of the things that is missing in all this — the Minister addressed this — is that the scrutiny was not what it should have been. There is absolutely no doubt about that. Most people want to know how 500,000 tons of waste could be dumped and no one seemed to notice. It is not as though it was a small or inconsiderable amount; it was a massive amount and yet no one saw it. The 'Spotlight' programme identified a number of things. I do not think that the Mills report got into it, but there were instances of physical structures appearing practically overnight on the site without planning permission, yet no approach was made and nobody asked, "What is this about?". If someone had asked that simple question, they might have found the whole illegal dump in their midst. That is one of the reasons for the motion.

In our opinion, there are still questions that need to be answered. The Minister is aware that this is a big issue in and around the north-west, particularly in Derry city. It has filled social media sites, and there have been all sorts of rumours and speculation. While that continues, clarity will not be brought to the issue. One of the big issues that people ask about is whether there are undetected sites still out there. Many people speculate that there are, perhaps without foundation. That is why an inquiry is needed.

Mr Attwood: I thank the Member for giving way. I apologise that I have not heard much of the debate; I have been involved in other matters. Does the Member agree that, when it comes to this site and other possible sites, the involvement of organised crime on the island of Ireland cannot be ruled out?

Mr McCartney: I do not think that anything can be ruled out, but that is what the inquiry should establish.

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

Mr McCartney: Apologies.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises the issues raised in the recently broadcast BBC 'Spotlight' investigation into illegal waste disposal and other irregularities; and calls on the Minister of the Environment to establish an independent public inquiry into waste disposal in the north-west and the rest of Northern Ireland, including the role unauthorised quarries and related planning enforcement issues played in facilitating environmental crime, to ensure that public confidence is restored and to allay concerns that other illegal waste disposal sites remain undetected.

6.30 pm

Motion made:

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

Adjournment

School Absenteeism: North Antrim

Mr Deputy Speaker: The proposer of the topic will have 15 minutes, and all other Members who are called to speak will have approximately five minutes.

Mr Swann: I thank the Minister and the Members from North Antrim for remaining for the debate. We have had Adjournment debates relating to North Antrim recently regarding leisure facilities, hotel provision and such, but it is with disappointment that I talk about the concern over school absenteeism in the North Antrim constituency. I wanted this debate in the Minister's presence because, in the figures for the post-primary schools where attendance is less than 85%, two of the top 10 worst offending electoral wards in Northern Ireland unfortunately fall in my constituency of North Antrim. The third worst is Ballee in Ballymena, and the ninth is Bushmills in the Moyle. As anybody in the House knows, both are large Protestant working-class areas. I do not want to make this a debate about the political significance of that, but it is significant and is a reason. This is a concern — a selfish concern — because both those areas fall within my constituency and that of the Members present. That is why I thought that it was important to raise it today.

Regular school attendance and educational attainment are inextricably linked. Likewise, poor attendance equates to poor results. Poor educational attendance leads to low self-esteem and increases the likelihood of students dropping out. It further boosts those not in employment, education or training services. Persistent offenders are seven times more likely to be out of a job and not in education or training when they leave school, and that is of particular interest to me in my role as Chair of the Employment and Learning Committee. I know that the Department for Employment and Learning puts a lot of detail and a lot of expense into challenging NEETs in our society. Therefore, if we can get school attendance sorted and get those basic skills, attainment and self-esteem instilled in our pupils at an early age, we can crack that concern at a later level.

In real terms, the 2011-12 absence rates in Northern Ireland primary and post-primary schools are, on average, nine days missed for each pupil at primary school and 13 at post-primary school. Although overall attendance levels have improved, the Northern Ireland rates are still double those for England. To put that into perspective, of the 300,000 schoolchildren in Northern Ireland, 20,000 are missing at least six weeks of lessons each year, and of the 20,000 pupils who are persistently absent, less than one fifth are referred to the authorities. Now, I am not saying that that is the answer, but it is certainly an avenue that we have to look at. However, there is a greater impact and responsibility on parents in the community in general and on politicians, because non-attendance not only wastes money but affects a child's long-term prospects. It amounts to £22 million a year in lost career opportunities.

A 2004 report on improving pupil attendance at school considered the effectiveness of attendance management practices in schools. The report raised concerns about a lack of strategic perspective in relation to improving school attendance and said that there was a need for the better dissemination of good practice and a more effective use of attendance data. The report recommended that the education and library boards and the Department needed to develop a more strategic perspective by outlining their aims, objectives and targets in relation to improving school attendance. I am aware that the Department has launched 'Attendance Guidance and Absence Recording by Schools', which came into effect in 2013-14. I am sure that we are waiting for the rolling out of the data that comes from that.

One of the recommendations and one of the things that I have seen personally as a school governor is the involvement of the educational welfare support service. We have seen that, where that is present, its effects can be very good. However, what we have seen specifically in the North Eastern Education and Library Board is a continual rotation of those officers, meaning that one-to-one family support is not there and is not being provided. Therefore, there is a breakdown there as well.

Another intervention that can be enhanced is the family nurse practitioner. That is an intervention from birth on a one-to-one basis with families. A pilot in the Western Trust area has proven successful in improving the attendance of pupils further down the line. That pilot has been so successful in the Western Trust that it has been expanded into the Southern Trust. I now ask the Minister to seek support from his ministerial colleagues to expand it or put the provision in place to bring it into the Northern Trust.

The other alternative is the inclusion of multi-agency support teams (MASTs), which could be further rolled out and enhanced. I know that, when pupils find it difficult to attend in class and catch on what is going on, they find it difficult to keep up with the class. Then, enrolment and attendance start to suffer. If we can get interventions there at an early age — that is really where the Education role comes in, working in conjunction with Health — from birth onwards, there can be improvement. It is not an organisation that I often quote, but it is the Jesuits who say, if they get a boy from nought to seven, they will give you the man. If the education and health systems in Northern Ireland could provide that support for families and young people from nought to seven and instil in them the benefits of education and the attainments that can be achieved, there is an opportunity from seven onwards.

It would be remiss of me not to declare an interest as a governor of Ballee Community High School, as well as Cambridge House Grammar School in Ballymena. There is currently uncertainty over Ballee. It is actually in the third worst ward for over 85% post-primary school attendance. That is really the crux of the matter. With such low attendance rates in Ballee at present, I have concerns that, if Ballee school actually closes, parents who are not encouraging, the community or the young people who see no educational gain in attending Ballee will see no further advantage in having to travel somewhere else in the town to gain an educational experience. It is really about putting in a collective response from the Education and Health Departments, families, the community and ourselves

as elected representatives to provide the support that is needed.

I want to finish on a positive note. While I am raising concerns about attendance in Ballee and Bushmills, I want to pay tribute to the excellent schools in North Antrim that have fantastic educational provision and attendance rates for their pupils, who really gain and benefit from attending some of the most excellent schools in Northern Ireland. I just wanted to put on record my concerns about low attendance rates in those two specific areas of North Antrim.

Mr Storey: When I saw the topic on the Order Paper, I was a wee bit confused about what it was to do with. I thought initially that it was to do with the absenteeism of Ulster Unionist representation in North Antrim. Then I realised that it was about absenteeism at school.

Clearly, of course, some of this follows on from the Northern Ireland Audit Office's report 'Improving Pupil Attendance at School' and its follow-up report. It was very useful in that it set a context for the issue of school attendance. Certainly, as Chair of the Education Committee and someone who has taken a keen interest in that field, I am glad that the Minister is here this evening, and I appreciate the fact that he has taken the time to be here to respond to the debate. The issue of absenteeism as set out in the report is very clear. It has a number of facets and problems. I have to say that it is not an issue that we should take out on schools as criticism, but rather an issue on which we should have informative discussions with schools to see how we can improve the situation. As we all know, schools face many challenges. There are many challenges outside schools that unfortunately become part and parcel of what happens in the school environment.

Obviously, the report has not come to the Education Committee. Because of protocol, it is currently with the PAC, as is the convention of the House. When I look at the issues that are raised in it, I know that there are undoubtedly issues that the Minister will take on board seriously when the report is presented to him. I just want to refer to two case studies that were done. One was in East Londonderry, and the other was Cullybackey College in our own North Antrim constituency.

The case study on Ballysally, in particular, describes a school — I have visited Ballysally on a number of occasions — that has shown exemplary leadership in dealing with a number of issues. The school is in an area of high social deprivation. I struggle with using that term because I think that it stigmatises the area, which is undeserved. The area has many economic challenges, but, because of the leadership shown in the school by the principal, his senior staff and the community, there has been a marked improvement not only in attendance but in the interaction between parents and the school. The school offers breakfast clubs and has become a member of the Ballysally integrated nurturing programme. I thank the Minister because his Department has become more and more involved in nurturing, which, in many respects, is being led by Ballysally and Holy Family. Those schools have been exceptional leaders on that. So there are examples of interventions that clearly bring improvements.

I then looked at the report on the North Eastern Education and Library Board by the education welfare service that governs the area. The analysis of the NEELB data reflects

an overall consistent pattern of attendance in all school types over the past four academic years. I do not want to underestimate the Member's concerns, but we have to set this in context: compared with other education and library boards, the North Eastern Education and Library Board has the lowest overall absence in the primary sector. The Member is right: in the post-primary sector, NEELB performed at the same level as two other boards — 93.2% — and better than the two remaining boards, which recorded the highest overall absence. In the special schools sector, overall absence was lowest in the North Eastern Education and Library Board.

Compared with England and Wales, unauthorised absences were higher in Northern Ireland than in any other region. An analysis of free school meal entitlement suggested that absence tends to be higher in more disadvantaged areas that experience multiple levels of deprivation. Attendance levels of less than 85% at primary school reflect the fact that 19.5% of the pupil population had absence levels of more than 15%. You have to ask this question: what are we doing about it? I wait to hear the response. The Audit Office report is, in fact, a comparison with a previous report from a number of years ago and admits that some progress has been made.

From the work that my DUP colleagues in North Antrim and I are involved in through the Bushmills education forum, I know that the issue has been identified by a group of people who have an interest in education in Bushmills, which is one of the areas that the Member referred to. The new principal of Dunluce is making a concerted effort, and I pay tribute to him and his staff for the way that they have focused on this and other issues.

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

Mr Storey: We need to work together to ensure continuous improvement rather than using this as another issue to cause unnecessary concern and criticism.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for securing the debate. As a member of the Public Accounts Committee, I look forward, as do other Committee members, to considering the report further and coming up with recommendations for the Department.

It is clear that absenteeism is, to a large degree, linked statistically to deprivation and to the free school meal entitlement rate. It does not stand alone. In figures that I uncovered for Ballymena town, there is a direct link between the ward in which a pupil is brought up and the school that they go to.

6.45 pm

There is an array of reasons for non-attendance at schools. When I was at school, it was referred to as "scheming off" school during the day, but it is obviously much more serious than that. When you delve into the many reasons, you find that there could be bullying, health problems and problems that are school-related or non-school-related. So, it is not just an issue between the four walls of any particular school.

A Member was talking to me the other day and referred to an example that they had heard of in which a number of children skipped primary school on one day every week.

When the school staff looked into it, they established that that class had a test on this day every week and those three pupils were always bottom of the class, so they wanted to avoid the embarrassment of that situation. Following that, the school took action and there were no further tests. It is key that parents and teachers are engaged. Sometimes, the problem can be staring them in the face.

Parents and guardians have a legal responsibility to ensure that children attend school. However, a more holistic approach is needed, and the focus should be on groups with traditionally poor attendance records. Initiatives such as breakfast clubs have been referred to. They are absolutely brilliant in trying to get pupils to engage in school and, to be fair, to get pupils to appreciate that schools provide them with not only education. It is about reducing the gap, as well, between parents and the school. There needs to be a relationship there, where parents and teachers work together to meet the needs of the student. Parents should understand that, although they leave pupils at the school gate, they should feel welcome and move beyond the school gate to engage with staff. They should also know that the education of their child or children is not just an issue for teachers; it is an issue for parents. Developing that understanding between staff and parents is absolutely crucial.

Attendance levels are improving, but we cannot be complacent. The Department has set up an attendance working group to develop practical guidance in this area and has overseen improvements in attendance. However, I agree with the proposer who secured the debate and referred to the issue of NEETs that early intervention is key and poor attendance clearly increases the risk of poor outcomes in the longer term.

The DUP Member for North Antrim referred to the case studies. Certainly, when you look at Ballysally, you see that there are some fantastic examples, including free breakfast and a lads and dads group, which is a good example of how parents are being brought in to their children's education, helping to develop the holistic approach to education that I referred to earlier.

We need to focus a resource on the greatest need. Members have referred to certain schools where absenteeism is a particular problem. I agree with the Minister, in his general approach to education, that we should focus the resource on the greatest need regarding this issue.

Mr Frew: It took me some time and the Member who secured the debate to speak before I realised the exact angle from which he was coming. I appreciate that it is worth having a debate to bring focus and to interrogate the issues. What should come out of the debate is that, while there are pockets of concern, north Antrim is no worse or no better than anywhere else in the Province. We would not want the message to go out that north Antrim is worse than anywhere else. Of course, we in the Chamber are associated with north Antrim. We care deeply and passionately for north Antrim, so it will always be our focus to debate the issues that are in, around and centred on north Antrim.

The two wards that the Member raised were Ballee and Bushmills. I have some understanding of the pressures and issues in Ballee. I spent a lot of my youth growing

up in Drumtara, which is one of the largest estates in the Ballee ward.

So, I know at first hand the deprivation issues and the issues with the worth that some of our people and families attribute to education. That has to change, but it is not just an educational problem. One of the main reasons why people are absent from school is illness. So, this is not just a school or an educational problem — it is a societal problem. It is about issues such as illness, bullying, which the Member referred to, or family issues or pressures. It concerns something that happened the night before. The confidence of the family and the person, behavioural problems and the genuine value that is placed on education and results deeply concern me.

So, I know at first hand the issues and problems in Ballee. I must say that some of the people from that area have had tremendous success and have really shown that, despite global issues, if you like, you can still get a proper, decent and well-rounded education out of that area and, indeed, in the schools around that area, as many have done.

I would also like to talk about Bushmills because that was the other area that was mentioned. My colleagues in the DUP and I have been part of the Bushmills education project, which has been going on now for some time. It was designed to grasp the nettle and to interrogate the issue and problem that those involved in the project see in Bushmills. That is that some do really well at school but others can leave school without the basic skills. Why is there such a wide spectrum of ability and results at the end of their school life?

The project is looking at that carefully and is scrutinising the detail. It has everybody involved. I must say that that has been a very good exercise, and I commend the people who are involved. Instead of turning their face away from the issue, they are grasping it and grappling with it head on. They do some great work. For example, a Just 4 Parents programme is held in Dunseverick Primary School, and there has been lots of work around the Bushmills young people's charter on education, with conversations with young people across Dunseverick, Bushmills and Ballytober primary schools. Not only the schoolchildren but teachers, the police force, the health service and social services are all involved, as are parents. It is vital that all that is linked up and that everybody sees the value of education.

Mr Storey: Will the Member give way?

Mr Frew: Yes, I will.

Mr Storey: Would the Member also accept that other organisations, such as Barnardo's and Save the Children, did work in Ballee, Bushmills and other parts of North Antrim that has been exceptionally beneficial to that engagement with parents and younger children and to the educational process generally?

Mr Frew: Yes, and that brings me to my point, and I thank the Member for it. There has to be a holistic approach to this. Schools, principals and, for that matter, teachers cannot solve this issue on their own. It has to be a societal thing, and everybody must come on board. With that and with the collective, I think that we can inspire young people to learn, to go to school and to value what it means to have an education. If we get the value and the essential need for education implanted into the mindset of young people,

their parents and their grandparents — some of this goes across more than one generation — we will be doing well.

Again, I congratulate the Member who proposed the topic.

Mr D McIlveen: I, too, welcome the opportunity to speak on this topic, and I congratulate the Member for bringing it to the House. It is relevant that we have this debate today. I have used this analogy before, but as elected Members who have, at times, to deal with quite a heavy workload, we can sometimes be compared with someone who got into their car, reversed and banged into something. I am sure that we have all had that experience. Hopefully, it is not another car, because then you will have to get the police involved. However, you banged into an inanimate object, and you think that it was not that big a bump and you drive off. You are driving down the road, and 10 minutes later you think, "Maybe I should get out and check what the damage actually is". You then realise that it was actually worse than you thought. My reason for making that analogy is that, sometimes, when we hear about things happening, it can easily go in one ear and out the other, and it does not seem too big a deal. However, when you look at the figures and more people talk to you, you realise that it was a bigger problem than you first thought.

I welcome the approach taken by the North Eastern Education and Library Board, but one statistic has been left out today. Although the percentage of enrolments is lowest in the North Eastern Education and Library Board area, the percentage of absenteeism is greatest. Another equally important statistic has been missed: in 2012-13, the North Eastern Education and Library Board also had the highest number of prosecutions for absenteeism. That is relevant.

I take on board what Mr McKay and Mr Frew said: of course, there is a wide range of reasons why young people do not want to attend school, and we have to be sensitive to that. However, I can only speak from my own experience of going to school when there were only two reasons why you would not be at school. The first was if you could convince your parents that you were sick enough not to go to school; the second was that you went somewhere else when they thought that you were at school. If they got word that that was going on, saying that there would be hell to pay would be an understatement. We have to get back to parental responsibility. Perhaps there is a generational change, even from my day, which does not seem too long ago. Perhaps we have to give more encouragement and incentives to parents to make sure that they do not fall into the trap of facilitating absenteeism.

The question that must be asked is what is the North Eastern Education and Library Board doing. Is its approach correct? I believe that it is, because sometimes you require enforcement to deal with issues. I pay tribute to the back-office staff in the North Eastern Education and Library Board, who I know are hugely overworked. As pressure increases on them to deliver an enforcement angle, they find their resources increasingly stretched. I have spoken to workers in the North Eastern Education and Library Board, and, quite honestly, and I say this directly to you, Minister, they are really pushed, under-resourced and struggling with the pressures on their time.

Mr Frew: I thank the Member for giving way. I take his point on enforcement and what schools can do, but a report published in May 2012 found that more than 40%

of schools surveyed did not have an attendance policy and that only 64% of schools had a target for attendance included in their school development plan. Does the Member agree that that is something that needs to be done by the school so that it can measure the problem and drive targets?

Mr D McIlveen: I absolutely take on board what my colleague said and agree wholeheartedly. I do not want to get to the end of my contribution today only for people to take from it that parental responsibility is the only thing needed to deal with this problem. Of course schools have to deal with the issue as well, and a holistic approach has to be taken.

The Bushmills educational forum has been mentioned on a number of occasions. It is an excellent example of a community uniting to see better educational achievement. I am working closely with the wider community association to acquire the old police station in the village, and I hope that, if it achieves that new facility, it can do bigger and better things than it is already doing.

I welcome the motion and look forward to what the Minister has to say.

7.00 pm

Mr O'Dowd (The Minister of Education): Thank you, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil le Robin Swann as an díospóireacht seo a thabhairt chun tosaigh inniu, mar tugann sé deis domh sheasamh ar fhreastal scoile daltai a leagan amach.

I thank Robin Swann for securing the debate as it gives me the opportunity to set out my position on pupil attendance. In 2004, the Audit Office published a report on pupil attendance, and a follow-up report was published on 25 February 2014. A number of Members mentioned that, and I understand that there is a hearing before the Public Accounts Committee tomorrow on that matter. Therefore, it would be improper of me to respond directly to the report ahead of the hearing. As a former Chairperson of the Public Accounts Committee, I do not want to do that.

My Department has a legislative framework that sets out the responsibilities of parents, schools and the education and library boards. In fairness, Members mentioned the responsibilities of all three. I welcome the tone of the debate; Members pointed out the challenges faced by schools, families and the boards but also the responsibilities of all three and, indeed, my Department in ensuring that young people attend school.

If children are to reach their educational potential, it is vital that, first and foremost, they attend school. So under article 45 of the Education and Libraries Order 1986, there is a legal responsibility on parents and guardians to ensure that their children attend school. My policy, Every School a Good School, identified that pupils achieve more when their parents take an active interest in their education by supporting and encouraging them and setting high, but achievable, expectations and aspirations.

Parental engagement is essential, as is community engagement. I welcome the initiative taken by the Bushmills educational partnership, which is a very good project. The indications are that it is delivering a change of attitudes and change for young people in that area. I often call on local representatives and communities to

take responsibility and, without doubt, responsibility has been taken in this case. I also note that the North Eastern Education and Library Board is looking at similar projects in other areas, so there is a clear benefit to that.

I launched the Education Works media campaign, comprising posters and newspaper advertisements, in an attempt to highlight to parents the importance of their role in education and that it is not simply the responsibility of a school or someone else. Parental responsibility is vital, and in the latest ad campaigns, we have widened that to include grandparents, aunts and uncles or whoever is the mainstay in the family so that they play a role. My Department reinforced this message in 'Attendance Matters: A Parent's Guide', which is available on the Department's website. It emphasises the role of parents and their legal responsibilities.

Schools can drive changes that bring about better outcomes for all their pupils. The Education (School Development Plans) Regulations 2010 require schools to include a summary and evaluation of their strategies for promoting and managing attendance in their school development plan. No doubt the figures that Mr Frew read out from the Audit Office report will be scrutinised by the Public Accounts Committee in relation to the responsibilities of schools for their school development plans.

My Department's 2013 guidance recommends that every school should have an attendance policy that is approved and endorsed by its board of governors. Schools should have defined roles and responsibilities for staff, pupils and parents, and these should be clearly communicated. Schools should have a strong strategy for promoting attendance along with clearly defined targets. Attendance and targets should be placed on the agenda of each board of governors meeting.

Education and library boards have statutory duties on attendance. These are taken forward through the work of the education welfare service, and Members commented on that. Staff in that service are there to support pupils, parents and schools if there is a cause for concern or if a pupil's attendance is less than 85%. I expect schools to refer all pupils whom they feel require support to the education welfare service. The earlier we know about the issue, the earlier we can put the right support in place. Indeed, Mr McKay mentioned the unique circumstances surrounding the absence from primary school of three young children because of a test on a certain day. Matters such as that and the reasons why children are not attending school should be identified early. Simple measures can be put in place to reassure children that their attendance at school is important and that no one is there to undermine them; everyone is there to support them.

Mr Storey: Will the Minister give way?

Mr O'Dowd: Yes.

Mr Storey: It would be remiss of us, Minister, not to mention Elluminate. I should have mentioned it earlier. You are well aware of it, and you will hopefully soon clarify the position on it. Elluminate is another element of the debate on children and young people who have particular medical needs. There is provision in place, and, if that could be underpinned in the same statutory way in which other

things are, it would help the general debate on the reasons why we have absenteeism in schools.

Mr O'Dowd: Indeed. Elluminate is in place for children who have valid reasons, many of them medical, for being off school. I am a supporter of the Elluminate project. I have set up a body between the unions and employers to iron out any difficulties with Elluminate, and I hope that they reach a successful conclusion to their discussions very shortly.

The overall attendance rate at primary schools is 95%. In the North Antrim area, it is 96%. At post-primary schools, the overall rate is 92.9%. In the North Antrim area, it sits at around 93.3%. Therefore, the attendance rate in both sectors in North Antrim is marginally higher. However, there are schools that are skewing the figures, and when you look at those schools — I will not rehearse their names — there are areas for concern. When we take a more detailed look at the statistics, we see which schools have had a notable decrease or a notable increase in their attendance levels over time. Schools are already working with one another and their communities. I want to see a partnership approach taken on the issue of attendance. Schools working in similar circumstances across the jurisdiction can learn from one another. Overall attendance rates mask deeper problems in particular areas and communities, and Members touched on that. If a child is not attending school regularly, there may be an issue in the family home that will require support for the family or the child. Alternatively, there may be a broader lack of ambition in the community for education. That is a societal responsibility, and it falls on us collectively to ensure that we support all communities and raise awareness of the benefits of education to everyone.

As a number of Members said, there is a clear link between deprivation and school attendance. The data shows that attendance rates tend to be lower in schools with high levels of free school meals entitlement. North Antrim is no different. For example, in its post-primary schools in which less than 10% of pupils were entitled to free school meals, the overall absence rate was 4.3%, compared with an alarming 11.7% in schools with more than 40% of free school meals entitlement. That trend is mirrored across the North overall, where post-primary schools with less than 10% of pupils entitled to free school meals had an overall absence rate of 4.5%, and those with more than 40% of pupils entitled to free school meals had an absence rate of 9.9%. Therefore, much is required to address the problem.

As has been said, each and every one of us, including parents, carers, teachers, public figures and the wider community, has a key role to play in ensuring the best outcomes for our children and young people. No one can argue with the point that, if our children and young people are not in school, they will not benefit from the opportunities provided to learn. There is also a higher risk of those children who are not in school becoming involved in antisocial behaviour, including criminal behaviour, and there is a danger of children falling under the attention of people who have no good intentions for them whatsoever. The safest place for children to be when not in the care of their parents is in school.

In the North Antrim area, individuals, including local representatives, are working together to improve attendance. As I said, I welcome that, and I mentioned one of the schemes. Research tells us that, although there

is no single solution to the problem of school attendance in deprived areas, a range of strategies can be, and is being, applied to promote good attendance. Those include a positive school ethos and a culture of attendance; implementation of an attendance policy and targets; designated staff with roles and responsibilities; reward schemes for good attendance; and additional support for poor attendees.

The debate has been useful and has highlighted the concerns about school attendance, particularly in North Antrim. Good work is being done in the area by elected representatives, the community, the education and library board, etc, but we have to ensure that we continue to raise our attendance rate and that children who are most vulnerable to absenteeism from school are supported in their attendance at school by everyone concerned.

Adjourned at 7.09 pm.

Northern Ireland Assembly

Tuesday 18 March 2014

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

Members observed two minutes' silence.

Executive Committee Business

Public Service Pensions Bill: Royal Assent

Mr Speaker: Before we proceed with today's business, I wish to inform the House that the Public Service Pensions Bill has received Royal Assent. It will be known as the Public Service Pensions Act (Northern Ireland) 2014.

Matter of the Day

Lord Ballyedmond of Mounre

Mr Speaker: Seán Rogers has tabled a Matter of the Day. Before I call Seán, I want to say that it was with great sadness that we all learnt of the death of Lord Ballyedmond. He was a good friend of the Assembly, took a keen interest in its work and was a very active member of the Northern Ireland Assembly and Business Trust. When he came here, he was always keen to listen and to learn about the work of the Assembly.

He was an entrepreneur who started from very humble beginnings, and Northern Ireland is poorer for his death. Our thoughts and prayers are with his wider family at this time and with the families of the others in the helicopter who lost their lives. I think it is important that that goes on the record. He was a true friend of this Assembly.

Mr Seán Rogers has been given leave to make a statement on the death of Lord Ballyedmond, which fulfils the criteria set out in Standing Order 24. If other Members wish to be called they should rise continually in their place. All Members who are called will have up to three minutes to speak. I remind Members that there will be no points of order or discussion of any other issue until the item of business is finished.

Mr Rogers: Thank you, Mr Speaker, for affording me the opportunity to speak on this solemn occasion. I agree with every word you said.

When the news of the helicopter crash in Norfolk broke on Thursday evening, it seemed quite remote. However, before long, we all knew that two people from south Down had died, along with the pilots. While the whole island and further afield have been shocked by the tragic death of Lord Ballyedmond, his impact and that of his business enterprises, including Norbrook Laboratories and Ballyedmond Castle Farms have had major significance for the people of south Down, Newry and Armagh.

Lord Ballyedmond was a former member of the Irish Senate, and, since 2004, he sat as a Conservative peer in the House of Lords. Frequently, I saw his helicopter make its way home, up along Carlingford lough, and land at Ballyedmond, but, sadly, on Thursday night, it was not to be the case.

Lord Ballyedmond was born in Kilcurry in County Louth and attended the CBS in Dundalk. As you said, Mr Speaker, he started from very humble beginnings, but through his personal drive, determination and single-mindedness, he made Norbrook a world leader.

Based in Newry, it is the only home-grown veterinary pharmaceutical company. It employs over 1,700 employees and exports to over 120 countries.

Lord Ballyedmond was one of the most successful entrepreneurs in Northern Ireland and, indeed, these islands. He brought high-quality employment opportunities to the country during its darkest days. He had faith in Newry when it was not the most popular place. During the recent recession, even many of our construction workers found employment on the assembly lines, the farms and other enterprises. Many families are so thankful to Eddie Haughey for having that faith in the local workforce. He made the difference between employment and unemployment and between having an income and living on benefits or emigrating.

This tragic accident has cut short the life of a man who still had a lot to give. The family circle will be numbed by such a loss. It was the spirit of the man that he was giving one of his workers — Declan Small from Mayobridge — a lift home rather than have him waiting for the flight on Friday morning. On behalf of the SDLP, I extend my deepest sympathy to Lord Ballyedmond's two sons and daughter, to Declan Small's mother, his three brothers and the wider family circle and to the families of the two pilots. May Lord Ballyedmond, Declan and the two pilots rest in peace.

Mr Poots: We heard the tragic news just last week of the death of Lord Ballyedmond, Declan Small and the two pilots, and it was with a heavy heart that we took it all in. Lord Ballyedmond, or Edward Haughey, as many of us knew him, was a man who was immensely driven and very determined. A lot of that came from his childhood. As a young boy, he lost his father very young in life. His mother set aside what money they had to educate her children. After he left school, he went to America for a short number of years. When he came back, he started selling drugs out of the boot of a car. From that, he created the most profitable business in Northern Ireland, employing some 1,700 people. We can look at the contribution that Eddie Haughey/Lord Ballyedmond made to business, which was absolutely massive, but that only touches on a small part of the man.

Lord Ballyedmond was a very charitable man to causes that he saw to be worthwhile. He gave huge support to those causes and encouraged others of means to support such causes. That is an element of him that we should all remember at this time. He was also a man who wanted to see Northern Ireland progress, and he did whatever he could to sell Northern Ireland, because he had massive international contacts, to encourage others in business, to encourage this Government and Executive in respect of its international outreach and bringing business to Northern Ireland and creating opportunities for others. He was immensely generous with his time, skills, knowledge and contacts.

Northern Ireland is a much poorer place as a result of the loss of Lord Ballyedmond. I deeply regret his loss, and I express my Christian sympathies and that of my party to his wife, two sons, daughter and wider family. I trust that they will find comfort, even over the course of the days, weeks and months where that absent chair will be, and with the loss of such a close loved one.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. I join other MLAs who have paid tribute to Lord

Ballyedmond, Declan Small and the two pilots. It is a loss for their families and for south Down.

Lord Ballyedmond was a big supporter of education; he was a big supporter of jobs, and as mentioned earlier, jobs in the Newry and Mourne area. Obviously I did not share all his viewpoints. We had differences of opinion on a range of issues, but one issue that he was a big supporter of was the bridge at Narrow Water. Being from Louth and living in Down, he wanted to see the bridge crossing over. I obviously shared that with him.

It is a huge loss for his family, and for Declan Small's family, and I know that many in south Down are grieving because of the untimely death of the four people in the helicopter.

Mr Kennedy: There is still a great sense of loss and shock following the helicopter tragedy in Norfolk late last week, which claimed the lives of Mr Declan Small from Mayobridge, the pilots Carl Dickerson and Lee Hoyle, and, of course, Lord Ballyedmond of Mourne. It is a tragedy that will impact on all of those families, and lives will be changed as a result of it.

It is right that we take time to pay particular tribute to Lord Ballyedmond because of the public profile that he had and because of the support that he gave to these institutions and the encouragement that he gave to many Members, including me. I offer my sincere sympathy and that of the Ulster Unionist Party to the four families whose lives are now changed completely.

Lord Ballyedmond was a significant figure in Northern Ireland. From a zero base he built Norbrook into a world-renowned company. He was, I think, what Northern Ireland needs more of. He was a business entrepreneur — someone who created wealth and provided jobs, most especially in my constituency and, in particular, Newry. Lord Ballyedmond deserves recognition for what he achieved for Norbrook, Newry and Northern Ireland.

Uniquely, as we have heard, he served in the upper houses of both the United Kingdom Parliament and the Parliament of the Republic of Ireland. He was also a generous benefactor to many causes — our universities and colleges, and our museums. He also privately supported many other good causes and worked hard to bring people together, especially politicians and opinion-formers. He encouraged reconciliation.

I extend my sympathy and that of the Ulster Unionist Party to Lady Mary, his children Caroline, Edward Jnr and James, and I offer sincere condolence to all of the families of those affected by this tragedy.

Dr Farry: I join my colleagues in paying tribute to Lord Ballyedmond and in recognising his important legacy to the political and economic life within these islands. I pass on my condolences and those of the Alliance Party to his family and to the families of Declan Small and the two pilots who were caught up in this very tragic incident. Certainly, all of them will be deeply remembered in our society.

His political legacy was unique, as has been outlined, but, in recognising that, it points to the respect in which Lord Ballyedmond was held across these islands. He was someone who could move in a whole range of circles, be well regarded in each and every one of them and make a contribution in each.

10.45 am

His ultimate legacy to Northern Ireland lies in the economic and business sphere. Norbrook Laboratories is a major employer in Northern Ireland and one of our most important businesses. In some respects, we can call it Northern Ireland's home-grown multinational corporation: it has a number of facilities not only in Newry but overseas, so Northern Ireland is, in turn, an inward investor in other parts of the world, particularly the United States.

As we talk a lot about the need for exports, it is also worth recognising that Norbrook is a leading exporter. Indeed, it has perhaps had the greatest impact around the world of any Northern Ireland business, given the wide range of customers and the number of countries touched by the very specialist nature of its veterinary medicine products. Such products are eagerly sought by a range of societies around the world. I fondly remember touring the facilities and seeing all the different packs being processed for all four corners of the world.

Lord Ballyedmond had a very keen interest in ensuring the future of his business. It is worth stressing that his legacy will continue in Norbrook, which will continue to flourish as a very valuable component of the Northern Ireland economy. Over the past number of months, he had been taking a very keen interest in ensuring that his workforce had the right skills to continue to service Norbrook's emerging business needs. In particular, we were in discussion with the Southern Regional College about the development of higher level apprenticeships in pharmaceutical technical skills. That demonstrates Lord Ballyedmond's vision and acknowledgement of emerging trends in our economy. He ensured that he was at the forefront of those developments. He will be a very sad loss to our economy and all of our society, but he will be deeply remembered for generations to come.

Mr McCallister: I am grateful to Mr Rogers for tabling the matter of the day. I want to associate myself with the comments of colleagues. Edward Haughey, or Baron Ballyedmond of Mourne, made his contribution to our society from, as Mr Kennedy said, a zero base. He rose from that to build the company of international standing that is Norbrook Laboratories and create employment. As said, he based Norbrook in Newry, a city that many would have shied well away from in the 1970s, 1980s and 1990s. He had that commitment to Newry, and he employed on sites in the city some 1,700 people from a wide area, particularly the South Down and Newry and Armagh constituencies.

Thursday night's tragedy is a reminder how quickly any family — indeed, in this case, four families — can be thrown into grief. It reminds us all of the fragility of life. The family of Declan Small from Mayobridge in my constituency, the families of the two pilots and all their friends are in our thoughts and prayers. We must continue to remember them in the weeks and months ahead.

Colleagues have mentioned the variety of contributions that Lord Ballyedmond made to society, not just in the business world as an entrepreneur who exported products and world leader in the pharmaceutical industry but in the political sphere, where he moved from the Irish Senate to become a member of the House of Lords. He had a drive to build on peace and reconciliation and promote it

wherever he could. I hope that that legacy, as well as that created by his business interests, will live on.

Our sincere sympathy goes to the family: Lady Mary, who is a relative of mine, Edward junior, Caroline and James. We are thinking about them and praying for them. In the days, weeks and months ahead, they will begin to feel the severe loss of Lord Ballyedmond and, when that comes to mind, they will know that many people in society and in this House are thinking about them, supporting them and remembering him at this difficult time.

Mr Allister: I join in the condolences to the family of Lord Ballyedmond and, indeed, the families of the others who so tragically lost their lives in the helicopter crash. It is a reminder to us all, of course, that, whether we are rich or poor, death comes to us all in whatever circumstances.

Of Lord Ballyedmond, much has and can be said. He certainly has left a tremendous legacy through the remarkable company that he built from nothing. It is a case study in how an entrepreneurial spirit in the most trying of circumstances, such as we had for many, many years in Northern Ireland, can nonetheless succeed. It is a case study also in how private industry and investment has so much to contribute to the growth of our economy and how, within that, the focus on exports is very often the key to success of the magnitude that Norbrook Laboratories obtained and continues to obtain.

So, his legacy is immense, and I certainly wish to convey my condolences to his family, including his wife Mary, with whom I was acquainted in her years as a practising solicitor in the town of Newry. I did have the occasion to meet Lord Ballyedmond a few times during my service as an MEP, and he certainly had all the attributes that have been spoken about, which include his drive, his vision and his affable nature. It is a sad day not only for the Newry area but for all Northern Ireland that such an industrial giant, home-grown in this Province, has been taken from us. Our thoughts are very much with his family.

Mr Wells: It would be hard to overestimate the importance of Edward Haughey to the economy of south Down, Newry and Armagh, and, indeed, the wider area. He was the ultimate self-made man. I spoke to people over the weekend who remember him going around Newry in a small van selling veterinary products out of the back of it on his own. To have gone from that to now employing 1,700 people and bringing £30 million a year into the south Down and Newry and Armagh community is a remarkable feat.

He was an entrepreneur with a capital E. Indeed, he was also a man who was tremendously loyal to Northern Ireland and to south Down and Newry. There were many attempts to try to lure his company out of Northern Ireland. Various inducements were made and rejected, and, throughout the entire time, he kept the bulk of his employment in Northern Ireland. I wish that many others had adopted the same attitude. He went on to make a name for himself not only in the economic life of Northern Ireland but, uniquely, he held a seat in the Irish Senate and, more latterly, a seat in the House of Lords.

He has made an inestimable contribution to the area but also behind the scenes in an unspoken way, and many people alluded to this. He also made very significant contributions to charity and to academia in Northern Ireland, sometimes without any mention whatsoever. There

are many people who are grateful for his support and his tenacity.

I was first elected here in 1982, and I represented Newry, which was part of the South Down constituency at that time. Frankly, Newry, at that stage, was a basket case. There was always an undesirable competition between Newry and Strabane about which one of them was the most economically deprived part of the United Kingdom. It is no exaggeration to say that Edward Haughey single-handedly pulled Newry up by the bootstraps. That is because, as a result of his determination and investment in Newry, the formation of Norbrook and all the employment that that brought, other companies were attracted to the area, and the town is enjoying a relative prosperity that we could not have envisaged 40 years ago. We need more Edward Haugheys in Northern Ireland. We need more entrepreneurs to come in and do that. However, at this stage, I pay tribute to him and remember all the others who died in this tragic accident.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. As Chair of the Assembly Business Trust, I express my great sadness at the tragic death of not only Eddie Haughey, who was one of our trustees, but the three others who died in that tragic helicopter crash. I was deeply shocked by his untimely death. He was a well-respected and significant member of the local business community whose influence was felt right around the world. His ruthlessness and vision were widely acknowledged by most people who met him. Although I did not agree with everything that he said, he certainly respected individuals who held differing views to his, and he never allowed political outlook to come in the way of a personal friendship or relationship with others.

Eddie was a member of the board of trustees since 2008, and he was an enthusiastic supporter of the trust. He was committed to encouraging much greater links between the local business community and the political representatives here, which is the whole point of the trust. He not only found the time to serve on the board since 2008 but participated in a number of events and actually hosted numerous delegations both in Westminster and at his offices in Newry.

The only time that I had the chance to meet him was when he hosted us last year in, I think, the private Members' dining room in the House of Lords. He was delighted to have the opportunity to host a cross-party grouping of MLAs and business members. He really shone in that arena where he was the host. People acknowledged that he was there hosting us, and he was given that role. As the Chair of the organisation, I was sat beside him at the top of the table, and I think that I had to tell him five times that I was a Sinn Féin MLA, because he just could not believe that a Sinn Féin member was sitting beside him in the British House of Lords.

As Alban Maginness got up to deliver what many saw as his maiden speech in the House of Lords, he paid a glowing tribute to the political representatives who had travelled over from Belfast to London. As Alban was paying tribute to the political members of the trust, Eddie nudged me and said, "You can't let him say that about you". I said, "But he said something nice", and then he said "Oh, that's all right then". After that event, Eddie was supposed to give us a tour of the House of Lords, but, unfortunately, we spent too long talking around the table and missed that.

I actually have a story that links Eddie Haughey and somebody else who passed last week — the great Tony Benn. Unfortunately, we are much the less as a result of Tony Benn's passing. As a result of Eddie not being able to give us a tour, Basil McCrea and I managed to track down Stephen, one of Tony Benn's sons, who was hosting an event in Westminster. He then took us on a tour of both Houses of Parliament, which was very enjoyable. They tried to coax me to go into the Chamber, but I would not do it, a Cheann Comhairle.

Eddie's enthusiasm and generosity will be sadly missed by all of us in the trust. On behalf of the trust, I take the opportunity to express my great sympathy to his wife, Mary, his daughter, Caroline, and his two sons, James and Edward. In my role as a member of the trust, I have got to know Edward and James through their very active support of the trust, and I can only imagine what a difficult and emotional time this must be for them on the loss of their father.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Mr Speaker, thank you very much. There was certainly a palpable sense of shock in the Newry area on Thursday evening when the news of the death of Lord Ballyedmond, Edward Haughey — or, as he was better known around Newry, simply Eddie — came through.

I will begin by expressing my condolences to his wife, Mary, his sons, James and Edward, and his daughter, Caroline. I also express my condolences to his first cousin Patricia, who is my next-door neighbour. She told me of the great kindness that Eddie Haughey had shown to her and her family on the death of her mother just a couple of years ago. So, I suppose that is an indication of Lord Ballyedmond's kindness.

I also express my condolences to the family of Declan Small of Mayobridge and to the families of Carl Dickerson and Lee Hoyle, who were the two pilots of the helicopter.

11.00 am

Lord Ballyedmond started his business, as Mr Kennedy will remember, in Bessbrook mill. I suspect that the "brook" in Norbrook indicates his thanks to the people of Bessbrook for hosting his early endeavours. Since then, he made a tremendous contribution to the economy of Newry, south Down and south Armagh. As other Members said, he was tremendously loyal to the area and kept the core of his business there, employing 1,700 people. We could safely say that Norbrook is the main plank of the Newry economy and the main basis of employment in Newry. I know that his employees and their families were extremely saddened by the news of his death.

He was a man of vision. As Mr Farry said, he invested in research and development. He had a relationship with the school in which Mr Rogers and I taught: St Paul's High School, Bessbrook. He sponsored the science department there, and his aim was that more young people would take an interest in science, technology, engineering and maths (STEM) subjects. Norbrook fostered a relationship with the Southern Regional College, emphasising once again the importance of the STEM subjects to our economy.

His charitable works have been referred to. One story that I heard was about a project taking socially disadvantaged children to America. One of the funders pulled out, and the whole project was in danger. Edward Haughey stepped in and made a substantial contribution to save the project.

and ensure that 40 children got to America. That is another indication of the practical, charitable goodness of Edward Haughey.

As I said, I express my condolences to his family and to the other families involved.

Mr Kinahan: Like all of us, I was appalled when I heard of the accident last week. My sympathy and condolences go to the family; to Mary, Caroline, Edward junior and James, and, of course, to Declan Small and his family and to Captains Dickerson and Hoyle.

Many people today have spoken of his drive and determination and how he was one of the very top businessmen, if not the top businessman, in Northern Ireland. I think that the Assembly should look at some way of recognising that entrepreneurship, which we would like to see from many people. We should look at some way of forwarding that into the future.

I want to touch on three other areas that he was involved in. In the art world, he had a thirst for knowledge and wanted to know more and more, just as he did with historic buildings. When he took on a historic building, he restored it to perfection. He saved buildings, not just for himself and his family but for all of us. He was the same with art. He was a philanthropist; I know that he did great work in helping Hillsborough Castle with its art collection. We should thank him for that. He had just finished a term as honorary colonel of the Royal Irish Rangers. He took great time and interest in supporting everything that they did. We should remember that. At one event, when asking me how on earth I ended up in politics, we ended up discussing education. That same steely eye turned on me and said, "In education, we want pupils and students to come out entrepreneurs who can analyse, think for themselves and create". We should all follow that. That is what he wanted to see in Northern Ireland.

We will miss him. He did things in style. Nobody else did things in that way. You summed it up rightly at the beginning, Mr Speaker, when you said that he was a good friend, not just to the Assembly but to everyone.

Mr Irwin: As a Member for Newry and Armagh, the constituency where he had his business, I was deeply saddened to learn of the death of Lord Ballyedmond in a helicopter crash in Norfolk at the end of last week. Lord Ballyedmond was an entrepreneur and a gent. He had a great interest in the Newry area and, indeed, the whole of Northern Ireland, and he was very supportive of the institutions here.

A couple of years ago, he invited the Agriculture Committee to visit his Norbrook factory in Newry. He showed a great interest and gave us a personal tour of the factory. After the tour and a detailed analysis of what went on there, we had our lunch in his family home. He gave of his time generously and showed a great interest.

My sympathy goes out to his wife, his two sons and his daughter. My thoughts and prayers and that of the wider community are with the family at this time.

Ministerial Statement

North/South Ministerial Council: Aquaculture and Marine

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a Cheann Comhairle. With your permission, I will make a statement in compliance with section 52 of the 1998 Act regarding the 24th meeting of the North/South Ministerial Council (NSMC) in aquaculture and marine sectoral format.

The meeting was held in Armagh on Friday 21 February. The Executive were represented by Minister Nelson McCausland and me, and the Dublin Government were represented by the Minister for Communications, Energy and Natural Resources, Pat Rabbitte TD, and Fergus O'Dowd, Minister of State in the Department of Communications, Energy and Natural Resources. Minister Rabbitte chaired the meeting. The statement has been agreed with Minister McCausland, and I am making it on behalf of us both.

Ministers considered a paper on sectoral priorities and discussed other priorities in their respective sectoral areas. It was agreed that the priorities would be communicated to the joint secretaries in line with the plenary sitting decision of 8 November 2013. I stated that one of my key priorities would be to bring forward an all-island aquaculture shellfish strategy.

The Council received a progress report on the work of the Loughs Agency from its chairperson, Winston Patterson, and its acting chief executive, John Pollock. Ministers welcomed progress made, including the Loughs Agency's partnership with Co-operation Ireland in developing the Foyle river ambassadors citizenship scheme. The scheme uses the River Foyle as a focus to bring together young people from across the Derry City Council area in a personal development programme. Its aim is to promote the recreational and educational activities provided by the river. As well as getting leadership training, participants do angling, fisheries management, sailing and aquaculture. On completion, they act as ambassadors, publicising the Foyle as an important natural asset that supports a broad range of social and economic activities. It is a very commendable initiative, and I was encouraged to hear that the Loughs Agency is examining the prospect of rolling it out to Carlingford.

In addition, Ministers noted the agency's precautionary measures introduced to contain disease within Lough Foyle and congratulated the agency on the successful delivery of an international conference on salmon stocking. We also look forward to the distribution of the film 'Atlantic Salmon – Lost at Sea', in which the Loughs Agency participated.

The Council also noted progress on the Loughs Agency's financial statements for 2012 and 2013, the Loughs Agency's corporate plan for 2014-16 and business plan for 2014 and the Loughs Agency's pension arrangements.

The Council welcomed, and very much enjoyed, the presentation on the movements of Atlantic salmon in the River Foyle in response to man-made barriers. That is one of a number of applied research projects that the Loughs Agency oversees, in conjunction with the University of Glasgow and Queen's University, and its aim is to help to

protect aquatic resources across the North of Ireland and western Scotland. We noted the valuable contribution that those research projects will make to the management and development of the important Atlantic salmon fishery.

The Council recommended that the competent authorities in each jurisdiction consider jointly hosting an all-island aquaculture shellfish conference. I should say that that is an issue of particular interest to me. Such an event will help to focus and promote the shellfish sector throughout Ireland, and we agreed that plans will be taken forward by officials from my Department and the Department of Agriculture, Food and the Marine, alongside industry partners and others.

Ministers welcomed the report on the Loughs Agency's wide range of activities aimed at promoting and marketing Foyle and Carlingford Loughs. Those included the Loughs Agency's participation in planning for the return of the Clipper Round the World Yacht Race to the Foyle this June and an all-Ireland marketing initiative to promote angling in Ireland at the major exhibition Salon de la Pêche in Clermont-Ferrand, France. That is an expanding dimension of the agency's work, and we have encouraged the further development of such activities.

Other events that the Loughs Agency has been involved in include the Sail West project in association with Donegal County Council. That ambitious marine tourism project brought many benefits to the region, from the development of capital works to the sharing of ideas and experiences with Scottish partners and the creation of a marketing brand, MalinWaters.

We learned that the Loughs Agency is always keen to promote the Foyle area through radio, film and TV coverage. The agency recently worked with UTV, BBC and RTÉ on a number of projects to highlight Lough Foyle as a major tourism asset that is ideal for water-based leisure activities. The Council approved amendments to the Loughs Agency's pension scheme.

The Council noted the process for the recruitment of a chief executive of the Food Safety Promotion Board, SafeFood.

The Council agreed to meet again in aquaculture and marine sectoral format in June 2014.

Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development): I thank the Minister for her statement. After the previous ministerial statement on the North/South Ministerial Council in aquaculture format on 2 December, I raised the issue of the lack of a management agreement for seabed leasing in Lough Foyle. The Committee for Agriculture and Rural Development is very concerned about that issue. On 2 December, I was told by the Minister that all efforts were being made to resolve it. She said:

"We hope to see some movement towards the end of the year to get that resolved. Obviously, we do not want it to slip any further." — [Official Report, Bound Volume 90, p10, col 2.]

Therefore, I am surprised that it did not feature on the agenda of the Council meeting on 21 February, six weeks after the end of the year. Can the Minister provide an update on developments on seabed leasing in Lough Foyle?

Mrs O'Neill: I want to assure the Member that I have given the Loughs Agency every possible support — my full support — in its attempts to finalise the management agreement with the relevant Departments in the South. I am grateful to Minister Rabbitte's officials for their efforts in helping the Loughs Agency to progress the management agreement with the Department of Agriculture, Food and the Marine. I assure the Member that a very positive meeting was held in Dublin on 23 January, which included inputs from all relevant Departments and the Office of the Attorney General on moving forward, particularly with regard to the jurisdictional issues that obviously exist. A number of possible solutions were proposed. They will be pursued and discussed with the Crown Estate. I hope that we will have something more concrete to discuss at the next meeting and will report back to the Assembly in due course.

Mr Byrne: I thank the Minister for her statement. Can she indicate when there will be some outcomes from the research project involving the Foyle system with the University of Glasgow and Queen's University? Can she state whether she has had any discussions with energy Minister Rabbitte about the North/South interconnector, given the importance that it will have for Northern Ireland?

Mrs O'Neill: I will take the questions in reverse. We certainly had a bit of discussion on the interconnector. Minister Rabbitte clearly set out his position and outlined some discussions that he has had with Minister Foster, obviously because it comes under her remit. We had a discussion on the impact that it would have on society in general.

The research project was taken forward through IBIS. It was a really fantastic piece of research, which clearly shows the impact of, for example, weirs and other things on the salmon journey. They are putting all of that information together. Hopefully, that information will then benefit the wider systems right across Ireland and into Scotland. When they disseminate that information, people in other Departments will be able to see the impact of man-made structures, for example, on the salmon journey. It is key research. We are delighted to be associated with it. I believe that there will be wider benefits not only for Lough Foyle and Carlingford but the wider water systems.

Mrs Dobson: I, too, thank the Minister for her statement. She has outlined and, indeed, encouraged further development of the agency's work into the realm of tourism. First, how will the success of that venture be measured with regard to its benefits to the Northern Ireland economy? Secondly, what is the agency's relationship with the Northern Ireland Tourist Board when engaging with and promoting tourism?

Mrs O'Neill: We have been trying very hard to expand that role. The Loughs Agency is very well placed with regard to marketing what we have to offer, particularly when it comes to Foyle and Carlingford. It has been very successful. We want to promote and advertise what we have to offer right across the world, particularly when it comes to angling. The event that the Loughs Agency attended in France was very positive in getting what we have to offer out there to a wider audience. A lot of the other works that have gone on, particularly with regard to tourism around Malin Head and the Sail West project in association with Donegal County Council, have been key to promoting those areas and what they have to offer. So,

we want to have a lot more of that. A number of other big events are planned for this year, building on the benefits that we achieved particularly from the Clipper Round the World Yacht Race, which visited last year and will come again this year.

11.15 am

There are ongoing discussions with all the key agencies, including the Tourist Board, and I encourage those. I think that it is important that the Loughs Agency thinks outside the box in promoting and advertising what positive natural resources we have to offer.

Mr McCarthy: I, too, welcome the Minister's statement this morning. She talked about the all-island aquaculture shellfish conference. Will she outline her thoughts to the Assembly on how she sees that developing? She mentioned the shellfish sector throughout Ireland. Can she see an interest going further than this island?

Mrs O'Neill: I am delighted that the Council recommended that we have a shellfish conference. I certainly feel strongly about that action point, particularly on the back of the difficulties with oyster disease in Carlingford over the past year, which the Member will be aware of. From speaking to the industry, I know that it is very keen for a focus to be put on it. Again, the conference will tie in very nicely with the work of the Agri-Food Strategy Board in looking at how we can help to grow each sector.

Some of the key areas that we will focus on at the conference are as follows: disease prevention and control; the need to focus R&D funding; best practice in biosecurity improvements; emerging EU issues in aquaculture; and other issues such as licensing of sites, financial support, environmental assessments and the review of the current licensing appeals process. We will then look at the growth and marketing opportunities for the industry. Arrangements are ongoing with officials, but we hope to have the conference early next year. As I said, I know that industry has been asking for such a conference, which will really help to put the focus and attention on it and help us to move forward in marketing what we have to offer.

Mr Irwin: The Minister indicated that sectoral priorities were discussed and agreed. One of the priorities is to have an all-island aquaculture shellfish strategy. What are the other priorities, and why are they not listed here for scrutiny by the Assembly?

Mrs O'Neill: They have been listed and discussed before. As far back as, I think, November last year, we discussed all our priorities. At the last meeting, we discussed taking forward an all-island aquaculture strategy, which the conference would feed into nicely. So, that is an additional sectoral priority. However, I am very happy to provide the Member with a detailed list of all the priorities that were previously identified at the November meeting.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement today. I particularly welcome the focus on the opportunities in and around Lough Foyle. Will she provide an update on the new chief executive position for the Loughs Agency?

Mrs O'Neill: The final interviews to select and appoint a new chief executive were held in Belfast on 28 February. A new chief executive has been identified, and the formalities to secure the appointment are under way. The

next stage in the appointment process will be to secure NSMC approval, and work on that is well advanced. So, I very much hope that the new chief executive will be in post by 2 April 2014. My Department and the Department of Communications, Energy and Natural Resources in the South have worked together on that process, and I am grateful to them for their efforts. So, hopefully, that position will be confirmed by 2 April.

Mr Rogers: Thanks to the Minister for her answers thus far. I welcome her statement. What is being done to ensure that our shellfish producers can compete on a level playing field/seabed? How can we compete with Scottish shellfish producers to ensure that we continue to produce the world-class product that we have here?

Mrs O'Neill: I totally agree with you. I think that that area has lacked focus in the past. I recently engaged with growers from Carlingford, whom you will be aware of, and one of the issues that they raised was about how we work together. From that grew the idea that we need to have a strategy, which we do not have, but which would obviously benefit the sector. As I said, the conference ties in very nicely with what we are trying to do in growing all sectors as part of the work of the Agri-Food Strategy Board. It will also be key in looking at how we market our all-island aquaculture. For me, one of the wins from the conference should be a clear direction on what we need to do. The success of that will be industry buy-in, which we have had to date.

Mr Swann: I thank the Minister for her statement. Minister, you mentioned "precautionary measures" to manage and contain disease in Lough Foyle. What specific diseases are you concerned about in Lough Foyle, and what measures are being taken?

Mrs O'Neill: We had to close what is called the south-side bed. *Bonamia ostreae* is the name of the disease that particularly affects oysters. That is the disease that we are considering. At the recent NSMC meeting, we received a briefing from the Loughs Agency as to why, as a precautionary measure, it had to close down that bed.

We took the decision on the temporary closure based on scientific advice, in conjunction with talking to fishermen, because we had to close the season earlier than normally planned for. So, the reason for the closure, as stated in the public declaration at the time, was due to increased infection levels. We were talking about a 70% increase in bonamia. We worked with and continue to work with fishermen because it is important that they understand that, if there has to be an early closure, it is because we are going to protect the sustainability of the industry. There is certainly an understanding of that now. When it comes to next year and next season, we are working proactively with the fishermen if there are to be any of these types of closures as a precautionary measure.

Mr Speaker: That concludes questions on the ministerial statement. I ask the House to take its ease as we change the top Table.

Executive Committee Business

Local Government Bill: Consideration Stage

Mr Speaker: I call the Minister of the Environment, Mr Durkan, to move the Bill.

Moved. — [Mr Durkan (The Minister of the Environment).]

Mr Speaker: Members will have a copy of the Marshallled List of amendments, detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list. There are six groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment Nos 1, 2, 3, 6, 7, 20 to 35, 83 and 91, which deal with access to information and the code of conduct.

The second debate will be on the Minister's opposition to clauses 3 to 9 and schedules 1 and 2, as well as amendment Nos 4, 5, 92, 104, 105, 107, 108, 110 and 111, which deal with councillors' qualification, disqualification, vacancies and resignations.

The group 3 debate is on 30 amendments set out on the grouping list. They deal with governance, decision-making, appointments and transition to new council structures.

The fourth debate is on amendment Nos 36 to 47, 50, 51, 56 and 62, which deal with general powers and duties, community planning, general power of competence and performance improvement.

The group 5 debate deals with the 33 technical amendments to the Bill.

The sixth and final debate will be on amendment Nos 63 to 66, which deal with flags. A valid petition of concern has been tabled in relation to amendment No 63, which will therefore require a cross-community vote.

Once the debate on each group is completed, any further amendments in the group will be moved formally as we go through the Bill and the question on each will be put without further debate. The questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

Clause 1 ordered to stand part of the Bill.

Clause 2 (Constitutions of councils)

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2, 3, 6, 7, 20 to 35, 83 and 91. The amendments deal with access to information and the code of conduct for councillors. Members will note that amendment No 26 is consequential to amendment No 25 and that amendment No 30 is consequential to amendment Nos 28 and 29.

Mr Durkan (The Minister of the Environment): I beg to move amendment No 1: In page 1, line 14, leave out "council's code of conduct" and insert

"Northern Ireland Local Government Code of Conduct for Councillors".

The following amendments stood on the Marshallled List:

No 2: In page 1, line 17, after "that" insert "from 30th April 2015".— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 3: In page 1, line 17, after "available" insert "on its website and".— [Mr Elliott.]

No 6: In clause 10, page 5, line 25, leave out "subsection (1)(f)" and insert "this Act".— [Mr Durkan (The Minister of the Environment).]

No 7: In clause 10, page 5, line 26, leave out "prescribed public body or other association" and insert "public body".— [Mr Durkan (The Minister of the Environment).]

No 20: In clause 46, page 25, line 37, leave out line 37 and insert -

"(7) So far as is reasonably practicable, a council shall facilitate—".— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 21: In clause 48, page 27, line 28, after "must", insert -

"as soon as is reasonably practicable".— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 22: After clause 48, insert -

"Audio recording of meetings

48A.—(1) *So far as is reasonably practicable, a council must make an audio recording of so much of any meeting of the council as is open to the public and the recording must be available to the public at the offices of the council until the expiration of the period of six years from the date of the meeting and published on the council website until the expiration of the period of two years from the date of the meeting.*

(2) *This section does not apply in relation to meetings of any committee or sub-committee of the council.*— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 23: In clause 49, page 28, line 18, at end insert -

"(6) A council must put on its website any document which is open to inspection under subsection (1)."— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 24: In clause 58, page 33, line 17, at end insert -

"(1A) Instead of, or in addition to, conducting an investigation under this section, the Commissioner may take such action as appears to the Commissioner to be desirable to deal with any particular case falling within subsection (1)."— [Mr Durkan (The Minister of the Environment).]

No 25: In clause 62, page 36, line 36, at end insert—

"(13) A person who is censured, suspended or disqualified by the Commissioner as mentioned in subsection (3) may appeal to the High Court if the High Court gives the person leave to do so."— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 26: In clause 62, page 36, line 36, at end insert—

"(14) An appeal under subsection (13) may be made on one or more of the following grounds—

(a) that the Commissioner's decision was based on an error of law;

(b) that there has been procedural impropriety in the conduct of the investigation under section 58;

(c) that the Commissioner has acted unreasonably in the exercise of the Commissioner's discretion;

(d) that the Commissioner's decision was not supported by the facts found to be proved by the Commissioner;

(e) that the sanction imposed was excessive."—
[Ms Lo (The Chairperson of the Committee for the Environment).]

No 27: In clause 63, page 37, line 29, at end insert—

"(9) A person who is suspended (or partially suspended) by the Commissioner by notice as mentioned in subsection (1) may appeal to the High Court if the High Court gives the person leave to do so."— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 28: In clause 64, page 37, line 37, leave out from "and" to the end of line 38.— [Mr Durkan (The Minister of the Environment).]

No 29: In clause 64, page 38, line 5, leave out from "and" to the end of line 8.— [Mr Durkan (The Minister of the Environment).]

No 30: In clause 64, page 38, leave out subsection (6).— [Mr Durkan (The Minister of the Environment).]

No 31: In clause 67, page 39, line 23, leave out subsection (2).— [Mr Durkan (The Minister of the Environment).]

No 32: In clause 67, page 39, line 28, leave out "Commissioner" and insert "Department".— [Mr Durkan (The Minister of the Environment).]

No 33: In clause 67, page 39, line 28, leave out

“, with the approval of the Department of Finance and Personnel,”.— [Mr Durkan (The Minister of the Environment).]

No 34: In clause 67, page 39, line 30, leave out from "may be prescribed" to the end of line 35 and insert

"the Department, after consultation in accordance with subsection (3A), considers appropriate.

(3A) The Department must consult—

(a) councils; and

(b) such associations or bodies representative of councils as appear to the Department to be appropriate,

about the manner in which the amount mentioned in subsection (3) is to be apportioned.

(3B) The Department may deduct from any grant payable under section 27A of the Local Government Finance Act (Northern Ireland) 2011 to a council for a financial year the amount apportioned to it under subsection (3)."— [Mr Durkan (The Minister of the Environment).]

No 35: In clause 68, page 40, line 11, at end insert -

"(5) Where a councillor who is suspended otherwise than partially or is disqualified under this Part is also a member of any other public body (whether as an external representative of the council or otherwise), the councillor is also suspended or disqualified from being a member of that body and any committee or sub-committee of that body.

(6) Any reference in this Part to a councillor being partially suspended from being a councillor includes a

reference to the councillor being partially suspended from being a member of any other public body of which the councillor is a member (whether as an external representative of the council or otherwise) and the reference in subsection (2) to particular functions or particular responsibilities as a councillor includes particular functions or particular responsibilities as a member of that body."— [Mr Durkan (The Minister of the Environment).]

No 83: After clause 123 insert -

"Council websites

Council websites

123A. The Department must by regulations specify a standard format for the domain names of council websites."— [Mr Elliott.]

No 91: In clause 125, page 70, line 27, at end insert -

"() section 51;

() section 54;"— [Mr Durkan (The Minister of the Environment).]

Mr Durkan: Mr Speaker, with your permission, I propose to speak first to the amendments that I will recommend that the Assembly accept.

Clause 2 requires a council to prepare and keep up to date a constitution that sets out how a council operates and the structures that it has in place for decision-making. There are three amendments on the constitution of councils. The constitution of every council, as provided in clause 2, will include a copy of the code of conduct. As there will be only one code of conduct for councillors — the mandatory code provided for in clause 56 — I propose, through amendment No 1, to clarify this point and change the reference to:

"Northern Ireland Local Government Code of Conduct for Councillors".

I have considered amendment No 2 from the Chair of the Environment Committee, which sets a deadline by which a new council must have prepared and agreed its constitution. I support the amendment, which will provide early clarity for ratepayers on how their new council intends to operate.

In addition, clause 2 provides for a council to ensure that its constitution is made available at its principal office for inspection by members of the public at all reasonable times. Amendment No 3, tabled by Tom Elliott and Danny Kinahan, would compel a council to ensure that a copy was also placed on its website. The primary aim of requiring a council to prepare and publish a constitution is to underpin transparency in how a council operates and transacts its business. This amendment reinforces that aim, and, therefore, I am happy to recommend that the Assembly support it.

Amendment No 24 and amendment Nos 28 to 35 refer to the new ethical standards framework, which will be the responsibility of the Northern Ireland Commissioner for Complaints. Amendment No 24 takes into account a recommendation made by the Environment Committee that provision be made for dealing with complaints about minor breaches of the code of conduct. I propose to amend clause 58 to provide the Commissioner for Complaints with the flexibility to deal with such complaints by taking whatever action is considered appropriate for resolving

the complaints. That could include referring the matter for local resolution or referring the case for mediation. The commissioner will still retain responsibility for any case subject to this approach.

Mr Speaker, I now draw your attention to amendment Nos 28, 29 and 30, all of which relate to clause 64. This clause allows the commissioner to make recommendations to a council, arising from an adjudication, about the exercise of a council's functions or failure to observe the code of conduct. The council, in turn, must prepare a report on what action it proposes to take to address the recommendations. As drafted, the clause provides that the commissioner sends a copy of the recommendations to the Department of the Environment and any relevant Department. However, it may not always be obvious to the commissioner what the "relevant Department" would be.

I propose amending clause 64 to provide that any recommendations made by the commissioner, or any subsequent report produced by a council, are sent to my Department in the first instance for referral to any other Department as required. These amendments do not involve any change of policy but provide further streamlining of the procedure so that my Department will initially receive and, therefore, coordinate relevant recommendations from the commissioner.

Amendment Nos 31, 32, 33 and 34 seek to alter clause 67 to provide that the apportionment of the costs of the commissioner for ethical standards work will be determined by my Department after consultation with councils, rather than by the commissioner. The amendments do not alter the policy intent but seek to provide transparency that councils will be consulted on the manner in which the expenditure is apportioned as result of the top-slicing provision.

Amendment No 35 takes into account comments from the Environment Committee and will provide clarity on clause 68.

That clause will be amended to clarify that, should the decision of the Commissioner result in suspension and/or disqualification of a councillor, the suspension and/or disqualification will also apply to the councillor's membership of any external public body on which he or she represents the council or is a member of by virtue of being a councillor.

11.30 am

Amendment Nos 6 and 7 make minor adjustments to clause 10 that will extend the definition of the term "external representative" to the whole of the Act. In addition, they will amend the reference to prescribed public bodies, thereby removing the need to specify them in regulations.

Amendment Nos 21 to 23, tabled by Ms Anna Lo and Mr Stewart Dickson, deal with accessibility to information.

Amendment No 21 seeks to strengthen clause 48 to ensure that specified documents, such as council agendas, minutes, summaries and reports, are available on the council's website so that they are available for all interested parties by requiring that action to be taken as soon as is reasonably practicable. Councils must not take months to publish the minutes of meetings.

Amendment No 23 requires a council to place copies of background papers on its website that support a report, or part of a report, that has been considered at a meeting of

that council. That will allow anyone examining a report on the council's website to appreciate the considerations that went into the preparation of the report.

Those amendments support my desire to improve transparency in the operation of a council and how it transacts its business. I recommend that Members accept those amendments.

Amendment No 22 introduces a new clause, which seeks to require councils, so far as is reasonably practicable, to make audio recordings of those parts of any council meeting, excluding committee or subcommittee meetings, that are open to the public. Such an approach can assist in providing clarity on the discussions that take place at a council meeting and help to support the new ethical standards framework by removing doubt over comments made by members in respect of other members. In supporting that new approach, however, I emphasise the so-far-as-is-reasonably-practicable aspect of the requirement. I do not want to place an unacceptable financial burden on a council regarding the costs of introducing the equipment necessary for the production of audio recordings.

Finally, following a recommendation by the Examiner of Statutory Rules, and as a result of amendment No 91, I will amend the Assembly scrutiny required for subordinate legislation under clauses 51 and 51 to the draft affirmative procedure, whereby any regulations and orders require approval by resolution of this Assembly.

I will now speak to those amendments that I recommend do not stand part of the Bill.

Amendment No 20 was tabled by Ms Anna Lo and Mr Stewart Dickson. Clause 46 introduces new arrangements to ensure transparency in the operation of a council by making provision on the public's right of access to meetings and information of a council. It also provides that there is no requirement for a council to permit the taking of photographs of proceedings or the use of any means for providing live reporting or oral reporting of proceedings. That maintains the current position provided for in the Local Government Act (Northern Ireland) 1972.

However, amendment No 20 aims to reverse that position and seeks to require a council to facilitate, so far as is reasonably practicable, the taking of photographs at a council meeting and the recording or making of an oral report of the proceedings by an individual member of the public or even a councillor in attendance at the meeting. The introduction of such freedoms is likely to create difficulties for a council in its management of any arrangements to ensure that any actions by members of the public and media do not interfere with the transaction of the business of the meeting. It could also create difficulties in that information could be taken out of context, which could lead to complaints under the code of conduct or litigation, including those in regard to data protection issues. So, while I understand and sympathise with the thinking behind the amendment, I do not think that its practical implications have been considered. Therefore, I cannot support that amendment.

Three amendments relate to the provision of an appeals mechanism in the ethical standards process. Amendment Nos 25 and 27 seek to provide for an appeal to the High Court for any person who is subject to further action following either an interim report or adjudication by the

commissioner if the High Court gives leave. Amendment No 26 sets out the grounds for any such appeal. I urge Members not to accept those amendments.

Any person who may seek to appeal the commissioner's findings can use the existing judicial review procedure. The remedies that are available to a court in a judicial review in exercising its discretion include quashing a decision, declaring it to be unlawful, damages and injunction. The commissioner has obtained legal advice from senior Crown counsel that judicial review would be the appropriate means of challenging a decision of the commissioner and has liaised with the Human Rights Commission to confirm that judicial review would be appropriate.

Mr Allister: Will the Minister give way?

Mr Durkan: Certainly.

Mr Allister: Will the Minister also confirm that, although the Alliance Party amendments seem to be interested only in the rights of anyone against whom there has been an adverse finding, judicial review would also be available to a complainant who is unhappy with the commission's finding? Is that correct?

Mr Durkan: I confirm that that is the case.

In addition, my departmental legal advice supports the judicial review route. The House should also note that the provision of such an appeal process does not exclude the additional application of judicial review, which could extend the process significantly. That, in turn, could create uncertainty for the electorate during that period, uncertainty for any councillors who are involved in the case and who may wish to stand for office in the future and, more importantly, uncertainty for those persons who made the complaint to the commissioner. That could include other councillors and members of the public. This is an important consideration in the context of councillors' time-limited appointments and the costs that may be incurred for the ratepayer. Undue delays before a final resolution could attract undue media attention to the issue, which could, in turn, call into question the framework's effectiveness.

Amendment No 26 relates to the grounds for an appeal. My Department's legal advice has indicated that the provisions in this amendment are similar to the grounds for judicial review. Therefore, I question whether anything would be added by introducing such an appeal process. I believe that the framework, as provided in the Bill, will have the necessary robust procedures in place to provide the fairness, transparency and confidence that such a process requires. I also remind Members, as I stated at the Bill's Second Stage, that the framework will be reviewed in three to four years' time. For those reasons, I do not believe that these amendments would improve the Bill. Rather, they would serve to replicate an existing procedure and make the effective implementation of the new arrangements more cumbersome.

Amendment No 83, as tabled by Mr Tom Elliott and Mr Danny Kinahan, seeks to introduce a new clause to provide for my Department to issue regulations so that all domain names for council websites are in a similar format. I do not consider that my Department should have a role in that, as councils must be provided with the independence

to make decisions on domain names, just as they will make decisions on the name of their council.

Ms Lo (The Chairperson of the Committee for the Environment): On behalf of the Environment Committee, I welcome the Consideration Stage of the Local Government Bill.

The Bill was referred to the Committee on 11 October 2013, and to ensure that there was enough time to scrutinise it fully and effectively, the Committee sought an extension of the Second Stage to 20 February 2014. There were 38 written submissions to the Committee's call for evidence on the Bill. The Committee had a number of oral briefings from departmental officials, as well as from representatives of the Northern Ireland Local Government Association (NILGA), the Assembly Research and Information Service (RalSe), the Northern Ireland Public Service Alliance, the Northern Ireland Audit Office (NIAO), Community Places, the Commissioner for Complaints, and Belfast City Council.

The Committee also held a stakeholder event at which all who responded to the call for evidence were invited to give their views on the Bill. I would like to place on record the Committee's thanks and appreciation to those who responded in writing and to those who provided oral briefings for the Committee.

On 20 February 2014, the Committee completed its scrutiny of the Bill and published its report, which contained 13 recommendations. Most of those recommendations have been addressed by the Minister, either by the amendments tabled here today or by an assurance from the Minister that they will be addressed in forthcoming statutory guidance and subordinate legislation, and I thank the Minister for that. However, the few recommendations that remained outstanding required the Committee to table its own amendments.

I now turn to the amendments in group 1. During Committee Stage, the Department outlined to members how it was working with local government to develop the key documents, including the code of conduct that will form a council's constitution, and which are to be put in place ahead of the establishment of the shadow councils. Departmental officials outlined the need for amendment No 1 to make it quite clear that it was the code of conduct specified in Part 9 of the Bill that must be included in the constitution. The Committee was content to support that amendment to clause 2.

Amendment No 2, also to clause 2, is a Committee amendment. The Committee welcomed the requirement in clause 2 for councils to produce a written constitution but expressed reservations that no timeline was specified for the publication of the constitution, particularly since the Department plans to provide a model constitution as a template. The Committee believes that a council should provide a constitution on a timely basis and at least by the end of the expiry of the period of the shadow councils. The Committee communicated those concerns to the Department, but the Minister indicated that he did not consider it appropriate to amend this clause so that councils are not pressured into publishing a hastily prepared constitution. The Committee feels that a specified time would act as an incentive rather than a constraint, and for that reason it agreed to bring forward an amendment to clause 2(2) to specify that a constitution

should be available from April 2015. I commend that amendment to the House.

I have no comment to make on amendment No 3, as it was not considered at Committee Stage. Departmental officials explained the rationale behind amendment Nos 6 and 7 to clause 10, and the Committee was content to agree the clause, subject to those amendments. As Amendment Nos 20 to 23 were not considered by the Committee, I have no comment to make on them as Chairperson.

In its deliberations on clause 56, the Committee raised the issue of how minor complaints would be dealt with, and departmental officials agreed to refer that matter to the Minister. Members also asked that the Minister reiterate his intention for the role of the Commissioner for Complaints to be reviewed in three to four years' time. The Department's proposed amendment would allow the Commissioner for Complaints to refer minor complaints to a council to be dealt with locally, and the Committee agreed that it was content with that amendment. I therefore support amendment No 24 on behalf of the Committee. I also welcome the Minister's assurance that he still intends to carry out a review of the role of the Commissioner for Complaints in three to four years' time, as he has previously indicated. The Minister has just assured us on that issue.

11.45 am

In its wider consideration of the role of the commissioner, the Committee expressed serious concerns about the lack of an appeal mechanism in the Bill. The commissioner is enabled to investigate and adjudicate and to prescribe sanctions for any alleged breaches of the code of conduct, but no form of appeal against his decision is specified in the Bill. In his evidence to the Committee, the commissioner took the view that judicial review was an appropriate option for appeal, but the Committee felt that that was not only time-consuming but too limited in scope to be adequate.

In response to those concerns, the Department prepared an amendment to enable a councillor who is censured, suspended or disqualified by the commissioner to appeal to the High Court. The Committee agreed that it was content with the amendment and recorded that in its report. However, the Minister subsequently wrote to the Committee to advise that, following legal advice and discussions with the Commissioner for Complaints, he no longer intended to bring forward amendments to provide for an appeal mechanism. Some members were very disappointed in the Minister's change of heart, as they believe that the role of the ombudsman is intrinsically different when he acts as Commissioner for Complaints. As commissioner, he will have the power to investigate and adjudicate, and potentially administer severe sanctions, on a complaint made against an individual person, not against a corporate entity. That person's good name and career as a councillor is at stake.

The Committee believes that the suggested remedy of a judicial review of the commissioner's decision is likely to prove inadequate, as it takes into account neither excessive sanctions imposed nor a decision not supported by the evidence. Subsequently, the Committee decided to bring forward amendment Nos 25, 26 and 27 to clauses 62 and 63 to provide for a right of appeal to the High Court following a decision by the Commissioner for

Complaints. However, I and another Committee member dissented from the decision of the Committee following the Minister's explanation.

Mr A Maginness: I am grateful to the Member for giving way. This is a difficult issue, and the Member indicated, in her capacity as Chair, that the Minister changed his mind in a sense. Having listened to the Committee, he prepared a form of amendment and then, on receipt of strong legal advice, advised the Committee that it would not be appropriate to bring forward an amendment of that nature. The reason for that was that the position of ombudsman has a constitutional import. No decision of any ombudsman is appealable. There may well be judicial review, and so forth, but it is not appealable in the ordinary sense of the word. Therefore, the amendment was deemed inappropriate and verging on unconstitutional. Does the Member accept that?

Ms Lo: Yes, very much so. I am of the same view as the Member. I thank the Member for explaining the issue.

On amendment Nos 28 to 30 —

Mr B McCrea: Will the Member give way?

Ms Lo: Yes, of course.

Mr B McCrea: I am very glad that Mr Maginness has explained it, but it is still not terribly clear to me what you, as Chair, are proposing. Amendments are coming forward that strong legal advice says are unconstitutional, and therefore you are recommending, on a personal basis perhaps, that we should not support them. Is that the position?

Ms Lo: The Committee decided, by majority, to put forward the amendments. I and Mr Maginness dissented from that decision as members of the Committee. It is quite legitimate for the Committee to put forward that amendment on behalf of the majority of the members. Like Mr Maginness, I think that this provision will undermine the independence of the ombudsman and that it may have unintended consequences if we set a precedent that the ombudsman's decision can be appealed to the High Court, rather than through the normal route of judicial review.

On amendment Nos 28 to 30, the Committee was informed by the Department that it proposed to make technical amendments to clause 64 to clarify that the commissioner's report should go primarily to the Department of the Environment, rather than any other Department. The Committee was content with the policy underlying those amendments, although the wording was not provided before its report was agreed. I support the amendments on the Committee's behalf.

Amendment Nos 31 to 34 were not brought to members' attention at Committee Stage, but departmental officials indicated that the Minister was prepared to reconsider the original apportionment of the commissioner's expenses, in consultation with representatives of councils. The Committee welcomes his decision to bring forward the amendments to allow the Department to top-slice the total grant, rather than make apportionment to individual councils. As Chairman, I am content to support amendment Nos 31 to 34.

Moving to clause 68, the Committee asked the Department to clarify the position of a councillor who is disqualified from being a member of a council but who continues in an

appointment to an external public body. The Department agreed to draft an amendment to make the position more explicit. The Committee is, therefore, content to support amendment No 35.

There is no Committee position on amendment No 83 because members did not consider it at Committee Stage.

Amendment No 91 makes clauses 51 and 54 subject to the draft affirmative resolution procedure. That was considered by the Committee under the advice of the Examiner of Statutory Rules, and members are content to support the amendment.

With your indulgence Mr Speaker, I would like to address the House in my capacity as Alliance MLA for South Belfast. I support the four amendments that Alliance has tabled to Part 8 of the Bill, "Access to meetings and documents".

Amendment No 26 would modify clause 46, relating to admission to meetings of councils, so that councils, so far as is reasonably practicable, shall facilitate photograph taking, oral reports and use of social media. Amendment No 21 inserts the phrase

"as soon as is reasonably practicable"

into clause 48, in respect of putting on a council's website any minutes and other documents for public inspection. In the interests of openness and transparency, the Alliance Party tabled that amendment to the provision about online publication of papers such as minutes and agendas.

Amendment No 22 adds a new clause 48A to enable councillors to make audio recordings of public meetings and make them available to the public. We believe that that is vital to ensure that the workings of local governance are transparent and that the expense will not be excessive. The Minister mentioned that he does not want a burden on councils, and I will comment further on the cost later.

Amendment No 23 addresses the inspection of background papers. If agreed, it would insert subsection (6) at the end of clause 49, which would read:

"A council must put on its website any document which is open to inspection under subsection (1)."

I want to set out our rationale for tabling those four amendments. It is of concern that too many of our councils operate in a way that is not open and transparent to local residents. Too often, councils seem to be convinced that it is better to keep decisions quiet and avoid too much fuss. A prime example of that is the existing Castlereagh council, which has asked journalists to leave and which regularly frustrates residents who are trying to observe council proceedings, even if they are not disrupting proceedings in any detrimental way. It is also crucial that people are able to access minutes, agendas and background papers online so that we can take advantage of modern technology to disseminate information more widely and quickly. Our amendments seek to make sure that that is possible and, taken together, will increase transparency and access to information.

Mr B McCrea: I thank the Member for giving way. I wonder whether, in the general thrust of her discussion of the amendments, she will cover the issue of having a lot of council meetings in closed session. I think that, as far as openness and transparency are concerned, unless there

are particular reasons for council business being held in closed session, it should be conducted in open session. Has she dealt with that or does she have an opinion on that?

Ms Lo: I suppose that the audio recording that we suggest would help by providing more openness for members.

Mr Weir: On a point of order, Mr Speaker. I mean no disrespect, but is it appropriate for the Member to turn around when speaking and address one other Member rather than the Chamber? It does not help, even from the point of view of hearing what is being said.

Mr Speaker: It is a fair point of order. I know that the Member is not doing it deliberately. Maybe it is important to stress that all remarks should be made through the Chair.

Ms Lo: I apologise, Mr Speaker, and accept the Member's guidance. The Member's —

Mr Weir: Yes, words fail you.

Ms Lo: His opinion. His comment.

Mr B McCrea: On a point of order, Mr Speaker. Perhaps you would rule on a matter. I absolutely understand that all comments should be through the Chair, but does that mean that they should be to the Chair? It is part of debate that you can turn round and engage with people. Obviously, due respect must be given to you, Mr Speaker, but I am not sure that it is entirely inappropriate for the Member to turn round and acknowledge my point. Otherwise, I would be looking at the back of her head.

Mr Speaker: It is a courtesy to the Chair. We also find that when some Members turn around it creates difficulties with the amplifying and recording systems. I can understand that Members sometimes naturally feel that they need to turn around when they get an intervention from a Member behind them. I am reasonably relaxed about it, but I think that it is important that, as far as possible, Members turn to the Chair.

Ms Lo: Thank you. I appreciate the guidance from the Speaker. Of course, the Speaker knows that I have the greatest respect for him and that that was not meant to be a slight. I do like to talk to people face to face and look them in the eye. I am speaking to you, but he is behind me.

Mr Speaker: I can certainly understand.

Ms Lo: Thank you. I think that closed sessions in councils should not be the norm. Public open sessions should be the norm, and closed sessions should be the exception, with good reasons for holding them in that way.

Mr Allister: Will the Member give way?

Ms Lo: Yes, of course. *[Inaudible.]*

Mr Allister: I know that you are not to turn round.

Mr Speaker: Order. Let us not turn the issue of Members turning around into a full debate. I appreciate that Members have to turn around for a few seconds. I do not think that there is anything wrong with that. Let us move on. We have an important Bill that we are trying to get through the House.

12.00 noon

Mr Allister: I am sympathetic to the Member's amendment No 22, but I want to explore with her what her view is about the extent of its application. It is worded in terms of

recording any meeting of the council that is open to the public. Surely, part of the problem with the Bill is that it anticipates that a lot of the actual, real decisions will be made in an executive committee of the council — not by, or in, the council at all. Does the Member's amendment at all seek to address meetings that are held in a Cabinet-style committee or elsewhere, or is she content that her amendment would only apply to full meetings of the council?

Ms Lo: I thank the Member for his intervention. We intend the audio recording to take place only in public meetings of the council. That is to avoid people saying, "I said that" or "I did not say that". That is a good record. If I may continue, Mr Speaker, I will explain a bit further.

Our first amendment, No 20, makes changes to clause 46, which can be read as prohibiting photography and real-time reports, including on social media. The current wording that nothing "requires a council to permit" such activities, in our view, is too stringent and too open to interpretation. We are proposing to reword that to require a council to facilitate anything that is "reasonably practicable". That is a common legal phrase and would allow the council to refuse to permit anything that is causing a distraction, such as flash photography, for example, or oral reports that are interrupting proceedings. The amendment turns clause 46 from a shield against public access to information into a sword for the public who wish to engage with the council.

Our next amendment, No 21, simply inserts the phrase:

"as soon as is reasonably practicable",

into the wording of sections about placing papers online. The reason for that is twofold. The first is that it will speed up publication. The second is that it should require minutes and background papers to be placed online before the meeting takes place.

Similarly, amendment No 23 requires that the background papers which are available to the public in council offices are also available online. In the modern age, the Internet gives us the opportunity to open up councils to the public in a way that was inconceivable in previous generations. We should take advantage of that. For the same reason, I am happy to back amendment No 3 from the UUP regarding online publication of constitutions.

Mr B McCrea: Will the Member give way?

Ms Lo: Yes.

Mr B McCrea: Just before she moves off the point of amendment No 22, I refer her to new clause 48A(2), which states:

"This section does not apply in relation to meetings of any committee or sub-committee".

While the Member finds her place on that amendment, I will just say that I wonder why that restriction has been brought in. Why is it necessary to have that second subsection? If we are trying to have openness and transparency, surely it should all be open and transparent.

Ms Lo: I am still finding the place.

Mr B McCrea: Ms Lo is looking at her papers. She will find that it is clause 48A(2) in the amendments. She might also consider, in dealing with the same point, that if we

are to be open and transparent in the Internet world, as you were talking about, whether one needs to consider if members have to be present in the chamber, or could it be possible that they could phone in or be available by video conferencing, as we do sometimes in the courts? I wonder whether she has extended her openness to that point. Perhaps, Mr Speaker, Ms Lo has found her place. I look forward to her response.

Ms Lo: Our amendment is only about making audio recordings and publishing papers online. It tries to improve the process by putting information on the website as soon as reasonably practicable, before and after meetings, to increase transparency for members of the public.

Amendment No 22 is the most significant of the Alliance amendments on transparency. It requires councils to create and place online an audio recording of proceedings. There are a few things to stress about the amendment: it relates to meetings of the full council only, as I said earlier, and not to meetings of committees and subcommittees.

Mr B McCrea: Will the Member give way?

Ms Lo: Yes.

Mr B McCrea: Ms Lo, the bit about it relating only to the full council was the point that I was looking for. You specifically exclude any meetings of committees or subcommittees. I was wondering why you felt that that was necessary, because, in the interests of openness and transparency, we should, perhaps, be doing all council business online and making it available for the public to observe what is happening.

Ms Lo: Yes, I understand the Member's point.

Lord Morrow: Will the Member give way?

Mr Speaker: Lord Morrow may have a similar intervention.

Ms Lo: Sure.

Lord Morrow: My intervention takes an opposite direction to Mr McCrea's. As one who has served on a council for some years, I feel that the amendment will not have the effect of helping debate and discussion; it will do the exact opposite. We need to keep in mind that we are talking about councils that regularly deal with community-based issues. I feel that, if this is introduced, councillors may well be put off. That is not in any way saying, Mr Speaker, that I am not for transparency, because I believe that transparency is essential. I do not think that the proposed amendment would add to it; I think that it would hinder and obstruct the effective working of a council. I ask Anna Lo to give that consideration when pushing the amendment, because this may not be the best way to go. I ask her to look seriously at that.

Ms Lo: First, I will address Basil McCrea's point about whether we should extend the amendment to committee and subcommittee meetings. I think that audio recording is a first step. There will be so many committee and subcommittee meetings that there may be a logistical reason not to extend. If we start with audio recording all public council meetings, where all of the decisions are discussed and further discussed —

Mr Dickson: Will the Member give way?

Ms Lo: Yes.

Mr Dickson: Thank you, Ms Lo, for your comments. I heard Lord Morrow's comment that he thinks that audio recording might act to inhibit main council meetings. My experience of similar length, 32 years on Carrickfergus Borough Council, was the opposite. We were always a very open council. Despite many rows and arguments over the years, all of our meetings, to the best of our ability, were open to the public and the press. We never moved to the point of recording meetings, but I think that that is the next logical step. Amendment No 22 presents to the House an open baseline for the standard that we expect in our new local authorities. These are new local authorities that, hopefully, will be fit for purpose for many years.

I know that Ms Lo will agree that recording at least the main meeting of a council is a step in the right direction. I wholly agree with Mr McCrea that, subsequently, that should also include committees and subcommittees of those councils. It may even be that we can move that forward at Further Consideration Stage. This is about setting a baseline standard. It is a standard that the House meets daily. It is what is happening as I speak, and there is absolutely no reason why it should not happen in the new local government arrangements.

Lord Morrow: Before Anna Lo speaks again, I will say that Mr Dickson makes my point admirably. He started off by stating that the council that he belonged to was open and transparent. I have no reason to disbelieve that; I accept that. I am sure that he is not claiming that he brought all the transparency to Carrick.

Mr Dickson: No.

Lord Morrow: I know you are not saying that, so do not get excited. However, the inference could well be that other councils are not open and transparent. Therefore, I think that it puts a shadow of suspicion where there never ever should be one. The few words that I said earlier put the case for not doing what Mr Dickson says should be done. Can he explain any way in which it has been very helpful in his council, bearing in mind that it was already so open and transparent in everything that it thought, said and did? I put that directly to the Member.

Mr Speaker: Before Mr Dickson gets to his feet again, I make it absolutely clear that it is Anna Lo who has the Floor. It is her decision about whether she gives the Floor. That is just to clarify the position.

Ms Lo: Thank you for your guidance, Mr Speaker. It is healthy to have a good debate on the issues. In response to what Lord Morrow said, I think that, if councils are transparent, there is nothing to fear from recording the proceedings of meetings. It would also serve as a record for people to refer to later rather than having to argue about whether someone said something.

Mr McCallister: I am grateful to the Member for giving way. I have no real understanding of why Lord Morrow is concerned. We practice it in this Building. Very few of our Committee meetings are held in closed session — only very small sections of them when we are obtaining legal advice — and there is still a record kept for members. Why would we not want and welcome that openness and transparency in moving away from the idea of councillors in smoke-filled rooms doing some sort of deal? I know that the pro-smoking wing of the DUP has been extinguished, but I am surprised that they are fearful of that openness.

Ms Lo: I am grateful for the Member's intervention.

I will go back to what I was saying. I want to stress a few things about this amendment. It relates only to meetings of the full council and not to meetings of committees and subcommittees. However, as our Chief Whip said, we may consider extending it at Further Consideration Stage or have a look at it and then see about extending it at some other stage. It would not affect councils that currently make video recordings and place them online. They would be able to continue doing that.

The cost of audio-only recordings has been examined by some councils in England. The cost per year is hundreds of pounds rather than thousands. Canterbury City Council told us that it cost them only £160 to buy the audio equipment. So, the cost is not excessive in any way.

This is crucial, because it would no longer be acceptable that, if someone wished to follow their local council's proceedings, they could do so only if it is at a convenient time. For little cost, we can provide a service for residents and ratepayers that will increase transparency.

12.15 pm

However, this amendment also fits in well with the other amendments in this group on the councillors' code of conduct. What better way is there to discover whether councillors said things, in the chamber at least, that breach that code than to have an audio recording of what was said? In fact, such a record of proceedings may encourage councillors to behave more appropriately. Most crucially, it sends a signal that the new councils cannot take for granted their responsibilities in transparency. It will be a signal that, in some areas, councils will now be mature, modern and open institutions, which they should be.

All these amendments are more important now than before, as our councils will be acquiring a whole range of functions of significant clout, such as regeneration, planning and local economic development. Those are hefty responsibilities, and they require a significant increase in scrutiny to ensure that they are exercised effectively, fairly and openly. Access to information should be a default position anyway, but it is all the more crucial now that we are investing significant new powers in our councils.

Mrs Cameron: I am pleased to be able to support the majority of amendments in group 1. This group deals with issues looking at the code of conduct of councillors and access to the information that they will have. I believe that we need to ensure that we have the proper balance between corporate compliance and the ability for business to be conducted in an open and transparent manner.

That said, as I see it, there are two procedures that have no need to be in the legislation. In this case, I am talking about amendment Nos 20 and 22. Amendment No 20 concentrates on the facilitation of detailed access to council business, and, although I am in favour of allowing the public to have more access to and a greater say in local government, I believe that this measure is excessive and unworkable. However, if there is a need to occasionally record business in this manner, that should be for the council itself to arrange. It needs no legislative support in the way that is suggested here.

Amendment No 22 —

Mr B McCrea: Will the Member give way?

Mrs Cameron: I will.

Mr B McCrea: Mr Speaker, she thought that the proposals in the amendment were “unworkable”. Why are they unworkable? Surely, as Ms Lo outlined, recording equipment is very cheap, and we can manage it. Why is it unworkable?

Mrs Cameron: I thank the Member for his intervention. Maybe “unworkable” is not the right description for it, but, having served on a council for eight years, I think that it would be very burdensome on councils. I do not think that it is just a matter of spending £160 or whatever it is for a piece of equipment; I think that it will take a great deal of staff time to manage those audio recordings and, indeed, to keep them for six years and to make sure that they are accessible on the website and whatnot.

For me, amendment No 22 is more invasive, as it requires the council to make audio recordings of meetings and to retain this information for a period of six years, as I mentioned, and to include it on the website. This, for me, is truly in the realms of Big Brother-style scrutiny. It is excessive and, I would have thought, unreasonably costly to implement and manage. In reality, the prospect of this service being routinely availed of is, in my opinion, low to non-existent and is not required to be part of this Bill.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to speak at this Consideration Stage of the Bill. I put on record my thanks to the Committee staff, the departmental officials and all those who took part in the Committee consultation process and gave evidence. I think that there were some very telling contributions and a lot of participation.

I do not intend to speak for long, but there are a couple of amendments that I would like to air some views on. We had the opportunity at Committee, which other Members would not have had as they are not part of the Committee. They will get their chance over the next two days to air their views. I want to pick up on one or two major ones that came up. There are other issues being brought to the Floor today that came up in the Chamber, and it is every Member’s right to bring those back to the Chamber.

On a couple of points of clarity, I welcome amendment Nos 1 and 2 on the Minister bringing forward clarity on the code of conduct and the issue of a council having to produce the constitution by April 2015. The other issue brought up and discussed by Ms Anna Lo is the audio. In principle I agree with it and do not have any issues with it. There may be an issue of a burden of cost, and the Minister has relayed that in his contribution. Maybe the Minister will consider supporting councils in installing an audio system. Maybe he will give his views on that. There is a cost factor, but in principle I do not see an issue with the audio recordings.

Ms Lo: Will the Member give way?

Mr Boylan: Certainly, yes.

Ms Lo: From my understanding, you buy the equipment for as little as £150 or £200 and just turn it on. We put things online now so often, so I do not think that it would be too costly. The super-councils with the bigger budgets should be able to manage that without a problem. Moreover, it is only for the full councils, which is only once a month.

Mr Boylan: Thanks very much for that. However, there is recording equipment and maintenance that goes

along with it. That is my only concern on that matter, but I am content to support the amendment. I do not intend to support amendment No 20 on the photographing. I welcome amendment No 24 and the clarification from —

Mr B McCrea: Will the Member give way?

Mr Boylan: Certainly, yes.

Mr B McCrea: I am just curious. The Member said that he would not be happy to support the issue about photographs but did not give a reason why. Why would we not have openness and transparency? We have video all the way around here. Why should we not have maximum transparency to see what is going on, unless it disrupts proceedings?

Mr Boylan: To be honest, it is a fair point, but I think that audio recordings of any council meeting are sufficient. I take on board the point that Mr Morrow made about the recording of information —

Mr Weir: I thank the Member for giving way. Leaving aside the issue of the audio recordings, which I will touch on later in my contribution, is the distinction not between amendment Nos 20 and 22 in that regard? Mention has been made of the fact that, in this Chamber, we video proceedings, as, indeed, happens in a lot of Parliaments or Assemblies. I cannot think of a single elected body where anybody who is viewing it is allowed to snap photographs. For instance, anybody coming into the Public Gallery today will have been asked to remove any mobile phones or photographic equipment, and it is the same anywhere else. If they were to facilitate that, there would be nothing to stop a member of the public coming in and taking photographs all around them during a council meeting. Sometimes — I have seen this happen and there had to be interventions — it can be done in a malevolent fashion and can act as an intimidatory factor on those in the chamber. From that point of view, although I certainly have problems with amendment No 22, I think that the case against amendment No 20 is even stronger.

Mr Boylan: I thank the Member for the intervention. I certainly agree with him in this case. It does not happen here, but some of the comments that Lord Morrow made earlier were supportive of that in council as well.

Mrs D Kelly: Will the Member give way?

Mr Boylan: Yes.

Mrs D Kelly: The Member is being most generous. Sometimes, if people take photographs, they could be used to misrepresent the situation in a chamber if someone has had to leave to take an urgent call, for example. We already have a lot of openness in our local authorities. Minutes are available in public libraries after each meeting, and a lot of stuff is now on the Internet. We have already seen conflict and people being intimidated in some council chambers. I do not think that we need any further tools to misrepresent people doing their official duties.

Mr Boylan: Once again, I thank the Member for her intervention. I will get started at some point. I agree with you: photographs certainly can be used to misrepresent people.

Perhaps Mr McCrea’s intention is to make all his contributions today through interventions, which I do not mind. That may be his plan of attack.

Some of the amendments are consequential. However, I certainly would like to have the debate. We have a number of legal people in the Chamber. An amendment has been brought forward that relates to an appeal to the commissioner. There is a judicial review process, but we are concerned that this has come about. Most of the issues brought forward have been around a challenge to a statutory body. We are talking here about an individual who may not have the means to bring forward a judicial review. I am open to suggestions, but I wonder, Minister, whether consideration has been given to something along the lines of having an investigative part and then an adjudication process. Maybe that is open for discussion. I feel that, as we set into and bed down a new system of councils, we do not know what the outcomes will be or what will take place. In bringing forward a new system, there needs to be a wee bit of flexibility until it beds down and we see how the whole process works. There are consequential amendments to that, but I would like to hear other views on how we deal with a process that could impact on a councillor.

We have discussed a lot of these things in Committee. There is only one other amendment that I want to touch on, and that is amendment No 83. I think that it should be up to councils to consider domain names. The debate came up in Committee. Selecting a domain name should be down to councils. We are, after all, transferring powers to empower councils, and amendment No 83 is one example of where councils would be able to use their influence on how they want to go forward, promote their areas and get the message out to their constituents in the new council format. I will not be supporting that amendment.

As I said, we have discussed most of the issues, so I am content, having given my views on those amendments.

Mr Speaker: The Business Committee has agreed to have a very short suspension today. I propose therefore, by leave of the Assembly, to suspend the sitting until 1.00 pm, when we will return to the Bill. The next Member to be called to speak will be Colum Eastwood. The Consideration Stage will then be interrupted at 2.00 pm for Question Time.

The sitting was suspended at 12.28 pm.

On resuming (Mr Deputy Speaker [Mr Beggs] in the Chair) —

1.00 pm

Mr Eastwood: Maybe the Speaker should not have warned people that I was up first after the break, but I do not intend to speak for too long on this section of the debate.

We all owe a debt of thanks to the current Minister, Minister Durkan, the previous Minister, Alex Attwood, and all the officials who worked tirelessly to ensure that we got to this point. Many told us that we would not get to this point and that RPA was never going to be delivered. Although it sat on the shelf for far too long, once the SDLP Ministers came into office, the process moved very quickly. We are finally at the stage where we will have elections to new councils and there will be a whole new era in local government. The SDLP, obviously and loudly, had reservations around some of the decisions that were previously taken by the Executive around the number of councils and everything else, but we are absolutely committed to delivering on this once-in-a-lifetime opportunity for change in how we operate councils and interact with the public in local government.

When we mention change, we should be mindful of the people who have retired recently or who are retiring as councillors right across the North. I was a councillor for six years, but in very different times to when some of my colleagues served. Being a councillor in this part of the world was a difficult and, at times, dangerous job, and many paid the ultimate price. It is important that we acknowledge those people when we look to the future. However, we look to the future with great hope. The Bill, the processes around it and the way in which councillors take up the challenge should enshrine not only in law but in people's minds a more ethical, open and inclusive way to run local government. That is what the Bill and many of the amendments aim to do. It is an exciting time for anybody who will stand in the elections in May and will take up the challenge to get the new councils up and running. We should all embrace that as an exciting opportunity for the North of Ireland.

Mr McCarthy: I am grateful to the Member for giving way. I acknowledge the praise that he has given to his party colleagues the Minister and former Minister. He is right: a lot of people, myself included, were a bit sceptical that this might not happen, but it is going to happen. Is the Member confident that, at the end of it, the savings that were supposed to happen when RPA was initiated many years ago will come about?

Mr Deputy Speaker: I encourage Members to return to the debate on the amendments that are in front of us.

Mr Eastwood: Thank you, Mr Deputy Speaker, for that bit of latitude. I wanted to make some remarks at the beginning of my contribution.

I hope that we can achieve the savings. As we said a number of years ago, it should not have taken RPA for people to start looking at how they do local government better. There were loads of opportunities in improvement, collaboration and efficiency (ICE) that councils could have been working on together to reduce some of their costs. Some did that very well, but others not so well. However, there is a real impetus to ensure that we get value for money for our local ratepayers.

Perhaps the Deputy Speaker will allow me one more bit of latitude. This is very important legislation. The last section of the debate will be about flags. The media are completely and utterly obsessed with that section of the debate.

We need to be mindful that this legislation is much more important than that issue alone. This is a once-in-a-lifetime change to how we do local government; it is not a flags Bill, and it will not be a flags Bill by the time we finish.

Mr B McCrea: Will the Member give way?

Mr Eastwood: I will, yes.

Mr B McCrea: On that point — I have no doubt that we will come to flags later in the debate — does the Member feel that, given that this is a once-in-a-lifetime opportunity, we are actually ready for this debate? There are a lot of amendments that have not been before the Committee. A lot of things will be dealt with in secondary or other legislation. Is the Member confident that we are ready to deal with it?

Mr Deputy Speaker: Order. I ask Members to come back to this amendment. We have now reached this stage of the Bill, and we are here to discuss and decide on individual amendments. There have been other stages of the Bill for wider issues to be discussed, and, ultimately, at Final Stage, Members can discuss wider issues and whether they are in favour. We are here today to speak about the amendments that are in front of us in the various groupings, so I urge Members to come on to those amendments.

Mr B McCrea: On a point of order, Mr Deputy Speaker. With regard to your point about the debate, I ask you to rule whether it is in order for the Minister to have tabled amendments that have not yet been before the Committee. There are other issues, but I seek clarity on that particular position.

Mr Deputy Speaker: That is a matter for the Minister to deal with. He will speak at the end of this section of the debate.

Mr Eastwood: Thanks for your guidance, Mr Deputy Speaker. The Committee was informed last week that the Minister had received conflicting legal advice. It was on the basis of the latest legal advice that a lot of those amendments came in. To be honest, great work has been done between the Committee and the Department. There have been many hours of debate and discussion on a lot of these issues. Of course, some issues have been brought by Members from different parties that were not discussed at the Committee. That is not ideal. However, it is still the Member's right to table amendments. He would have had that right equally.

We need to park the issue of flags. All the members of the political reference group agreed that RPA was not the vehicle for dealing with that. It has to be dealt with in a separate process. It would have been better had it been dealt with before Christmas, but we are where we are.

With regard to the amendments that are in front of us, one of the main thrusts of the review of local government has to be about openness and transparency and ensuring that people are accountable for the actions that they take in local government. A lot of the work on the code of conduct is around that, and it is what some of the very good amendments deal with in particular. They will allow

councillors to be open to more scrutiny. That can only make sense and be good for the political process.

Although we have difficulty with photography and those issues, which have already been thrashed out, the issue of audio recordings is one that we can live with very happily. We have to ensure that we do not place an undue financial burden on councils, but it makes sense in this day and age to allow the public to engage with their councillors in a very different way from what was maybe possible in the past. The onus is then on councils to make their debates interesting and useful. Sometimes we get very worried and worked up about —

Mr B McCrea: Will the Member give way?

Mr Eastwood: Yes.

Mr B McCrea: I refer to clause 50(1), which states:

"Sections 46 to 49 apply in relation to a committee or sub-committee of a council as they apply in relation to a council."

Given that the Member has just supported audio for councils, does he feel that that clause should be supported in the main Bill, which of course is contrary to amendments that have been tabled by the Alliance Party? In other words, if you think that audio is appropriate for a main council, do you think that clause 50 should apply in that regard?

Mr Eastwood: I cannot find the clause now, but the thrust of my view and that of the SDLP is that openness and accountability should apply everywhere. It should apply in full council, in committees and in executive meetings. Anybody who has been a councillor understands that we have to have a balance around this stuff and there are issues of commercial sensitivity. I sat on a staff committee in Derry City Council for a number of years. Those meetings were private, as they should have been. It was right that they were private and confidential. However, where possible, we should err on the side of openness and transparency. I think that that position is shared right across. I do not see any difficulty with opening up other meetings within council to that kind of scrutiny, with the caveats that I suggested.

I will end my contribution on this section there. I hope that we can have a fruitful and not-too-long debate through the rest of the next couple of days.

Mr Elliott: Clearly, the Bill has come a long way. I think that it is only 14 years since the proposal to start it off was made, back in 2000. However, we are where we are at this stage.

I would like to put on record my disappointment that the Bill came forward at such short notice last week and that Members and parties only had a day and a half to table their amendments. I have already relayed that to officials, but I just wanted to put it on the record here.

I want to touch on a number of matters in this specific group of amendments, the first of which is about the Ulster Unionist Party amendments. Our first amendment, which is amendment No 3, provides that a council's constitution must be available on its website. There seems to be widespread agreement on that. I take the Committee Chair's point about the need for other things to be available by electronic means and on the website, which her party is proposing. So, there seems to be pretty widespread support. I also support those things being available in as many ways as possible, and, obviously, a website is one way.

Our second amendment, which is amendment No 83, does not seem to have the same widespread support in the House. It provides for regulations for standard website names and domains. Clearly, what the Ulster Unionist Party wants to do here is have a consistent approach to website and domain names. That is important. It is easy for people to get in contact with us at the Assembly by email. A lot of people now know that the Northern Ireland Assembly website address is niassembly.gov.uk. It would be extremely beneficial and helpful if all councils had a consistent approach. It would make the lives of people on the ground much easier when they wanted to contact councils or individual councillors or, indeed, to find out information from a website. There is no use putting information on a website if it is not easily accessible, easy to get to and easy to manoeuvre to through the website. That is our main reason for wanting to do this: it is about simplicity and consistency. I know that, even at this stage, some of the transition committees have already started to put forward website names and domains, but I do not think that that is helpful until there is a consistent approach. I hope that Members can see their way to coming round to support this.

1.15 pm

Mr Weir: I thank the Member for giving way. I certainly support his approach to this. Does the Member agree that it would be a pity if we had a scattergun approach to domain names? Generally, across the UK, there is a high level of consistency, and the only reason to shift from that would be for particular political reasons. The concern is that a lot of people who search for a particular council and its services etc look for a standard approach, as do tourists and visitors. If one or more councils had a domain name outside the UK norm, that could disadvantage tourism and trade in their area. People would be less able to find that domain. It would be a pity if people were prepared to play politics with domain names to the detriment of their area.

Mr Elliott: I thank the Member for that. Obviously, people are using this as a political issue, which is unfortunate. The people who will find difficulties are tourists, businesspeople, those who want to invest here and, indeed, the general public and ratepayer. They are the people who deserve the service and who will find the most difficulty. Consistency is vital.

Mr Eastwood: Thanks to the Member for giving way. I am no expert in search engine optimisation, if that is the correct term, but has the Member any evidence to suggest that consistency in council websites has any impact on tourism? I imagine that, if you put, for example, "Derry City Council" into Google, you will find it.

Mr Elliott: The Member will appreciate that we do not have any hard evidence at this stage, but there is plenty of anecdotal information in the form of people trying to access what they are looking for. You only have to try that yourself to establish that a consistent approach makes things much easier to find through search engines, and that is clear for everyone to realise.

I will move on directly to amendment Nos 20, 21, 22 and 23. As Ms Lo said, amendment Nos 21 and 23 concern putting more information on to websites and making information more easily available. The Ulster Unionist Party is quite happy to support them.

We have some difficulties with amendment No 20, particularly with privacy issues and the significant onus that it puts on councils, especially on photographs. It could lead to members of the public taking photographs at will in council chambers. I cannot remember who said that, but it may have been Mr Weir in an intervention. I am concerned about the outworkings of that and how it would progress. We have difficulties with that amendment.

Moving on —

Mr B McCrea: Will the Member give way?

Mr Elliott: Yes, I am happy to give way.

Mr B McCrea: I understand the Member's point about photographs being taken at will. However, he is aware that events in this Chamber are being streamed live on the Internet for people to see. Would that be acceptable? Obviously, there is no intrusion. Would that find support from the Ulster Unionist Party?

Mr Elliott: I assume that Mr McCrea is supporting his being seen as much as possible through whatever means. His point that the Northern Ireland Assembly is streamed live is correct. I am not so sure that each council would want to go that far. That brings me to amendment No 22 on audio recording. Indeed, you could have visual recording as well. I have some sympathy with this. However, I have concerns about some aspects of it, including the financial. Ms Lo said that the equipment would cost only about £150. For a number of reasons, I am always sceptical about such figures being thrown out. One reason is that I very much doubt that, for that amount, you would get audio equipment that could record all councils and make the recording available on disk. You then have other costs, such as secretarial and administrative costs. I am aware of audio equipment costing huge amounts, and not just in the region of just £150. So, before we insist on councils doing it, we should get a much better costing, but I am not averse to it.

Ms Lo: Will the Member give way?

Mr Elliott: Yes, I am happy to give way.

Ms Lo: Look at some findings. In England, the conclusion was that it would be only a few hundred pounds, and you could start with whatever equipment you want to buy. We were told by Canterbury City Council that it can be as cheap as £160 to buy equipment now. I am not into equipment, but there is a simple device that costs only a few hundred pounds a year to maintain.

Mr Elliott: Here we go again with a few hundred pounds a year. I do not know how accurate it is, but I am told that one council got an estimate of £170,000 to install the equipment, whereas you are talking about a level there and then a level down to £150, so there is a huge amount of research to do on that. As I say, I am not totally averse or opposed to it. In fact, I am quite supportive of making recordings available, but it needs to be tailored.

There is also the issue that they must be retained for six years. I do not know what the statutory requirement is, but we may need to check that. I am sure that the amendment is legally competent; there is no question around that, but we need to check out whether the statutory requirement is indeed for a shorter time. If it is, maybe we could look at a shorter time required for retention.

I am happy to take on board any further views on this. I am supportive of recording the full council meetings.

Mr McCrea raised the issue of committees and subcommittees. In the Assembly, almost everything is available. Some councils make most committees available as well, but I do not know how widespread that is. All I can talk about is the council that I was on in Fermanagh. We found that, whenever council committees were held in private, you got a lot more business carried out. You had that bit of an opportunity to allow that business to proceed in private and then debate it in the open chamber at a full council meeting. I felt that that worked quite well because you had the opportunity of the privacy of the committee and then the openness of the full council meeting.

Maybe there is a wee bit of streamlining to be done to try to get all councils to the one position on this. It would be helpful if there was a consistent approach across councils. I would be supportive of that.

I do not want to deal too much with the Committee amendments because we have been through them verbatim in Committee. I note there is some opposition to them. If a councillor is charged because of some issue, it is important that there is an appeal mechanism to the High Court. The Minister indicated that it should go straight to a judicial review, but the other mechanism may be more efficient and practical.

Mr Weir: As the Member who spoke previously indicated, this has been a long time in coming; nevertheless, it is to be welcomed that we have reached this stage. I thank the officials. Also, in going through what was a lengthy process during Committee Stage, a large number of stakeholders were proactive in raising issues.

Given the length of the Bill, it was always likely that there would have to be some changes. I appreciate that there will be a few issues on which some of us will find ourselves in opposition to what the Minister is saying or vice versa. In general, I thank the departmental officials and the Minister for their attitude, openness and willingness to work with the Committee. The end result is that we have large number of amendments. Although the concentration will obviously be on those amendments where there is division, a large number of them have been effectively agreed between the Committee and the Department. That is reflected by the extent to which the Department took amendments on board.

The theme with the group 1 amendments is one that we will see throughout the debate. It was Mr Eastwood, I think, who said that we need a balancing act between consistency in our approach to the amendments on the one hand and flexibility on the other. Similarly, a balance needs to be struck between being prescriptive in how we see things being run and, on the flip side, allowing councils the opportunity to decide certain things for themselves.

To that extent, a lot of the amendments are relatively uncontroversial. Let me say at the outset that all the group 1 amendments that the Department tabled are ones that I favour, and the same is the case for the Committee's amendments.

Mention has been made of a couple of the Ulster Unionist Party amendments. Amendment No 3, which is on greater information, is one that we are happy to support. Due to the timescale involved, the Committee was not able to give its verdict on amendment No 83. However, where domain names are concerned, a degree of common sense should be applied that says that there should be a level of

consistency throughout. To that extent, we also support amendment No 83.

The controversial amendments in this group boil down to five, which can then largely be divided into two groups. First, the Alliance amendments include amendment Nos 20 and 22. I do not think that anybody would have a particular issue with amendment No 21. Secondly, there are the Committee amendments, which are amendment Nos 25, 26 and 27 and which deal with the appeals mechanism.

Turning first to the Alliance's amendment Nos 20 and 22, it is important that we do not conflate two issues, even though there are similarities between them. The openness of councils to the public is a different one to that of photographs and recordings. There were some interventions earlier on, and at one stage, I did not think that Ms Lo would be in a position to get on her feet, because it seemed that the interventions were battling back and forth. She was almost caught in no-man's-land as the shots were fired back and forth.

Mr Elliott: You mean the Alliance Party.

Mr Weir: Some might say that, but it is probably not for me to comment.

There are specific provisions already in the legislation for admission to council meetings. Where access is concerned, clause 46(1) and beyond indicate that the presumption of openness is in the Bill. So, irrespective of whether particular amendments are passed at this stage, we should drill down to the specific issues on the photographic and audio recording side of things. There are provisions that cater for openness.

On amendment No 20, I share the view of a number of Members who have spoken, including the Minister and the previous Member to speak. I think that care needs to be taken with the issue of photographs. Hopefully, we not creating 11 mini-Assembly's across Northern Ireland. Taking that on board, as well as the fact that it is not quite the same thing, the rules and regulations in the Assembly mean that we do not have people taking photographs in the Public Gallery. Indeed, recording devices, cameras and camera phones are all expressly forbidden and are removed from members of the public before they come in.

That is not a theoretical example; I have seen situations, particularly at times of high tension, where a member of the public has brought a camera into the Public Gallery. I have also seen a situation where, effectively in retaliation, a councillor has produced a camera and started trying to take photographs of members of the public. That led to a degree of heightening of tensions on both occasions, and on one, there was a natural suspicion, whether true or not, that it was being done simply to intimidate and to ratchet up a problem.

Consequently, I think that the opportunity for members of the public to be there is right, but whenever facilitation is given for the taking of photographs of proceedings at any stage, it can be taken out of context and used for the wrong purposes. I think, therefore, that what is there at present is sufficient, and so I oppose amendment No 20.

1.30 pm

Similarly, there are a couple of issues around amendment No 22. There is a high level of disparity of information

about the cost. It goes beyond simply obtaining the equipment: it covers the use and maintenance of it, as well as the publication of the recordings and their attachment to the website. On one hand, we have had evidence given that one council had a figure of £160 for capital installation, as has been indicated, and, on the other hand, Mr Elliott said that he had heard of an occasion where it was valued at £170,000. There is quite a disparity between those two figures, although I suspect that both are likely to be reasonably inaccurate. This is not going to be an entirely cheap solution. We should remember that, in any duty that we are imposing, whatever the cost, we are imposing a cost to the ratepayer, and we are volunteering that piece of information.

It also strikes me that, if you have a situation where publication on a website is to be held for two years and tapes, or whatever recordings, are to be retained for six years, and I am happy to receive clarification from the proposer, but six years is, particularly with reference to legal cases —

Ms Lo: Will the Member give way?

Mr Weir: I will happily give way.

Ms Lo: Six years is the period for which the Bill specifies that minutes must be kept. Mr Weir talked about the range of costs, but when any of us buys a TV or any equipment we have a big range. It will be up to the budget and up to the council to decide what is a reasonable cost to pay to buy a piece of equipment. We can buy a cheap TV for £90 or spend £2,000 or £3,000. As for continuing costs, once you have the equipment, they will not be awfully expensive. It is a small price to pay for transparency.

Mr Weir: I take on board the points that have been made, but transparency is best shown by the openness of the council meeting to anyone who can attend as well as the publication of the minutes. A verbatim account seems to go beyond that.

I appreciate that quotations of many tens of thousands of pounds may seem excessive. It could well be that audio equipment could cost a number of thousands of pounds: we do not really know. The idea that a council would not chose a fairly high standard of equipment beggars belief. Councils are not going to go down to the Saturday or Sunday car-boot sale and pick up whatever equipment they can get for the cheapest possible rate. They are going to want stuff that is of a high standard, and they will spend a reasonable amount of money on it.

I do not think that the timescale is necessary. I presume that the period of six years, and reference throughout to the six years, has been selected because of the limitation of a civil case being taken by way of an action. I appreciate that the amendment copies what is in other parts of legislation, but I assume that that is the source intention.

If I were on a council, I would have no problem with meetings being audio-recorded, but I think that that is one of the areas where the level of prescription should, largely speaking, be determined by councils.

There is a concern. There have been disputes on Castlereagh Borough Council, for instance. Let us not try to sort out what happened in Castlereagh by way of legislation that will apply across all of Northern Ireland. With the greatest respect, we should not be fighting those turf wars here. It should be up to individual councils to

decide how best to provide that level of transparency. It seems unduly prescriptive that the Assembly should dictate that there should be a system that says that there must be audio recordings, which must be on the council website for the next two years and must be held for six years, presumably contained in some sort of safe area. As such, it is better that councils find their own solutions.

There is a divergence between the Committee and the Department on amendment Nos 25, 26 and 27. A lot of representations were made, particularly by local councils, councillors and representative bodies. It was said that we were putting in place a particularly regulatory regime — when it comes to the code of conduct there is no alternative other than to do that — that gives the commissioner an opportunity to investigate, adjudicate and, essentially, punish a councillor who is found guilty, leading to disqualification of that person. Moreover, that is done in a vacuum. The individual could be very properly or perhaps maliciously accused of whatever wrongdoing, but there is no appeal mechanism whatsoever after the verdict is produced.

It has been mentioned that that can happen with any administrative decision of judicial review. Amendment Nos 25 to 27 do not preclude judicial review, but they do widen the grounds, for instance, on the issue of severity. Indeed, the grounds that the Committee chose and that have been drafted are not unique. In amendment No 26, as I understand it, the grounds for appeal, which are not grounds for a judicial review, are taken directly from the situation in Scotland, mirroring precisely the grounds on which an appeal can be taken there. With the best will in the world, at times in Northern Ireland there can be accusations of malevolence, false accusations, and so on.

Ms Lo: I thank Mr Weir for giving way. As a compromise, would it be possible to divide up the ombudsman's position, and let him investigate complaints and someone else adjudicate? Could members agree on that level of compromise?

Mr Weir: I was going to come on to that issue. The Chairperson may be a mind reader. On that basis, perhaps she should pick a few lottery numbers for some folk on Saturday.

I will deal with some other aspects, but I will address that point directly. It has been mentioned that — it is a slightly spurious argument — there is a concern about the constitutional propriety of having the ombudsman's position in some way challenged and that that would be a unique situation. I argue that this is different from the normal ombudsman's position anyway, but let us set that aside for the moment. If the feeling, on consultation, is that to have an appeal of an ombudsman's decision pushes the boundaries of the constitutional position so far — it seems fairly clear that the amendments are likely to be passed today — one option for the Department would be to bring amendments at Further Consideration Stage effectively to separate out the powers. The argument seems to be not to challenge the investigative powers of the ombudsman and not to challenge the opportunity to make a report but to challenge the final verdict or the adjudication, be it at interim or final level. I suspect that the departmental officials are now going fairly white at the prospect as the colour drains from their faces, but one way around this is to separate out the powers so that someone in a different body carries out the adjudication. That is really

only possible if these amendments are passed, but it is something that the Department could ultimately consider.

If the Department were to bring forward an amendment to divide up the roles so that the ombudsman investigated and produced a report but the adjudication and, indeed, any sentencing effectively came from a separate person or body, I would certainly be happy to consider that. I think that, at times, the commissioner has been a little bit precious on this issue. We are talking about somebody's reputation. Even if they were to successfully overturn a decision through judicial review or at some later court stage, their reputation will have been dragged through the mud. Even if it is shown at a later stage that they are cleared of wrongdoing, their career may be ruined. With the best will in the world, whatever level the remuneration is pitched at, it is essentially a part-time job, and it is not normal practice to have a situation where somebody, in their employment, can essentially be told, "You have been found guilty. By the way, you have no right of appeal". Due process and natural justice indicates that people should have some form of appeal. That is not set at a low level. We have fairly stringent grounds even within the criteria proposed in amendment No 26, but it is right that some form of appeal is available to people beyond simply the extremely narrow grounds of judicial review. This widens it out; not massively, but it does widen it out.

Ms Lo: Thank you, Mr Weir. I recall that it is not as simple as the ombudsman making a decision and the person who was complained about having no recourse to change the decision or to answer the complaint. My understanding of the process is that, before a decision is finally made, the person can go to speak with the ombudsman, even with legal representation, and discuss the decision. So, it is not as black and white as the ombudsman sitting in a room by himself and making a decision that a person is guilty.

Mr Weir: I understand that but, with respect to Ms Lo's position, it still means that the ombudsman is judge, jury and executioner. I am sure that some Members complained about legal processes for many years in Northern Ireland. Even when someone was up for murder in Northern Ireland, you could not be convicted of murder without a right of appeal. We are saying that someone convicted of the most heinous crime has a right of appeal, but someone who has effectively been convicted for misuse of being a councillor, or whatever terminology you want to use, has no right of appeal. To my mind, simply having the opportunity to discuss it with the commissioner before a final verdict is produced seems fairly inadequate, and natural justice says there should be some level of appeal.

As I said, I am perfectly open to the Department bringing forward amendments in connection with this. Indeed, this amendment would bring us much more closely into line with what happens in Scotland. There has been mention of the role of the ombudsman in coming to a final determination and that being unchallengeable. I would question, to some extent, whether that should be the case in any event, but there is a fundamental distinction between that and the normal role of the Commissioner for Complaints. In many ways, the normal operation of the Commissioner for Complaints is a situation in which there has already been a determination by a Department or a government body and, effectively, the ombudsman acts as the member of the public's appeal to that decision, such as where there has been a clear case of

maladministration. Effectively, that comes in at the second stage. That is where the complaint and, indeed, the single conviction takes place directly against an individual. Whereas the ombudsman is effectively almost normally a form of appeal, this is about the verdict itself. That is the fundamental difference.

Secondly, on the implications of the decision, when the ombudsman rules on a complaint from a member of the public, they are, 99 times out of 100, ruling on a complaint against a government body or, perhaps, an arm's-length body. There is that opportunity. The implications may well be there for that body, but the implications for any individual within that body are severely limited. This provision, if it goes through without amendment, can allow the ombudsman to reach a verdict that disqualifies somebody from holding public office, effectively removing them from their job. That is of a fundamentally different nature from the normal run of things, if it were a ruling against the Department of the Environment, the Department of Health or whatever. That is where, I think, there is a fundamental difference, and why there is a need for an appeal mechanism. The grounds that we have in amendment Nos 25 to 27 is the way forward.

1.45 pm

Again, I express the view that the commissioner is being a little bit precious on this point. If, ultimately, this is felt to be something that rocks the constitution, it seems slightly strange that the defenders of the constitutional position are the SDLP and maybe the rest of us are hoping to rock the constitution in that regard. However, if that is the case, and the Department feels strongly enough about it, there can be rectification of this by way of reasonably sensible amendment or amendments at Further Consideration Stage. There is that opportunity to rectify it by way of further amendments, which would separate the role of the ombudsman in investigation and reporting from that of adjudication and sentencing. If that is the case, I would be willing to give such amendments a fair wind and be happy enough to consider supporting them at Further Consideration Stage.

I will conclude on this group of amendments by saying that the DUP will oppose amendment Nos 20 and 22 but is happy to support the others in the group.

Mr A Maginness: I have already intervened, during the contribution of Ms Lo, the Chair of the Committee, in relation primarily to amendment Nos 25, 26 and 27, which relate to the matters that Mr Weir has latterly discussed.

It seems to me that, although those amendments are well-intentioned and I am sympathetic to the general idea of an appeal in such circumstances where a councillor is adjudicated after due investigation as having done something wrong or contrary to the code of conduct, nonetheless, the legal implications are significant. This is based on legal advice obtained by the Minister, subsequent to the Committee meeting in which he engaged on this matter. That legal advice came not just from the departmental solicitor but included advice obtained by the Commissioner for Complaints. Let me summarise that legal advice: throughout these islands, no ombudsman or commissioner for complaints is or can be subject to appeal. That is the constitutional position in the UK, and I believe it to be so in the Republic. The reason for that is that an ombudsman is in a very special

position and his investigation and adjudication is regarded as something that should not be appealable, save for judicial review, to which any public official or Department is subject. So, judicial review is the only instrument, as it were, of an effective appeal.

Mr Weir: I thank the Member for giving way. I take on board what has been said, although I have to say that I am not entirely persuaded by the argument. Surely, the way around this is as follows. There seems to be a widespread sympathy for the fact that no one should be potentially deprived of their job without some form of proper appeal mechanism. However, as indicated by Mr Maginness, it seems to centre on the issue of the extent to which, or whether at all, an ombudsman's position could be appealed. Surely the way around that is to accept the amendments that would involve an appeal, and then seek amendments at Further Consideration Stage to detach the adjudication issue from the ombudsman and give it to another body. Later we will be looking at amendments that give different interpretations of when, for example, a call-in could be made. So it is not as if these things are necessarily set in stone.

Surely that would be the way around that — to square the circle, remove that legal concern and ensure that we would have an opportunity to have an appeals mechanism.

Mr A Maginness: I thank Mr Weir for his intervention. I neither agree nor disagree with what he said. Of course, there are all sorts of possibilities that one could raise at Further Consideration Stage to deal with this problem, and I am sure that those matters will be considered in due course by the Department and the Minister.

I think that it is important to put on record the reason for opposition to the amendments that have been tabled by the Committee. Having being critical of them, I accept that they are well-intentioned, but they have an undesirable effect of undermining the authority of the ombudsman. That is a particularly sensitive position in any society, and I think that there should be safeguards in relation to the ombudsman's position.

Mr Weir made the point about investigation and adjudication, and those are two elements. The ombudsman has had discussions with the Minister, as indicated in the Minister's letter to the Chair of the Committee of 27 February 2014. In that letter, he wrote that, when discussing that matter with him, the ombudsman indicated:

"if an appeal to the High Court is considered, this would undermine his position in relation to maladministration by setting a precedent that his decisions can be challenged on appeal."

That is made very plain in the letter. The letter also indicates that the ombudsman:

"would not be able, in this circumstance, to deal with both investigation and adjudication and that the adjudication element of the ethical standards framework would have to be referred to another body."

It was partly on that basis that the Minister wrote:

"this would be a significant deviation from the proposed policy approach which was agreed by the Executive."

That was part of the reason why the Minister opposes any amendment of that nature.

The ombudsman has made it very plain that, in his view, he could only deal with the investigation function and not the adjudication function. So, if the amendment were to be agreed, it might be rendered nugatory by the fact that the ombudsman would not want anything to do with the adjudication function. We really have to take that into consideration when considering these amendments.

That is all that I really want to say on the matter. There is, however, protection in the form of a judicial review. I know that it is expensive and difficult, but, nonetheless, the grounds of appeal that appear in the amendment are very reminiscent of a judicial review in any event. I think that the only —

Mr Allister: Will the Member give way?

Mr A Maginness: Yes, indeed.

Mr Allister: I agree with the Member that the first four grounds in the amendment are very reminiscent of those that we argued about, such as Wednesbury unreasonableness, irrationality etc. There might be more difficulty in a judicial review arguing that it encompasses (e), which is that the "sanction imposed was excessive". One would be driven to relying on Wednesbury unreasonableness, and I think that there is a line of authority that indicates that the courts in judicial reviews are very reluctant to get involved in evaluating that. The ombudsman, if we call him that, has, in clause 62, very draconian powers, in that he can disqualify someone from being or becoming a councillor. Therefore, is there not some necessity to find some mechanism that addresses the issue of penalty? It seems somewhat excessive to give the ombudsman that full range of powers without applying a brake or review. Does the Member agree that there may be something there that requires to be looked at?

Mr A Maginness: The Member makes a very reasonable point about (e), which states:

"that the sanction imposed was excessive."

That should be considered in the context of the debate. This is, if we involve the ombudsman, a difficult matter.

Mr Weir: I thank the Member for giving way. I take on board both points. The draft grounds for appeal, although there is overlap reminiscent of a lot of judicial reviews, go wider than judicial review because of the ground at (e). One could argue that some of the others stretch beyond what is the norm for judicial review. However, that is in line with the issue of severity, which is of particular importance. In the past, councillors have been struck off for five years or longer, so it is not unknown. If severity is one of the key considerations, it is unlikely to fall into the ambit of judicial review, and that highlights the need for appeal.

As has also been said, the potential solution has, in effect, been given by the ombudsman, although the wrong conclusion has been reached by the Department. He is opposed to there being an opportunity to appeal his verdict and has indicated, that, in such circumstances, he wants there to be a separation between the investigation and the adjudication. That seems to me the most sensible route. It ensures that there is a situation that allows for appeal, and, if the ombudsman is so protective of his position and wants

to ensure that it does not create any precedent, it covers that situation as well.

Mr Deputy Speaker: I remind the Member that we will break for Question Time in a few moments.

Mr A Maginness: I will conclude now. I take on board the points that Mr Weir made, but I go back to the original point that this is difficult if we involve the ombudsman or the Commissioner for Complaints. It is not an easy matter to resolve.

Mr Deputy Speaker: Members, as Question Time is due to commence at 2.00 pm, I ask that you take your ease for a few moments. We will return to the debate after Question Time, when the next Member to speak will be Danny Kinahan.

The debate stood suspended.

2.00 pm

(Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair)

Oral Answers to Questions

Regional Development

Mr Principal Deputy Speaker: Question 5 has been withdrawn.

A5: Timescales

1. **Mr McAleer** asked the Minister for Regional Development to outline his plans, and the projected timescales, for the A5 western transport corridor. (AQO 5769/11-15)

Mr Kennedy (The Minister for Regional Development): As I advised ministerial colleagues by letter on 27 February 2014, work is progressing on reports to inform the appropriate assessment process to address impacts on all areas with environmental designations — special areas of conservation, special protection areas and Ramsar sites — and proposed mitigation. There are four reports in all, dealing with nine environmentally sensitive sites. The reports will be the subject of a public consultation exercise expected to commence at the end of April 2014. A review of other matters considered in the environmental statement is ongoing and will lead to the publishing of an updated environmental statement, which will also require a public consultation exercise. The draft vesting order and direction order will also be reviewed and published at the same time as part of that process.

While I emphasise that I cannot in any way pre-empt the outcome of any public consultation exercise, an outline programme has been developed and the following key dates identified: in April 2014, there will be consultation on reports to inform the appropriate assessments associated with water-based special areas of conservation, special protection areas and Ramsar sites; consultation on the report to inform the Tully Bog special area of conservation appropriate assessment in September 2014; and, in November 2014, consultation on the updated environmental statement, together with the updated draft direction order and draft vesting order. That may lead to the need for a further public inquiry in the spring/summer of 2015.

Mr McAleer: Go raibh maith agat. I thank the Minister for his response and for answering my supplementary question in that response.

Mr Kennedy: It was a very great pleasure.

Mr Byrne: Can the Minister give an assurance that the timescale will not be so elongated that the entire project becomes a victim of a comprehensive spending review? There are genuine fears that that might happen. Can the Minister give any reassurance that he and the Department are so committed that the project will not fall by default?

Mr Kennedy: I am grateful to the Member for his supplementary. The Member will know that the Executive remain committed to the scheme. Indeed, the Department continues to carry out all necessary work. I indicated that I

could not in any way pre-empt the outcome of the public consultation exercise, in particular, and I have indicated the range of activities that will be necessary to keep the project moving. The financial considerations, of course, are a slightly different matter and, perhaps, more complex, given the commitment or lack of it by the Irish Government. So, all these matters have yet to be confirmed and determined, but, as it stands, the Department continues to work through the scheme and to remedy the areas of concern that Mr Justice Stephens outlined in his judgement.

Mr Elliott: I thank the Minister for that update. Can the Minister confirm whether he has any money in his budget that could be available for the A5? Has all of it been spent on other projects? If he has any money, how much is there?

Mr Kennedy: I am grateful to the Member for his supplementary question. The only thing that he did not add was "Has he any money to spend on the Enniskillen bypass?", which, presumably, is his real purpose in asking. The Member will know that the A5 allocations have been redistributed and that the Executive, through me, have made the announcement on progress on the Magherafelt bypass and the A26 Frosses Road. It is important that money set aside for road projects continues to be spent on road projects. The House, in particular, will know the number and range of projects for which there is public and political support, including the Magherafelt bypass and the A26. No doubt other schemes will be referred to during Question Time. So, as I explained to the Member who asked the previous question, at this point in time, moneys that are allocated will be dependent on future financial settlements.

A5: Lessons Learned

2. **Mrs D Kelly** asked the Minister for Regional Development what lessons have been learned from the setback on the A5 project. (AQO 5770/11-15)

Mr Kennedy: After the successful legal challenge to the A5 western transport corridor dualling scheme in April 2013, I initiated a lessons learned review of my Department's development of the A5 scheme. I asked, in particular, for an emphasis on environmental issues and the associated legislation. The findings of the review of the A5 project have resulted in improvements that are now applied to all major road improvement schemes. The improvements include ensuring the receipt of written confirmation of all consultations with statutory bodies, including the Loughs Agency, and some fine-tuning of the statutory orders and public inquiry procedures.

As those who have looked at this project's progress will be aware, it was during my predecessor's tenure that a screening exercise, as allowed by the habitats directive, was carried out on the Department's behalf by Mouchel, the consultants for the A5 project. I have also commissioned a review of Mouchel's work. That work is ongoing. The primary focus of the review is on the appropriate assessment and environmental statement processes. It is expected that further lessons can be learned from this exercise that can in turn be applied to this and other major road improvement schemes.

Mrs D Kelly: Minister, I appreciate that the mistakes occurred with your predecessor, the Sinn Féin Minister Conor Murphy. You have clarified some points. However, where accountability for this is concerned, who was

ultimately responsible for the failure to deliver on the A5 project? Will your Department give any further thought to keeping some of those environmental assessments in-house in the Executive, such as through the NIEA?

Mr Kennedy: I am grateful to the Member for her supplementary question. I think that there are issues that Members and the general public deserve explanations for. We are not at the final stage of either report, that is, the lessons learned review in the Department or the inquiry into the work undertaken by consultants. However, we have sought to implement the preliminary results as we move forward not only on this but on other road schemes, and that is important. It is not unreasonable to expect explanations, but I have to say that a lot of it will hang on the original decision to proceed on the basis on which Conor Murphy gave authority in the previous mandate. It will be interesting to see the outcome of that.

Mr Spratt: I thank the Minister for his answers so far. Given the vast amount of money that has been spent on the project to date, will the Minister, as he did in the past, immediately share with the Committee the consultants investigation — or call it what you will? Will he also share the early fixes that he referred to a short time ago with the members of my Committee as soon as possible?

Mr Kennedy: I am grateful to the Chair of the Regional Development Committee for his question. I am happy to share the existing implementation directives. On receipt of the final investigative reports, I will be happy to share those with members of the Regional Development Committee and Members of the House generally.

A6: Smaller Projects

3. **Mr Dallat** asked the Minister for Regional Development for his assessment of the potential benefits of dividing the A6 project into smaller, more manageable sections, including the decoupling of the bypass at Dungiven. (AQO 5771/11-15)

Mr Kennedy: I am pleased to inform the Member that planning for the Londonderry to Dungiven dual carriageway scheme will allow it to be constructed in up to three parts: the Caw roundabout to the Maydown roundabout; the Maydown roundabout to the Derrychrier Road; and the Derrychrier Road to Crebarkey Road. My pronunciation of east Londonderry and south Londonderry terms may not be absolutely accurate, given that I am from south Armagh. This would allow components of the scheme to progress at different points in time. However, progression of the project will, subject to final approval of the business case, be determined by subsequent budget settlements agreed by the Department.

Mr Dallat: I welcome the Minister's very positive statement and the indication of flexibility. Will the Minister agree with me that 50 years is too long to wait for a bypass, as the people of Dungiven have done? Will he also agree that the Moneynick stretch has now become the biggest car park in western Europe?

Mr Kennedy: I am grateful to the Member for that. I am not sure about his latter point about the car park. I am reminded of what used to be said about the Dublin Road leading into and out of Newry. It was said that there were only two things that you could see from the moon: the

Great Wall of China and the lane of traffic into Newry. That may have been replaced now by Moneynick, I am not sure.

I think that I said at the end of my answer that final approval of the business case would be determined by subsequent budget settlements. I think I said, “agreed by the Department”, but, in fact, I meant “agreed by the Executive”.

I am aware of the importance of the A6 scheme and, indeed, other major projects to improve connectivity between two of the major cities in Northern Ireland: Belfast and Londonderry. Anyone who travels that road knows the importance of an upgrade and how much it would be appreciated and would benefit the entire region.

Mr G Robinson: Will the Minister agree that there would be immediate health benefits for residents and commuters if a decoupled scheme were to go ahead, leading to possible long-term savings by the Health Department?

Mr Kennedy: I am grateful to the Member. It is rather a novel approach to support your Health Minister by pushing the blame onto me. I am aware that there are air quality issues in Main Street Dungiven in particular and in that general area. We have had strong representations from the council and, indeed, other public representatives in the area. Two habitats assessments have been carried out for the River Roe and its tributaries and for the River Faughan — be careful how you say that — and its tributaries, which are special areas of conservation. The construction and operation of the dual carriageway would not, by itself or in combination with other known plans or projects, adversely affect the integrity of the special areas of conservation or their ability to meet their conservation objectives. Traffic volumes through Dungiven would reduce significantly, resulting in the removal of the air quality management area designation.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhrearaí go dtí seo. I thank the Minister for his answers up to this point. As a long-suffering resident of Dungiven, I acknowledge his announcement. As someone whose birthday occurs today, it makes me only slightly older than the proposals for the Dungiven bypass — very slightly, I might add. When will the procurement process for the three sections of the A6 that he has outlined commence?

Mr Kennedy: I am grateful to the Member for revealing aspects of his personal life and age. The Member should know that I am assessing the inspector's report in respect of these matters. It is a significant report, and it carries huge potential. After that, we hope to identify a timescale, subject to some of the recommendations in it and whether we are prepared to accept and implement them.

2.15 pm

Mr Cree: Does the Minister agree that, of the A6 scheme's three components, the Randalstown to Castledawson section would have the greatest impact on congestion in the area?

Mr Kennedy: I am grateful to the Member. To ease traffic flow, as I indicated in earlier answers, upgrading the entire road between Belfast and Londonderry has been a long-standing cause, and the Randalstown section is a very important element of that. It is perhaps a larger element than the Dungiven bypass, which amounts to around £60

million, while the Castledawson section is approximately £270 million. Therefore, there is considerable work in both schemes. The Randalstown to Castledawson section would significantly improve the connectivity between Belfast and Londonderry, but the entire scheme would be of most major benefit.

Reservoirs Bill: Sporting Implications

4. **Mr McMullan** asked the Minister for Regional Development what are the implications of the Reservoirs Bill (NIA 31/11-15) for sporting and community organisations that lease NI Water reservoirs. (AQO 5772/11-15)

Mr Kennedy: The DARD Reservoirs Bill is concerned with the safety of reservoirs and preventing an uncontrolled release of water as a result of reservoir failure. The Bill has no implications for sporting and community organisations that lease NI Water reservoirs.

Mr McMullan: I thank the Minister for his answer. Can he guarantee that, in all cases in which community organisations and charities lease reservoirs from NIW, it will be the reservoir manager and will take all responsibility for the inspection, upkeep and maintenance of the reservoirs in accordance with the Bill?

Mr Kennedy: I am grateful to the Member. I was not quite clear on the point that he raised. NI Water owns reservoirs that are no longer used as a water supply and, in some cases, reservoirs that are still used as a water supply. As to them being sold off or leased to other Departments, that is open for discussion.

Ownership by outside bodies is perhaps a slightly more delicate matter. What I understood the Member to indicate was that he wanted reservoirs to be leased to outside bodies and organisations, with NI Water retaining full responsibility for maintenance. I am not sure that that is a legal position that could be stood over. I am not a lawyer — I am happy to admit that — but I think that each application for such a transfer would have to be considered on its merit, and those issues would have to be gone into in some depth before final agreement could be arrived at.

Mrs McKevitt: Is the Minister satisfied that the best use is made of our reservoirs to promote tourism and leisure?

Mr Kennedy: I am grateful to the Member for her supplementary question. If reservoirs no longer provide a water supply to households, they would probably be better off under different management, either DCAL, for sporting reasons and because of responsibilities within its remit, or, indeed, local government. I have no ideological hang-up about the transfer of such facilities. I am happy to engage in some discussions. Indeed, we have had some discussions with at least one local authority, North Down Borough Council, on the future of a reservoir in its area.

Parking

6. **Mr Givan** asked the Minister for Regional Development what consideration has been given to transferring responsibility for on-street parking to local councils. (AQO 5774/11-15)

Mr Kennedy: My Department is responsible for the management of the road network to promote safety and efficient operation. Traffic management is an important

aspect of that function, and parking management — ie enforcement and car park provision — is a tool in managing traffic. I intend to review the success of the transfer of off-street parking before any future decision to transfer on-street parking is taken.

Mr Givan: The feedback I have received is that devolving responsibility for off-street parking is a good thing. However, the missing link is on-street parking, because you are dealing with the same issue without the powers to deal with it in a holistic fashion. I encourage the Minister to take forward a review with a view to transferring on-street car parking. While his Department is in control, will he consider amending the hours in which people are punished for parking their vehicles, which is punishing our town centres, to 10.00 am until, potentially, 4.00 pm, rather than during the hours when traffic is limited yet people are still being penalised? If it is about managing traffic, manage it when traffic is in place.

Mr Kennedy: I am grateful to the Member for his supplementary question. People are punished, as he describes it, when they have parked inconsiderately, incorrectly or in full knowledge of but without any due regard for the rules of parking. I will consider the suggestion that he made about adapting the times, although that can cause problems too.

As for the transfer of on-street car parking charges to coincide with those for off-street parking, there are issues that those in local government would be interested in. In the current financial year, car parking services still cost the Department and therefore the taxpayer something to the tune of over £3 million. If local government, in its new format, were prepared to carry that added responsibility, I have a suspicion that it would want some supporting measure from the Finance Minister and the Executive to offset some of that. Those are some of the more serious issues that would have to be contemplated before any such transfer could be initiated.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What would be the cost if on-street parking were transferred to councils? Has that been factored into any discussions with NILGA or the STCs?

Mr Kennedy: I am grateful to the Member, and I hope that he was listening to the previous answer. In rough terms, parking services cost about £20 million. On the basis of the latest figures, we take in about £17 million. Therefore, the shortfall is about £3 million, which is met by my Department through the Executive. That, distributed throughout local government, would represent a burden on ratepayers. If it is the Member's suggestion that that is worthwhile, I am happy, as I said, to pursue it, but my suspicion is that local government would want some insurance cover, as it were, to protect themselves against some of those charges.

A24/B6: Improvements

7. **Mr Craig** asked the Minister for Regional Development for an update on the roads improvement scheme at the junction of the A24 and B6, The Temple. (AQO 5775/11-15)

Mr Kennedy: The A24 Ballynahinch Road is a trunk road connecting south Down with the greater Belfast area that carries approximately 10,000 vehicles a day. I am aware of the support among local residents and road users

for the introduction of safety improvements at the busy junction known locally as Temple crossroads. The need for improvements was identified through a route improvement study carried out by my Department. The study highlighted the number of collisions occurring at that location, as well as the difficulties faced by motorists trying to negotiate the busy junction, particularly at peak times.

A number of options have been considered. The preferred option is to construct a new four-leg roundabout to provide easier and safer access to, from and across the A24 Ballynahinch Road where it meets the B6 Saintfield Road. My Department is continuing to progress this scheme and has recently begun discussions with affected landowners to agree accommodation works. Progression of the scheme through the various statutory processes, including the vesting order, direction order and tendering process, will also be required. Subject to the satisfactory completion of each of those stages, I have asked officials to bring the scheme forward as quickly as possible. I can confirm that it is currently included in my Department's three-year minor works programme.

Mr Craig: I thank the Minister for that very comprehensive answer. I welcome the news that it is being given priority. Given all the hoops that we have to jump through, do we have any idea of the timescale of a possible roundabout being put at that junction, given its serious accident history and the number of fatalities that have taken place there?

Mr Kennedy: I am grateful to the Member for his indication of support for the project. The scheme has been estimated at £750,000, which, in Roads Service terms, is not enormous. However, it is a matter of putting the procedures in place, including the statutory planning and all the necessary stages that it needs to go through. Realistically, there will also be land issues to be undertaken with the landowners, and one can never quite predict timings for that. However, I would have thought that it will be the next couple of financial years before we see serious progress on it. Again, that depends on the available finance, and I know that the Member is a close friend of the Finance Minister.

Kilkeel Bus Station

8. **Mr Wells** asked the Minister for Regional Development what plans he has to upgrade Kilkeel bus station. (AQO 5776/11-15)

Mr Kennedy: I met Newry and Mourne District Council in May 2012 to discuss the possible upgrade of Kilkeel bus station. I subsequently wrote to the chief executive of the council in September that year.

The location proposed at that time — the old Mourne hospital site — was not suited to such a development. Historically, it has proven difficult to obtain planning permission for such facilities adjacent to existing housing, and access to the proposed site is too narrow. However, in recognition that the current premises offer limited facilities to users, Translink continues to explore alternatives that would provide an enhanced passenger experience. It has not ruled out relocation if such a possibility should arise. However, clearly this would be subject to achieving a value-for-money business case and to the necessary capital funding being available.

From 2008-09 to 2012-13, nearly £12 million has been invested by my Department in upgrading and improving bus stations and depots. Translink is currently prioritising work on a further programme — the building services upgrade programme — which involves carrying out repairs and replacements of Translink's mechanical and electrical installations at several buildings and workshops across the network.

Given the available budget allocations, this work will be my Department's priority going into the next financial year. However, I will avail myself of all opportunities to bid for additional capital to fund other bus projects, including the purchase of new buses.

Mr Principal Deputy Speaker: Order. That brings us to the end of the period for oral questions. We now move on to topical questions.

2.30 pm

Train Station: Derry

1. **Mr McCartney** asked the Minister for Regional Development whether, given today's statement on an interactive travel hub at the Waterside station in Derry, it will become the site for the new train station. (AQT 881/11-15)

Mr Kennedy: I am grateful to the Member for his question. He will know that we have been looking at the issue for some time. The public consultation was undertaken, and we were then keen to look at the early economic appraisal on top of that. I know that there was some criticism and frustration in the Londonderry area at the time that it was taking, but I took the view that it was better to come back with more detail and a more significant announcement. We have made that announcement today, which is that the old Waterside station was far and away the most popular venue for the upgrade. We can accept that.

In the wider context of things and in the wider context of transport issues in the Londonderry region, I take the view that we would like to create and develop a possible hub as part of any new project. Clearly, that will involve more work and will certainly raise the cost of any such scheme. However, I think that it has the potential, given the increased numbers that we have seen on public transport, particularly on the Coleraine to Londonderry rail line, which, as the Member may know, I took action to rescue and save — I say that modestly. With all of that, I would like to see an integrated transport hub developed, potentially at that site. That is now what we will look to and work for.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as an fhreagra sin. I thank the Minister for his answer. Indeed, I was there on the platform when you came into Derry on the train. I think that you were actually waving a green flag. Whether that was appropriate, I am not sure, but you were certainly waving a green flag. [Interruption.] Obviously, it is an old railway signal thing; I am sure that the Minister appreciates that.

Mr Kennedy: Thank you for explaining that. [Laughter.]

Mr McCartney: OK.

This would be welcome news. I think that the Minister will be well aware of that in terms of the retention or, if you like,

reuse of the former railway station. Can he outline whether there is any funding? What are his intentions in relation to funding what would be seen as a very worthwhile scheme?

Mr Kennedy: Somewhat differently to the Member, I have never wrapped the green flag around me. I am conscious that it was a railway signal flag that I was waving. Of course, yesterday was St Patrick's Day. We should bear that in mind, too.

Anyway, back to the question. There is no finance attached to that project yet; I have to be open and honest about that. However, I think that the intent is there. Having looked at it carefully, we have now indicated what we propose the solution to be. Therefore, we will bring forward the scheme on that basis and see, through Translink, how that can be developed. I am sure that it will represent a positive announcement for public transport users in the Londonderry area and the north-west.

Belfast Transport Hub

2. **Mr Hazzard** asked the Minister for Regional Development to outline his next steps on the Belfast transport hub. (AQT 882/11-15)

Mr Kennedy: I am grateful to the Member for his question. Indeed, we move from one hub to another.

I have to say that the Belfast transport hub is further down the line — no pun intended — with the redevelopment of the GNR station at Great Victoria Street. There is huge potential there. We have had very positive discussions with Translink and, indeed, with other Departments on how it can be progressed and how finance could be sourced. The opportunities that the Belfast hub presents would be a lasting legacy project for this Department. It would do so much to enhance and revitalise not only that part of Belfast but public transport generally.

Let me restate that public transport is on the up and up. There are increased numbers on buses and, particularly, trains. There is increased interest in other modes of transport, particularly cycling. The cycling revolution has begun, and I am very positive about that. I could and will wax lyrical on that, given the opportunity.

Mr Hazzard: I thank the Minister for his answer. Perhaps he can outline where he foresees funding for that project coming from and whether it qualifies for any European funding. Go raibh maith agat.

Mr Kennedy: I am grateful to the Member for his supplementary question. We are working with SIB and the Department of Finance and Personnel to identify the means by which we can avail ourselves of the serious money required. That would be one step removed, if you like, from normal, conventional Executive funding, but I have no ideological hang-up about that. I very much hope that the Member, on behalf of his party, takes a similar view. We want to avail ourselves of any available funding, be it from Europe or from Westminster in slightly different circumstances. We are working to achieve that.

Flood-resistant Measures

3. **Mr Rogers** asked the Minister for Regional Development whether he has any plans to fund flood-

resistant measures for individual properties that are prone to flooding, particularly in areas such as Mourneview on the Dundrum Road, Newcastle. (AQT 883/11-15)

Mr Kennedy: I am grateful to the Member for his question. I am aware of the difficulties in some estates in Newcastle and perhaps Downpatrick and other areas in the south Down area. We are working closely with NI Water to identify, as far as we can, any steps that we can take to reduce the impact of flooding. It is a complex situation, given that estates and houses are sometimes built in places that are very difficult because of water tables etc, but we will continue to work to see where we can at least alleviate, if not eradicate, the potential for flooding.

Mr Rogers: Thank you, Minister. When a house is, unfortunately, flooded, there can be a grant of £1,000, but I am thinking of individual flood barriers for front and back doors, covers for air bricks or a non-return valve for the sewerage system? Are there any plans on that?

Mr Kennedy: I thank the Member for his supplementary, which raises other issues, including liability and precedent: if we did that for several properties, the owners of other properties would come forward, and cost would become a very serious issue. At this point, we prefer to work to alleviate and reduce the risk of flooding to an estate rather than to individual properties.

Translink: Integrated Ticketing System

5. **Ms Boyle** asked the Minister for Regional Development whether the proposed integrated ticketing system will facilitate cross-border travel. (AQT 885/11-15)

Mr Kennedy: I am grateful to the Member for her question and note that her party colleague Mr Brady has a question late on the list of questions for oral answer on the prospect of integrated ticketing. Translink continues to explore the possibilities, and we expect its report later this year. When we travel to other places, we see the forms of integrated ticketing available to customers and travellers. We would like to replicate that or, if possible, improve on it.

Ms Boyle: Will the new ticketing mechanism facilitate other providers such as trains and taxis? Go raibh maith agat.

Mr Kennedy: I am grateful to the Member. As I indicated, we await a report on these issues from Translink. When that is available and we have had a close look at it, I will be able to share more information on it. I am certainly aware that that facility is available to public transport users in other locations. If we can make it an integrated system, it would be to everyone's benefit.

Car Parking: Omagh

6. **Mr McElduff** asked the Minister for Regional Development what steps his Department is taking to resolve the shortage of car parking spaces in Omagh, given the anticipated work at Drumragh Avenue car park. (AQT 886/11-15)

Mr Kennedy: I am grateful to the Member for raising that constituency issue, which is no doubt topical to him and to Omagh. If the Member writes to me or provides an Assembly question, we will provide a full answer.

Mr McElduff: I thank the Minister for his interest and commitment. [Laughter.] Will he consider using County

Hall car park in Omagh, where the western division of Planning Service is located? That car park could be freed up, including perhaps at weekends, to help deal with the problem that is about to arise in Omagh. It may be that DRD and, in your case, Roads Service and the shared car park with the DOE Planning Service could be freed up for car parking.

Mr Kennedy: I am grateful to the Member for his helpful advice to our Roads Service engineers in that area. I have no doubt that they will listen carefully to that advice and respond to it accordingly. [Interruption.]

Mr Principal Deputy Speaker: Order. I call Mr Seán Lynch.

Mr Lynch: You caught me asleep. Go raibh maith agat. Question 6. [Interruption.] Sorry, it is topical questions. What number? Where is it? Sorry.

Mr Principal Deputy Speaker: We will move on. Anna Lo is not in her place. I call Mr Ian Milne.

Bus Service: Antrim Area Hospital

Mr Milne: I will make an effort at a question. I have a couple, but I will give you this one.

10. **Mr Milne** asked the Minister for Regional Development to detail any meetings or correspondence he has had with Ulsterbus on the proposal to provide a bus service to Antrim Area Hospital. (AQT 890/11-15)

Mr Kennedy: I thank the Member for his question. I am even happier to thank Mr Lynch for not remembering his.

Again, Mr Milne has asked not so much a topical as a local question to which I do not think it is reasonable or fair to expect a detailed response. I am happy to provide a response if the Member wants to put that question in writing to me.

Mr Milne: I thank the Minister for his answer thus far. In fact, Minister, you are off the hook here because you have answered my supplementary. [Interruption.] I said that you answered my supplementary.

Mr Kennedy: All right.

Mr Principal Deputy Speaker: That ends the list of questions for the Minister. Thank you very much, Minister.

Social Development

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

Housing: West Belfast

1. **Mr Maskey** asked the Minister for Social Development what action he is taking to address housing need and the housing waiting list in west Belfast. (AQO 5784/11-15)

Mr McCausland (The Minister for Social Development): As of December 2013, the number of applicants on the housing waiting list for greater west Belfast, which covers west Belfast, Lisburn Dairy Farm, Poleglass and Twinbrook, stood at 3,379.

Waiting list demand is addressed through allocations, which include the reletting of existing social housing stock and the development of new social housing. The projected social housing need requirement for greater west

Belfast for the five-year period 2013-18 has identified a requirement for 2,524 new social homes.

In the current financial year, 2013-14, the social housing newbuild programme includes 149 units, of which 23 are for supported housing. To date, six schemes comprising 65 units have commenced. The newbuild programme for 2014-17 plans to deliver a further 1,336 units, of which 47 will be for supported housing.

2.45 pm

In addition, the Housing Executive's greater west Belfast strategy has identified the need to maximise housing supply in sustainable communities. However, the availability of development land in west Belfast remains in short supply. Housing associations have experienced difficulty in securing suitable development sites in the area. Also, a recent design-and-build competition in west Belfast resulted in no applications.

The release of key sites between Hannahstown Hill and the Monagh bypass and the Visteon factory site will, therefore, be important in meeting this social housing demand. I encourage the Member to support the development of those key sites to ensure that housing demand in the west Belfast area is met.

Mr Maskey: I thank the Minister for that reply and assure him that my party colleagues are very much in support of developing those additional sites for social housing need in that constituency. There are in the region of 1,000 families, 300 senior citizens, 1,000 singles and people living in hostels on the waiting list. The figures that the Minister gave to the House this afternoon will not meet that need, and will, in fact, fall considerably short of meeting it. Given that there is available land either side of some of what we call peace lines, can the Minister give any assurance or comfort, other than what he has given today, to those families on the waiting list, many of which are in housing stress or homeless, and who, on the basis of today's figures, cannot look forward to being housed in the next number of years?

Mr McCausland: The figures for west Belfast are significant. However, I have to say that, if you look right across the Province, you will see that there are significant waiting lists in other constituencies. If you compare not simply the number in housing stress but the figures for the time that people are on the waiting list before they manage to get a house, you will find that the waiting time in a number of constituencies is not dissimilar to that in west Belfast. So, it is important that we remember the whole issue across the whole Province.

As regards west Belfast in particular, I identified that there is an issue with the shortage of land. Visteon is certainly a very substantial site that would accommodate several hundred houses. Therefore, I think that it is an important site, and I hope that people will support it. It would provide 196 new social homes with the opportunity for 48 families to own their own home. That would be very important, but it has, unfortunately, run into community and political opposition.

Mr Attwood: Touching on that last point and given the stark figures that you outlined, it is important to note that all appropriate land in west Belfast is developed for housing use. It is no reassurance to say that it is bad in west Belfast and bad everywhere else. That does not

seem to be a credible answer from the Minister. Do you not accept that there are certain sites in west Belfast — Visteon is one — that DETI has decided are significant economic opportunities? There will be sites in other constituencies where protection of industrial land is an issue in a very difficult situation in the context of land use generally. Does the Minister accept that that principle may have to prevail for the land at Visteon?

Mr McCausland: I am loath to get involved in what seems to be almost an interparty dispute in west Belfast between the SDLP and Sinn Féin about the Visteon site. What people sometimes say in private is different from what people sometimes say in public. I think that it is important that the site is developed. The Member is absolutely right: housing development has to be seen, as I have always said, in the context not just of building houses but of building sustainable communities. Therefore, we need to look, not just at the provision of housing but at the provision of recreational space, employment opportunities and so on. That is absolutely right. However, if people chose to live in that particular part of the city, there is a limit to the land that is available.

If the Member is aware of additional sites in west Belfast, I would be willing to advise the Housing Executive accordingly. Over the past number of years, before I came into the Department, my predecessors would also have identified to the Housing Executive sites in west Belfast that might have been appropriate.

Mr Principal Deputy Speaker: Before I call the next Member, I remind Members that this question topic is constituency-specific, and the Minister's notes may reflect that. I call Ms Paula Bradley.

Ms P Bradley: I thank the Minister for his answers thus far. Will he go into more detail on what has been done to deliver suitable land for development?

Mr McCausland: I thank the Member for her question. Delivering social housing is not without its challenges. Land available for development is limited, and only 12 of Northern Ireland's 25 housing associations are developing. In addition, over the three-year period 2011-14, 70% of all new social housing was delivered by four housing associations: Apex, Clanmil, Fold and Oaklee.

To address a range of issues, including land acquisition, I have tasked my officials with ensuring that improved systems and processes are put in place to transfer Housing Executive surplus land and public sector surplus sites more efficiently to those housing associations that have proved that they can deliver. Officials are also reviewing the system for social housing development and are considering opening up the development of new social housing to other providers.

Fuel Poverty Action Group

2. **Mrs Cameron** asked the Minister for Social Development for an update on the work of the fuel poverty action group. (AQO 5785/11-15)

Mr McCausland: The fuel poverty advisory group was formed in 2005, and its primary task was to allow the private sector and voluntary groups to discuss fuel poverty issues and to advise my Department on progress with its fuel poverty strategy. Following the publication of my Department's new fuel poverty strategy, Warmer Healthier

Homes, in March 2011, the fuel poverty advisory group was succeeded by the cross-sectoral partnership on fuel poverty.

The cross-sectoral partnership was established to ensure the effective coordination of policies and actions to tackle fuel poverty. Membership of the group comprises senior officials from all the main Departments that have a role in tackling poverty and representatives from the voluntary and community sector and the energy sector.

In line with the recommendations from the Social Development Committee's fuel poverty report of May 2012, the group divided into four thematic subgroups, which have met regularly since. Those subgroups have developed action plans and brought forward initiatives to tackle fuel poverty. The composition of the subgroups provides a great wealth of knowledge on fuel poverty and a platform for sharing information across government, the energy companies and the voluntary sector. I chair the cross-sectoral partnership, which meets twice yearly. The next meeting is expected to take place in June 2014.

To help to maintain a focus on fuel poverty issues, my officials are reviewing the structure of the subgroups to ensure that the fuel poverty strategy is supported fully.

Mrs Cameron: I thank the Minister for his answer. What is the rate of, and what are the figures pertaining to, fuel poverty in South Antrim? What can be done to deal with the issue?

Mr McCausland: In the council areas of Newtownabbey and Antrim, which largely comprise the constituency of South Antrim, a total of 2,807 energy-efficiency improvement measures have been provided under the warm homes scheme since July 2009. Meanwhile, measures available under the warm homes scheme include loft insulation, cavity wall insulation, hot water cylinder tanks, benefit entitlement checks and energy-efficiency advice. I encourage anyone who is a householder living in privately owned or privately rented accommodation and in receipt of a qualifying benefit to contact the Warm Homes scheme to ascertain what measures they might be entitled to.

The latest fuel poverty figures are from the 2011 house condition survey. They show that 42% of households across Northern Ireland are in fuel poverty. In some pockets, it goes up to 78%, but the percentage varies. It is hard to break the figures down into constituencies, but I will come back to the Member with further information.

Mr Copeland: Does the Minister believe that he and his Department — I include the Minister's immediate predecessor in this — have done all that they can to alleviate fuel poverty, including the establishment of the action group, which I welcome? How does he account for the seemingly negligible impact that we have had on fuel poverty?

Mr McCausland: So many areas of work have been undertaken that one can only speculate on how much worse the situation might have been had those interventions not taken place. I believe that we have been proactive. Since I came into the Department, fuel poverty has been an issue that has been very much on my mind, and I put it to the fore of the work that officials take forward.

Many things contribute to improving energy efficiency, including the warm homes scheme, the boiler replacement

scheme, double glazing and thermal insulation of Housing Executive properties. However, Northern Ireland is very much dependent on oil as a main source of fuel. We are very different from Great Britain, where there is a heavy reliance on gas, which is cheaper, and that is why fuel poverty is not just for one Department to address. My colleague in DETI, Arlene Foster, has been proactive in taking the gas network to the west of the Province because that is an area where there is a particular need. Access to gas there will make a big difference.

The other area of work that we have undertaken, which helps to some extent, is our benefit uptake campaign. That is putting more money into the pockets of more vulnerable people so that they can afford the fuel that they need. Those three factors — energy efficiency of the home; the nature and cost of the fuel; and level of income — determine whether a person is in fuel poverty.

Mr Rogers: Minister, will you ask the fuel poverty action group to investigate what alternative heat supply systems are available, especially in rural areas where there is no gas supply?

Mr McCausland: The Member raises a valid enough point, in that the more access that there is to cheaper fuels, the better. I remember meeting a group who were very keen that we ensure that provision be made for the use of peat in certain heating systems in the north of the Province. There was great enthusiasm for that in the Moyle area. Spreading the gas network further across the Province is crucial here.

There has been a good balance of uptake of the various measures that we have introduced between rural and urban areas. The focus of the work is Province-wide, and there has been very significant uptake of the measures in rural areas. We do not forget the rural areas: the focus is right across the Province.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. One issue facing people who have no choice but to rely on home-heating oil is not just the cost but the difficulty that they have in budgeting for it, because it must be bought in huge quantities to benefit from economies of scale. Will the Minister give us an update on how he is trying to make oil more affordable for people who will never be able to switch to gas?

Mr McCausland: Some work was taken forward on the basis of a pay-as-you-go scheme. However, it emerged subsequently when economists looked at it that the scheme was not as advantageous for the tenant as we had thought. The mechanical system works and the technology is there, but when you seek to implement it, you run into an issue with costs. That is why I have tasked officials with going back to the two companies that were involved to see what can be done to try to make the proposed scheme a more attractive option.

As the Member will know, there are schemes in which collective buying groups come together. One such group came together in Glenravel in County Antrim. There are lots of different interventions, such as stamp schemes and other things to make oil more accessible to people, but, ultimately, the move towards a range of fuels other than oil will be particularly attractive and beneficial.

3.00 pm

Councils: Transfer of Functions

3. Miss M McIlveen asked the Minister for Social Development what progress has been made in ensuring that statutory transition committees are prepared for the transfer of regeneration functions from his Department to the new local councils. (AQO 5786/11-15)

Mr McCausland: First, I should clarify that my Department is not transferring regeneration functions to councils but will confer powers on them and transfer relevant budgets to enable councils to decide how best to take forward regeneration in their areas, having regard to the guidance that will be issued. The Executive's vision for the new councils to be stronger, more efficient and citizen-focused, responding to the needs, aspirations and concerns of their communities, is clear. Councils and their locally elected representatives are best placed to identify local needs, make local plans and bring forward real improvements to the lives of the citizens in their communities, be they urban or rural.

However, I am concerned that significant challenges lie ahead in ensuring that the transfer to the new arrangements is as smooth and seamless as possible. In order to assist the new councils in discharging their new responsibilities, I have tasked my officials to work closely with the statutory transition committees (STCs) and, later, the shadow councils to assist them in putting in place effective arrangements to meet the needs of their communities.

Additionally, I wrote to the statutory transition committees on 20 February, following a gateway health check of my Department's preparedness and the progress of jointly developed implementation plans, offering to meet with STCs to discuss any concerns they may have about the challenges that we face over the next 14 months. It is hoped to hold those meetings in the coming weeks; so far, only two are planned with the Mid Ulster and the Armagh, Banbridge and Craigavon STCs. I hope that meetings with the other STCs will be arranged and confirmed very quickly in the coming days.

Miss M McIlveen: I thank the Minister for his answer, in which he mentioned the gateway health check. Will he outline the outcome of that check, what he means by "significant challenges" and whether he has a plan of action to overcome those?

Mr McCausland: The gateway review of my Department's preparedness was largely positive and made some recommendations about some internal improvements that my Department could make in relation to improved communications and the strengthening of some programme management arrangements. My Department has taken the health check findings on board and will make the necessary adjustments. It is important to remember that that looked at the departmental end of the picture, but the other end of the picture is at the council end.

As stated in the independent gateway health check, the following challenges were referenced: demanding timescales, the demanding environment of political and organisational change, and the fact that success in relation to the continued delivery of the services that the Department currently provides to the most deprived

communities relies very much on the active participation of councils in the run-up to the date of reorganisation. To overcome these challenges, my Department has implemented a series of measures with a view to achieving the high-level objective of transferring powers and functions by 1 April 2015.

My Department recognises that the new councils may be at varying degrees and stages of readiness in taking forward their new operational responsibilities. To mitigate that, my Department will work closely with the new council chief executives to ensure a state of readiness for April 2015.

Mr McCarthy: I welcome the Minister's response so far. Does he agree that the new regeneration and planning functions for councils should be accompanied by a requirement to be responsible for promoting shared space in all public areas?

Mr McCausland: I am sure that the Member is right to say that most councils will want to encourage shared space. When it comes to urban regeneration, there has to be a particular focus on town centres. If town centres are to thrive, they need to be shared spaces. You cannot sustain a town centre on having support for the shops and businesses and so on from simply one section of the community; every section of the community needs to feel comfortable going into those town centres. I discussed that in part the other week in the debate on the Pavement Cafés Bill. It is important that people have that aspiration and commitment; it just makes good sense so I happily endorse what the Member says.

Ballymoney Master Plan

4. Mr Storey asked the Minister for Social Development to outline the implications of the review of public administration for the delivery of the Ballymoney master plan. (AQO 5787/11-15)

Mr McCausland: The Executive have committed to the reform of local government (RLG) and agreed a package of powers and functions that should transfer from central government to local government in 2015. As part of that, my Department is extending powers to councils to enable them to address area-based regeneration. I believe that the reform of local government provides us all with a unique opportunity to bring about a step change in the delivery of area-based regeneration by placing the power, the resources and the decisions at the heart of local decision-making.

The Executive's vision for our new councils to be stronger, more efficient and citizen-focused, responding to the needs, aspirations and concerns of their communities, is very clear. So, councils and their locally elected representatives are best placed to identify local needs, make local plans and bring forward real improvements to the lives of the citizens in their communities. Going forward, the Ballymoney master plan will provide the council with a sound evidence base and with guidance to help steer it in the right direction, but, ultimately, decisions on the projects to take forward, as set out in the master plan, will rest with the new Causeway Coast and Glens cluster council comprising Ballymoney, Coleraine, Limavady and Moyle councils.

Mr Storey: I thank the Minister for his answer. Given the considerable capital that his Department has put into the

production of the master plan and the considerable buy-in that there has been to many elements of it, and given the concerns that he raised in the previous answer to my colleague Miss McIlveen when he referred to effective arrangements being in place to ensure that the proposals are brought forward, will he give an assurance that his Department, having started the process in relation to the master plan, will continue to work with the new council to ensure that its vision becomes a reality?

Mr McCausland: Under the reform of local government, I will bring forward legislation that places a statutory duty on councils to have regard to the outcomes contained in the regeneration and community development framework. It will ultimately be a matter for councils to determine how they will exercise the powers and deploy the resources, but my Department will support councils in taking on the new regeneration and community development responsibilities. I have written to the councils advising them that there should be a smooth transition to the new arrangements and to ensure that there is the capacity for delivering regeneration and community development work, particularly regarding the staffing resources that will be required in the councils to deliver forward work plans.

An independent gateway health check, which I mentioned, involving interviews with DSD, DOE and local government stakeholders has examined arrangements in place for the Department, working in partnership with councils, to implement RLG, and a further review will be carried out in June 2014. So, we are keeping a careful watch on the situation to make sure that things are moving properly in the right direction, and that review will provide an assessment of the adequacy of plans in place for the proposed transfer on 1 April 2015. The outcome of the check will identify potential obstacles to the transfer and any measures required to deal with those.

I was in Ballymoney to see the launch of the master plan consultation, and I was there again to meet the Member and local councillors in regard to its completion. It is a very exciting document and holds out great possibilities and prospects for Ballymoney. Therefore, it is important that it is taken ahead in the smooth and seamless way to which I referred.

Mr Allister: In taking it forward, will the Minister say to the new council, "Here are our fine proposals and our master plan. Now you take it and you pay for it"? Or is the Minister giving any undertaking to underwrite any of the funding of a scheme that he has begun?

Mr McCausland: If the Member paid more attention to the communication between my Department and the local council, he would be aware of the communication that has gone out to all the councils setting out the financial commitment that there will be and the resources that will be passed over to the council to take forward that work in the same way as money and resources will be passed over to other councils to take forward the many schemes in those areas. The function and the lead role moves across to the council and so do the resources that accompany that.

Housing Executive: Double Glazing

5. **Mrs McKevitt** asked the Minister for Social Development how many Northern Ireland Housing Executive homes do not have double glazing. (AQO 5788/11-15)

Mr McCausland: The Housing Executive has advised me that, following local surveys, it now estimates that there are 9,800 properties that require upgrading from single glazing or partial double glazing to full double glazing. It has further advised me that this figure does not include properties in recent double glazing schemes where the tenants have refused the work, or properties in the stock transfer programme which are not double-glazed but have been removed from planned schemes. The Housing Executive has also advised that a total of 10,430 of its dwellings have now had double glazing installed since the commitment to have all Housing Executive houses double-glazed by March 2015, as agreed in the Programme for Government.

Mrs McKevitt: Will the Minister update the House on the contracts for the refit of double glazing to the homes of approximately 11,000 people who are currently waiting on the scheme to commence?

Mr McCausland: The Housing Executive has advised me that the double glazing contracts have now been signed, and it is now moving ahead to have double-glazed windows installed in line with the programme target of completion by March 2015. The contracts have been awarded across the Housing Executive's three regional areas to the following contractors: in Belfast, P K Murphy Construction Ltd; in the north, Dixons Contractors Ltd; and in the south, Bann Ltd. Work has already started in preparing for the actual installations because, obviously, there is preparatory work to be done for the schemes. I expect work to be on site very quickly, in a matter of weeks.

Mr Cree: Just to complete the picture, Minister, will you tell us your assessment of the number of housing association houses that do not have double glazing? Perhaps you can fill in the picture there about the number of houses in transfer which also do not have double glazing at this point.

Mr McCausland: The Member will appreciate that housing association stock, in general, is much newer than Housing Executive stock. The executive has a lot of older stock which goes back to the 1960s and probably even, in some cases, to the end of the 1950s and so on. Those are houses from an earlier period when double glazing was not standard. Housing association properties are much newer. In fact, they are some of the most energy-efficient properties. We certainly encourage housing associations to ensure that any of their properties that do not have double glazing get it installed as part of their programme of maintaining their stock. Every housing association is required, as part of its regime, to have a programme in place about upgrading and maintaining stock, and that should be a part of that programme of work.

Fuel Poverty

6. **Mr Dallat** asked the Minister for Social Development how his Department is targeting resources at people who are suffering most from fuel poverty. (AQO 5789/11-15)

Mr McCausland: The warm homes scheme has been my Department's primary tool in tackling fuel poverty since its inception in 2001. The scheme has been very popular and successful and has improved the energy efficiency of more than 120,000 low-income households. My Department's fuel poverty strategy, 'Warmer Healthier Homes', called for increased partnership working and improved targeting of

resources to assist those households most at risk of fuel poverty.

My Department has been working with colleagues in the University of Ulster, the local councils and the Housing Executive on the development of a new evidence-based model for tackling fuel poverty. The results from the early pilots are impressive in identifying and targeting those households most in need of assistance, and I am encouraged by the progress.

My Department is consulting on proposals for a new affordable warmth scheme until 9 May 2014. The proposals contained in that consultation are evidence-based and will provide a sound basis for targeting low-income households throughout Northern Ireland and making them warmer and healthier. In addition, as Members are aware, the Housing Executive is working to ensure increased energy efficiency through full double-glazing of its homes by March 2015, as set out in the commitment that I made in the Programme for Government.

Mr Principal Deputy Speaker: That ends the period set aside for listed questions. We move on to topical questions.

3.15 pm

Housing Executive: Contractors

1. **Mr McNarry** asked the Minister for Social Development for the current position resulting from discussions between the Northern Ireland Housing Executive (NIHE) and its contractors, about which I am sure he has been briefed, recalling his high-profile announcement that NIHE contractors had overcharged by a staggering £18 million. (AQT 891/11-15)

Mr McCausland: The Member is absolutely right in saying that this is between the Housing Executive and the contractors. The Housing Executive is in negotiations with the contractors. I hope that those negotiations are coming towards a conclusion and that a mutually agreeable situation emerges from them.

As I have said before, it would be inappropriate for me to comment until those discussions have been completed. The issue has a commercial dimension and a financial dimension for both sides. Until they have completed their negotiations and the issue has been through the board of the Housing Executive, I could not possibly comment. However, I hope that they will bring something to the board of the Housing Executive fairly soon.

Mr McNarry: I am sorry to say that I am disappointed in the Minister, who seems to have caught the common ailment of his ministerial colleagues, which is one of knowing more than they will tell us. Perhaps he will return to the House and make a statement when he finds it more appropriate.

In the meantime, will he confirm to the House that the figure of £18 million is fictitious? As a consequence, will he agree to redress the damage to the contractors' credit rating and the other commercial damage done to them? Will he tell the House how he will set about that task in the name of commercialism and in the name of doing what is right?

Mr McCausland: Just so that the Member is absolutely clear — his supplementary perhaps betrayed some confusion — this is a matter between the Housing Executive and the contractors.

Mr McNarry: You are the Minister.

Mr McCausland: It is a matter between the Housing Executive and the contractors. There is an issue about the role of the Housing Executive and the role of its board. The matter has not been to the board of the Housing Executive. Until it has, and until the board has had the opportunity to consider it and decide whether it is content, it would be totally wrong and inappropriate for me to comment.

The Member can shake his head like a nodding dog as much as he wants, but the fact is that I want to show due respect to the board of the Housing Executive, even if he does not.

Housing: Lower Oldpark

2. **Mr Sheehan** asked the Minister for Social Development to explain how the recently refurbished houses in the lower Oldpark were allocated. (AQT 892/11-15)

Mr McCausland: I welcome the Member's interest in the affairs of a different constituency. I am very pleased to be able to tell him that I have already provided the answer in response to a question for written answer. People were allocated the houses on the basis of their being on the Housing Executive waiting list.

I had an opportunity recently to go and see the houses. The first houses were completed in Mountview Court, and I think that Mountview Street will be next. Some 16 of the 26 houses have been allocated. I have to say that Clanmil Housing has done an excellent job. The houses are extremely well finished, and the tenants are very happy with the houses that they have been allocated. People have moved on from the dire situation of being left living in the middle of desolation, dereliction and decay — a situation that no one should be forced into — and there is a new enthusiasm, urgency and vitality about the area.

I had the opportunity to speak about the houses at the local community association's AGM. It is a great start, and I look forward to the remainder of the 26 houses being completed and to the Housing Executive's meeting its commitment to build, I think, 12 houses on an adjacent site on the front of the Oldpark Road. [Interruption.]

Mr Principal Deputy Speaker: Order. The House has to hear the answers, please.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Unfortunately, he did not answer the question. It is my understanding that some of those houses were allocated to people who were already in social housing locally. Will the Minister tell the House how many points they had and whether several houses were allocated to people with no points at all?

Mr McCausland: My understanding is that there was only one case of a transfer and that folk were on the waiting list. People right across Northern Ireland are on the waiting list even though they may be in a house. Just because you happen to be in a house does not in any way bar you from being on the waiting list.

That is quite clear. I am surprised that the Member would even dream of asking the question.

As regards people being allocated houses on no points, I am totally unaware of that, and I do not believe that to be the case. If the Member wants to speak to the Housing Executive, he will get a better understanding of the fact that there is housing need in North Belfast in the unionist community. As much as some people in the nationalist community want to deny it, it is there. In fact, as I pointed out previously, the waiting list in the North Belfast constituency has more people from the unionist community on it than people from the nationalist community, and if the Member even speaks about the length of time — *[Interruption.]*

Mr Principal Deputy Speaker: Order.

Mr McCausland: Some people just cannot face up to facts. They prefer to perpetuate myths and imagine things. Those are the facts. If the Member is so interested in another constituency, will he also take on board the fact that, in parts of North Belfast, the time that you have to remain on the waiting list to get a house is longer in some of the unionist communities than it is in some of the nationalist communities?

Boiler Replacement Scheme

3. **Mr Buchanan** asked the Minister for Social Development for an update on the benefits of the boiler replacement scheme to homes across Northern Ireland. (AQT 893/11-15)

Mr McCausland: On 25 May 2012, I announced the introduction of the £12 million boiler replacement scheme to improve energy efficiency in 16,000 homes across Northern Ireland. The scheme, which is administered by the Northern Ireland Housing Executive, is open to owner-occupiers whose household income is less than £40,000 a year, with an inefficient boiler of at least 15 years. The grant of up to £1,000, depending on gross income, is available to assist in replacing an inefficient boiler for a more energy efficient condensing oil or gas boiler. That includes switching from oil to gas or switching to a wood pellet boiler as an option.

The boiler replacement scheme was launched in September 2012 and has funding up to March 2015. It has been very successful. I was able to secure an additional £6 million of funding from the European regional development fund. That will assist 8,000 additional owner-occupier households to replace their boiler over the final two years of the scheme, bringing the total homes that will be assisted to 24,000.

Domestic heating boilers account for around 60% of the household spend on energy bills, so an efficient boiler makes a significant difference to the annual energy bill. In some cases, people were able to achieve a saving of around one third or even more in other cases. That is a very substantial saving to their fuel bill, and it has been a major benefit, therefore, to some homes, particularly of people who are on lower incomes or who are more vulnerable. I encourage Members to engage with their constituents and keep them minded of the scheme, because the more people who hear about it, the more people will benefit from it.

Mr Buchanan: I thank the Minister for his response.

Can he further advise of the level of employment that the scheme has provided for the likes of individual installers of those boilers?

Mr McCausland: One of the great benefits of this particular scheme and one of the things that we built into it purposely at the start was that the installation would be carried out by installers at a local level. So, plumbers working in a local area would get work in that area. When I went to visit a number of homes where installations had taken place, those who had carried out the installations were very positive about it. They said, "I may not have had a vast amount of work, but I have gained 12 or 15 additional jobs for my small local business through this". The number will have increased now; that was some time ago. However, at the moment, 1,800 separate installers have got installation work, which shows how the work is being spread across the Province at a local level to local installers.

Picking up on a point that another Member raised earlier about rural and urban areas, the split is 40% rural and 60% urban. That is in line with the warm homes target to assist rural areas. So, a lot of installers are getting work, and 40% of them are in rural areas.

Housing: Dungannon Waiting Lists

4. **Ms McGahan** asked the Minister for Social Development what he is doing to address the fact that, in Dungannon district, almost 1,000 people are on the housing waiting list while figures from Land and Property Services show 1,520 vacant domestic dwellings. (AQT 894/11-15)

Mr McCausland: I welcome the question, because empty homes is a hugely important issue. If a home is lying empty, it is a wasted resource. When I came into the Department, it was clear that empty homes had been put very much on the back burner. We ran a couple of pilots in two very different streets, one in east Belfast and one in north Belfast, to get a sense of what the issues were and to identify the reasons why there were a number of empty properties in a particular street. That information has fed into the renewed commitment to take forward work on empty homes. The Housing Executive has to take the lead on this, and I detect that, in the executive, there is much more commitment to so doing. The Member is right: it is an opportunity that is lost. A family could have a home, and somebody could have additional income, and it is a pity if that does not happen.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response. Minister, your Department has responsibility for town centre regeneration, so why is it changing the usage of local businesses from commercial to domestic when there are so many vacant properties in Dungannon town?

Mr McCausland: We had a very good scheme, called the Living over the Shop scheme. That has run its course. It has been evaluated, and the intention is to bring forward a new scheme in the not too distant future. It will not be called Living over the Shop, or LOTS, as it was known, but it will certainly be a scheme that I think will bring a new vibrancy to town centres. Many of our town centres are, quite frankly, dead for a large part of the day. There is no one around, and there is no life there. On Friday, I looked at an area from one part of Royal Avenue to another and saw the number of empty properties that were there. There

are opportunities there for commercial properties that have three, four or five storeys. It would be additional income for the trader, and it would provide an initial home. I think that it would be good all-round success. It would bring vibrancy to the street and would provide more homes and more income to make additionally sustainable a business that otherwise might not be sustainable or is on the verge of sustainability.

Welfare Reform: Underoccupancy Penalty

5. **Mr Nesbitt** asked the Minister for Social Development for his current timeline for the introduction of the underoccupancy penalty for social housing. (AQT 895/11-15)

Mr McCausland: Again, the Member's party is represented on the Executive's subcommittee. Mr Kennedy is the Minister who represents the Ulster Unionist Party on the Executive subcommittee. From general conversation, general debate in the Chamber and through the feedback that I am sure, he will have got from his party colleague, the Member will be aware that I am concerned that we make sure that we have a package of measures for Northern Ireland that is fit for purpose. Therefore, welfare reform in Northern Ireland would be different from what it is across in Great Britain. The Member is aware of a number of the flexibilities that were negotiated with the United Kingdom Government, particularly through Lord Freud and Iain Duncan Smith, at a very early stage, well over a year ago, and the fact that we have brought together proposals that will, I think, mitigate by far the worst effects of the so-called underoccupancy tax or bedroom tax.

In the past, the social housing development programme in Northern Ireland did not take account of the needs of welfare reform and the need for smaller one- and two-bedroom units. We tended to build larger three- and four-bed units. That is why, when I came into the Department, one of the things that I did was tell the Executive to make sure that they took account of the potential impacts of welfare reform when they were bringing forward the social housing development programme.

The timeline for bringing forward the entire package of measures is something that is beyond my control. The dangers of not moving forward on welfare reform in a way that is suitable for Northern Ireland and with a unique Northern Ireland focus has been outlined very clearly by my colleague in DFP, Mr Hamilton, who has pointed out that if we sit as we are, £1 billion will be lost to the Northern Ireland block grant.

Northern Ireland Assembly Commission

Mr Principal Deputy Speaker: Questions 2 and 8 have been withdrawn.

3.30 pm

School Visits

1. **Mr McCartney** asked the Assembly Commission for a breakdown of school visits to Parliament Buildings from each constituency since January 2014. (AQO 5799/11-15)

Ms Ruane: Gabhaim buíochas leis an gComhalta as an gceist. Thug 52 scoil cuairt ar Fhoirgnimh na Parlaiminte ón 2 Eanáir 2014. Orthu seo, bhí 20 bunscóil, 29 meánscoil agus trí scoil speisialta. Lena chois sin, thug coláiste breis- agus ardoideachais amháin cuairt orainn, chomh maith le 18 institiúidí ardoideachais domhanda, le haghaidh inchur clár oideachais.

I thank the Member for his question. Fifty-two schools have visited Parliament Buildings since 2 January 2014. Of those, 20 were primary schools, 29 were secondary schools and three were special schools. In addition, one further and higher education college and 18 worldwide higher education institutions have visited for an education programme input.

Primary schools from 12 constituencies have visited in this period. No primary school from South Belfast, West Belfast, East Derry, Foyle, Newry and Armagh or South Down has visited Parliament Buildings this year. Apart from the East Belfast constituency, from which three primary schools visited Parliament Buildings, either one or two primary schools from each of the other constituencies have visited. In the same period, secondary schools from 16 constituencies have visited Parliament Buildings. East Belfast and Lagan Valley are the only constituencies from which secondary schools have not yet visited Parliament Buildings this year. Between one and three secondary schools from each of the other constituencies have visited. The Member may also wish to note that, from January to December 2013, 198 schools visited Parliament Buildings.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as an fhreagra sin. I thank the Member for her answer. What plans or programmes are in place, and what actions are being taken, to ensure that we extend the number of schools that come to the Building?

Ms Ruane: Go raibh maith agat as an gceist sin. Thank you for that question.

Tá foireann na Seirbhíse Oideachais ag 50% ó lár mhí na Nollag 2013 mar gheall ar ghluaiseacht inmheánach foirne agus saoire mháthaireachais. Tá na folúntais seo á líonadh go sealadach, agus táthar ag dréim le foireann a bheith i bpost faoin 24 Márta. Tá athbheithniú á dhéanamh ar an gclár for-rochtana oideachais leis an soláthar seo a leathnú lena chinntiú gur féidir le scoil ar bith nach bhfuil ábalta cuairt a thabhairt ar Fhoirgnimh na Parlaiminte, as cibé fáth, gur féidir léi cuairt for-rochtana a dhéanamh.

Staffing in the Education Service has been at 50% since mid-December 2013 as a result of internal staff movement and maternity leave. Those vacancies are in the process of being filled on a temporary basis, and staff are expected to be in post by 24 March. A review of the education outreach programme is being undertaken with the intention of extending this provision to ensure that any school that cannot attend Parliament Buildings for whatever reason can avail itself of an outreach visit.

Commissioner for Standards

3. **Mr Elliott** asked the Assembly Commission to outline the costs incurred by appointing an acting Commissioner for Standards to investigate the complaint against Gerry Kelly MLA regarding his alleged conduct in Castlederg on 11 August 2013. (AQO 5801/11-15)

Mr Cree: I thank the Member for that question. The Assembly appointed an acting Commissioner for Standards on the passing of a motion from the Committee on Standards and Privileges. As a result, the Assembly Commission has incurred travelling and accommodation costs totalling £346.84 to date. The total is split is £271.84 for travel and £75 for accommodation. A further sum of approximately £225 will be payable in respect of travel and accommodation costs arising from the acting commissioner's attendance at the Committee on Standards and Privileges meeting on Wednesday 5 March. No additional costs were incurred in respect of remuneration payments to the acting commissioner as he was appointed on the same per diem terms as the commissioner.

Mr Elliott: I thank the Member for that answer. Will the Member give us some details on why the commissioner could not hear the case and why an interim commissioner had to be appointed?

Mr Cree: I thank the Member for his question. The commissioner was appointed under the terms of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011. I am sure that you knew that anyway. Schedule 3 to the Act specifically provided for the holders of certain posts or offices to be disqualified from appointment as the commissioner. A conflict of interest can arise in many circumstances, especially in a small place such as Northern Ireland. In this case, the conflict arose because the commissioner had been a member of the Parades Commission. Members of the Parades Commission are not included in the lengthy list of people who are disqualified from appointment as the commissioner, but, when the conflict of interest emerged, it was managed in a proper manner through the appointment of an acting commissioner.

Mr Allister: Does the Commission's oversight of expenditure include it having any oversight of the shameless squander that we saw over the weekend, when the Committee on Standards and Privileges took five of its members to Washington etc as part of that particular jamboree and spent a large amount of money? One might add that three of those members were from one party and that they went to look at a document on ethics that, it is reported, they can download. Has the Commission any oversight of squander by Committees in the House?

Mr Cree: I am not sure whether I thank the Member for that question or not. The simple answer is no, the Commission does not have that responsibility, I am glad to say on this occasion.

Mr McCartney: The Member asked about money being squandered on that trip. Do you accept that money was squandered by having to bring the commissioner to rule against the person who made the allegation in the first place?

Mr Cree: That is called democracy, is it not?

Mr McCartney: Squandering money?

Mr Cree: No, no. Definitely not.

Stormont Estate

4. **Mr McNarry** asked the Assembly Commission to outline the area of the Stormont estate that falls under its control. (AQO 5802/11-15)

Mr Weir: I thank the Member for his question. I do not know whether I will be thanking him for his supplementary question when I hear it.

The Assembly Commission has responsibility for Parliament Buildings and its immediate environs. To define the immediate environs, the land that is outside of the Building is delineated by the railings that surround the front lawn and by the security fencing to the north, which is the rear of the Building, and at the east and west sides.

Mr McNarry: According to many visitors, we do not appear to be user-friendly. On a day such as today, they battle uphill in the rain, having parked downhill. Are there plans to provide closer-proximity parking for visitors? If not, will the Commission consider being more user-friendly towards our visitors and guests?

Mr Weir: I thank the Member for his supplementary question. There are a couple of points to make, points that we originally intended to cover earlier. First, strictly speaking, the control of parking outside of the Building's environs is a matter that is under not the direct control of the Assembly but that of DFP. We should be making every effort that we can to make admission to the Building and the Stormont experience, for want of a better phrase, the best that it can be.

Assembly management continue to discuss the issue of parking with DFP colleagues, and they are exploring further possibilities for improving the situation. One positive measure that has already emerged is the handing-over for management by Assembly staff of the lower east car park and the establishment of an overspill car park. That has provided the Assembly with an additional 42 parking spaces.

There is a limited amount I can answer for DFP, but it has carried out a broader review of parking in the Stormont estate. At this stage, we understand that there are no plans for DFP to provide additional car parks. However, I think that there are indications of behalf of DFP that it is considering, in periods in which there is inordinately high demand for parking, temporarily relaxing some of the current parking restrictions on Prince of Wales Avenue and Massey Avenue. Naturally, Assembly management will work closely on monitoring that and will continue to liaise with DFP. Principally, given the restrictions of the area that is directly controlled by the Assembly Commission, we can, at best, be an organisation that influences some change there. Ultimately, most of the actions lie within the direct remit of the Department of Finance and Personnel.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Commission member for his answer. I want to deal with the issue of how this Building is heated and the area of the estate that falls under its control. When I asked the former Minister of Finance and Personnel what opportunities there were for storing biomass here, he told me that there was not space within the estate to build a shed. Will the Commission consider engaging with DFP to see whether there is somewhere in the estate where a shed could be built to store biomass to heat this Building?

Mr Weir: That seems to move slightly from the intention of the original question on the control of the environs. We are open to anything that produces the most efficient energy and, indeed, the best heating. Quite often, a lot of hot air comes from this Chamber that sometimes goes to waste

in that regard. The Assembly Commission is open to any suggestions that can improve energy efficiency within the Building. There are ongoing discussions on a range of issues with DFP on the interaction between the Assembly and the estate, and I am sure that matter could be discussed with the Department of Finance and Personnel. Ultimately, as DFP has control over the estate, the matter is probably best directed towards it in the first instance.

Mrs Overend: I had originally thought of asking the Member about negotiations with the Department of Finance and Personnel on extending car parks. However, what comes to mind is that an area has been cleared to the back of Parliament Buildings for the roof project. Is there any thought about using that cleared area for parking afterwards?

Mr Weir: Yes, I think that is the case. The roof project will be ongoing for the best part of a year. That area was cleared initially to facilitate the work on the roof project, but I think the intention is that, because the space is now cleared, once the roof project is completed, there will be the opportunity for additional car parking. It will be a space that, having been created, can be used so that it has long-term benefits as opposed to just creating additional space. Obviously, any action that we can take to ease the level of parking congestion around Parliament Buildings would be to the advantage of everyone.

Mr Storey: And the shed.

Mr Weir: And the shed.

Parliament Buildings: Inclusivity

5. **Ms McCorley** asked the Assembly Commission what steps it is taking to make Parliament Buildings more inclusive. (AQO 5803/11-15)

Mr Weir: I thank the Member for her question. The Assembly Commission has taken a range of steps to ensure that Parliament Buildings is inclusive. Section 75 of the Northern Ireland Act 1998 requires all public authorities designated for the purposes of the Act, including the Assembly Commission, to comply with two statutory duties.

The first duty is the equality of opportunity duty, which requires public authorities in carrying out their functions relating to Northern Ireland to have due regard to the need to promote equality of opportunity between the nine equality categories that are listed in section 75. The Assembly's 2012-16 equality scheme is a statement of the arrangements for fulfilling the statutory duties, as well as the plan for implementation. It meets both the legal requirements of schedule 9 to the 1998 Act.

The second duty is the good relations duty. That requires that public authorities, in carrying out their functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinions and racial groups.

The Member may wish to note that, in a letter from the Equality Commission in October 2013, it wrote:

"It has been encouraging to note that the Northern Ireland Assembly has sustained consistent progress in the implementation of their Equality Scheme and there is evidence of effectiveness in meeting the S75 duties. There has been sustained engagement and consultation with those directly affected by the

policies and this has been a key achievement of the Northern Ireland Assembly's scheme. A clear culture exists in the organisation that fosters co-operation with other parts of the public sector and those affected by statutory duty."

In addition, the Assembly Commission has taken a number of steps to promote inclusion within Parliament Buildings, including: work with Action on Hearing Loss; an autism initiative; a disability action plan; gender equality; Assembly Community Connect; tours and educational visits; and a Chinese new year event focused on art.

The Member will appreciate the challenges of obtaining political agreement on some of the more contentious issues around good relations.

Mr Principal Deputy Speaker: I remind the responders that the two-minute rule applies.

3.45 pm

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as an fhreagra sin. I thank the Member for that answer.

An dtig liom iarraidh ar an Chomhalta cad iad na pleananna atá ag Coimisiún an Tionóil le húsáid na Gaeilge a leathnú i bhFoirgnimh na Parlaiminte? What plans does the Assembly Commission have to expand the use of Irish in Parliament Buildings?

Mr Wells: Hopefully none.

Mr Principal Deputy Speaker: Order.

Mr Weir: Obviously we have regard to good relations and ensuring the promotion of good relations. Although further discussions will always take place on those issues, I do not think that there is any specific agreement, as yet, on any expansion of the use of Irish in the Building.

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an bhall den Choimisiún as ucht a fhreagra. An bhféadfainn ceist a chur air faoin Chairt Eorpach um Teangacha Réigiúnacha agus Mionlaigh? The Assembly was recently criticised for failing to fulfil its duties under the European Charter for Regional or Minority Languages. What action does the Commission intend to take to change that situation?

Mr Weir: I am not directly aware of the criticism in connection with that. We have produced a good relations action plan, which looks at the wider context. We have to ensure that, whatever we have by way of a welcoming environment in the Assembly Buildings, it is one that is welcoming to everyone. Any actions taken, in any direction, can have consequences for the attitude that people from different communities feel. We have to look always at trying to be as inclusive as possible, but in such a way as not to alienate people.

Mr Kinahan: Is there any evidence from visitors to suggest that Parliament Buildings is not inclusive?

Mr Weir: I am not aware of any evidence to suggest that. As I said in a previous answer, we have a wide range of groups from across the community, from different communities and from minority communities. There seems to be a good level of outreach and good usage of the Building. I am certainly not aware of any evidence to suggest anything to the contrary. However, I am not ruling

out the possibility that somebody could produce evidence of that nature, but I am not aware of any.

Parliament Buildings: Lighting

6. Mr Lyttle asked the Assembly Commission to outline its policy on the use of lighting on the exterior of Parliament Buildings to raise awareness of charitable organisations. (AQO 5804/11-15)

Mr Cree: I thank the Member for his question. The Assembly Commission does not currently have a policy in place for lighting the exterior of Parliament Buildings. The Commission has agreed, on two previous occasions, in conjunction with other high-ranking, high-profile public buildings, to light the exterior of the Building. To achieve the desired effect, gel filters were purchased by the Commission. In addition, permanent uplighters have been fitted in the Great Hall, enabling many different shades of light to be applied internally, as seen, for example, at a recent event held to mark the ovarian cancer awareness campaign. However, due to the increasing number of calls to light the exterior of the Building, the Commission has agreed to put in place a policy so that appropriate controls are in place to ensure that that is done in a manner that befits the listed status of the Building.

Mr Lyttle: I thank the Member for that answer. I welcome the announcement that the Commission is going to undertake a policy on lighting the exterior of Parliament Buildings. Does the Member agree that buildings, such as Belfast City Hall, have been used to really good effect to raise awareness of health campaigns and charitable causes? I look forward to hearing more detail on the policy.

Mr Dallat: Does the Member of the Commission agree that it would have been really nice if the exterior of the Building had been illuminated green yesterday to symbolise the unifying nature of St Patrick, something that thousands of people across the North shared yesterday? Is that a plan for the future, perhaps?

Mr Cree: I thank the Member for his question. I think that it is a rhetorical question, because we have passed that stage. However, I am sure that it will be taken into consideration when we are developing policy. I thank the Member for that.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I assure the Member that my question is not a rhetorical question. Many historical and very prominent places around the world went green as part of the global greening initiative, which is an initiative undertaken by Tourism Ireland, which is one of the bodies funded by the Assembly and the Executive. I raised the issue last year, and there does not appear to have been any progress. Will the Member take that back to the Commission, and, in a spirit of inclusivity and to promote the building and to put it on the map as a place for people to visit, will he consider getting the place to turn green for St Patrick's Day next year?

Mr Cree: As I said, the Commission is going to consider a policy and it will take on board what we have heard this afternoon. It can enhance the situation, but whatever we do must be in keeping with the status of the Building. For example, in another place, someone asked me about a picture where Parliament Buildings was shown in all sorts of different colours, and that certainly was not the case.

Obviously, a lot can be done with Photoshop and all those things to change things, but that sort of thing tends to be a bit cheap or a bit of a nonsense, which is not fair, but I hear what the Member says.

Childcare Allowance

7. Mrs McKevitt asked the Assembly Commission to outline the criteria used to determine the level of support provided by the childcare allowance scheme to Members and Assembly staff. (AQO 5805/11-15)

Mr Cree: I thank the Member for her question. As Judith is not here, I will attempt to answer it.

The Assembly Commission does not establish the eligibility criteria or the level of support provided to Members in respect of childcare. That function falls to the Independent Financial Review Panel — that is the second time that I have mentioned the panel this afternoon.

The scheme for staff relates to childcare costs incurred while the parents are at work at the Assembly. There are two separate tiers of support. The first tier is for children up to age five or school age, whichever is earlier, and is paid at a rate of £38.90 a week. The second tier is for children up to age 14 and is paid at a rate of £18.90 per week.

The eligibility criteria for secretariat staff include a requirement that actual childcare costs exceed the above rates, that the parent submits a valid claim each month setting out the days when they were at work and that the child's date of birth is verified by reference to his or her birth certificate.

Mrs McKevitt: Can the Commission highlight how that information is put out to those who qualify for the scheme?

Mr Cree: If I understand correctly, I think that it has been made available by direct communication. However, I am not sure whether it is on the website, so I will check that and get back to the Member. It is a good point.

Mr Hazzard: What has the Assembly Commission done to provide crèche facilities?

Mr Cree: That is obviously not part of the scheme. It is really a matter for the Member or staff member to find their own facilities and whatever suits them best. It is probably best left that way.

Parliament Buildings: Lifts

9. Mr Copeland asked the Assembly Commission to outline the reasons why the lift at the east side of Parliament Buildings has been frequently out of operation. (AQO 5807/11-15)

Ms Ruane: Ceist uimhir a naoi, for those who do not think that more needs to be done for Irish-speakers here. Gabhaim buíochas leis an gComhalta as an gceist.

Loic an t-ardaitheoir i dtaobh oirthear an fhoirgnimh i mí Bealtaine na bliain anuraidh, agus rinne na hinnealtóirí seirbhíse amach nach mbeadh sé sábháilte an t-ardaitheoir a chur ar obair arís go dtí go ndearnadh an deisiúchán agus an t-athchóiriú a bhí riachtanach.

I thank the Member for his question. The lift at the east side of the building suffered a mechanical breakdown in May last year, and the service engineers concluded that it would not be safe to bring the lift back into service until essential repair and refurbishment work was

undertaken. The work was due to be carried out during the summer recess of 2013 as part of a programme of planned refurbishment work. However, the operator of the service contract, DFP property management branch, was not content with the appointment of the contractor and determined that it was required to re-tender. The contract has now been re-tendered and a contractor appointed to carry out the work, which has been programmed to take place during the Easter recess to try to minimise the noise and disruption.

Mr Copeland: Thank you very much, Mr Principal Deputy Speaker, for your kindness during my last faux pas. Can the Minister detail approximately how much has been spent on the maintenance of the lift during the period that it has not been in operation and how much is generally spent on the maintenance of elevators and lifts in the Building? Will she accept that for people like me — not only Members but staff and the public — who, on occasion, have mobility difficulties, the unreliability of the lifts, particularly when there is a Division, can cause very great difficulties?

Ms Ruane: I accept that it causes difficulties and that the lift should have been refurbished by now in order to fulfil our disability and equality duties. All that I can say is that the DFP branch insisted that it be re-tendered. I have said Easter 2014, and we will do everything that we can to ensure that the work is completed.

I am answering this question on behalf of Judith Cochrane, so I am sorry that I do not have all the details on costs. We can certainly provide the Member with those.

Assembly Questions: Irish

10. **Mr Sheehan** asked the Assembly Commission to outline the steps it is taking to ensure its Members can answer both written and oral Assembly questions in Irish. (AQO 5808/11-15)

Mr Weir: I thank the Member for his question, which falls into two parts. The Commission provides parallel translation, when requested, to enable Members to respond in their language of choice to questions for oral response.

In May 2013, the Commission determined that questions for written response would be answered in the language in which they are received. In effect, that means that questions are responded to in English only.

Mr Sheehan: Go raibh maith agat. An aontalonn an comhalta liom nach dtig le cuid comhaltaí Gaeilge a úsáid mar gheall ar chleachtadh Choimisiún an Tionóil, is é sin go dtig leis an Choimisiún gan glacadh le ceisteann scríofa nó béil? Does the Member agree that some Members are excluded from using Irish in the Assembly as a result of the Commission's policy of not taking written or oral questions in Irish?

Mr Weir: With respect, there seems to be a degree of misunderstanding. The procedure in the Chamber is that Members who speak in a language other than English have to provide their own simultaneous translation. The way in which questions for written answer are received is not determined by the Commission. If I picked up the Member correctly, he was referring to the Member who is submitting the question. It is not the responsibility of the Commission to determine the procedures for the

submission of questions to the Assembly. That matter is determined by the Business Office and is not for the Commission. Questions are forwarded to the Commission in the same way as they are forwarded, as I understand it, to Departments. On that basis, it is a question for the Business Office rather than the Commission to determine.

Parliament Buildings: Internet

11. **Mr Moutray** asked the Assembly Commission what efforts are being made to improve the Internet connectivity speeds in Parliament Buildings. (AQO 5809/11-15)

Ms Ruane: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an gComhalta as a cheist. I mí Márta 2011, fuair an Tionól nasc idirlín neamhspleách le húsáid i bhFoirgimh na Parlaiminte. Chosain na crua-earraí agus an suiteáil £54,595 chomh maith le costais ath-fhillteacha de £14,260 sa bhliain. I mí Eanáir 2013, d'ardaigh Oifig na gCóras Faisnéise cumas nasc idirlín an Tionóil ó 20 meigi-ghiotán sa soicind go 40 meigi-ghiotán sa soicind le deileáil leis na riachtanais bhreise a d'éirigh ó chóras Ríomh-phacáiste na gCoistí agus ó úsáid bhreise na seirbhísí idirlín. Ba é £5,180 an costas breise le 40 meigi-ghiotán a sholáthar.

4.00 pm

I thank the Member for his question. In March 2011, the Assembly Commission procured an independent Internet connection for use in Parliament Buildings. The hardware and installation costs for that service were £54,595, with recurring costs of £14,260 per annum.

In January 2013, Information Systems Office increased the capacity of the Assembly Internet connection from 20 megabits a second to 40 megabits a second to cope with the additional demands brought about by the introduction of the electronic Committee pack system and the overall increased use of Internet services. The additional cost to flex up to 40 megabits a second was £5,180 per annum.

The Information Systems Office closely monitors the performance and availability of the Internet service, and the current connection is performing well, with no major delays or congestion detected. The Assembly Commission has, however, approved the procurement of an additional independent connection for Parliament Buildings to provide contingency arrangements for business-critical procedural and corporate systems that are reliant on Internet connectivity. That will effectively double the Internet bandwidth available from 40 megabits to 80 megabits.

Mr Principal Deputy Speaker: Order. Time is up.

Assembly Business

(Mr Speaker in the Chair)

Mr Sheehan: On a point of order, Mr Principal Deputy Speaker. During my question to the Minister for Social Development earlier, he referred to people on the housing waiting list as being unionist or nationalist. It is my understanding that the Housing Executive does not use those designations. Do you, therefore, not consider it to be inappropriate for the Minister to use those designations in the Chamber?

Mr Principal Deputy Speaker: I have a view that that is not a point of order. I noted that comment and, in my view, it was quite clear that there was no attempt to mislead the House; it was an expression. I accept your point about the correct designations. However, on the basis that there was no attempt to mislead the House in the discussion and that it is an expression that I am sure we have heard from time to time, that is not a valid point of order. Thank you.

Questions for Urgent Oral Answer

Environment

DVA Job Losses

Mr Speaker: Mr Cathal Ó hOisín has given notice of a question for urgent oral answer to the Minister of the Environment. Once again, I remind Members that, if they wish to ask a supplementary question, they should rise continually in their place. The Member who tabled the question will automatically be called. The Minister approached the Table because he is keen to get more time to answer the question, which I can understand, given the nature of the question.

Mr Ó hOisín asked the Minister of the Environment to outline what steps he has taken, including any discussions with the Minister of Finance and Personnel, to ensure that the 300 Driver and Vehicle Agency workers will be retained within the Civil Service.

Mr Durkan (The Minister of the Environment): As Members are aware, the Secretary of State for Transport announced on 13 March that vehicle licensing services for motorists in Northern Ireland are to be centralised in Swansea. From July this year, the Department for Transport, which has responsibility for this excepted matter, intends to replace the Northern Ireland IT system for vehicle licensing with the system used in GB. That will extend online and enhanced Post Office services to Northern Ireland.

Those services, which have been available in Britain for a number of years, could have and should have been provided to motorists here many years ago. However, rather than investing in Northern Ireland, the Driver and Vehicle Licensing Agency (DVLA) in Swansea continually refused to develop the required technology to enable motorists here to have the same level of access to vehicle licensing services that has been available in Britain.

The decision to centralise will result in the closure of all DVA's vehicle licensing offices in Coleraine, Belfast, Ballymena, Derry, Omagh, Enniskillen, Armagh and Downpatrick. The work of and funding for over 300 jobs will be lost. This is a devastating blow for all the hard-working staff of the DVA and their families, as well as for motorists in Northern Ireland, who have received a first-class service from the DVA. I have no doubt that the standards of service will diminish when DVLA tries to deliver services remotely from Swansea. During the public consultation on these centralisation proposals, the motor trade and the motoring public demonstrated their overwhelming support for retaining the local delivery of vehicle licensing and confirmed their high regard for the DVA's work.

I am bitterly disappointed and angered by this decision, which represents nothing more than a narrowly focused cost-cutting exercise that was made at the expense of high-quality public services and jobs and to the detriment of our local economy. I am also extremely angry by the timing of the announcement. In spite of assurances

from Ministers in London that I would be informed in advance of any announcement, and notwithstanding that I made myself available to discuss this critical issue with London Ministers at any time, it is disgraceful that the announcement was made while I was out of the country and that officials were informed of the announcement only the night before.

I am grateful for the support that I received from Executive colleagues, Members across the House and other public representatives. I also readily acknowledge the efforts of the DVA staff and their trade union. Customers and other stakeholders also played their part in making their opposition to centralisation in Swansea abundantly clear during the public consultation on the DVLA plans. However, although we are all bitterly disappointed by this decision, I do not believe that there was anything further that we could have done to turn Westminster from this misguided decision because of their blinkered focus on short-term financial gain.

My primary responsibility will now be to bring some certainty to the affected staff in the DVA regarding their future employment. I have already written to Executive colleagues seeking their assistance in identifying possible alternative work that could be located in the affected areas. I do not underestimate the difficulties in finding new work for staff, but I am confident that my Executive colleagues will work with me in seeking a solution. There are opportunities to make use of a well-trained and highly committed workforce with a proven record of customer service and achievement.

Obviously, the problem will be greatest for Coleraine, but, although the numbers are small in the other areas with local motor tax offices, I appreciate that the opportunities for redeployment to other posts in the Civil Service will also be greatly restricted in some places.

Finally, in trying to resolve the staffing issues that have been created by this unwarranted decision to centralise all this work in Swansea, I have already made it very clear that I expect the DVLA and the Department for Transport to provide whatever level of financial assistance is needed to facilitate the transfer of work or the redeployment of staff. I intend to do everything possible to ensure that London and Swansea face up fully to the consequences of this decision.

Mr Ó hOisín: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. I thank the Minister for his answer, and I accept that he acknowledges the hurt and pain that have been caused by this move to staff and, indeed, to their families. What efforts did the Minister and his predecessor make with British Transport Minister Hammond and others to devolve the DVA to Coleraine and its responsibilities to the Assembly? I also understand that a meeting with Minister Hammond had been organised for last week. That did not happen, as I further understand it. Was that meeting scheduled to have informed the Environment Minister of the impending jobs cuts? Indeed, when and where was he informed of them?

Mr Durkan: Go raibh maith agat as an cheist sin. As regards my being informed of the decision, not last Wednesday but the Wednesday before, I was told that Stephen Hammond would be phoning me at 3.30 pm. He was called into a long meeting. It was a very long meeting;

I did not hear from him for eight days, despite my efforts to make contact with him. That is completely unacceptable.

As regards the devolution of vehicle licensing powers, I and my party support the devolution of taxation and fiscal powers. However, such has been the neglect of DVA here by DVLA, the cost of having that devolved at this moment would be too great because the IT system was allowed to run down so far. As well as the cost of providing the service from Northern Ireland, we would be talking millions of pounds. That is without even considering whether the willingness was there to devolve this from London. Any attempt that I made to ascertain whether it is was met with a negative response.

Mr G Robinson: Will any consideration be given to the financial impact not only on DVA staff but on local car dealers and Translink's ability to de-tax 700-plus buses over the school summer holidays due to the ill-conceived and ludicrous proposal to close DVA offices in Northern Ireland by an uncaring Westminster Government?

Mr Durkan: I thank you, Mr Robinson. The Member described the decision as ludicrous. The more we hear about it and the impact it will have, the more ludicrous it will seem. I am sure that as every Member stands up here today, it will seem more and more ludicrous. The wider impact on the motor trade was addressed in the submission that I made to Westminster on this. On the issue about the buses, I believe that Translink itself responded to the consultation to flag up that issue.

Mr Dallat: I thank the Minister for his comprehensive response and an indication of his indignation at how he was treated. The Minister was not in Coleraine last Thursday to see at first hand the hurt, distress and sense of bewilderment that this had happened. Will the Minister go back to Coleraine to meet those workers face to face and will he do it after he has spoken to the First Minister and deputy First Minister, who were given some kind of indication from the Prime Minister that he would deal with it? Sadly, regrettably, disgracefully he was in Israel talking about the peace process —

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

Mr Dallat: Yes. I just want to thank the Minister for his solidarity with the workers and for refusing to accept that it was a done deal from the beginning. Will he go back to Coleraine? Will he meet those people face to face?

Mr Durkan: I thank Mr Dallat for his question. The anger that I feel and have expressed about the manner in which I was informed of this decision is not because of some slight to me or disrespect for my post as Minister of the Environment in the North. My anger is that I was not here and was not able to be in Coleraine last Thursday morning with the workers to give them any assurance that I could that we will not be abandoning them despite the fact that the British Government have clearly abandoned them in this case.

Mr Elliott: I thank the Minister for that. I thank the Minister and his predecessor for the way that they tried to help the people in Coleraine and throughout Northern Ireland. For those members of staff who are fortunate enough to be redeployed to other Civil Service posts, what is a reasonable and acceptable distance, and one that is felt appropriate within the Civil Service regime, that they would be expected to travel?

4.15 pm

Mr Durkan: I thank the Member for his question, which is extremely pertinent. A lot of the workforce, the bulk of whom are located in Coleraine, have caring responsibilities. Many of them work part-time, so a reasonable travel distance will be not that great a distance. I and my Executive colleagues have to be creative in looking not at what work staff can be redeployed to but at what work can be redeployed to staff. That is a point that I will be making to staff when I visit them in the coming days.

Mr Dickson: Minister, I thank you for your answer. We recognise the loyalty of the staff in the DVLNI. It is very difficult for those jobs to be redeployed. I am talking about not only the large number of jobs in Coleraine, which you highlighted, but the DVLNI jobs in other parts of Northern Ireland. Moreover, there will be a great deal of inconvenience to the general public. What action will you be taking, if you have accepted that the decision is a fait accompli, to inform the public of how the transition will take place?

Mr Durkan: I thank Mr Dickson for his question. The public cannot have failed to be made aware that this transition will be taking place. It is extremely important that we ensure that the transition is as smooth as possible. Given the experience of other jurisdictions after the centralisation of their services, however, I anticipate this transition being far from smooth. The stay of execution that they have given us by making one service available until July but keeping the offices open until December will largely be to deflect the blame for the roughness of transition on to the DVA and this devolved Assembly.

Mr McCallister: The consultation process period has been the one time that the Assembly has spoken with a united voice in expressing its opposition to the proposal. I commend the cross-party approach and the commitment of the workers affected up in Coleraine for garnering that support.

What plans does the Minister have to bring together all the stakeholders — his Ministerial colleagues, the local council and all the interested parties — to see what can be done about redeployment across government? Will he encourage private sector investors to come in, and will he hold to his very strong commitment to ensuring that the UK Government step up to the plate and help out financially?

Mr Durkan: I thank the Member for the question. As I stated, it is vital that we retain the unity that we have had thus far. It is a matter that has unified the House, and that has given heart to employees up there. Despite the bad news that they received last week, it still gives them heart. They have been given heart by the fact that there is something that we can agree on and work on for them. It is that that will ensure that we keep working for them to make their opportunities hereafter as good as possible.

Mr Allister: I commend the workers in Coleraine and elsewhere for the very tenacious campaign that they and their union led. The failure is not theirs; the failure is of government to listen and of politicians here, despite their best endeavours, to persuade.

When the Minister reflects on the decision, is there any part of him that embraces the unthinkable, which is that, when a devolved institution such as this wishes to drag its feet on something such as welfare reform, it makes it

much more difficult for it to persuade Westminster on other issues on which we are looking a favour?

Since these people do not work in the Northern Ireland Civil Service, how can the devolved institutions afford to them transfers into the Northern Ireland Civil Service?

Mr Durkan: It is evident who failed and it is also evident whom they have failed: the workers. I spoke about the success of the campaign in unifying the Assembly, which it did. Ultimately, and sadly, the campaign to save the jobs has not been successful. I see where the Member is coming from by tying this matter into something like welfare reform, but it is quite pertinent that, if we are not able to get them redeployed or if we are not able to find work to go to Coleraine for them, many of those staff will find themselves seeking benefits and help from government. Should welfare reform go through as proposed, quite a lot of them would not be able to get that help for at least a year.

Mr Storey: I think that we all share the frustration, disappointment and anger at last week's statement. I know that those affected in my constituency in Ballymoney, Bushmills and the surrounding areas who work in County Hall are very concerned.

The Member for East Londonderry asked the Minister to go to Coleraine. Will he ensure, before he goes there, as he said, that he will bring some certainty to the staff affected? We all want to be there to give support, but we do not want to give the staff in County Hall a false sense of security and hope. We want to be able to deliver something that is real and tangible and that is done in a shorter time frame than the disgraceful delay in the announcement that was made.

Mr Durkan: I certainly would rather be able to provide that certainty. As I said, I have also initiated conversations and communications with my Executive colleagues, facilitated in many cases by the MP for East Derry. He, like all elected Members for that area and in this House, wants to get this sorted out. We want to be able to give that certainty; we want to be able to give some sort of assurances to the people there. The assurance for the immediate future that we can give them today is that we have not forgotten about them and that we will not forget about them.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí sin. I thank the Minister for his answers and for showing the passion that he has on this subject. What lessons are there to be learned when such decisions are made in Westminster? What weight do they put on the people who live here in the North? What weight will he put on anything that Stephen Hammond tells him from here on in?

Mr Durkan: I think that it says a lot about what weight Westminster puts on what happens here in the North. It says a lot about what weight they put on us as a devolved institution when our First Minister and deputy First Minister have raised this issue on three occasions with the Prime Minister. We were assured that this decision would be taken at the highest political level. I do not know whether the Prime Minister is the highest political level in England, but it is certainly not a good decision or a popular one.

As for the lessons we can learn, I think that we can learn a lot from how we approached it by doing so together. I also

think that a lesson that the House as a whole has learned is one that some of us on one side of the House might have learned long ago about what value you can place on words from certain sources.

Mr Swann: I thank the Minister for his statement. The major bulk of the job losses are in Coleraine. The Minister talks of being creative and seeking support from other ministerial colleagues and writing to people across the water asking for more financial support, but what assurances can he give the House that any support and further underpinning for the jobs in Coleraine will also apply to employees in the smaller offices in the likes of Ballymena?

Mr Durkan: I assure the Member that in no way do I intend or have I attempted to differentiate between employees in any location. However, given that the majority of these employees, 240, are located in Coleraine, that is where most of my answers have been focused. The economic impact on Coleraine will obviously be crushing, but I recognise fully the impact that this decision will have on individuals, families and other towns across the North where services have been withdrawn. As I said, however, I intend to treat all the staff equally and give them all the same equality of opportunity.

Justice

Desertcreat Training Facility: Update

Mr Speaker: Mrs Sandra Overend has given notice of a question for urgent oral answer to the Minister of Justice. Again, if Members wish to ask supplementary questions, they should rise continually in their places. Mrs Overend will be called automatically.

Mrs Overend asked the Minister of Justice for an update on the development of the police, prison and fire officer training centre facility at Desertcreat, Cookstown.

Mr Ford (The Minister of Justice): Within the past week, the programme board was made aware that the preferred bidder was experiencing a number of cost pressures in the supply chain regarding the tender to build the new Northern Ireland community safety college at Desertcreat. There were a number of media reports on the issue, but the position remains that the preferred bidder has not withdrawn its tender and discussions between the preferred bidder and the programme team are ongoing. It would not be appropriate for me to comment any further on those discussions because of the commercial sensitivities.

Mrs Overend: I thank the Minister for that response. Not only does the training of police and other community safety personnel deserve better but so does the local economy of Cookstown and the surrounding area, which has been very enthusiastic about the opportunities that this project brings to Desertcreat and the whole area. A strong message of support is required of the Minister, so I will say to him that, in taking this project forward, it seems that the options are either to cut back on the cost of the project, which may mean that it is no longer a state-of-the-art project, or to find the additional money to fund the project as it is. What is the Minister's preference, and what is the likelihood of the project needing to be re-tendered?

Mr Ford: As I said, the current process is under way. On the specific issue of functionality, which Mrs Overend

raised, a significant amount of cost — something in the region of £20 million — has been taken out recently, but the programme board has assured me that that has not affected the functionality of the college. It has simply been a question of dealing with matters to get the best possible value for money. It remains my commitment to ensure that we get that integrated college in place.

Mr Givan: The design team, Perkins and Will, has cost in the region of £8.5 million, £6 million of which has been paid already. That company has admitted failure on its part in underestimating the costs. What assurances has the Minister received that this project can be delivered, given that the cost now stands at £157 million when originally it was £140 million? Does he share the view of Judith Gillespie, who is in charge of the project, who told the Committee for Justice back in August that she remained convinced that it was still a viable programme? Does he share that optimism?

Mr Ford: Mr Givan and other members of the Justice Committee will have the opportunity to have discussions with the new chair of the programme board, Mr Finlay, and others at Thursday's Committee meeting. I will perhaps leave it to them to explore the detail of it. I share the Member's concerns about the inability of consultants to get their work right, and I understand that the programme board is taking legal advice on that particular issue.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí sin. I thank the Minister for his answers thus far. In his opening remarks in answer to the question, he said that the preferred bidder had not withdrawn its bid. Has the preferred bidder given any indication that it cannot proceed with the current costs?

Mr Ford: I need to be careful about the commercial sensitivities. It is my understanding that a statement was made last week by somebody who had connections to one part of the consortium and which was rejected by the consortium as a whole. That is why the process is still under way. Clearly, however, that will be teased out over the coming days.

Mrs D Kelly: Can we afford not to build the police college, given that each of the services that have bought into sharing the site require their facilities to be upgraded? Perhaps the Minister could give us an indication of the budget that was set aside for that work and whether the budget would be sufficient to meet modern standards.

4.30 pm

Mr Ford: Again, I am afraid that Mrs Kelly is encouraging me to get a bit too close to the commercial sensitivities. However, Members are aware, as I have just said to Mrs Overend, that in the region of a £20 million cost has been taken out, in the discussions that have proceeded with the preferred bidder, to ensure that the costs can be fitted within the available budget and that we still have a college that is fit for purpose and meets the needs of all three services. I cannot speak for the Fire and Rescue Service, which is the responsibility of the Minister of Health, Social Services and Public Safety, but it is clear to me that the Police Service needs something better than its current facilities at Garnerville and that the Prison Service needs something better than its current facilities at Millisle. There were and remain real opportunities to get a world-class

facility to meet the needs of the three services together, and that will clearly be of major benefit to Northern Ireland.

Mr B McCrea: Minister, how can you take £20 million out of a project and say that you will still get the same functionality?

Mr Ford: With respect, that is a question for the programme board, not for me. I have outlined, at different times, parts of the work that is being done to reduce that. For example, some of the roads that were planned were planned for a higher standard than was necessary for their actual use in training, as opposed to how a similar road would be constructed for public use. A number of different initiatives around that have shown that it is possible to take that money out to satisfy the programme board that functionality is not lost, but it will be a matter for the programme board to give answers on the detail of that question.

Mr Allister: Minister, does the problem not go back to the fact that the preferred bidder was given the flexibility to reprice the job? Other bidders were unable to come anywhere near what they claimed they could do, and they then had to price it back into reality. Should it not have been re-tendered then? Is that not the mistake that was made? Will that mistake now be rectified?

Mr Ford: I repeat to Mr Allister that the process is under way and that this is not the time to do anything. He said that the preferred bidder was given the opportunity, as he describes it, to re-tender, but it was not exactly that. It was a matter of discussion with the preferred bidder about elements of the contract that did not affect the functionality, to make reductions in the various bills of quantity. That was entirely in line with legal advice and was advised to both Departments and to the programme board as the best way forward.

Mr I McCrea: The Minister will be aware that part of the reason that the £20 million had to be cut off the tender was down to the miscalculating of the tender in the first place. So, it is maybe not the case that £20 million was cut off but more that it was the wrong figure to start with. Can the Minister assure the House and the people that, given that the economy will be affected in my constituency, a full investigation will be carried out into why we have got ourselves into this mess? Can he give any reason why it was not re-tendered in the first place when the mess was found?

Mr Ford: I share the concerns that Mr McCrea and other constituency Members have about the scheme as a whole. He describes the issue as the “mess”. As I said, the specific issue of the consultants having failed in their duty is now a matter for potential legal concern between the programme board and those consultants. However, the issue of how the programme board then proceeded was in line with advice from senior counsel as the best way to move forward given that the tenders that were submitted were significantly higher than had been indicated by the consultants as an appropriate cost. That is the current position, and that is how work is continuing at this time.

Mr Elliott: I thank the Minister for the update. Some months ago, it was indicated that unless the contract was signed at that stage, the terms would have expired. As I understand it, the contract was then agreed. Can the Minister indicate whether — I know that he is reluctant to do this — there is a requirement for a re-tendering process at the moment? A simple yes or no.

Mr Ford: No.

Mr Wells: Minister, is the real scandal not that the consultants responsible for the debacle have continued to be paid? Throughout all the warnings that your Department received, they still got their money. My understanding is that not only will the preferred bidder withdraw but the second-placed bidder is making it clear that his company will not stand by the next lowest tender. What happens if those issues become evident?

Mr Ford: I am not sure exactly what bills were paid by the programme board to the consultants. Mr Wells seems to be better informed on that than me. Similarly, given that I have said that the current process is under way with the preferred bidder, it is not for me to comment at this stage on what might happen should the preferred bidder withdraw. There are issues that clearly need to be examined, and that is a matter for the programme board. The current position remains that the preferred bidder has not formally withdrawn.

Mr A Maginness: There is a feeling of bewilderment outside the Assembly that we are in yet another mess with a big capital project, yet the consultants who assisted in and advised on the project have received £6 million. Are we living in the real world, if people who mess up get £6 million? Will the Minister assure the House that the £6 million will be retrieved from those consultants?

Mr Ford: We all share concerns about the consultants who so grossly underestimated the cost of the scheme. However, we need to be very careful about exactly how much was spent and on which consultants. I do not think that those responsible for that error have been paid £6 million. Let us not exaggerate the problem, which is clearly a significant one, with regard to that group of consultants.

Mr Speaker: That concludes this item of business, and I ask the House to take its ease while we change the top Table.

Executive Committee Business

Local Government Bill: Consideration Stage

Clause 2 (Constitutions of councils)

Debate resumed on amendment No 1, which amendment was:

In page 1, line 14, leave out “council’s code of conduct” and insert

“Northern Ireland Local Government Code of Conduct for Councillors”.— [Mr Durkan (The Minister of the Environment).]

The following amendments stood on the Marshalled List:

No 2: In page 1, line 17, after “that” insert “from 30th April 2015”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 3: In page 1, line 17, after “available” insert “on its website and”.— [Mr Elliott.]

No 6: In clause 10, page 5, line 25, leave out “subsection (1)(f)” and insert “this Act”.— [Mr Durkan (The Minister of the Environment).]

No 7: In clause 10, page 5, line 26, leave out “prescribed public body or other association” and insert “public body”.— [Mr Durkan (The Minister of the Environment).]

No 20: In clause 46, page 25, line 37, leave out line 37 and insert -

“(7) So far as is reasonably practicable, a council shall facilitate—”.— [Ms Lo.]

No 21: In clause 48, page 27, line 28, after “must”, insert -

“as soon as is reasonably practicable”.— [Ms Lo.]

No 22: After clause 48, insert -

“Audio recording of meetings

48A.—(1) *So far as is reasonably practicable, a council must make an audio recording of so much of any meeting of the council as is open to the public and the recording must be available to the public at the offices of the council until the expiration of the period of six years from the date of the meeting and published on the council website until the expiration of the period of two years from the date of the meeting.*

(2) *This section does not apply in relation to meetings of any committee or sub-committee of the council.*— [Ms Lo.]

No 23: In clause 49, page 28, line 18, at end insert -

“(6) A council must put on its website any document which is open to inspection under subsection (1).”— [Ms Lo.]

No 24: In clause 58, page 33, line 17, at end insert -

“(1A) Instead of, or in addition to, conducting an investigation under this section, the Commissioner may take such action as appears to the Commissioner to be desirable to deal with any particular case falling within subsection (1).”— [Mr Durkan (The Minister of the Environment).]

No 25: In clause 62, page 36, line 36, at end insert—

“(13) A person who is censured, suspended or disqualified by the Commissioner as mentioned in subsection (3) may appeal to the High Court if the High Court gives the person leave to do so.”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 26: In clause 62, page 36, line 36, at end insert—

“(14) An appeal under subsection (13) may be made on one or more of the following grounds—

(a) that the Commissioner’s decision was based on an error of law;

(b) that there has been procedural impropriety in the conduct of the investigation under section 58;

(c) that the Commissioner has acted unreasonably in the exercise of the Commissioner’s discretion;

(d) that the Commissioner’s decision was not supported by the facts found to be proved by the Commissioner;

(e) that the sanction imposed was excessive.”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 27: In clause 63, page 37, line 29, at end insert—

“(9) A person who is suspended (or partially suspended) by the Commissioner by notice as mentioned in subsection (1) may appeal to the High Court if the High Court gives the person leave to do so.”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 28: In clause 64, page 37, line 37, leave out from “and” to the end of line 38.— [Mr Durkan (The Minister of the Environment).]

No 29: In clause 64, page 38, line 5, leave out from “and” to the end of line 8.— [Mr Durkan (The Minister of the Environment).]

No 30: In clause 64, page 38, leave out subsection (6).— [Mr Durkan (The Minister of the Environment).]

No 31: In clause 67, page 39, line 23, leave out subsection (2).— [Mr Durkan (The Minister of the Environment).]

No 32: In clause 67, page 39, line 28, leave out “Commissioner” and insert “Department”.— [Mr Durkan (The Minister of the Environment).]

No 33: In clause 67, page 39, line 28, leave out

“, with the approval of the Department of Finance and Personnel.”.— [Mr Durkan (The Minister of the Environment).]

No 34: In clause 67, page 39, line 30, leave out from “may be prescribed” to the end of line 35 and insert

“the Department, after consultation in accordance with subsection (3A), considers appropriate.

(3A) The Department must consult—

(a) councils; and

(b) such associations or bodies representative of councils as appear to the Department to be appropriate,

about the manner in which the amount mentioned in subsection (3) is to be apportioned.

(3B) The Department may deduct from any grant payable under section 27A of the Local Government Finance Act (Northern Ireland) 2011 to a council for a financial year the amount apportioned to it under subsection (3).”— [Mr Durkan (The Minister of the Environment).]

No 35: In clause 68, page 40, line 11, at end insert -

“(5) Where a councillor who is suspended otherwise than partially or is disqualified under this Part is also a member of any other public body (whether as an external representative of the council or otherwise), the councillor is also suspended or disqualified from being a member of that body and any committee or sub-committee of that body.

(6) Any reference in this Part to a councillor being partially suspended from being a councillor includes a reference to the councillor being partially suspended from being a member of any other public body of which the councillor is a member (whether as an external representative of the council or otherwise) and the reference in subsection (2) to particular functions or particular responsibilities as a councillor includes particular functions or particular responsibilities as a member of that body.”— [Mr Durkan (The Minister of the Environment).]

No 83: After clause 123 insert

“Council websites

Council websites

123A. The Department must by regulations specify a standard format for the domain names of council websites.”— [Mr Elliott.]

No 91: In clause 125, page 70, line 27, at end insert

“() section 51;

() section 54;”— [Mr Durkan (The Minister of the Environment).]

Mr Speaker: Before we resume the debate, I advise Members that a valid petition of concern has been submitted in relation to amendment Nos 37 and 63 to 66, which means that they require cross-community support. The petition was tabled today, so I cannot put the Question on amendment No 37 until tomorrow. Therefore, if we reach that point before 10.00 pm, proceedings on the Bill must stop after amendment No 37 has been moved formally, which would happen shortly after the end of the debate on the fourth group. I hope that that is very clear, which, from looking at Members, it seems to be. Really what I am saying is that, because of the petition that has been presented today, the vote cannot be taken until later. That is provided that we reach amendment No 37 this evening. I am warning the House about the particular issue and about what the petition of concern really means for that part of the Bill.

Mr Kinahan: I welcome the chance to speak in support of my colleague on the amendments from the Ulster Unionist Party, amendment Nos 3 and 83. It is good to see the Bill at this stage. As my colleague said, it has taken 14 years to get here without many of the intentions that were meant to be part of it.

If I can be a little bit of a curmudgeon, as someone in the Chamber has referred to me before, I feel that we

have been hurried into having the debate. We rushed the Planning Bill a few years ago, and it has been sitting on a shelf for some two and half years. In future, we need to be given more time so that we can look at our amendments at greater length.

As far as amendment No 1 is concerned, it is good that the Minister is bringing in a Northern Ireland local government code of conduct for councillors. That is absolutely the right way to go forward. When I was a councillor, there were times when I concerned that we seemed to be giving moneys to groups that councillors sat on. There were there quite rightly, but I think that it needs to be more transparent. Certain actions are also taken by councils whereby they help one or two bodies to set up and do something and then compete against them. The code of conduct really needs to be clear and well argued.

I welcome amendment No 2 and the idea that it should be in place by 30 April. I just hope that, in this case, we are better at sticking to our deadlines than we are at achieving things. However, it is right to have a time frame to work to.

Amendment No 3 is our amendment and, of course, I welcome it. It is absolutely right in the modern world to publish background reports and papers on a website. That is the way forward and what we should all do.

There has been much discussion today about amendment Nos 20, 21, 22 and 23. Again, it is absolutely right that councils should be encouraged to have a Hansard or some type of recording of everything that goes on in their chambers; then we might not see things such as what happened last week with Linfield scarves or what happened in the Committee for Social Development last week. It is right because it will allow the public to see exactly what goes on in councils and judge for themselves. In my day on Antrim council, that was important. During the many times that we discussed it, I was intrigued that it was the DUP that wanted everything to be opened up, so I find it strange today that that party is a little uneasy with everything being recorded. I agree with them about photographs. In fact, if a photograph is taken in the chamber and someone's eyes are closed, that does not mean that they are asleep. If it is on film, at least you can see that they are not as time goes on.

We need to encourage all councils always to record matters. That is the right way forward. Going back to the issue that has been debated, there is a cost. Doing things properly, whether it is filming, recording or other things, means that we will need to spend money. One colleague has mentioned a figure of, I think, £170,000 for a council to do all its recording, publicity and everything that goes with it. It is not just as straightforward as it may seem. We will oppose amendment Nos 20 and 22 and support amendment Nos 21 and 23.

It seems wholly right that the commissioner should be able to deal with any investigation that he feels necessary. It is absolutely right, therefore, to support amendment No 24.

Moving on to amendment Nos 25, 26 and 27, it is also right that any councillor who has committed a wrong should be disciplined, but it is just as right that that same councillor has a right of appeal. Therefore, it seems good that the Committee has found a way forward by referring it all to the High Court. However, I wonder whether we have looked at what the consistency of disciplinary results for councillors who break the code should be. A similar approach should

be taken in every council in Northern Ireland. The Ulster Unionist Party supports those amendments.

Amendment Nos 28, 29 and 30 deal with clause 64. It seems right that, if everything is referred to the Minister's Department, the Department should pass on the suitable ones to other Departments. I was going to suggest that, but the Minister had already come up with it. We must ensure that that happens.

4.45 pm

Moving on to amendment Nos 32, 33 and 34, I can say that it also seems right to give the power to the Department for the commissioner to apportion the share of costs among councils and for him to discuss it with the councils. However, I wonder whether we should also put a mechanism in there that is not quite of appeal but that means that there is not just discussion with councils on it but actual agreement.

Amendment No 83 is our amendment. Of course, I support it, but it seems vital that all councils have the same domain names and that there is some standardisation of those names. If you are a bit of a technophobe like me, it is nice to find easy ways to be able to find somebody if you know that they all have a similar name. Would it not just be wonderful for the public to be able to easily look up any MLA, councillor or anyone working in a council because they would not have to think too hard about how to find them? I think that it is absolutely right that we have some standardisation throughout all councils.

Lastly, moving on to amendment No 91, it is also right that all those sections come back to the Floor.

Mr B McCrea: A number of colleagues said that they are either surprised or a little worried about the fact that the Bill has got to this stage. I am looking at the amendments, and one of the things that is particularly concerning me is the number of amendments that the Committee have not had the opportunity to scrutinise. We have, perhaps understandably, some amendments coming in from the Ulster Unionist Party — amendment Nos 3 and 83 — but we also have amendments coming in from the Alliance Party. I would have thought that the Chair of the Committee, who is an Alliance Party Member, might have been able to introduce those amendments earlier so that they could get a bit of consideration from the Committee and the benefit of its wisdom.

I am also concerned about the amendments —

Ms Lo: Will the Member give way?

Mr B McCrea: Yes.

Ms Lo: I brought up a number of issues to the Committee, including audio recording, and I did not get much support from it.

Mr B McCrea: Thank you for the clarification, Ms Lo. The issue is that it is part of the process that we have proper deliberation and debate. I think that it was Mr Elliott who said that it was regrettable that we had only a few days to have sight of the Bill before we could table amendments. There is some cause for concern in that. I share with him that we seem to have taken a long time to get here, but now we are under a lot of pressure, so we are having to push our way through. Given the late sitting that is in prospect for the House tonight, and, no doubt, for

tomorrow, I am sure that that is not the ideal way to deal with legislation of this importance.

I will come now to the Alliance Party amendments. I have to say that I am really surprised that the DUP, in particular, seems to be against openness and transparency. I hope that the Member does not mind me saying, but I think that she has probably not gone far enough with openness and transparency in the things that are being proposed. I realise that her colleague Mr Dickson made an intervention suggesting that, at Further Consideration Stage, we should look further at that. I assure him that he would certainly have our support in that.

I do not understand what the problem is when we are saying that we do not want to have cameras in place in councils, but we are quite happy to have them in place in this Chamber. As I speak now, Mr Speaker, this is being streamed to the Internet, and, no doubt, there will be people looking to see what is being said in this Chamber. I think that that is a wholly good thing for those people who are sufficiently interested —

Mr Weir: I thank the Member for giving way. Again, the Member seems to be slightly conflating two issues. We referred to the openness and the level of recording as being two separate issues. He talks about cameras. This is not a question of whether there is a video recording taking place, because there is nothing in the legislation to preclude that. The issue is somebody taking photographs, which is something that is prohibited in this place. When he talks about cameras, he is talking about two different things: the official recording of something and whether a member of the public is taking photographs, which, as has been indicated, may be taken out of context or used to misrepresent the situation.

Mr B McCrea: I am grateful to the Member for his intervention. Perhaps better drafting of the Bill or the amendments could have dealt with that, because, taking on board that concerns have been raised about people being distracted or photographs being used in the wrong way, there is a principle about having more openness and accessibility for the public, if we are serious about it.

One of the points that was brought up in dealing with amendment No 22, I think by the Member himself, related to what this might cost. The Northern Ireland Audit Office reports that councils in Northern Ireland are responsible for £800 million of expenditure per annum and 9,700 staff and utilise assets worth £2,000,000,000 — £2 billion. When I looked in the report to see which councils had the highest debt, it became obvious that it was North Down Council with £36.9 million. I am sure that the Member is familiar with that. Given those sums, we should be looking at investing in engaging the public in making decisions that are appropriate and important to them.

When it comes to the articles here present, I asked Ms Lo a question, although I am not sure if it has been properly dealt with. In amendment No 22, she specifically removes committees and subcommittees. Proposed new clause 48A(2) states:

"This section does not apply in relation to meetings of any committee or sub-committee of the council."

Her colleagues have said, "Yes, we're going to have a look at that". I wonder if it had anything to do with any representations made by the NILGA, or whatever, saying,

"We cannot have open and frank discussions" or "We can't do this properly if we are on record". I find that a strange position to take. What conversations will Members or members of councils have that do not bear public scrutiny? I cannot think of anything that I would want to say that I would not say in public. This is not the time to be having decisions made behind closed doors; we need openness and transparency. I am at a loss, and I am happy to give way if any Members of the DUP would —

Lord Morrow: Will the Member give way?

Ms Lo: Will the Member give way?

Mr B McCrea: I will take ladies first; I will take the Chair first and then Lord Morrow.

Ms Lo: Thank you very much. In relation to audio recording not covering committees, we want to take the first step. Recording councils is very important. All decisions made there will impact on citizens in the district, and that is where transparency and accountability need to be seen. We believe that that is a start. As for committees, I agree with Mr McCrea: we should not decide anything behind closed doors. I know that committees, generally, have minutes, but we feel that there needs to be a full record of everything that is said in full council, in detail.

Mr B McCrea: I will respond to that point first, and then, if Lord Morrow wishes to intervene, he is more than welcome. I am sympathetic to the position that Ms Lo puts forward. I understand where her heart lies on this point. However, I draw her attention to clause 50(1), which states:

"Sections 46 to 49 apply in relation to a committee or sub-committee of a council as they apply in relation to a council."

In other words, the generality of what we are saying is that all the minutes and other things are available. We are actually taking a position to exclude that, so, on reflection, we may want to revisit that point.

I was also taken by what the Alliance Party wants to amend in clause 46(7), which states:

*"Nothing in this section requires a council to permit —
(a) the taking of photographs of any proceedings;"*

There has been some discussion about whether the taking of photographs is right or wrong and how the matter should be dealt with. However, the general principle of having video or online streaming or recordings of what is going on is wholly positive. I think that, when people can see it, that does impact on behaviour and the language that people use to one another. It should be done. I do not understand why people are concerned about it.

Clause 46(7)(b) is about councils not being required to permit:

"the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later);"

I think that it would be a positive thing if they were, which is why I will support the Alliance Party's amendment. We should do that. Put in whatever caveats you want to control it, but I think that that is a wholly positive statement. I am not sure exactly what the situation is in clause 46(7)(c), which is councils not being required to permit:

"the making of any oral report on any proceedings as they take place."

Perhaps that is to do with language, translations or whatever, but I am not sure. However, as a general point, that is something worth looking at.

I move on to the amendment tabled by the Ulster Unionist Party. It is unfortunate that people try to use this issue as a political football. In the charged political environment that we are in here, it is quite clear what people are talking about. Mr Kinahan said — I think that I quote him correctly, but I do not want to do him any injustice — that he is not as technically au fait as other people might be, and, therefore, it would be nice if he could find things quite easily. My understanding is that the way that most people find things is by using Google. You put in the name and see what comes up.

We are deluding ourselves if do not face up to the reality that this is not about naming convention but about cultural warfare or some sort of thing. This is about, "Is it going to be 'ie'? Is it going to be in Irish?" That is the reality that we are pretending not to talk about, but it needs to be talked about and discussed. When Members are tabling an amendment, I would prefer that they confront the situation rather than try to slip it in and say, "Well, we are doing this only for clarity".

I apologise to Lord Morrow. I said that I was going to let him intervene if he wished, but I forgot. I am more than happy to take an intervention. My apologies.

Lord Morrow: I thank the Member for giving way. I suspected that he had forgotten about me.

I do not know what councils Mr McCrea or Anna Lo have served on and what vast experience of local government they bring to this. However, there are Members sitting right around the Chamber today who bring a lot of experience of local government. Basil McCrea is maybe getting a wee bit lost. There was not an avalanche of members of the public coming into meetings of the council that I served on for some years. As a matter of fact, if you got 10 a year, that would have been rated as a high number.

There has never been any attempt to make councils some sort of clandestine meeting point, where all these major decisions are taken in a secret conclave or something like that. Meetings are open, transparent and there for the public who want to come. After all, are the councillors not also there as gatekeepers on behalf of the ratepayers?

Mr Dickson made the point very validly and well — although I think that he was trying to emphasise another point — when he eulogised his own council and the amount of transparency that exists in its operations. It is no different in any other council. There is openness, transparency, freedom of information questions and everything else that is available, so I ask Mr McCrea and Anna Lo to take that on board. I noticed that both of them shook their heads, and Anna Lo, at least, said that she has no experience at all of how a council works. I do not know whether Mr McCrea can clarify what experience he has.

5.00 pm*(Mr Deputy Speaker [Mr Dallat] in the Chair)*

Mr B McCrea: I am happy to clarify that I was elected to council in 2005 and that I served until 2011. His colleagues will testify to that point.

Ms Lo: Will the Member give way so that I can respond to Lord Morrow?

Mr B McCrea: Indeed.

Ms Lo: Thank you. No, I have never been in council. I came straight into the Assembly, but I certainly have heard plenty of complaints, particularly, for example, about Castlereagh.

Mr B McCrea: I am happy to accommodate the Chair in getting that on the record.

I am somewhat disappointed for Lord Morrow that there was not an avalanche of people who wished to come to his council to listen to him speak. I am sure that he has been quite entertaining. Maybe, given the pearls of wisdom that he quite often favours us with, if people got to hear more of what he has to say, they might become more engaged in these matters. We certainly had some very lively debates in Lisburn City Council, and hearing what had gone on would have been to the benefit of people.

I have to say that I think that you are protesting at the wrong things. We should have more open and transparent government, and the same standards that we have here for the Northern Ireland Assembly should apply to local government. I have absolutely no doubt that Members opposite have nothing to fear and nothing to hide, so why not let us see if we can engage? It is not compulsory to watch the proceedings of the Assembly, but I can tell you that some people are doing it.

I also have to make one very important point that comes across when we make material available. Mr Boylan talked about the fact that the Committee had had the opportunity to review proceedings in some detail but that other Members might not. The benefit for me was that I was able to go and look at all the proceedings and the information that was available. I was able to go back and see what had been said, and I was able to read the Committee report. I found that entirely useful, and that is part of the process of having information available. It is good to have things on the record to find out what people have said.

The argument about the cost of audio recordings is almost like saying that elections are a bit expensive as well. This is an engagement in democracy. We should take the opportunity to make it open and transparent and say that we have nothing to hide; look at all the new things that we are going to be doing.

Mr McCallister: Will the Member give way?

Mr B McCrea: I will.

Mr McCallister: Does he also agree that Lord Morrow is almost saying that we are setting the standards high enough as it is and that we do not need to go any further? We are devolving more powers to these councils, particularly in planning, which I am on record as not being supportive of. Is it not incumbent on us to ensure that, when planning in particular goes to councils, there is openness and

transparency to ensure that that is all above board and is following the correct procedures and planning policies?

Mr B McCrea: I thank the Member for his contribution.

One of the points that we will be looking at is that we may move to some form of Cabinet-style decision-making. The legislation proposes currently having only four members as a minimum, and you might get a situation in the future where four people make all the decisions but it is done behind closed doors and we are not allowed to go and find out what the thought process is.

I will give one other issue that I hope that colleagues will take up at Further Consideration Stage. I do not think that councils should be going into closed session for anything other than matters to do with an individual or a specific commercial activity. The press talk about this incessantly and pick up on the fact that, in many councils, too much of our business is done behind closed doors. Too much of it goes through on the nod: you say that a report was accepted or whatever. We need more openness and transparency. We should put it all out there and let the citizens decide what is of interest to them, rather than trying to censor them.

When it comes to the issue about the commissioner, I am a little concerned about —

Mr Eastwood: Will the Member give way?

Mr B McCrea: Yes.

Mr Eastwood: Just before the Member moves off that particular point, can he tell us where it is envisaged that the meetings of the cabinet or executive would all be held in private? My understanding of the Bill is that they would be treated in the same way as a full council and that people would only go into confidential business on an issue such as he described.

Mr B McCrea: The issue is to do with the specific point on amendment No 22 as proposed by the Alliance Party, subsection (2) which states that the audio recordings of that are specifically not going to be made. Minutes are not always verbatim. Minutes are sometimes just consolidated and you get the resolution of the matters. I think that we should have all of it on the record. We should have an entire audio recording of everything that is said in public. Let us get it out there. Let us not duck the issue. What have we got to hide? Let us put it out there and go and talk —

Mr Weir: I appreciate the Member giving way. Obviously, the Member is a man who likes to practise what he preaches. In light of what he has said today about how nothing should be said in private that could not be said in public, and in light of some of the revelations that appeared last week, will he institute live video streaming or audio streaming of NI21 executive meetings?

Mr B McCrea: I am completely at a loss as to the point that the Member has tried to make. We are talking about public funds, public money and public accountability. If the Member cannot understand the difference, I am actually a little bit worried about that.

Mr Weir: Will the Member give way?

Mr B McCrea: No, I am not giving way. If you stand up and try to take it on, you must understand that you will get a response. That is not an appropriate response to come back with. All of us should be looking for openness and

transparency. I think that it is absolutely appropriate that I can give —

Mr Weir: *[Interruption.]*

Mr B McCrea: Mr Speaker, I am trying to hold a conversation here that I am sure is not appropriate. I should be talking to you. I say for the record that there are issues regarding probity in public life where we should get as much information out as possible. I am really surprised that the DUP is not supporting it, and I wonder why. I have not heard a proper response to the matter.

I will move on to some of the issues that were brought forward by the Committee. It was quite telling that the Chair of the Committee mentioned — as, I think, did Mr Maginness — that when they were looking at the amendments relating to the commissioner, they had received strong legal advice to say that those amendments are not right. I may have got that wrong, but I did ask a question on it.

It seems to me that fairly standard clauses are brought forward about why you might want to have an appeal or whatever, and that is OK, but paragraph (e) in the amendment is the one that causes some concern. I do not understand why that was brought forward. Perhaps the Chair will be able to clarify whether the Committee had knowledge of a legal ruling or legal advice, or took legal advice, because it seems to me rather strange to bring forward a Committee amendment — admittedly, the Chair explained her position on it — that may not have the support of the legal system. Perhaps the Chair will confirm to me whether the Committee took legal advice on that matter or not.

Ms Lo: I am trying to remember. There are so many different issues, and we got several different pieces of legal advice. I do not think that we got legal advice specifically on that amendment, but we did talk at length with Mr Frawley, who came to give us his response to the Bill. He was quite adamant that his position could be undermined and it could make things very difficult.

Mr B McCrea: I thank the Chair for the clarification on that.

I have to say that amendment No 26, to clause 62:

“At end insert -

...

(e) that the sanction imposed was excessive.”

— seems to me to be a move away from what would be the standard procedure. It does not seem to me to be helpful. I think that Members should not support that amendment.

I take on board the issue of the commissioner and the High Court and suchlike, although I am not sure that I really got it. What drew my attention to the fact, and perhaps the Minister will address it, is that he said in his opening remarks — at least according to Ms Lo's remarks:

“the Minister's assurance that he ... intends to carry out a review of the role of the Commissioner for Complaints in three to four years' time, as he has previously indicated”.

I am not sure that that is a good basis to go forward on. Surely we should sort out now what the role of the commissioner is, rather than running it for three to four years to see what will happen.

So we have a situation where we have some amendments from the Alliance Party which seem to go in the right direction towards openness and transparency. However, maybe its Members have not quite had the time to develop them in full. We should have more time to look at that, or at least for people to come back and give us an argument why we should not do it.

We have some amendments from the Committee which at least some people in the Chamber have suggested could be challenged on a legal or constitutional basis. I would like further clarity on that. We have some amendments coming forward from the UUP, but I think that it is trying to play politics with the issue rather than trying to resolve the matter. Mr Kinahan shakes his head, but that is what I think he is trying to do.

Mr Elliott: I thank the Member for giving way. What is playing politics about trying to have something submitted to the council website on their plan? How is that amendment playing politics?

Mr B McCrea: The issue is about trying to prescribe a form and a language on these issues. The argument, as I understood it — I may have got it wrong — was that it would help identification and the easy retrieval of information. Actually, what I have said — I may have got it wrong, but I do not think so — is that that is not what this is about. This is about trying to prevent some councils having one type of website or information or something in their own bit, and somebody else having something else. That may well be a reasonable argument and something that we want to do, but do not try to tell me that it is something else. Come out and tell me exactly what it is that you want to argue. I might well agree with your argument, but do not try to use a spurious argument. If the Member is looking to come in on that, I am happy for him to. Maybe not.

Mr Elliott: Will the Member give way?

Mr B McCrea: I was going to give way; I just was not sure whether you were ready.

Mr Elliott: The Member should read amendment No 3, which states that we would insert on the website the council constitution. Given the openness and transparency that the Member is looking for, what is he opposed to in that amendment? What is politically advantageous about that? It is just a matter of putting it on the website.

Mr B McCrea: Perhaps the Member, since he is on his feet, may like to come back and explain to me his amendment No 83, which says:

“The Department must by regulations specify a standard format for the domain names of council websites.”

That is an issue about that. There is the issue that was forwarded on those particular things. If it is not the case, I am happy to accept that it is not the case. However, I actually think there is a reasonable argument that the Member might have put forward on other things.

I will draw to a close, Mr Deputy Speaker, by saying that we have a series of amendments that have not been through Committee and, therefore, we have not had the benefit of its scrutiny; we have a number of amendments that have come in late; we have, in other areas, some petitions of concern; we have amendments brought forward by the Committee that do not have the support of

the Chair and may face legal challenge; we have the fact that we can maybe have a go at this and, three or four years from now, see whether we can do a bit better. This does not seem to me to have been clearly thought out or the right way forward. When I spoke at Second Stage, I said that we were in danger of devolving dysfunctionality.

In other words, if we cannot sort out what we want the councils to do, passing it down to them will not fix the problem; it will make matters worse. We need more time to consider this properly, and, perhaps, when we come to Further Consideration Stage, people will bear that in mind. We do not have sufficient time to do justice to this level of complexity. We need more time and more scrutiny. On the basis of what I see in front of me, I cannot support many of the amendments, with the exception of the Alliance amendments.

5.15 pm

Mr Dickson: I want to address amendment Nos 20 to 23, tabled by my party colleague Anna Lo. The amendments are genuinely designed to enable all citizens to inspect council records and to provide greater access to information about the actions of the new councils.

I thank Lord Morrow for complimenting Carrickfergus. In all honesty, I have to say that my experience of that council was good when it came to openness and transparency, within the limits that we had as one of the smallest councils in Northern Ireland. Council meetings, as was described by others, were always open to the public and the press. Only on very limited occasions, in the type of circumstances that is reasonably well known, did we not do so — for example, if we were dealing with a personnel matter for an individual member of staff or a group of staff, although trade union representatives were often present in the council chamber even then, or if we were dealing with financial or contractual matters that it would not have been appropriate to discuss in public. We even went to the extent of not excluding the press. Journalists from local papers were welcome to sit at their table in the centre of the floor. They knew when to put their pen down because they knew which business it was or was not appropriate to record for the public to read in the next week's paper. Sadly, in other councils and other places in Northern Ireland, openness and transparency were not always evident. We heard reference made, for example, to Castlereagh and other councils from which members of the press had been excluded on too many occasions.

We are trying to set a level playing field and make the standard available to all councils. We need to achieve that on behalf of all the citizens of Northern Ireland. We want to make minutes, agendas and background papers accessible and use modern technology such as the Internet to our advantage, so that information can be distributed as quickly and widely as possible. Therefore, the amendments, if taken together, will, honestly, increase transparency and give better access to information.

Amendment No 20 alters clause 46, which can be read as prohibiting photography and live reporting, including social media. The current wording places no requirement on a council to permit those activities and is too strict and too open to interpretation. I agree with my colleague Mr McCrea that perhaps there is room to improve the wording, and we can come back and look at that at the next stage. Essentially, we propose that clause 46 be

reworded to require a council to facilitate anything that is reasonably practical. In other words, councils can set their own guidelines and their own rules within the overall responsibility of allowing the freedom and openness for people to take photographs in a council meeting. Therefore, the use of flash photography and intrusive photographic methods can be prescribed locally. This is not about taking responsibility from councils; this is about giving responsibility to councils. A common legal phrase would allow the council to set the guidelines and include the refusal to permit anything that would cause a distraction. Therein lies the answer to the question: it is down to the council to make that guidance available to the general public. We are trying to make it permissible for photographs to be taken in council chambers. In deciding how they should be taken and in which circumstances — perhaps a local community group is coming to make a presentation or wants to do something about a grant, or information is being given to the councils — the opportunity for the council and the people participating to take photographs should not be unreasonably denied. The amendment would transform clause 46 from a barrier to public access to information into a vehicle for better public engagement with councils.

Amendment No 21 inserts the phrase:

"as soon as is reasonably practicable".

That relates to the publication of papers online. It is designed to speed up publication and require minutes as background papers to be placed online before a meeting takes place. Reference was made by Mr Weir, I think, to the time that that documentation should remain online after a meeting has taken place and it has been published. We are already subject to a wide range of rules with regard to that in the public sector. The Public Record Office operates under an Act of Parliament from 1925. It also sets wide guidelines for councils with regard to the retention and, indeed, publication of their records and minutes. In fact, a simple trawl of the Internet will show that most councils have indeed published their retention policies online. I did a scan during lunchtime today, and I could see that most councils seem to follow a guideline of a minimum of six years' retention of most key documents in local authorities. Similarly, amendment No 23 requires online publication —

Mr Allister: Will the Member give way?

Mr Dickson: Yes.

Mr Allister: Before the Member moves off amendment No 22, will he clarify something? The amendment speaks of an audio recording. As a companion to that, does the Member then anticipate something being produced of the order of a Hansard report, or is it merely an audio recording to be held in the archives?

Mr Dickson: Yes, I am happy to clarify that for Mr Allister: it is just the retention of the audio recording. It would be an unreasonable burden on councils to expect them to produce a Hansard-style record. Most councils — in fact, all councils — will keep minutes of their meetings. At the end of the day, minutes are only a record of decisions taken. Generally, they will give a little background to the subject and perhaps reflect some of the key points made in the debate. However, ultimately, a minute is simply a record of the decision. That written record of the decisions made and the debate around them, when kept together

with the audio tape, should enhance access. As the minute is perhaps not always clear about who said what or why they pointed an argument in one direction or another, it could be backed up and resourced by the audio record.

It would perhaps be unreasonable to raise the standard to a Hansard-style recording unless the electronic recording of meetings would allow the audio recording to translate into a written record. That may be some way off yet. At this point, all that we are doing is trying to enhance the responsibility of the local authority not only to keep its written minutes, which it is required to do under various rules and regulations, but to enhance that by the retention of an audio recording of the meeting.

The value of keeping background papers and documents is that it allows the public to access them, become involved and see how decisions were made. Lord Morrow described his council as one where perhaps the public did not regularly engage. Again, my experience is somewhat different, particularly on planning matters. Of course, planning will now become a key role in the local authority and will excite even more involvement from the public than it has in the past. Certainly, planning matters have been controversial. My experience has been that they have led to large numbers of people coming to council meetings. Likewise, local decisions, whether about a playground or the provision of a leisure centre or some other facility, have often sparked a wide variety of public support and knowledge.

Mrs Cameron: I thank the Member for giving way. On the back of his comments on audio recordings and Mr Allister's question on whether the likes of Hansard would be brought in, which would obviously be very burdensome, is any weight given to the possibility of problems with audio recordings when there is disturbance to them, as happens in this Chamber? That is why Hansard is needed so badly — to back up those recordings and make them useful to a degree. Basically, has any thought been given to problems with the recordings and how they could be backed up?

Mr Dickson: I am not technically knowledgeable about the storage of audio recordings, but it is my understanding and belief that that is not a difficulty nowadays and that, either in the cloud or in physical computer space, recordings can be retained for a very long time indeed. In fact, this morning, I listened to an article on Radio 4 about how the British Library has now gathered millions and millions of pieces of information from the Internet and the web in the same way that it gathers its books. So, it is not impossible to record that type of information and to hold those records in a proper and competent way.

Mrs Cameron: I thank the Member for giving way again. I am thinking more along the lines of disturbance to the actual recording that would mean that it is not fit to be listened to. What would be the outworkings of that? I appreciate that we are talking about low-cost equipment, but would it be fit to deal with such disturbance, particularly given that most councils now use technology such as tablets, iPads and laptops, which could interfere with and affect audio recordings?

Mr Dickson: As I said, I am not technically competent to answer those questions. However, I do not believe that it is unreasonable to expect meetings to be recorded. In fact, if you went online this minute and typed the words "video stream" or "recording of council meetings" into Google, you

would get videos from council after council after council in Northern Ireland and across the United Kingdom. Even very small parish councils stream their meetings live on the Internet. So, it is not impossible. The answer is that it is very achievable and obviously very reasonable, and it is out there. Many, many local authorities right across, from the largest city councils in the United Kingdom to some of the smallest parish councils, do exactly what we are asking in these amendments today.

Lord Morrow: Will the Member give way?

Mr Dickson: Sure.

Lord Morrow: I wonder whether Mr Dickson has given any thought to the cost that ratepayers would have to bear for the service, which he sees as vital in informing the general public. Has he given any thought at all to how much of a burden it would put on ratepayers in a particular council area?

Mr Dickson: I am happy to do that. The Chair of the Environment Committee, Ms Lo, who is also speaking on behalf of the Alliance Party, indicated that a local authority in Canterbury had said that the cost of its equipment was in the region of £160. Again, although we did not live-stream our council meetings in Carrickfergus, we did live-stream the weddings that took place at the council. It cost us less than, I think, £1,000 to install the equipment in the room where the weddings take place, so that family and friends in Australia or New Zealand can see a wedding ceremony take place.

If you went on to the Internet today, you would see that Belfast City Council live streams its meetings in public so that people can see them. I do not believe that that is a heavy burden on the ratepayers. Bear it in mind that we are not asking councils to do this times 26; we are now only asking them to do it times 11. I do not wish to enter into an argument about where the headquarters of the 11 local authorities will be, but many of them will naturally be around some of the larger and perhaps newer and better equipped local authority buildings. The pooling of existing resources and the ingenuity of local authorities will mean that the cost of providing audio recordings and, if they wish to enhance that, live streaming or video streaming of council meetings will not be impossible. I do not think that it will be a particularly expensive task for local authorities at all.

It is crucial to allow the public to see and hear democracy in action. That is an important part of the democratic process. The pace of life means that many with an interest in council meetings are not able to travel to town halls across Northern Ireland or even in their local authority area or to go to a council chamber perhaps in the evening or sometimes during the day, but they would be able to watch or listen live to council meetings or to perhaps catch up at a later date.

This amendment, for a little cost, will require the provision of a service for ratepayers that will genuinely increase openness and transparency. It complements our other amendments in this section on the code of conduct. Having an audio recording of what was said in full council will ensure that the public will know for sure who said what and when. Hopefully, that may encourage councillors tempted to stray into what is inappropriate to adopt a better standard of behaviour.

5.30 pm

I will address the issue that Mr McCrea raised of whether the amendment goes far enough. I agree with him that it does not, and we can look at it further. If it gains the support of the House, we should genuinely look at how we can move the recording and perhaps live streaming of council meetings further down into committee and subcommittee meetings, accepting the caveat of the appropriateness of such meetings and the appropriate standing orders being in place for the local authority to know when it should or should not make recordings; or, indeed, to decide whether recordings should always be made but whether they should be published. Those are important matters for local authorities to make decisions on.

Crucially, it sends a clear message to new councils that they cannot and should not take for granted their responsibilities in relation to openness and transparency. That is key to transforming our councils into the mature, modern and open institutions that our ratepayers expect them to be. With the acquisition of more functions and responsibilities that are absolutely central to the well-being and development of our communities, it is important and appropriate that the increase in responsibility is met with an increase in scrutiny. That will allow the public greater insight into whether functions are being exercised efficiently, fairly and openly.

Mr Allister: I wish to pass comment on four dimensions to this group of amendments. The first relates to the provision of a statutory code of conduct, such as is foreshadowed in clause 56. I do not dissent at all from the suggestion implicit in some of the amendments, notably amendment No 1, that it should be a common code of conduct in respect of each of the councils, rather than leaving each council to formulate its own code of conduct.

From my experience of the code of conduct in this House, I do, though, have some practical issues as to its application. As MLAs, we are supposedly subject to a code of conduct; yet, two recent decisions indicate that that code of conduct applies only selectively. The question, therefore, is: will the code of conduct apply to councillors at all times or only when they are explicitly performing the role of a councillor.

I illustrate that with the two cases in this House. Mr Flanagan had a complaint against him in respect of tweeting something on his Twitter account in which he described himself as an MLA, yet the finding was that, in that action, he was not operating as an MLA. Therefore, there was no application of the code to him.

Likewise, in respect of Mr Kelly, the complaint in regard to Castlederg was dismissed on the basis that he was not acting or speaking as an MLA. So, in drafting any code, the Minister will need to be explicit as to whether, if it is to mean anything, the code is applicable at all times to councillors, and in how he squares that circle that you could be an MLA with a "pick 'n' mix" code of conduct — sometimes it applies and sometimes it does not — but it applies to councillors day and night. The Minister would need to expound upon that in anticipation of what sort of code he has in mind.

Of course, I note that, to an extent, clause 56(3) and (4) already anticipate the issues, although without providing any answers. Clause 56(3) states:

"The principles may be ... principles which are to apply to a person at all times"

or:

"to apply to a person otherwise than at all times".

Clause 56(4) states:

"The code of conduct may include ... provisions which are to apply to a person at all times"

or:

"provisions which are to apply to a person otherwise than at all times".

We need clarity as to when any code of conduct would apply. Are we going to have an elaborate definition within it as to when it applies and when it does not, or is it going to have blanket application? We have seen in the House that the capacity to be selective as to when it applies hoards other problems. I draw that matter to the Minister's attention.

On amendment No 22, I really do not see the difficulty with having an audio recording of council meetings. My sole criticism of the amendment was already voiced; namely, that it seeks to restrict itself and exclude committees and subcommittees. I endorse the view that if proposed new clause 48A finds favour with the House, it should be further refined.

I have a concern about its application, and here I stray for a moment into the next section of the debate. If we have councils operating to a Cabinet style, it seems to me that the amendment, if passed, would not apply there. It would apply only to the full council meeting, and there perhaps is another gap there when it comes to the amendment's application.

Mr Dickson clarified that the new clause covers audio recording only, and the recording, if I read the amendment correctly, would stay on a council's website for two years and be held in archive for six years. A citizen could therefore play back the recording and hear what was and was not said about a matter.

I have heard some say — I think that it was Mrs Lewis who suggested it in the House — to let each council decide for itself. That would be a recipe for grievance. Take my constituency, which will be in two council areas. Are my constituents in, say, Ballymena to be afforded the option of audio recording of the new Mid and East Antrim District Council so that they can hear what is said, while my constituents in, say, Ballymoney, who belong to the Causeway Coast and Glens District Council area, are to be denied that facility? I can well anticipate the sense of grievance that that would create, where there are different applications according to different councils. So, I do not think that it is an answer to leave it to each council to make up its own mind. It is a relatively straightforward issue in this day and age, and it does not go beyond expectations that what is said in a council should form a permanent audio record.

I do not believe that to do this would be excessively expensive. Any council chamber that I know is already equipped, as this Chamber is, with microphones and all the facilities of amplification. It is a straightforward matter of simply recording what the microphones pick up and

retaining the audio. I certainly would not expect the cost to run into tens of thousands of pounds. However, if it were to cost a few pounds, perhaps it could be paid for by having one fewer council junket a year. That might be a simple way of paying for it. It really is a straw man to suggest that it will cost a prohibitive amount of money to do. That is stretching a point until it becomes absolutely ludicrous. Therefore, I see no difficulty with amendment No 22, other than it does not go far enough.

In respect of amendment No 26, there is tricky territory to be tread in regard to the appeals of any councillor who is disciplined by the commission. It is a fairly fundamental expectation that someone who has had visited upon them a punishment that could mean the end of their council career should have a pretty transparent and ready option of appeal.

Undoubtedly, the decisions of the commissioner would be subject to judicial review. As I indicated in an earlier intervention, of the five grounds that would be looked at, four of them very readily probably come within the existing ambit of judicial review. That does not mean that we should not prescribe for a separate and distinct remedy of an appeal process, because judicial review is not meant to be a substitute for a proper due process. It is like a safety net to catch what is not covered otherwise.

There is an issue about whether it is enough for us to simply say, "Ah well, there's always judicial review." Yes, there should be, but that does not mean that the House should recoil from providing an appeal mechanism in itself, though of course one wants to avoid duplication. In truth, they would really be alternatives. Most likely, you could not avail yourself of judicial review unless and until you had exhausted the appeal process. In that sense, they are not alternatives. If you provide an appeal mechanism, it would probably supplant judicial review in practical terms as a remedy; I do not think you would be at risk of both.

There are a number of questions. In respect of the appeal, the fifth ground is where, "the sanction imposed was excessive." The amendment seems to fall short in affording any facility to the reviewer as to what to do about that. The legislation, before it finally leaves this House, if it goes down this road, would certainly need to include such a provision.

The House may recall that, when we debated the Civil Service (Special Advisers) Bill, we provided a facility for an appeal for someone affected by disqualification. That facility was an appeal to the High Court. In clause 4 of that Bill, we included the line:

"On hearing the appeal, the High Court may make such order as it thinks fit in respect of a person's eligibility for appointment as, or to continue to hold appointment as, a special adviser."

We would need something similar to afford, in respect of any appeal, a facility to substitute a penalty. What are you to do? It would be very difficult to send back a decision to an ombudsman, if we call him that, saying, "You were too harsh in disqualifying someone for five years. Take another look at it." The reviewing authority — the appeal authority — should be the one to say, "In fact, the suspension from office will be two years rather than five years." So, the amendment, if it does find favour with the House, will need further tidied up in that regard.

As I mentioned this morning, there is also the situation with the complainant. You could have someone come along with a grievance about how they have been treated by a council or a councillor. If that person makes a complaint and the commissioner makes a finding that the complainant is dissatisfied with, there is no provision for any appeal by the complainant. Yes, he might have judicial review options. It is a bit like the parallel with an objector in planning: there is no such thing as a third-party appeal. However, is that entirely in accord with what we anticipate here?

5.45 pm

The other dimension is who would pay for any legal proceedings. Would the councillor be expected and required to meet his own obligations, or would he be able to call down the assistance of the council through his position as a councillor? We might need to get some clarity about that, because public money is at stake and I think that there would be considerable resistance to the idea that some councillor, perhaps in a case where his engagement in inappropriate behaviour has been plain, is so found guilty on those terms by the commissioner and then has a publicly funded right of appeal. I think that there might be an issue there. If he funds it himself and succeeds, the expectation would be that he would recover his costs; but I wonder whether, if he does not succeed, the council should be required to fund an appeal that would be, in one sense, almost against itself. That is the sort of thing that perhaps needs further amplification and regard.

The final matter that I wanted to look at was amendment No 83. I strongly believe that there is a pragmatic argument for continuity of domain names. Mr McCrea asked whether someone here is hiding behind what they really want to say. I am not given to hiding behind what I really want to say, so I will say quite plainly that I think that it is logical, right, necessary and sensible that if a councillor within the United Kingdom is part of the governmental apparatus, why would you not expect, within the United Kingdom, that the domain name of his council would include .gov.uk? We have a pyramid of governmental arrangements in the United Kingdom from the Government, House of Commons, devolved Assemblies down to councils. Here, as elsewhere at Assembly level, the common denominator in domain names is .gov.uk, because it reflects the fact that each in their own way participates and plays a part in the governing of the United Kingdom. Equally, a council contributes to and plays its part in the governing of the United Kingdom. So, why would that council not legitimately and properly — indeed, be expected to — describe itself by a domain name that reflects that, which is the common denominator of .gov.uk?

In that setting, I think that amendment No 83 is eminently sensible, maintains continuity and gives as the gift of the Minister through the House the right to determine any common designation. It is not as though we are setting up domain names for school classes where something might take one child's fancy and another thing someone else's. We are talking about a governmental layer in a country: why would you not have the common denominator that links those in domain names?

Mr B McCrea: Will the Member give way?

Mr Allister: Yes.

Mr B McCrea: I commend the Member for making the argument that, I think, should have been made by the proposers. By all means, let us come out and face it, let us say that this is what we believe in, or, if you want to come up with another name, let us do it, but I think that the Member is absolutely right to lay out his stall in the way that he has.

Mr Allister: It is not my amendment, of course; I am putting my interpretation on it. But I am giving it very strong support because I think that it touches on a basic common sense approach to domain names in any tier of government, including local government.

Mr Durkan: I thank Members for the questions and issues that they have raised in this debate on the first group of amendments. I will address some of the points that were raised, and I will endeavour to address as many as I can. However, there was a slight degree of repetition in today's proceedings so far, so I will probably not address every contributor's remarks.

The first contributor was the Chair of the Environment Committee, Ms Anna Lo, who said that the Committee Stage had been extended. The Committee received a large number of representations on the reform of local government. I would like to echo her thanks to those who have had an input into this important process. I would also like to thank Ms Lo, the members of the Committee and their supporting staff.

She spoke of the Cabinet style that the legislation will allow. I have to confirm to Members that this is not going to be confidential. The executive-style Cabinets will not be confidential; it is in everyone's interests that local government, and all levels and forms of government, are as transparent as possible. She mentioned disappointment at the fact that I had not expressed my support for all the amendments that she tabled as a member of the Alliance Party, and spoke of the need for accessibility to local government and to the decisions that it makes.

Mr Boylan spoke about the provision of audio equipment — it was Ms Lo who really brought that point up — and the price of installing these systems. He was able to tell us that they could be got for as little as £160, and that is low-cost if ever I heard it. He asked if I would assist with the cost of these sound systems to local government; if they are only £160, I might. However, it would not be appropriate to fund that equipment from a central government budget. The recording of proceedings would be for the benefit of a council's ratepayers and, therefore, the cost should really be met through rates.

Cathal Boylan also raised the issue of the adjudication and investigation elements of the ethical framework, as did several other contributors thereafter. In taking on this new function, however, the commissioner's office is setting up separate and distinct arrangements for investigation and adjudication. It would be very late in the day for the Bill to provide a different adjudication mechanism. Even if we were to provide an enabling power to allow that to be done by subordinate legislation, by the time the policy was developed and consulted on, with a possible public appointment process needed, it could take about 18 months, ie after the new councils come into being.

Also, I am not convinced that to provide for adjudication in subordinate legislation would be appropriate, as it would not afford the Assembly the opportunity to fully debate

the detail of such an important aspect of the framework. I have given an undertaking to review the ethical framework in three to four years' time — Mr McCrea referred to that — and the issue of whether investigation and adjudication should be carried out will be part of any such review.

If we removed the adjudication element from the Bill or provided an enabling power to provide for it in subordinate legislation, it could have an effect on the timing of the transfer of important functions such as planning. Judicial review provides a means of challenging the commissioner's decisions. I urge Members to vote against amendment Nos 25, 26 and 27, but I will review the system, as I said.

Mr McCrea, in one of several interventions, asked whether, given the amount of subordinate legislation, we were ready for the Bill and the reorganisation. The subordinate legislation that I put forward will make provision for the operation of the new arrangements. Such an approach provides greater flexibility to modify the operational arrangements if necessary.

Mr Elliott lamented the fact that the Bill came out at short notice. He sits on the Committee and will know the work only too well. I am sure that he is overly familiar with the work that has been ongoing on the Bill for some time. I apologise if he or any Member feels rushed, but I have been trying to get the debate on the agenda and the Bill on the Floor for a few weeks now at least. He referred to domain names, as did some other Members, and said that people were using it as a political issue. Sadly, it is evident who is doing so today. Mr Eastwood challenged his assertion that this could lead to confusion, ie. of someone typing in council names.

Mr Allister: With .ie.

Mr Durkan: Someone is awake.

Mr Allister made an intervention on the openness of decisions being taken by an executive, and I referred to that point when speaking about Ms Lo's contribution earlier. The Bill provides that meetings of an executive must be open to the public unless a confidential matter is being discussed.

Mr B McCrea: Will the Member give way?

Mr Durkan: Certainly.

Mr B McCrea: What is the definition of a confidential matter? Who decides what is confidential? Mr Dickson said that it was fairly limited and to do with an individual or a specific commercial case, but there are cases of other councils going into closed session for all sorts of things, and the argument was put forward by others that you get a better form of discussion that way. Surely that is not what is intended. Will somebody define what is confidential? Will the Minister undertake to think about how that would be so defined?

Mr Durkan: I certainly undertake to do so. Generally, as Mr McCrea points out, a council, or any body, will go into confidential session if it is discussing something of a personal or commercially sensitive nature. I know that there has been an issue with one particular STC doing more of its business in confidential session than is necessary. Some councils take the view that a better type of discussion is facilitated because people do not play

to the cameras, but I know that that thought would never enter the Member's head.

There was also some debate on live streaming versus photographs, and the majority in the Assembly seemed to be open to that transparency and open to people seeing what councils do. However, a lot of Members had concerns about people being able to take photographs in council meetings. I referred to that in my opening comments, and it has been borne out in today's debate. Mr Kinahan referred to the possibility of someone getting snapped with their eyes shut. A picture does, as they say, speak 1,000 words. If this amendment were passed, we would have no control over the narrative that accompanied the picture. There are many advantages to opening up and allowing audio recording. I take on board the point that Members made that perhaps the Alliance Party amendment does not go far enough and that it could be extended to committee and subcommittee meetings. If they were to do further work on this for Further Consideration Stage, I would happily consider it. So, although everyone generally seems to acknowledge that councils should be open to more scrutiny, there seems to be a lot of negatives around photos.

6.00 pm

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

Mr Maginness referred to the legal advice that I received subsequent to the Committee. This refers to amendment Nos 25 and 26, as tabled by the DUP.

Mr Weir: I thank the Minister for giving way. On a point of accuracy, those amendments have been tabled on behalf of the Committee. They are not DUP amendments, though we are very much in favour of them.

Mr Durkan: I apologise to the Member for that. My notes are not great. The amendments were tabled by the Committee, however the Committee Chair is keen to distance herself from them. If the amendments are carried, and it seems likely that they will be, I am not sure whether, even at Further Consideration Stage, we will have an opportunity to square the circle, as Mr Weir put it.

I will move to some of the other issues raised by Members. Mr Kinahan said that there should be consistency in how councillors are treated with regard to standards across councils. The reason why the commissioner is to deal with all allegations of breaches of standards is to ensure that there is a consistent approach. Mr Allister and others referred to that as well.

Mr McCrea asked whether the promise of a review of the role of the commissioner was the proper way to move forward, and he asked whether we should try to get that right now. The review will cover all aspects of the ethical framework, not just the role of the commissioner. It will also consider whether a standards committee should be established in each council. It is good practice, when introducing a new policy, to ensure that it is reviewed after a number of years to check whether it is working properly and whether it could be improved.

Mr Allister asked whether the code of conduct would apply to councillors at all times or only when they are acting as a councillor. He referred to the code of conduct applied to MLAs as pick and mix. I previously referred to the Member's apparent fixation with confectionery. However, the draft code of conduct sets out when and to whom the

code will apply. The code states that it will apply when a person is undertaking the functions of a councillor. That includes times when that person gives the impression of acting as a councillor. The code is out to consultation, which closes on 30 April. I encourage the Member and, indeed, any Member to respond to it.

Another pertinent question raised by Mr Allister was about who will pay for legal proceedings. The consultation on the draft code of conduct, which was issued a few weeks ago, also deals with the issue of the provision of indemnities in respect of the ethical standards framework. The views of respondees will be taken into account in deciding the way forward.

I hope that that covers more than just a few of the questions that were raised. There has been a degree of repetition in the debate. I would like to thank all Members for their contributions thus far and for how they have conducted themselves through this stage of the debate. I am sure that they will remain equally well behaved throughout proceedings today and tomorrow.

Question, That amendment No 1 be made, put and agreed to.

Amendment No 2 made: In page 1, line 17, after "that" insert "from 30th April 2015".— *[Ms Lo (The Chairperson of the Committee for the Environment).]*

Amendment No 3 made: In page 1, line 17, after "available" insert "on its website and".— *[Mr Elliott.]*

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 (Qualifications)

Mr Deputy Speaker: We now come to the second group of amendments for debate, which concerns the Minister's opposition to clauses 3 to 9 and schedules 1 and 2 standing part of the Bill, amendment Nos 4 and 5 and a series of consequential amendments set out on the grouping list that deal with councillor qualification, disqualification for being a councillor, vacancies and resignations. I call the Minister of the Environment to speak to clause 3 stand part of the Bill and address the other oppositions and amendments in the group.

Question proposed, That the clause stand part of the Bill.

The following amendments stood on the Marshalled List:

No 4: After clause 9 insert

"Disqualifications for being councillors

9A.A member of—

(a) the Assembly;

(b) the House of Commons; or

(c) the European Parliament,

is disqualified for being a councillor".— [Mr Durkan (The Minister of the Environment).]

No 5: After clause 9 insert

"Power to exempt offices and employments from disqualification

9B.*In section 4(1)(a) of the Local Government Act (Northern Ireland) 1972 (disqualifications), for the words from 'place of profit' to 'council' there shall be substituted the words 'employment appointments to which are made by a council if it is a prescribed office*

or employment’.— [Mr Durkan (*The Minister of the Environment*).]

No 92: In clause 125, page 70, leave out line 33.— [Mr Durkan (*The Minister of the Environment*).]

No 104: In schedule 11, page 92, line 25, at end insert

“Local Government Act (Northern Ireland) 1972 (c.9)

[A1]. In section 9 (vacation of office on account of non-attendance)

(a) in subsection (1), for ‘and (3)’ substitute ‘to (4)’;

(b) after subsection (3) add

‘(4) Any period during which a councillor is suspended or partially suspended under Part 9 of the Local Government Act (Northern Ireland) 2014 is to be disregarded for the purpose of calculating the period of six months under subsection (1) (and accordingly—

(a) a period during which a councillor fails to attend meetings of the council that falls immediately before, and

(b) a period during which a councillor fails to attend meetings of the council that falls immediately after, a period of suspension or partial suspension are to be treated as consecutive).’.

[A2]. In section 42 (councillors not to be appointed officers)

(a) after ‘paid office’ insert ‘office which is prescribed under section 4(1)(a)’;

(b) omit subsection (2).

[A3]. In section 143 (orders and regulations), for ‘115(2A)’ substitute ‘4(1)(a) or 115(2A)’.

[A4]. In Part 1 of Schedule 1 (declaration of councillor on acceptance of office), for ‘be guided by the Northern Ireland code of local government conduct’ substitute ‘observe the Northern Ireland Local Government Code of Conduct for Councillors (as revised from time to time)’.— [Mr Durkan (*The Minister of the Environment*).]

No 105: In schedule 11, page 92, leave out lines 26 to 34.— [Mr Durkan (*The Minister of the Environment*).]

No 107: In schedule 12, page 93, line 16, in the second column leave out “Sections 3” and insert

“In section 4(1)(b)(i) and (ii), the words ‘or interim order’.

Section 7A.

Sections 11”.— [Mr Durkan (*The Minister of the Environment*).]

No 108: In schedule 12, page 93, line 18, in the second column at end insert

“Section 42(2).”.— [Mr Durkan (*The Minister of the Environment*).]

No 110: In schedule 12, page 93, line 26, in the second column leave out “Articles 29” and insert

“Article 29(1).

Articles 31”.— [Mr Durkan (*The Minister of the Environment*).]

No 111: In schedule 12, page 93, leave out lines 30 to 33.— [Mr Durkan (*The Minister of the Environment*).]

Mr Durkan: The amendments arise from legal advice that I have received only recently. When I introduced the Local Government Bill to the Assembly on 23 September last year, I did so on the basis that the legal advice that I had received from a number of sources indicated that the Bill’s provisions were within the competence of the Assembly. I assure the House that, had it been otherwise, I would not have proceeded with the introduction. However, since then, I have received legal advice that indicates that clause 4 and schedule 1 may not be within the competence of the Assembly, as they refer to “being elected” and elections are specified as an excepted matter in schedule 2 to the Northern Ireland Act 1998.

Rather than proceed with the provisions and risk the Bill falling at the final stages, I have reluctantly decided to oppose the clauses in Part 2 of the Bill and schedules 1 and 2 standing part of the Bill. The legislation is too important to the delivery of the Executive’s programme for the reform of local government to take that risk.

Part 2 and schedules 1 and 2 simply re-enact and modernise the language of the provisions in the 1972 Act, with certain amendments to deal with dual mandates and officers as councillors and to take account of the new ethical standards framework and mandatory code of conduct provided for in Part 9. In my opinion, it would not make sense to oppose clause 4 standing part of the Bill, thus moving it back into the 1972 Act, while leaving the other clauses — clause 3 and clauses 5 to 9 — to stand part of this Bill. The only sensible course of action is to leave the provisions on qualification and disqualification in the 1972 Act.

The extent of the amendments that I now propose may, to some Members, seem excessive as a response to one potentially problematic phrase. The removal of the seven substantive clauses — clauses 3 to 9 — gives rise to 10 consequential amendments. I have, however, taken the view that the provisions remain extant in the 1972 Act. That is my recommendation to the House. The Bill will, however, make provision to amend section 4 of the 1972 Act to remove the blanket prohibition on council employees being councillors. It will also amend the provisions in the 1972 Act to take account of the new mandatory Northern Ireland code of conduct for councillors.

I propose that new clause 9A is added to make provision for a new category of disqualification: dual mandate. I oppose clauses 3 to 9 standing part of the Bill to leave the corresponding substantive provisions extant in the Local Government Act (Northern Ireland) 1972. As a consequence of clause 4 not standing part of the Bill, amendment No 4 introduces a new clause to provide for the ending of the dual mandate. Similarly, amendment No 5 introduces a new clause to amend section 4 of the 1972 Act to provide for the removal of the blanket prohibition on employees of councils being councillors.

Mr Allister: Will the Minister give way?

Mr Durkan: Certainly.

Mr Allister: Will the Minister explain to the House, if the reason for not pursuing some of the clauses as originally drafted is a recognition that disqualification in respect of election is an excepted matter, the basis on which he grounds amendment No 4, which seeks to introduce a disqualification clause in respect of double-jobbing? How is that not an excepted disqualification matter?

Mr Durkan: I thank the Member for the question. It is the matter of elections that is excepted rather than the institution to which they are elected. Therefore, we can, in effect, put the amendments in to prohibit someone sitting in the two institutions. However, we cannot control which institutions they may seek election to.

Mr Allister: In seeking to follow that, is the Minister saying that he can disqualify double-jobbers from sitting on a council? Can he disqualify them from standing for a council?

Mr Durkan: I was hoping that no one would pick up on that. *[Laughter.]* Unfortunately, as a direct consequence of the legal advice that I received late on, the Member is correct.

Mr Allister: So, are we not in the throes of creating a pretty difficult conundrum in that, legally, one can stand and be elected to a council as a double-jobber but one can never take one's seat? Therefore, after six months, say, someone could forfeit their seat and stand again? Is that correct? Could they be nominated again by their party? Surely, to resolve that conundrum, we need some sort of parallel legislation in Westminster to deal with the issue, do we not?

Mr Durkan: I thank the Member for his further question on the issue. We do need to have parallel legislation in Westminster. I am disappointed that the legal advice came so late. However, at the same time, I am hopeful that the lateness of its arrival might be our saviour. It might be too late for Members who might sit in the Assembly to decide that they will run for council and possibly never take their seat. I know the views of the Assembly on double-jobbing and know that the vast majority of Members are opposed to it; I am hopeful that they will display political maturity when it comes to running or not running for election to the new councils.

Mr Elliott: I thank the Minister for giving way. I fully acknowledge what the Member for North Antrim is highlighting here because we had this discussion last week at the Committee. Can I ask further about the legal advice that you got, which, you said, was at a late stage? The legal advice up to that point appeared to indicate that your proposed legislation was correct and not subject to any pitfalls, but, all of a sudden, late advice came in. Where did that late advice come from, and where did the earlier advice come from that indicated that you were correct? I ask that because we are all aware that giving conflicting legal advice is how solicitors' practices and barristers make their money. Can you expound on some of that?

6.15 pm

Mr Durkan: I thank the Member for his question. I am aware that the decision was raised at the Committee last Thursday. The advice came from a source from whom I had not received advice earlier. The advice that I had received previously was from my Departmental Solicitor's Office and an external solicitor. The more recent advice came from a source. However, owing to convention, I cannot reveal the source at this moment.

Mr Allister: Will the Minister give way?

Mr Durkan: Yes.

Mr Allister: I am sorry to press the Minister even further on this, but, so as we in the House are absolutely clear, is he saying that double-jobbers could stand, could be

elected to council but never take their seat as a councillor and could be substituted by their party? Could they, at that point, be substituted by the party without ever having taken their seat as a councillor? Surely they need to become a councillor before they can be substituted, and, in becoming a councillor, would they be at risk of criminal penalty under clause 5, which says that a person who acts as or purports to be a councillor while disqualified is guilty of an offence? In order to take their seat, would double-jobbers not be guilty of an offence of purporting to be a councillor? How could it be that, nonetheless, they could be substituted by their party?

Mr Durkan: I thank the Member for the question and for bringing to the House's attention the less-than-satisfactory situation that we find ourselves in. I believe that the Member is right, in that, if someone is purporting to be a councillor, as stated in the amendment, an offence would or certainly could be committed. However, I am hopeful that that is not something that will present itself as a problem in the elections come 22 May, and I am certain that it is a situation that we can rectify between now and the next council elections.

Mr B McCrea: Will the Minister give way?

Mr Durkan: Yes.

Mr B McCrea: I, too, wanted to come in on that point, but I think that you have been through it. If we look at the other side — the more positive side — there is, as I understand it, a disqualification for employees of councils to stand for election but you had hoped to remove that blanket ban. What position do we have for people who would like to stand at the elections on May 22? I will put a particular scenario to you, for the sake of clarification. Take people who have got a leave of absence, such as a career break. Technically, they are still on the payroll, but they are not receiving remuneration. Are they allowed to stand and then resign, or do they have to resign and then stand?

Mr Durkan: I thank the Member for his question. The issue of the blanket ban and our desire to remove it was to be effected through amendments. However, I am confident that, in time for these elections, some council employees will be able to run for and be elected to council.

Mr Weir: Will the Minister give way?

Mr Durkan: Yes.

Mr Weir: I will deal later with the desirability of it, but I wonder how it can be, given the fact that this is a power to make regulations. For this to have effect, the Bill will need to pass and presumably get Royal Assent. I cannot see how it could get Royal Assent in time to bring in regulations to allow somebody who is a council employee to run for this council election, for which the cut-off point will presumably be the beginning of May, when nominations take place. I cannot see how that could meet the time frame for this election.

Mr Durkan: I thank the Member for his clarification and correction on that. The issue of Royal Assent is one that I had neglected to consider when answering that question. However, there are many more questions around the removal of a blanket ban such as how it will apply and what members of staff or council officers will be able to run for election and be elected and in what council area.

Mr B McCrea: Minister, I actually agree with the point made by Mr Weir. Surely this puts you in a particularly invidious position in that it has been found to be illegal. There was a court case where it was decided that we are not allowed a blanket removal of the ability to stand. This has legal precedent. We will now be running elections in which people are disadvantaged. We must find some way around that, because I know of people who would like to stand.

Mr Durkan: I thank the Member for the intervention. I also thank him for recognising my current position as invidious. We should certainly look at reaching a solution to this. I do not want to disadvantage anyone; that is not the intention of this legislation. In fact, it was our intention to do the opposite. I am happy to see how this situation can be improved and opportunities made available to more people.

Schedule 1 provided an enabling power for my Department to specify the offices and employments that would disqualify the holder from being a councillor. Amendment No 92 removes the reference to that enabling power from the list in clause 125 of the regulations and orders that must be made by the draft affirmative procedure. I oppose schedules 1 and 2, as they would no longer be required, as a consequence of clauses 4 and 6 not standing part of the Bill.

Amendment No 104 makes consequential amendments as a result of the removal of Part 2. It provides for the consequential amendments necessary to the 1972 Act to take account of the introduction of the new ethical standards regime by making provision that a period of suspension or partial suspension under the new regime will not count for the purposes of vacation of office on account of non-attendance. An amendment is also made to the declaration that a councillor must make on acceptance of office to take account of the introduction of the mandatory code of conduct for councillors.

Amendment No 104 also makes two consequential amendments as a result of removing the blanket ban on officers being councillors. Section 42 of the 1972 Act is amended to provide that a councillor may be employed by a council with the exception of offices or employments that will be specified in regulations made under the revised provision in section 4 of the 1972 Act. Section 143 of the 1972 Act is amended to take account of the regulations that will specify the offices and employments that will still be subject to disqualification.

Amendment No 105 removes the consequential amendment that was being made to the Education and Libraries (Northern Ireland) Order 1986 to take account of the provisions in relation to disqualifications. Amendment Nos 107, 108, 110 and 111 make the amendments necessary to the repeals provisions as a consequence of the removal of clauses 3 to 9.

Those are the amendments in group 2.

Ms Lo: The Committee was made aware of the amendments in this group only after the Committee Stage was complete. The Committee was briefed by officials at its meeting on 13 March — last Thursday — on the Minister's intention to oppose clauses 3 to 9 and the corresponding schedules 1 and 2. He has outlined his reasons for this today, but members were disappointed that the issues with these clauses were being flagged up at such a late stage. They were also concerned to hear that, as a result of the removal of this part of the Bill, an

MLA, an MP or an MEP could stand for election to a council. Although he would not be permitted to take the seat if successful, he could then co-opt a party colleague. The officials informed the Committee that the Department would aim to close that loophole, but it will not be done in time for the upcoming council elections. I urge the Department and Minister to address this anomaly as soon as possible.

During its scrutiny of this part of the Bill, the Committee was keenly aware of the problems associated with the qualification and disqualification of councillors, particularly the proposal to lift the blanket bar on council employees becoming councillors in the council where they are employed. The Committee continues to urge the Minister to ensure that this is clearly specified in subordinate legislation. With this in mind, the Committee was broadly content to support the Minister in opposing the Question that the clauses and schedules stand part of the Bill and to support the amendments in this group.

With your indulgence, Mr Deputy Speaker, I will say a few words as an Alliance MLA. I feel very sorry for the Minister. This is the Minister's first Bill, and it is complicated and quite cumbersome. He has done his best, and, at the last minute, he was told that there was a second legal opinion. This has now put the Bill in a bit of a mess. That is just not acceptable. I know that the Minister said that he could not disclose who gave him the second opinion, but I hope that lessons can be learned now from whomever it is who at this last minute suddenly handed the Minister this bombshell. Why could the source of this second opinion not have done his job earlier? We then would not have had to face such a silly mess and such an anomaly at this stage. I support the Minister.

Mr Weir: On this group of amendments, although I will make some criticism of the Department, I appreciate the very invidious, to use his own word, position that the Minister has been put in. I think that we have some sympathy for the position that he has been in. In light of that, it is helpful to indicate that, particularly given the position that has been put forward, we will support all the amendments here as maybe being the least worst situation.

I suppose that it comes down to three issues in this group, and there is a bit of confusion around some of the issues. Essentially, the first is the issue of the legal advice, which has led to opposition to particular clauses standing part of the Bill. Secondly, there is the specific issue of disqualification and the dual mandate. Thirdly, there is the issue regarding council employees and exemption.

On the first issue, given the late legal advice that the Minister has received, in the short term, there probably is no practical option other than to oppose various clauses standing part of the Bill and to perhaps seek some degree of rectification of the issue, potentially with the assistance of Westminster. I join the Chair in indicating that there was disappointment on the Committee that this issue had arisen so late in the day. I appreciate that that may be outside the Minister's hands because of the lateness of the legal advice, but most of the Committee members would have preferred the issue to have been flagged up earlier.

I wonder whether, somewhere down the line, there was not something missed in connection with that.

6.30 pm

I cast my mind back, and there may be other reasons why it was the formula that was used, but it was noticeable that, when the issue of dual mandates was previously looked at and consideration was given to the private Member's Bill by Dawn Purvis in the last Administration, she drew a distinction in the wording of her legislation to disqualify someone from being a councillor, rather than someone being elected to being a councillor. There was, if you like, that clear distinction. Whether that was because she had had some level of advice that you could not preclude somebody being elected in those circumstances but could use a bar on somebody holding the post, it seems to me, potentially —

Mr B McCrea: Will the Member give way?

Mr Weir: I will give way in a second. It does seem that there were potentially other reasons why she took that route. I think, in particular, that when she was proposing that, it appeared likely that the council elections and Assembly elections might well have taken place simultaneously, so it might have also been to do with that practical problem, but I wonder — it is maybe a question that we are not in a position to answer today — whether there was some level of legal advice as to the limits of what could be done. I will give way to Mr McCrea.

Mr B McCrea: I am grateful to the Member for giving way. Can I just check that we are saying that, if we change the wording from “being elected a councillor” to “being a councillor”, that might give us some way through this particular mess? It seems to me to leave us open to ridicule, because, obviously, councillors are elected. I mean, we are having elections. I am not just not sure that that is the proper way to go forward, but I am happy to hear what the Member has to say if he thinks that —

Mr Weir: I certainly take on board the point that has been made. My understanding is that, by removing the various clauses, we will effectively fall back, with the exception of the two additional clauses that have been proposed, on the 1972 legislation. I think, to some extent, what was originally intended with these clauses was largely a tidying exercise. From a practical point of view, most of what is contained in clauses 3 to 9 was a codifying of what had been there in 1972 and, potentially, anything subsequent to that, with the new intentions. Strictly speaking, I think the issue was that a large amount of the content of clauses 3 to 9 was not necessary. It might have been desirable as a way of ensuring that all was contained within the one piece of legislation, but it was not necessary. I think, with the extent of the amendments that would be required to rectify it, particularly as there is, arguably, a neater solution of falling back, largely, with a couple of exceptions, on the 1972 legislation, it probably may be the best way to go, but it may be that some work needs to be done at Westminster as well to clarify issues.

In terms of the disqualifications side of it, there is a little bit of distinction that Mr Allister has drawn out, on the issue of what the position is if somebody with a mandate then seeks election, is elected and presumably is deemed elected, but then automatically and immediately disqualified. That puts us into a slightly grey area. There may need to be something on the back of that at Further Consideration Stage to tighten that.

It is difficult to judge, but it seems to me that there might be some advantages in the wording that has been used in clause 4. We are now in a situation where, of the 108 Assembly Members, none is a councillor. I think everybody that was on a council has left it. I know that my own party will not run anybody who is an MLA as a potential councillor. I assume that that will probably be the case with all other parties. From a practical point of view, particularly if we get the space to try to tighten it up both at Further Consideration Stage and, probably, with the advantage of Westminster, I suspect that, in this election, that will not be a problem, and it can be sorted out with time.

Where there might be a slight advantage is that there is a slightly grey area on the flip side of the coin, which, I think, to be fair, is covered by the new legislation. I think it is very unlikely that a sitting MLA will seek to become a councillor, unless they are, if you like, in the last throes of being an MLA and want to give up their seat as an MLA, which is one possibility.

The more likely scenario, which has happened frequently in the past and, I suspect, is quite likely to happen come the next Assembly elections, is that a number of the candidates from different parties may well be sitting councillors. If, on the flip side of the coin, councillors were precluded from running for the Assembly, that would put an onus on them to give up their council seat for the prospect of becoming an MLA. The situation now is that, on election as an MLA, you are automatically disqualified as a councillor. There might be a grey area if we did not have direct disqualification, without which a sitting councillor could be elected as an MLA and, in theory, serve the rest of their term as a councillor. However, in some of this, it may, given the likelihood of that, be more likely that angels will dance on the head of a pin. The formulation of disqualification, at least as the short-term measure, for anybody who is an MLA, a Member of the House of Commons or a Member of the European Parliament, may well solve that problem as well.

The intention is clear. There is an argument that someone might go to the Assembly poll saying, “I am a councillor and, if elected as an MLA, will, as I have to automatically, end my role as a councillor”. That is fair enough. With the best will in the world, and assuming that the legislation passes, it would clearly be nonsense if an MLA ran for local council with the clear knowledge that, immediately upon election, they would be disqualified. I suspect that that would be used against any party. That would be a deceit on the electorate and would, I think, be seen through.

When the issue of disqualification from being a councillor was debated in 2009 and 2010, I put forward an amendment — this is a wry irony — suggesting that the introduction of RPA be the key point at which dual mandates ended and disqualification kicked in. The amendment, which did not find favour with the House, said that the cut-off point at which disqualification kicked in should be, off the top of my head, July 2014. It seems likely that the legislation before us will receive Royal Assent in June 2014. My amendment was rejected by the House, but seems largely to have come to pass.

I am acutely aware that the other element of that amendment was the suggestion that any MLA who served as a councillor receive no pay for being a councillor. Through a combination of the Department of the Environment and the remuneration position in the

Assembly, that also came to pass at some stage in 2013. It seems that both limbs of the amendment, which was fairly soundly rejected by the Assembly, have come to pass.

It is right that we have seen the phased removal of dual mandates. The key point about dual mandates, from a practical point of view, is that we will be dealing with larger councils that have larger responsibilities and budgets. That may well be reflected in other ways, such as remuneration, for example. Therefore, as we move forward to the new councils, being a councillor and an MLA will not be compatible.

Mr B McCrea: Will the Member give way?

Mr Weir: Yes, I will give way on that.

Mr B McCrea: The Member may be coming to this, but I just wanted to check. He talked at some length about dual mandates for MLAs, MEPs and such like. However, he mentioned in his earlier remarks the current blanket ban on council employees. I am really interested to know, given his expertise and knowledge — I do not mean that in any supercilious way; I am being serious —

Mr Weir: You are not being sarcastic?

Mr B McCrea: No, not on this particular occasion. I am really interested to know how we deal with the issue of the forthcoming elections. Council employees below director level would like to stand for election but are currently under a blanket ban, even though there have been court rulings that that is not appropriate. How do we deal with that? It takes only one to challenge the whole thing.

Mr Weir: It is not quite as clear-cut as is, perhaps, being presented.

It is not that there is a legal ruling saying that this has to change. As I understand it, there was a legal ruling some time ago that indicated that, if there was a challenge on this or another attempt at a blanket ban, we may be legally vulnerable, which is not quite the same thing as saying that there is an imperative directly to change.

From a practical point of view, the problem is that we have, perhaps unfortunately, gone beyond the point of no return with regard to these elections. As I understand it, the problem is that the present ban is in primary legislation. This would effectively change the 1972 Act. To change that Act and to repeal that part of it would require primary legislation, as is in front of us today. If we were to try to deal with that separately and specifically as it affects 22 May, there is no time to get primary legislation through. To give people certainty, it would have to be through by roughly 1 May or whatever the date is for nominations to take place. From a practical point of view, it could not be done. Regulations cannot simply overturn what is in primary legislation. The only route is to look at the more medium- to long-term position contained in amendment No 5. Maybe the Minister will have some other suggestion, but, from a practical point of view, there is no opportunity ahead of the elections on 22 May for that to be turned around.

Amendment No 5 provides for a power to bring forward regulations and overturn the blanket ban, which is the right way of tackling it in the long run. By the same token, if we were to turn it completely on its head and say that there was no disqualification for anybody who is employed in local government, it would be fraught with difficulties.

When regulations are brought forward, there will clearly be two provisos. It would undoubtedly be a clear conflict of interest if someone were able to be elected as a councillor in the council area in which they worked — their employer directly — at whatever level, because virtually every decision that is taken at council will have some financial implications and some direct or indirect impact on that person's job. There is a much stronger case for change if somebody was working in one council and wanted to run in a different council area, because there is not the same contractual connection. The second proviso is that it is difficult to see a situation where those at the very top of local government employment could be a councillor in a different council. For example, it would be difficult if a chief executive — there will be a debate around the regulations with regard to what level it is pitched at — of one of the 11 councils were to be a councillor in a different council, although there might be practical difficulties with them holding a post anyway. However, amendment No 5 seems to be a sensible way forward. I am sure that we all know people in local government who may well be suitable to run for their council. The same could apply to solicitors. For example, until now, if you have been a solicitor for a council, you are prevented from running for that council or working in that firm. So, it seems that amendment No 5 is a reasonably sensible way forward. As with the other amendments in this group, it is not a perfect way forward. However, on balance, although there may need to be some adjustment at Further Consideration Stage, and there may be elements of it that we will have to seek assistance from Westminster on tightening it up, the amendments that have been put forward by the Department are as good as we are likely to get today. They are at least a step forward, and we should support them.

6.45 pm

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I will speak in favour of the amendments. However, I am somewhat disappointed that we have come through the Committee Stage of the Bill and that, unfortunately, it is late in the day, at Consideration Stage, that we receive legal advice. I know that the Chair offered some sympathy to you for that, Minister, but I am somewhat concerned that we have gone through the whole process. I realise the action that you had to take to do what you had to do. However, I will speak a wee bit about the two amendments in general.

The thing is this, Minister: when did you receive that advice? You talked about last December with regard to the Bill itself. Given that we debated part of the issue away back in 2009 — I am obviously referring to legislation on the issue that Dawn Purvis tried to bring forward — I am trying to figure out whether there could have been any indication about why we could not have found that out before this point in time. Perhaps the Minister could respond to that.

I know that the Minister has allowed a lot of interventions. Most people have actually stolen the thunder of everybody else who wanted to speak on the two amendments. However, the issue for us is that there is certainly a loophole that needs to be dealt with and closed very quickly. That is because we are creating the impression out there that it is conceivable that any MLA could stand for election in any area. I know that you are relying on good faith in that area. The Bill says that that person

cannot take the seat. Therefore, I just wonder what impact a legal challenge would have. If somebody were to take that further, asked the question or wanted to do it, what would be your legal advice about that?

Obviously, I support the Minister's amendment No 4. Where amendment No 5 is concerned, I welcome lifting the blanket ban and giving people an opportunity. However, we discussed at Committee, first, the level at which those people would be able to stand for election and, secondly, whether they could stand in a different area or whether there was a conflict of interest in standing in their own area. Maybe, Minister, you will pick up on some of those points. Clearly, other Members made a lot of those points. I propose to support the amendments in group 2.

Mr Elliott: We have a great method of getting ourselves into complicated situations, do we not? We went through an entire Committee process believing that we got resolution to these matters, but then, all of a sudden, right at the last minute, because of additional and conflicting legal advice, we have had these matters turned on their head. Like the Committee Chairperson, I have sympathy with the Minister for that. However, there was a decision to be made on which legal advice to go with. From what I heard from the Minister, there was not just one piece of legal advice that indicated that the proposals that were in place in the Bill when it was introduced were correct; there was more than one when a later piece of advice came forward.

That is why I believe that we have not, the Minister has not and the Department has not taken the right approach to the matter. I believe that we should have pushed on. We should have pursued the matter and pressed ahead with the Bill as it was introduced. I feel that, because there was at least one and maybe two, or, indeed more, pieces of legal advice that said that it was correct, we should have gone ahead with that proposal. I believe that it has now turned into a minefield. What we will see in the days, weeks, months and, indeed, maybe years ahead will be a really difficult situation. I feel that there will be a challenge somewhere down the line now that we have decided to move our position on this.

Earlier, Mr Allister asked a number of questions that were similar to those that I asked in Committee last week. The crux of the matter is that a currently elected representative — an MLA, MEP or MP — can actually put their name forward, contest an election for a council and get elected. The point is that they cannot take their seat and their place on that council. However, the question raised by Mr Allister and, I think, Mr Weir that still has not been answered is this: can that seat be handed over to someone else or not? That issue has not been resolved, and until it is, I am sorry, but I cannot support the proposals at this present time. I believe that there is the potential for a disastrous situation here that we could have and should have avoided. We should have pursued what was in place.

Again, I do not see any reason for trying to hog this debate or hold it up any further. I have made my points. I am clearly disappointed at the way in which this has evolved. In all honesty, I think that we should have pursued the Bill the way it was and tried to establish a proper framework in the Bill as introduced.

Mrs Cameron: As a Committee member, I am pleased to support all the amendments contained in group 2 in

the Marshalled List of amendments. I believe that these changes are right and necessary to ensure that we have a clear framework when dealing with matters arising from what qualifies a person to become a councillor and, by necessity, what disqualifies a person from being a councillor. It also deals with how we manage vacancies, which are an inevitability at times, although we would prefer it if they did not occur.

There is also the issue of deciding at what level council employees are eligible to be elected to council, whether they can be a council member at their own place of work and how the removal of the blanket ban will actually work in practice. I look forward to supporting legislation that will clarify how those issues will be dealt with.

We have already observed that the Bill as it stands allows sitting MLAs, MP and MEPs to stand for election but not take their seats. That loophole obviously needs to be closed off in line with the current single-mandate policy, otherwise it could be used in co-option to place councillors in seats who might not have easily gained that same position through the election process. An example would be a high-profile existing elected representative, such as an MEP, who could stand for local council this May. Although they could be elected, they would be disqualified from taking their seat. However, a party could, in theory, co-opt an unknown person into that council seat. I am sure that we as political parties can all see the benefits of that situation, but I am also very sure that we as legislators can see that it would not be in any way appropriate. I urge the Minister to address that loophole as soon as physically possible.

In general, I support the amendments in group 2.

Mr B McCrea: The Minister's position is invidious, and the status of the forthcoming elections is almost untenable. I am sorry that I have had to run up and down to get this information. When I asked Mr Weir earlier whether there was a legal impediment, he effectively said that there was a recommendation that it might be a problem.

I want to quote to the Minister what one of his departmental officials said, in the Official Report, to the Committee of the Environment. She said:

"I think that clarification was needed about the various pieces of legal advice and legal cases on the issue."

She went on to say:

"We first became aware in 2005 that there was a human rights issue in that when the Department received correspondence from a solicitor acting on behalf of a council employee. That alleged that that provision violated article 10 of the European Convention"

She then said:

We sought legal advice on the matter, and that indicated that there was a strong argument that section 4(1)(a) was disproportionate to the legitimate aim pursued.

It goes on to say that that was not just an opinion but that case law was quoted in support of the legal advice. That case law is *Hirst v United Kingdom* (No 2) [2005].

I have another series of information, although I cannot put my hand on the piece of paper right now, that provides legal positions on this. It was quoted, I think, in Ahmed and

others. Therefore, this is not a matter of conjecture. As I understand it, there is a *prima facie* case that we cannot run elections and discriminate against council employees. I accept the argument about employees below a certain grade, but there are many council employees who will want to run.

I have to say, Minister, that I really think that you or somebody has a very difficult position to reconcile here of trying to run council elections on 22 May from which we are going to disbar people who have a legal right to stand. This is a serious issue. I am not sure that we have found a satisfactory resolution for this. It is really hard work. We cannot run an election that is, in effect, illegal. It will discriminate against a significant proportion of our citizens.

While the Minister thinks about that issue, the case law and the various other things that are there, I will say that there are so many amendments to put clauses in and take clauses out, and to take out schedules here and there, that, to be honest, I was having a certain amount of difficulty keeping up.

By the way, I am sympathetic. I hope that the Minister realises that I understand that he has been put in this position and that I am not, in any way, trying to minimise the difficulties in which he finds himself. However, the way forward is not clear. The ground that we are moving forward on seems very flimsy. When we look at exclusion, one of the points that he might want to consider is what do we do about the fact that 70% of our economy is public sector-orientated? We have a lot of people who work for publicly funded bodies such as Invest Northern Ireland or other agencies, all of which say, "Look, stand for council if you want, but it is not a good idea, because you have to deal with all sides of the community". In a community where such a large proportion of our workforce is in the public sector, surely there is a duty on us to encourage such people to stand. It should not just be a case of saying, "You can if you want to". To enhance the democratic representation that we have, we need to address that particular issue.

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

I guess that these speeches are so short because a bombshell has been dropped in front of us. Minister, you are in a position of being asked to carry forward elections that I think will be challenged in court. I hesitate to say it, but I think that that creates a real problem for even running the elections in their current format. I would like to understand what you think you might do with this. On that basis, although I may come back with an intervention later, I want to know what you and your officials think we can do to get out of this mess, because it is a big, big mess.

Mr Allister: The House is certainly not in a position that it would wish to be in. A lack of clarity has evolved from apparently competing legal advice, and there has been a belated change of direction in the Department on foot of some of that advice. We have arrived at a point at which we now have this conundrum that the Assembly cannot lawfully legislate on an excepted matter, of course, and therefore cannot specify the qualifications for election but can, it seems, specify the qualifications for a councillor. If I understand the situation correctly, section 3 of the 1972 Act will continue to govern who is eligible to stand for election, but the anticipated amendment No 4 will

insert new clause 9A into the Bill to stipulate who may be disqualified from being a councillor.

7.00 pm

It is fair to say that, when you go back to the 1972 Act, section 4 seems to make a distinction between being elected and being a councillor because it states:

"Subject to section 5, a person shall be disqualified for being elected or being a councillor if—"

There seems to be an acknowledged distinction between what might apply to being elected and what might apply to being a councillor. That is the point we have got ourselves to. The accepted legislative provision governs the process of elections and being elected, and the devolved institution probably governs the qualifications relating to being a councillor. That is a far from happy scene, as I think the Minister is only too aware.

In relation to amendment No 107, could I ask the Minister to bring some clarity? Amendment No 107 seeks to amend schedule 12 to the Bill. Schedule 12, as it stood, was to set out the extent of repeals, and it was purporting to repeal all from section 3 to 27 of the 1972 Act. I want to ask the Minister whether I am reading his amendment No 107 correctly to conclude that section 3 of the 1972 Act shall not be repealed and it stands. It is not clear to me whether section 4 stays or goes because it seems that there are going to be some words inserted, which will mean that the extent of the repeal will read:

"In section 4(1)(b)(i) and (ii), the words "or interim order"."

Sections 7A and 11 of the 1972 Act are going to be repealed, meaning that all else up to section 11 stands as in the 1972 Act, if I am reading that correctly, and that, thereafter, sections 12 to 27 are repealed. I think that is what amendment No 107 means but it is not the clearest, perhaps.

Returning to the amendment that deals with the qualifications of sitting as a councillor, the Minister's new clause 9A excludes MLAs, MPs and MEPs. He has not sought to exclude Members of the House of Lords. Can he advise us whether the current law excludes Members of other legislatures and why his amendment does not simply say, "a Member of any legislature in any place is disqualified from being a councillor"? Is there a reason why it is not as sweeping and straightforward as that and, rather, picks out MLAs, the House of Commons and the European Parliament? An amendment that said, "a Member of any legislature anywhere" would exclude Members of the Assembly, Commons, Lords and European Parliament, and Members of a legislature anywhere else.

Why indeed should a Member of a legislature outside the United Kingdom be qualified to be a councillor and a Member of the Assembly, the Commons or the European Parliament, to which people are elected from within Northern Ireland, not be? Why is there not a more even disqualification? It should simply disqualify a Member of any legislature anywhere. I do not follow the logic of excluding Members of the House of Lords, Dáil Éireann or anywhere else. Could the Minister explain why his new clause under amendment No 4 is so selective in that way? It would be helpful to hear the answer to that.

Mr I McCrea: As Basil McCrea said, there are short speeches on this set of amendments because of a bombshell that has left Members unsure of what is in and what is out.

It is only right that I express my concerns, as I did at the Committee Stage, in respect of amendment No 5. Although I do not disagree with it, I have concerns. I accept that it will not impact on this set of elections, but if we are being asked to vote something through it is only right that we should know the level at which it will allow or disallow people from holding office in another council. I ask the Minister to bring forward more clarity in respect of that.

Some Members and people within the local government sector have great reservations about how that would be managed. When the Minister was before the Committee, I raised those issues with him. It is going to be very difficult to manage a member of staff who is a councillor on another council. There are difficulties that that may bring in respect of the political coverage that that councillor has if he belongs to a party that holds the majority.

Another Member asked what level it should be. If it is one, why should it not be all? If it is not all, why should there be any in the first place? The Minister referred to the advice on that, but when we are being asked to vote on a piece of legislation we should be aware of the level that it will impose. I ask the Minister to give a bit more clarity in respect of that when he is summing up.

A number of questions have been asked about the qualifications of a councillor, and, as others have said, there needs to be clarity on the loophole that exists.

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Members for their questions. Well, I thank them for the issues that they have raised during the debate on the second group of amendments. I will certainly try to address some of them now. Quite a few Members raised the same issues, which is understandable because I have issues with some of these things myself.

The Chair of the Committee spoke first and said that members were disappointed at being informed of these necessary amendments so late. I have to tell her that they are not the only ones who were disappointed. She also said that she feels sorry for me. I assure you that you are not the only one. *[Interruption.]* I assure Ms Lo that I will work with her, the Committee and others to ensure that these anomalies are addressed as soon as possible.

Mr Weir and Ms Lo referred to issues around council employees being councillors on their employing councils. I fully recognise that such a situation could give rise to conflicts of interest and, for that reason, regulations will provide that an employee cannot stand for election or be a councillor on the council by which he or she is employed.

Mr Weir also spoke about why it was necessary to make such a number of changes. The current disqualification provision in the Local Government (Northern Ireland) Act 1972 makes provision in respect of people being elected and being a councillor. The legal opinion that we have lately received questioned the use of the words "being elected" in clause 4 and schedule 1. Rather than weaken the current disqualification provisions by removing the words "being elected" from clause 4, I decided to revert to the 1972 Act.

Mr Boylan asked, as others did subsequently, when the differing legal advice was received. My Department was provided with this differing legal opinion less than two weeks ago, but given the importance of the Bill, I did not want to take the chance of its being referred to the Supreme Court.

Mr Elliott questioned whether co-option would be available. My Department is currently considering the ramifications of that and is seeking legal advice from many sources on the issue.

Mrs Cameron went back to the issue of employees as councillors. Amendment No 5 provides an enabling power for the Department to specify those employments that will continue to debar someone from being a councillor. That could include disqualification on a geographical basis — that is, by preventing an employee from being a councillor on the council that employs them, as addressed earlier — and disqualification for specific employment in order to prevent senior officers, for example, from being councillors. Mr McCrea spoke of the need for clarity and clarification around this, and I assure him that that will be forthcoming as soon as possible.

Mr McCrea had quite a few questions around the issue of employees and, indeed, public sector workers more widely. Civil servants and public sector employees other than council employees below a certain grade can already stand and be a councillor. I think that it is incumbent on all of us, and really on me as Minister, to encourage people from every background and as many different professions as possible to participate in local democracy.

Mr B McCrea: Will the Minister give way?

Mr Durkan: Certainly.

Mr B McCrea: I was not sure if you had finished your point on this, but you might just like to address this issue, because I could not find it in the speech. I talked to Mr Weir about this point on employees — was it a potential or a reality? I quoted you from the Official Report, but the Official Report of the Committee's meeting on the Local Government Bill on 23 January 2014 states that:

"Subsequently, a number of senior local authority employees in the case of Ahmed et al v the UK Government took a case to the European Court of Human Rights on the basis that regulations made under section 1 of the 1989 Act interfered with their rights".

The judgement came back and said:

"restrictions imposed on applicants not open to challenge on grounds of lack of proportionality".

It basically found in their favour. The problem is that:

"The Department's position is that we have made provision in the Bill to remove the blanket prohibition on council employees, because the advice that we got in 2005 was that that could be challenged under article 10. The enabling power in schedule 1 to the Bill allows us to specify".

Yet you are taking away all of those powers that you have.

I have to tell you, and I put you on notice here now, that there are people who are entitled to stand for election in this part of the world and whom we currently prohibit from

doing so. That is a legal position, and you, as Minister, have to take that on board. In my opinion, you must find a way of making it legal for such people to stand, because that is the Department's knowledge on the matter. It is not just about that case but about the others that I mentioned previously.

7.15 pm

Mr Durkan: I thank Mr McCrea for his intervention. The advice is that we could face a legal challenge. The provisions that I am bringing forward are designed to address the issue. The removal of the blanket ban, despite my earlier faux pas, would not have been in place for the elections on 22 May, even without the need for amendment at Consideration Stage.

Mr B McCrea: Are you suggesting that we run an election knowing that people will be disbarred who should not be disbarred? Regardless of whether we have the time to change this, you cannot, as Minister, run an election knowing that some people will be discriminated against. The legal implications of that are horrendous.

Mr Durkan: It is evident that we are ensuring that this matter is addressed for future elections, and I am determined that it will be addressed for future elections. Mr McCrea also asked about employees who want to run in the forthcoming elections. The current legislation provides for a blanket ban on employees of councils becoming councillors, and it is this legislation that will and would have applied to forthcoming elections. Therefore, unfortunately, I have no way of providing for employees of councils who wish to become councillors in the next election.

Mr Allister had a couple of questions, and I will respond to one of them, which was about why the House of Lords was not covered by the disqualification relating to the dual mandate. The difference is that Members of the House of Lords are not elected whereas MEPs, MPs and MLAs are.

Amendment No 5 will amend the 1972 Act and make provision along similar lines to those in schedule 1, but it will remove the blanket ban on employees being a councillor.

I would like to thank all Members who participated in the debate on this group of amendments.

Mr Elliott: I thank the Minister for giving way. Before he finishes on this group, it is important to clarify that, throughout Committee Stage, we assumed that the Minister had correct legal advice on elected representatives standing for council and on the issue of council employees, which Mr McCrea continually raises. Why, Minister, at a late stage, when you got conflicting legal advice, did you bring the Bill to the House on the basis of that advice and not on what you originally assumed, and then rush to get to Consideration Stage?

Mr Durkan: I outlined earlier in the debate the reason for the rush to get to Consideration Stage. I had been trying to get the Bill here for a few weeks but was delayed on a couple of roads that I tried to go down. The more recent advice that led to the necessity for these amendments quite clearly stated that, had the Bill proceeded unamended, it could, and most likely would, have faced challenge in the Supreme Court.

I would like to thank Members for their contributions —

Mr Allister: Will the Minister give way?

Mr Durkan: Yes.

Mr Allister: Has the Minister sought any legal advice on Mr McCrea's point about proceeding with elections as planned and persons being disqualified from standing whom some European jurisprudence suggests should not be disqualified?

Mr Durkan: I thank the Member for the question. I have not got that legal advice. However, I will seek it as soon as we finish tonight or get someone to seek it before we finish tonight. Hopefully, we will be able to come back with an answer tomorrow. It is not in our interests to disqualify anyone from running for elected office, but it is certainly not in our interests to disqualify someone who legally should not be disqualified.

I thank Members for their contributions to this part of the debate. I apologise to Members for the lateness of the amendments and thank them for their consideration of them. I thank some Members for supporting them as well.

Mr Principal Deputy Speaker: Order. Before I put the Question, I remind Members — this is an important point that affects this group — that we have debated the Minister's opposition to clause 3. However, the Question will be put in the positive as usual.

Question put.

The Assembly divided:

Ayes 12; Noes 80.

AYES

Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McKinney and Mr Rogers.

Question accordingly negated.

Clause 3 disagreed to.

Clause 4 (Disqualifications)

Mr Principal Deputy Speaker: The Minister's opposition to clause 4 has already been debated.

Question, That the clause stand part of the Bill, put and negated.

Clause No 4 disagreed to.

Clause 5 (Penalties for acting as a councillor while disqualified)

Mr Principal Deputy Speaker: The Minister's opposition to clause 5 has already been debated.

Question, That the clause stand part of the Bill, put and negated.

Clause No 5 disagreed to.

Clause 6 (Declaration on acceptance of office of councillor)

Mr Principal Deputy Speaker: The Minister's opposition to clause 6 has already been debated.

Question, That the clause stand part of the Bill, put and negated.

Clause No 6 disagreed to.

Clause 7 (Resignation)

Mr Principal Deputy Speaker: The Minister's opposition to clause 7 has already been debated.

Question, That the clause stand part of the Bill, put and negated.

Clause No 7 disagreed to.

Clause 8 (Vacation of office on account of non-attendance)

Mr Principal Deputy Speaker: The Minister's opposition to clause 8 has already been debated.

Question, That the clause stand part of the Bill, put and negated.

Clause No 8 disagreed to.

Clause 9 (Declaration of vacancy in office in certain cases)

Mr Principal Deputy Speaker: The Minister's opposition to clause 9 has already been debated.

Question, That the clause stand part of the Bill, put and negated.

Clause No 9 disagreed to.

New Clause

Amendment No 4 made:

After clause 9 insert

"Disqualifications for being councillors

9A. A member of—

(a) the Assembly;

(b) the House of Commons; or

(c) the European Parliament,

is disqualified for being a councillor."— [Mr Durkan (The Minister of the Environment).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 5 made:

After clause 9 insert

"Power to exempt offices and employments from disqualification

9B. In section 4(1)(a) of the Local Government Act (Northern Ireland) 1972 (disqualifications), for the words from "place of profit" to "council" there shall be substituted the words "employment appointments to which are made by a council if it is a prescribed office or employment".— [Mr Durkan (The Minister of the Environment).]

New clause ordered to stand part of the Bill.

Clause 10 (Positions of responsibility)

Amendment No 6 made:

In page 5, line 25, leave out "subsection (1)(f)" and insert "this Act".— [Mr Durkan (The Minister of the Environment).]

Amendment No 7 made:

In page 5, line 26, leave out "prescribed public body or other association" and insert "public body".— [Mr Durkan (The Minister of the Environment).]

Clause 10, as amended, ordered to stand part of the Bill.

Mr Principal Deputy Speaker: We now come to the third group of amendments for debate. With amendment No 8, it will be convenient to debate the other 29 amendments on the grouping list which deal with governance, decision-making, appointments and transition to new structures. Members should note that amendment No 11 is mutually exclusive with amendment No 10. Amendment No 15 is consequential to amendment No 14, amendment No 18 is consequential to amendment No 17, and amendments Nos 96, 98 and 99 are consequential to amendment No 95.

I call the Minister of the Environment to move amendment No 8 and speak to the other amendments in the group.

Mr Durkan (The Minister of the Environment): I beg to move amendment No 8: In clause 11, page 5, line 38, at end insert -

"() making a determination under section 13(1) of the Local Government Finance Act (Northern Ireland) 2011 (affordable borrowing limit) and monitoring an amount determined under that subsection;".

The following amendments stood on the Marshalled List:

No 9: In clause 23, page 10, line 11, leave out lines 11 to 13 and insert

"a committee system unless the council decides to operate executive arrangements or prescribed arrangements".— [Ms Lo.]

No 10: In clause 25, page 11, line 29, leave out subsection (3) and insert—

“(3) The chair and deputy chair of the council shall be non-voting members of the executive and shall be disregarded for the purpose of subsections (4) and (5).”— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 11: In clause 25, page 11, line 29, leave out “not”.— [Mr Elliott.]

No 12: In clause 25, page 11, line 31, leave out “four” and insert “six”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 13: In clause 25, page 11, line 34, leave out “four” and insert “six”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 14: In clause 34, page 18, line 9, leave out “an excluded” and insert “a prescribed”.— [Mr Durkan (The Minister of the Environment).]

No 15: In clause 34, page 18, line 17, leave out subsection (4).— [Mr Durkan (The Minister of the Environment).]

No 16: In clause 44, page 23, line 40, leave out “Standing orders must” and insert “The Department must by order”.— [Mr Elliott.]

No 17: In clause 45, page 24, line 16, at end insert

“(1A) The Department must appoint a panel of solicitors for the purposes of providing an opinion if requested under subsection (2).”— [Mr Elliott.]

No 18: In clause 45, page 24, line 18, leave out “a practising barrister or solicitor” and insert

“the panel of solicitors appointed under subsection (1A).”— [Mr Elliott.]

No 19: In clause 45, page 24, line 20, at end insert

“and the process by which a legal opinion is obtained in subsection (2).”— [Mr Weir.]

No 57: In clause 106, page 60, line 6, leave out “appointed by the Department”.— [Mr Durkan (The Minister of the Environment).]

No 58: In clause 106, page 60, line 7, at end insert

“(c) a maximum of 5 representatives of such representative body or association of the district councils as appear to the Department to be appropriate.”— [Mr Weir.]

No 59: In clause 106, page 60, line 8, leave out “(4)” and insert “(3A)”.— [Mr Durkan (The Minister of the Environment).]

No 60: In clause 106, page 60, line 8, at end insert

“(3A) Each council may nominate a councillor to serve as a member of the Panel.”— [Mr Durkan (The Minister of the Environment).]

No 61: In clause 106, page 60, line 9, leave out subsection (4).— [Mr Durkan (The Minister of the Environment).]

No 68: In clause 114, page 63, line 34, after “(2A)” insert

“for a rates convergence period lasting a minimum of three years.”— [Mr Elliott.]

No 69: After clause 115 insert

‘Transferred functions grant

Transferred functions grant

115A.—(1) In the Local Government Finance Act (Northern Ireland) 2011, after section 27 (rates support grant) there shall be inserted the following section—

“Transferred functions grant

27A.—(1) The Department shall for any prescribed financial year make a grant under this section to councils.

(2) In this section “transferred functions grant” means the grant payable under this section for any financial year.

(3) The transferred functions grant is payable only to a council which is a new council within the meaning of Part 2 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010.

(4) The amount of the transferred functions grant payable to a council for any financial year is the amount equal to the difference between—

(a) the amount of the product of the district rate for that year (within the meaning of the Rates (Northern Ireland) Order 1977) so far as it relates to the rateable net annual values of the hereditaments in the district of that council; and

(b) the amount which would have been the amount of that product if the total of the rateable net annual values of the hereditaments in the district of that council had been increased by a prescribed amount.

(5) Subsection (4) is subject to section 28 (reductions in grants) and to section 67(3B) of the Local Government Act (Northern Ireland) 2014.

(6) Payments in respect of transferred functions grant shall be made to a council at such times as the Department may determine.”.

(2) In section 28 of that Act (reductions in grants), in subsections (2)(a) and (6)(b) and in the heading for “or 27” there shall be substituted “, 27 or 27A”.— [Mr Durkan (The Minister of the Environment).]

No 71: After clause 119 insert

“Power to dissolve Local Government Staff Commission

Power to dissolve the Local Government Staff Commission for Northern Ireland

119A. In section 40 of the Local Government Act (Northern Ireland) 1972 (Staff Commission), after subsection (8) there shall be added the following subsection

‘(9) The Department may by order make provision for, and in connection with, the dissolution of the Staff Commission and such an order may—

(a) provide for the transfer of the functions, assets and liabilities of the Staff Commission to any other body or person; and

(b) contain such incidental, consequential, transitional or supplementary provisions (including the modification or repeal of any statutory provision (including a provision of this Act)) as appear to the Department to be necessary or expedient.

(10) An order must not be made under subsection (9) unless a draft of the order has been laid before, and approved by resolution of, the Assembly.’.— [Mr Durkan (The Minister of the Environment).]

No 80: In clause 122, page 67, line 28, at end insert

“(4A) Subsection (4) does not preclude the payment of compensation if it forms part of a severance arrangement which has been sanctioned by the Department. The Department must satisfy itself that the arrangement is reasonable.”.— [Mr Weir.]

No 82: After clause 123 insert

“Appointment of chair and vice-chair of district policing and community safety partnerships

123A.—(1) *Schedule 2 of the Justice Act (Northern Ireland) 2011 (c.24) is amended as follows.*

(2) After paragraph 10(2)(b) insert—

‘(c) In this sub-paragraph, ‘in turn’ means in order of size, with size being determined by the number of seats won by each political party in the previous local government election, with the largest first, second largest second and so on. Where the number of seats won by two or more political parties is equal, the number of first preference votes cast in the council district for the parties at the last local government election shall be used to determine the order in which each of those parties shall hold the relevant position.’.— [Ms Lo.]

No 93: In clause 125, page 70, line 34, at end insert

“(m) paragraph 4A of Schedule 4”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

No 95: In schedule 3, page 74, line 6, leave out “unless” and insert “only if”.— [Ms Lo.]

No 96: In schedule 3, page 74, line 8, leave out “applies” and insert “does not apply”.— [Ms Lo.]

No 97: In schedule 3, page 75, line 33, at end insert

“(3) This paragraph does not apply in relation to a position of responsibility specified at section 10(1)(e) (member of a cabinet-style executive of the council) or section 10(1)(f) (external representative of the council).”— [Mr Weir.]

No 98: In schedule 3, page 76, line 18, leave out “only if” and insert “unless”.— [Ms Lo.]

No 99: In schedule 3, page 76, line 18, leave out “so decides” and insert “decides otherwise”.— [Ms Lo.]

No 100: In schedule 3, page 79, line 12, at end insert

“(6A) In this Schedule “term”, in relation to a member of a cabinet-style executive of the council, means the period beginning with the date of the meeting at which the nomination is made and ending when the members of the council retire by virtue of section 11(2)(c) of the 1962 Act.”.— [Mr Weir.]

No 101: In schedule 4, page 80, line 28, at end insert—

“4A. Regulations shall provide for the application of paragraphs 2 to 4 in circumstances where a council decides to appoint more than one Committee.”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

Mr Durkan: Mr Principal Deputy Speaker, with your permission, I propose to speak first on the amendments I will be recommending that the House accept.

There are certain responsibilities of a council that should be taken by the council, irrespective of the political management structures it puts in place. Those are specified in clause 11 and include making the district rate, borrowing money and acquiring or disposing of land. Amendment No 8 adds to that list by specifying that the setting of an affordable borrowing limit and the monitoring of that amount may be discharged only by the council itself. To do otherwise could lead to a conflict between those setting the borrowing limit and the will of the council, as a body, in relation to borrowing for a particular project.

The next three amendments that I want to address, which were tabled by the Committee for the Environment, relate to the composition of an executive of a council, whether the council chooses to operate a Cabinet-style executive or a streamlined committee executive. Clause 25 provides that the chair and deputy chair of a council may not be members of an executive, to draw a distinction between the civic role of those positions and the decision-making role of an executive.

Whilst the provisions in relation to access to meetings of an executive permit any member of the council to attend such meetings, I support amendment No 10, which provides for the chair and deputy chair of the council to be non-voting members of the executive. I also support amendment Nos 12 and 13. These have the effect of increasing the minimum number of members on an executive to six to provide the opportunity for a broader range of political parties to be represented on these decision-making bodies if the political parties wish to take up the positions.

7.45 pm

Amendment Nos 14 and 15 make provision for my Department to specify in regulations matters that may not be referred to an overview and scrutiny committee if a council adopts executive arrangements. I am bringing forward these amendments so that my Department can make a single set of regulations that will address all the issues pertaining to the operation of executive arrangements rather than the specification of excluded matters being addressed separately in an order.

A key feature of the governance arrangements for the new councils is the specification of a system of protections for the interests of minority communities in a council's decision-making. One aspect of this system is the provision of the ability for 15% of the members of a council to request that a decision is reconsidered; that is the call-in process. To support, as far as is practicable, the effective operation of a council if the call-in is requested on the grounds that the decision would disproportionately affect adversely any section of the community in the district, the opinion of a barrister or solicitor would be obtained. The role of the solicitor or barrister is simply to provide an opinion on whether the members requesting the reconsideration of the decision have articulated their case. The individual has no role in the decision-making process; that is clearly a matter for the council.

This process was agreed by the political parties represented on the strategic leadership board's policy

development panel on governance and relationships. I am, however, prepared to support amendment No 19, tabled by Mr Weir, Mrs Cameron, Mr Ian McCrea and Lord Morrow. This amendment provides an enabling power for my Department to alter this process should that become appropriate in the light of experience in the operation of the process.

The local government reform programme provides an opportunity to formalise the relationship between Executive Ministers and elected representatives from the new councils through the establishment of the partnership panel provided for in clause 106. In moving forward on this, it should be for each council to determine who represents it on the partnership panel. Whilst that was always the intent, I am persuaded that amendment Nos 57, 59, 60 and 61 will give greater effect to this by placing responsibility for the nomination of council representatives firmly in the hands of the individual councils.

The local government reform programme is not just about rationalising the number of councils; it is about strengthening the role of local government by transferring functions from Departments to councils. Amendment No 69 makes provision for the payment of a grant to councils to fund those functions and powers being transferred to or conferred on the new councils from Departments. This transferred functions grant will bolster the tax base in each of the 11 new local government districts and provide a relatively settled and sustainable funding source rather than operating through alternative grant-based mechanisms. It will guarantee each of the new councils an amount of money based on a set amount of rateable value multiplied by the prevailing district rate.

Amendment No 71 introduces a new clause to make provision to dissolve the Local Government Staff Commission, if that is agreed to be the appropriate course of action at some time in the future. The Local Government Staff Commission was established by section 40 of the Local Government Act (Northern Ireland) 1972 as a corporate body with perpetual succession. However, there is no means in the legislation to wind up the commission. My predecessor launched a consultation as part of a review of the Local Government Staff Commission and its future role. While a final decision on the way forward has yet to be agreed, and without prejudging wider views on the issue, I consider it prudent to include the necessary winding up provision in the Bill.

The final amendment that I commend to the House is amendment No 80, which was tabled by Mr Weir, Mrs Cameron, Mr McCrea and Lord Morrow in relation to clause 122. This clause provides for payments of compensation to be made as part of a severance arrangement that has been sanctioned by the Department. I have considered the reasoning behind the proposal, including managing the loss of experienced staff over a more prolonged period and some financial savings that could be gained from staff leaving earlier than the start date of the agreed severance scheme. I can understand this reasoning and therefore support the need for some flexibility on this in certain circumstances.

I now wish to speak to the amendments that I must recommend to the House are not made. Amendment No 9, tabled by Ms Lo and Mr Dickson, seeks to make the existing committee system the default system unless the council decides to operate executive arrangements or

prescribed arrangements. The decision on the political management structure to be adopted should be a matter for individual councils, taking account of their particular circumstances. It is anticipated that a significant number of the new councils will automatically default to the committee structure, with which the majority of existing councillors will be familiar. The range of political management structures to be available to the new councils was agreed after a detailed analysis by the political parties represented on the strategic leadership board's policy development panel on governance and relationships. These options were also supported by the Environment Committee during its scrutiny of the Bill.

Amendment No 11, tabled by Mr Elliott and Mr Kinahan, seeks to make the chair and deputy chair compulsory members with voting rights of a council's executive. As I stated earlier, the policy intent is to provide a separation between the civic role of the chair and deputy chair of a council and the decision-making role of the executive. The inclusion of the chair and deputy chair of the council in the membership of the executive has the potential to raise issues with regard to impartiality if a request for the reconsideration of a decision by the executive is referred to the council. I have already indicated my support for the chair and deputy chair of a council being ex officio members of its executive; I am not prepared to recommend that the Bill goes any further than this in its provisions.

Amendment No 16 seeks to make provision for the decisions that must be taken by a qualified majority to be specified in an order, rather than in a council's standing orders. Clause 42 provides an enabling power for my Department to make regulations about standing orders. This power will allow the Department to specify decisions that are to be taken by a qualified majority in subordinate legislation without the need to amend clause 44. I have already given a commitment to the House that the decisions of a council that must be subject to a qualified majority would be a mandatory element of a council's standing orders to be specified in regulations made using the enabling power provided by clause 42. Maintaining this approach will ensure that all the mandatory elements of standing orders that provide for the protection of the interests of minority communities in council decision-making are contained in regulations that will be subject to the draft affirmative procedure in the Assembly.

The next two amendments — amendments Nos 17 and 18 — that I am not able to support have also been tabled by Mr Elliott and Mr Kinahan. The amendments would require my Department to establish a panel of solicitors to provide an opinion on whether a request for the reconsideration of a decision on adverse impact grounds was valid. Such an approach would remove the autonomy of a council to seek its own opinion and is not in accordance with the recommendations that came forward from the strategic leadership board's policy development panel on governance and relationships. I have already indicated my support for the amendment tabled by Mr Weir and colleagues on the Committee for the Environment. I am satisfied that this is the appropriate mechanism to future-proof the system.

Amendment No 58, tabled by Mr Weir, Ms Lo and Mr Boylan, seeks to enshrine in statute representation from a representative body for councils on the partnership panel. Although I acknowledge the valuable role played

by NILGA and the National Association of Councillors (NAC), the objective of the local government reform programme is to empower councils. I am therefore not prepared to support the amendment. The autonomy of councils in the process must be the overriding principle, as demonstrated by the amendments that I tabled to provide that individual councils are responsible for nominating their representatives on the panel. It is for councils to determine the role that NILGA, the NAC or any other representative regional body has to play in the operation of the panel.

Amendment No 68, in the names of Mr Elliott and Mr Kinahan, seeks to provide that the transitional rate relief scheme, which was agreed by the Executive to minimise the impact on ratepayers of the convergence of different levels of rates between existing councils that will constitute a new council, will last for a minimum of three years. My officials and those of the Minister of Finance and Personnel continue to work on the development of an affordable scheme based on the Executive's commitment to provide up to £30 million to stagger the effects of rates convergence for affected ratepayers. I cannot recommend to the House an amendment that would make provision for a scheme that has not been the subject of consultation with local government.

Amendment No 82, in the names of Ms Lo and Mr Kinahan, proposes an addition to the Bill that would effect a change to the Justice Act (Northern Ireland) 2011 which provides for the allocation of the chair of a district policing and community safety partnership. The amendment would require the chair to be allocated to each of the four largest parties in turn, rather than permitting each political party to decide when they want to hold the position during the term of the partnership. The amendment seeks a change not to the Bill but to an Act introduced by the current Minister of Justice. A change through the amendment would therefore take place without proper consultation with the Justice Committee and other stakeholders. The amendment refers only to schedule 2 to the Justice Act (Northern Ireland) 2011, which relates only to procedures operating in Belfast. It is interesting that it does not include a reference to schedule 1, which makes provision in relation to the rotation of the chair of a policing and community safety partnership for individual councils. The amendment also runs contrary to the principle enshrined in schedule 3, which leaves decisions on selecting when a position of responsibility will be held to the discretion of the political party. That principle was agreed by the representatives of the five main political parties on the strategic leadership board's policy development panel on governance and relationships.

I will speak to amendment Nos 93 and 101 together, as they are linked. Amendment No 101, tabled by the Committee for the Environment, seeks to make provision for regulations to provide that the procedure for the allocation of committee places across the political parties on a council may be applied to more than one committee at a time. Amendment No 93 adds such regulations to the list in clause 125 of the enabling powers that must be subject to the draft affirmative procedure. Although I support the principle underpinning the main amendment, I cannot recommend that it be made. I intend to table an amendment at Further Consideration Stage that will provide for the use of the procedures in schedule 4 for multiple committees to be specified as a mandatory element of council standing orders.

(Mr Speaker in the Chair)

I also want to link amendment Nos 95, 96, 98 and 99, tabled by Ms Lo and Mr Dickson. Schedule 3 makes provision for the methods to be available to a council for the allocation of the positions of responsibility specified in clause 10. The schedule provides that the default method of filling positions of responsibility shall be the d'Hondt method unless the council, by a qualified majority, has selected a specific method. One of the methods specified in Part 2 of the schedule is the use of the single transferable vote (STV) to fill the positions. The effect of the amendments would be that, instead of d'Hondt being the default method, STV would become the default method. The use of the d'Hondt method as the default option was agreed by the political parties represented on the strategic leadership board. The use of STV as the default method for filling positions of responsibility was discussed by the Environment Committee and rejected. I therefore call on the House in the strongest terms not to support the amendments.

8.00 pm

The final two amendments in group 3 are amendment Nos 97 and 100, which stand in the name of Mr Weir and his party colleagues on the Committee for the Environment. The amendments would exempt positions on a cabinet-style executive and representative appointments to external bodies from the annual selection provided for in schedule 3. The effect would be that the positions would be selected at the start of a council term following a local government election for the whole of the four-year term. Again, I recognise the rationale behind the amendments and the aim of seeking to provide continuity in the political party membership of this key decision-making body and on external bodies. However, I am committed to ensuring that positions of responsibility are shared across the political parties and independents represented on a council in accordance with the views expressed by the political parties on the SLB's policy development panel on governance and relationships. It is a matter for individual political parties and independents to determine which positions of responsibility they wish to hold over the life of a council, taking into account their own priorities and considerations. In view of the above, I cannot recommend support for the amendments.

Those, Mr Speaker, are the amendments in group 3.

Ms Lo: During Committee Stage, departmental officials agreed to report back on the possibility of amending clause 11 to address a possible conflict with the Local Government Finance Act by changing the description of "borrowing money" to "affordable borrowing limit". The Committee was content with the wording of the amendment that the Department proposed. I therefore support amendment No 8.

I cannot make any comment on behalf of the Committee on amendment No 9, as members did not consider it during Committee Stage.

I now turn to the amendments proposed by the Committee: amendments Nos 10, 12 and 13. The Committee raised issues on a number of aspects of clause 25. The first related to the operation of committees with quasi-judicial functions, such as planning or licensing. It is unclear from the Bill whether those committees would be subject to the

call-in or qualified majority voting or would have their own inbuilt appeal mechanism. Departmental officials indicated that that would be clarified by guidance and specified in standing orders to be covered by subordinate legislation.

The second area of concern relates to the role of the mayor and deputy mayor. Those positions currently have civic and political significance and are part of the decision-making process, with the mayor or chairperson having a casting vote. Clause 25(3) specifies that a council executive must not include the chair or deputy chair in order to maintain the appearance of independence from the council's decision-making. The Committee agreed that the chair/mayor and the deputy chair/mayor needed to be fully aware of the rationale behind any decisions taken by the council, as they are held accountable by ratepayers and need to be in a position to comment authoritatively on those. The Minister was not minded to make an amendment to reflect that. Consequently, the Committee agreed to amend clause 25(3) to read:

“The chair and deputy chair of the council shall be non-voting members of the executive”.

I commend amendment No 10 to the House.

The Committee also agreed to table amendment Nos 12 and 13 to increase the minimum number of members to be appointed to a council executive, either cabinet-style or streamlined, to six. The Committee did not feel that the minimum number specified in the Bill — four members — was appropriate to ensure adequate cross-party representation. I commend the amendments to the House.

I cannot make any comment on amendment No 11 on behalf of the Committee, as members did not consider it during Committee Stage.

Amendment Nos 14 and 15 to clause 34 are merely technical in nature, and the Committee is content to support the amendments.

I cannot comment on behalf of the Committee on amendment Nos 16 to 19, as they were not considered at Committee Stage. However, the issues to which they relate — the determination of an appropriate percentage for qualified majority and the identification of a practising barrister or solicitor to support a call-in — greatly concerned the Committee during its scrutiny of the Bill.

Moving on to clause 106 and to amendment Nos 57, 59, 60 and 61, I will say that the Department briefed the Committee on its intention to enable each council to nominate a representative to the partnership panel. The Committee was content with the clause, subject to those amendments. Before it reported on the Bill, the Committee did not consider amendment No 58 to clause 106, which seeks to allow additional regional representatives of councils to be appointed to the partnership panel. However, members were not unsympathetic to the representations that NILGA has since made to the Committee on the issue.

I cannot comment on behalf of the Committee on amendment No 68, as it was not considered at Committee Stage.

The Committee was content with the proposed new clause after clause 115 to provide funding for the functions transferred from central to local government. I therefore support amendment No 69 on behalf of the Committee.

Departmental officials also advised the Committee of a proposed new clause after clause 119 to allow for the abolition of the Local Government Staff Commission. Members were content with the new clause, and I therefore support amendment No 71 on behalf of the Committee.

I cannot comment on behalf of the Committee on amendment Nos 80 and 82, as they were not considered at Committee Stage.

The Committee has tabled amendment No 93 as consequential to amendment No 101. Taken together, the amendments will ensure that the formula for appointment to committees may be run for all committee positions at once for the duration of the council term, on the basis of the number of seats that each party has immediately after the election. That is to enable a fairer allocation of seats on committees to smaller parties and independent councillors, who otherwise may be excluded by using the quota greatest remainder process for each individual committee on an annual basis only. On behalf of the Committee, I ask the House to support both amendments.

I cannot comment on behalf of the Committee on amendment Nos 95 to 100, as they were not considered at Committee Stage.

Mr Speaker, I will now speak on behalf of the Alliance Party, which has tabled a number of amendments. Amendment No 9 seeks to modify clause 23, which sets out the forms of political governance by which a council may conduct its business. The Alliance Party amendment makes the committee system the default arrangement as opposed to an executive system, unless a council decides to operate executive or prescribed arrangements. I am disappointed to hear that the Minister does not support that. Councils could use the committee system; in fact, they are quite likely to use it. Therefore, I do not see why that cannot be the default position.

Amendment No 58, to which Peter Weir, Cathal Boylan and I have signed our names in a happy collaboration, ensures that clause 106 allows up to five representatives from NILGA or the equivalent body to be appointed to the partnership panel. I am disappointed that the Minister says that he is not minded to support that. After the Minister's amendment to allow each council to put forward its own member to the partnership panel and the clause on consulting with NILGA also having been taken away, we certainly do not want to see the partnership panel being dominated by the two major parties. We felt that it was a compromise that five representatives from NILGA should help to balance the membership of the partnership panel. It is a very important panel that brings Ministers and statutory bodies together. We feel strongly that the balance of power should be in place there. I urge parties to support the amendment.

The Alliance Party tabled amendment No 82 to clarify in clause 123A the appointment of chairpersons and vice-chairpersons of district policing and community safety partnerships. The words “in turn” mean in order of size, which is determined by the number of seats that are won by each political party, with the largest first, the second largest second et cetera. We believe that that is incredibly important to safeguard against one political party dominating council decisions. I take the Minister's point that that is perhaps being done without consultation, but

we think that it is an opportunity to have more democracy and power sharing in PCSPs.

Amendment Nos 95, 96, 98 and 99 all deal with making the single transferable vote the default position for allocating positions of responsibility instead of d'Hondt as the Bill is currently worded.

In amendment No 9, Alliance wants to make the committee arrangements the default system for governance. That is being done for two reasons. The first is that the current wording is not clear in circumstances where a council is unable to make a decision on which set of arrangements to use. To us, there seems to be no backstop. The second is that we believe that committee arrangements are the most appropriate form of governance for Northern Ireland.

There are two reasons for that preference. The first is that the wide variety of political views in Northern Ireland ensures that a broad consensus needs to be developed on a range of issues. Majoritarian rule would not be appropriate. A committee system at least means that decisions are considered by committees rather than through any other system. It is also the case that, even with the new powers that we are conferring on them, councils will still have fewer powers than their equivalents in Great Britain or the Republic of Ireland.

8.15 pm

Most of the new powers relate to issues such as neighbourhood renewal or community planning, which are about taking long-term decisions rather than short-term determinations. As a result, Cabinet-style government is not appropriate for such decisions. There will not always be a demand on committees to make quick decisions. Committees are very able to make decisions on long-term issues without the need for Cabinet-style government, which makes snappy, quick decisions.

However, for those councils that do opt for a Cabinet-style role, that should not be confused with the role of the mayor and the deputy mayor. We support allowing the mayor and the deputy mayor to sit as non-voting members of the Cabinet, as per amendment No 10 tabled by the Environment Committee. However, we cannot support amendment No 11, tabled by the UUP, because it requires them to be full members.

The first reason relates to proportionality. Having two ex-officio members who are not required to reflect the proportionality of the board will affect it adversely. Also, the mayor and deputy mayor, as heads of the council, should represent the council as a whole and stay neutral in the process of decision-making. They also have a responsibility to allow back-bench members to scrutinise decisions, and that would be jeopardised if they were involved in those decisions.

Amendment No 82, which was tabled by my party, clarifies the existing legislation on how chairs of policing and community safety partnerships (PCSPs) are appointed. The amendment makes no substantive change to the process but clarifies the legal position of the phrase "in turn" to mean "in order of size". That issue arose recently for the allocation of the chair of Castlereagh PCSP. Although the decision was in the end not challenged, the scope for further problems still exists. Our amendment does not change the intention behind the original wording

in the Justice Act 2011 but does alter it to better reflect that intention.

The Alliance Party also tabled four amendments on using the single transferable vote (STV) as the default system for allocating positions of responsibility instead of, as the Bill is currently worded, d'Hondt, because we believe that STV better reflects the cross-community governance that we wish to see implemented for the new councils. It also makes sure that votes of independents or groups too small to make the quota are not lost when allocating seats. The amendments will ensure that all parts of the community are able to influence positions of responsibility and reduces the likelihood of a carve-up of seats.

Under the d'Hondt system, it would currently be too easy for one section of the community to be excluded from governance entirely, such as nationalists in the new North Down and Ards District Council or unionists in the new Derry City and Strabane District Council. In all councils, independents would be excluded from contributing —

Mr Weir: Will the Member give way?

Ms Lo: After I finish this sentence. Independents would be excluded from contributing to being elected to positions of responsibility.

Mr Weir: I thank the Member for giving way. I will probably address this issue more substantially in my speech. The concern that has been raised about exclusion of minorities would be much more applicable if we were electing or appointing people to only a very small number of positions of responsibility. However, irrespective of whether or not my amendment Nos 97 and 100, which would group some of those in a term-type limit, are agreed, the councils will make appointments at the start of their term for individual posts for one year and will do that all in one block. They may well be appointing somewhere in the region of 200, 300 or 400 posts straight away in one go. In a situation in which you have 40 councillors, that will mean, effectively, that even an independent on their own would automatically be entitled to one fortieth of the seats under d'Hondt. So, it becomes impossible to exclude people on that basis. Indeed, it clearly becomes proportionate. The Member's proposal would carry a lot more weight if there were a relatively small number of posts. When you start applying it across a vast number of posts, d'Hondt becomes very proportionate.

Ms Lo: We will certainly be supporting the amendments.

Mr Eastwood: I thank the Member for giving way. She referred to the new Derry and Strabane council. People in Derry are proud of the fact that they led the way on partnership, power sharing and d'Hondt in local government, so the Member might like to clarify that she was not casting any aspersions on the people there.

Ms Lo: I was saying that people could be excluded if just d'Hondt were run. That would apply to the minority of unionists in Derry, and similarly for nationalists in north Down. I am talking about the system and using those examples. I am not making any derogatory comments about the new council, but we are saying that this could be the case if that system is used.

Under an STV system, however, the use of transfers between voters in small parties and groups do not see their electoral mandate ignored when it comes to positions of responsibility. Likewise, larger parties would

not see surplus votes wasted. This will ensure that the complex patterns of voting in Northern Ireland will not disproportionately impact on some parties. STV is by far the fairest way of demonstrating that all councillors should be involved in the allocation of positions of responsibility. We believe that it is a much fairer system, and that is one of the reasons why it was adopted for the Assembly and council elections over other less flexible forms of proportional representation, such as d'Hondt. If it is good enough for voters to elect their councillors, surely it is good enough for councillors to elect their chairs and deputy chairs.

I turn now to other amendments in this group. Amendment Nos 16 to 18 relate to the recall mechanism. Alliance supports making the Department rather than standing orders responsible for defining the areas for which recall is appropriate. This will allow regional consistency. However, we will not support the amendments that relate to using a panel of solicitors. We prefer councils to use their own legal team or to pick the legal adviser most suitable for the circumstances. We will, however, support amendment No 19, which allows the Minister to amend by regulation.

Alliance will also support amendment No 58, a cross-party amendment that allows up to five representatives from NILGA or an equivalent body to be appointed to the partnership panel. As I said earlier, this amendment was agreed by the parties following the Minister's decision to bring forward amendment Nos 57 and 60, which the Alliance Party supports, to allow each council to appoint a councillor to the partnership panel. However, amendment No 58 ensures that there will be fairer representation on the panel.

I am interested to hear more on the DUP amendment Nos 97 and 100 regarding the rotation of chairs and vice-chairs. However, as this is not in line with the norm in Great Britain, we are currently minded to oppose those amendments.

Mr Weir: Will the Member give way?

Ms Lo: Yes.

Mr Weir: I appreciate that I will be addressing amendment Nos 97 and 100, but they do not touch upon chairs and vice-chairs. They relate purely to a situation where you have an executive and essentially external representatives, where it would deal with a situation when a body was seeking someone for more than one year. It would leave the rotation of the chairs and vice-chairs untouched on that basis.

Ms Lo: OK. Well, we will certainly listen to your presentation on that.

We are minded to support amendment Nos 68 to 80 and other technical amendments.

Mr Weir: Although a lot of the focus tomorrow may well end up on group 6, in terms of the meat of sheer volume of amendments and intricacies, group 3 has probably got the most in the range of issues that it covers.

I want to touch on two areas. First of all, there are five amendments that I or my party have put forward with others. I will then touch more generally on a number of the other amendments.

Amendment No 19 covers an issue that the Committee grappled with. If we are enshrining within the legislation a call-in mechanism, which I think that everyone accepts as a form of protection for minority rights, there needs to be

some mechanism to determine whether that is a legitimate call-in or vexatious. If it is vexatious or does not meet the criteria, we simply have gridlock. If it does not provide enough protection, similarly there is a problem.

The solution currently in the legislation enables councils simply to refer to any barrister or solicitor. There is a concern, which was expressed by a number of people in Committee, that as a formula that has a danger of inconsistency. A solution may be that tight guidance issued by the Department might be sufficient to ensure a consistent approach to this. However, there is a concern that what is there may not be sufficient. Consequently, at least on amendment No 19, there is a provision that if indeed there is agreement on a better way forward that can command support, it does not have to go back to primary legislation but can, by way of affirmative resolution, be made in regulations.

I will listen again to what is being said of similar amendments at amendment Nos 17 and 18. They are, perhaps, producing a situation of the endgame of amendment No 19; ie where the issue was looked at again, an alternative method found and a panel of solicitors appointed. To that end, I would potentially be minded to support amendment Nos 17 and 18 because that seems to be a reasonable enough solution, although I will listen to the debate before we resolve that issue.

I duly indicate that if amendments Nos 17 and 18 are defeated, we will put forward amendment No 19. If they are accepted by the House, we will not move amendment No 19 because there would be little point in that.

Perhaps I could put aside what appears to be one degree of slight in amendments Nos 17 and 18. We have moved from a position where the opinion of solicitors and a barrister may be taken. I do not know whether there is any intent or thought that amendment Nos 17 and 18 refer purely to solicitors and the Bar has been cast into Lough Neagh or outer space. I am interested to see whether there was any intention behind that. However, it seems that amendment Nos 17 and 18 are a reasonable attempt to crack the problem of how we gain consistency within that.

The second amendment that I am putting forward with representatives of some of the other parties is amendment No 58. The changes that the Department made in having a direct representative from each council are sensible. Within any partnership panel, however, which is meant to look strategically at the interface between local and central government, there should be some regional representation. That is for a number of reasons. There have been some concerns that there is a danger, and there is no guarantee as to the way that this will work out, of getting disproportionate representation from the 11 councils. This measure would at least ensure that there was one representative from each of the five main parties.

8.30 pm

Speaking as somebody who used to be an officer in the Local Government Association, I think there is good cooperation between the parties within it. Also, there is a good relationship and good cooperation, particularly since devolution — it was a bit more rocky at times during the direct rule days — between the Department and the Local Government Association, to the extent that when, for example, the strategic leadership board or, indeed, some

of the political panels had been set up, at times during the RPA process the vice chair of the strategic leadership board was always the president of the Local Government Association. So there is a precedent and a direct bit for direct representation.

Also, with the best will in the world, this will aid the partnership panel to focus on a regional basis. There is always a danger when you only have 11 representatives — one from each council — that each will see their role as being to fight for their area. There is no harm in that, but it also needs, from a local government point of view, those who are coming in to try to give a more Northern Ireland-wide consensus in connection with that. Therefore, although it is not enshrined that the representatives will come from a particular body, although it is likely to be NILGA or a successor body of that nature, to make that direct provision seems to be relatively sensible and, generally speaking, relatively uncontroversial.

Amendment No 80, as has been indicated, deals with severance arrangements, particularly looking at senior staff. It allows a wee bit of common sense and flexibility to come into this. You could get a situation where you have a senior member of staff looking to leave, the council is keen enough for that person to leave and it makes economic sense on both sides for them to leave, but, because the regulations are too rigid, they are effectively trapped in that position. This amendment allows for that degree of flexibility in circumstances where you have a scheme that has been sanctioned by the Department and has been shown to be reasonable, so that it can withstand any legal test that is put against it. That seems to be a relatively sensible approach, and I thank the Minister for indicating that it makes sense from the Department's point of view.

On amendment Nos 97 and 100, again, as somebody who was involved in the policy development work around governance, I think that the idea of positions of responsibility being rotated — the opportunity for people to choose — seems to be quite a sensible one. It is perfectly fair that, where you have the positions of mayor and deputy mayor and chair and vice chair of a committee, the people in those positions change each year as part of that process.

It is similar where you have an external representative who is really to fill that position for one year — on a one-year appointment. Most of us who have been through council AGMs — I presume that this is the case in other council areas — know that external representatives are largely listed in two blocks: those who are elected annually, who are there for the council to elect, and those who are elected at the start of the council term who are serving for two years or, possibly, for the full council term. No one knows what the exact future will be. For example, when people are elected to the education and library boards, they are, generally speaking, elected for a four-year term. It is similar with some other posts as well.

So, it seems to me as regards external representation that there is a distinction that needs to be drawn. If there is further work to be done at Further Consideration Stage to refine this, I am more than happy to do it. Essentially, this is to cover the situation where a council is electing somebody and it is intended by the outside body for that to be a three- or four-year term. It seems to make sense from the point of view of the definition of "term". If it is unadjusted in the legislation, "term" refers purely to the period of time between one council AGM and the next.

That would mean that, according to the legal position, if you were electing, as part of whatever choices were being made in terms of the division between all the parties, someone to an external body for a four-year period, you could not do so: you would be electing that person on a rotating one-year basis. A lot of the external bodies do not meet that frequently and are things in which you need to gain a little bit of experience before you are in the best position to be able to handle it. Consequently, the idea of the local representative rotating every year in those circumstances lacks a little bit in common sense.

This is to make provision for that sort of circumstance.

Similarly, although I think that it might be a moot point, we have included the position of Cabinet-style responsibility, which, if embraced by any council, will be different from the civic positions. In essence, it means the adoption of an executive by a council. My guess is that it will be a very long time before local councils adopt an executive form of government — if ever. However, if one does, just as a Cabinet Minister might deal with local economic development, an executive member might be responsible for leisure and tourism. If that person simply chairs a committee, it makes sense for the position to rotate every year. If an executive deals with particular functions, as our Executive here do, it makes sense for a party to hold a particular portfolio for the term of the council rather than swapping yearly. This is to try to apply common sense in particular circumstances: where external representation lasts for longer than a year; and if there was a Cabinet-type position.

Amendment No 9 seeks to enshrine the committee position as the default position. Although I have some sympathy for the Alliance Party's proposals, I oppose this amendment. From a practical point of view, that is the position likely to be embraced. However, I think that people make a mistake when they look ahead to how councils will operate. The mistake is that people see it in black-and-white terms: there will either be a committee system or a full executive. I think that it is wrong to say that it will be either/or: councils are more likely to find themselves somewhere along a spectrum. The most likely scenario is that a lot of councils will have a streamlined committee system, which gives some coordinating responsibility to the chairs but allows for the bulk of decisions to be made at committee level. However, there is a range of possibilities.

I could be proved wrong, but I think that councils will find that the changes will be greater than they imagined and that having a system that runs on the basis of, "This is precisely how we have done things until now and this is how we will continue" could be a mistake. If we, as an Assembly, reinforce that message by saying that the existing committee system is the preferred position, that has the potential to lull a lot of councils into a false sense of security. That will send out the wrong message. From a practical point of view, in 2015, the vast bulk, if not all, of the councils will adopt a committee system to start off with, but we need to open people's minds so that they can see that, within that system, some changes could be made.

On the Committee's proposed amendments, particularly Nos 10, 12 and 13, it seems to make sense that, if you have an executive — as I said, I suspect that this will not happen immediately, anyway — the mayor and deputy mayor are at the table hearing what is being said and able

to contribute to the discussion. You differentiate between the executive, who are the key people running the council, and the more civic-type posts. So putting people into the position of mayor or deputy mayor, in which they have full voting rights but rotate each year on the basis of the balance in that executive, seems to me to be a step too far. From that point of view, we support amendment No 10 and the consequential amendments and prefer those to amendment No 11.

On amendment No 16, which is on the qualified majority vote, we keep an open mind —

Mr A Maginness: Will the Member give way?

Mr Weir: I will give way, yes.

Mr A Maginness: I thank the Member for giving way. You made a point about the mayor and deputy mayor or chair and deputy chair. Those positions are quite clearly civic positions as opposed to political/executive positions. That is the point that you are emphasising when you come down in favour of a mayor and deputy mayor being in the cabinet but not being voting members. Is that a correct interpretation?

Mr Weir: I feel that counsel has given me a leading question in that regard but, broadly speaking, that is the case. It is something to which consideration has obviously been given. However, it strikes me that there is a slight danger of upsetting a level of balance if there is a vote. At times, the mayor and deputy mayor positions can go simply beyond a pure civic position; they need, effectively, to be the spokespersons for the council and they need to be aware of everything that is happening in the council. So, it is right and proper that they are at the table in that regard.

Similarly, we need to consider whether amendment Nos 12 and 13 go far enough, but the initial proposal, which talked about a minimum of four places on the executive, seems to be far too small a number for any form of committee. Therefore, the Committee amendments make sense in that regard.

I have some sympathy for the thrust of what has been said on amendment No 16 on qualified majority votes. Again, however, although I listened to what was said, I take on board what the Minister said and which reinforced what I had thought beforehand. The clarification, essentially, is that there is an opportunity for the Department, by way of affirmative resolution, to bring forward those elements of qualified majority voting that should be made mandatory if approved by the Assembly. On that basis, and given that the role of councils in standing orders beyond that is to further bind themselves or further restrict themselves, I would perhaps question whether there is a particular positive advantage in amendment No 16 because it simply does something that is already provided for in the legislation. Again, I will listen to other arguments to see whether there is anything to dissuade me of that notion.

I would welcome some of the changes that would be made by way of amendment Nos 57, 60 and 61. Again, the initial drafting perhaps created a wrong impression that councillors would simply be plucked out of some process by the Department. It is important to make it very clear that the councils will put forward the names and do the selection. I welcome the Department's open mind on those amendments.

Amendment No 68 deals with rates convergence, which has been flagged up by the Executive. I understand that a considerable amount of work on the detail has gone on between the Department of Finance and Personnel and DOE. Indeed, a package was agreed some time ago at Executive level, and I understand that the detail of that is due to be announced in the near future. Consequently, I am not convinced that a particular legislative proposal on amendment No 68 is of any particular advantage and the ongoing process should cover it.

On amendment No 69, I very much welcome what has been put forward as a rebalancing clause between regional and local rates. I know that the Minister's predecessor dealt with this as well. The concern, particularly from local government, was that there were two ways forward that essentially could deal with the future distribution of money. With the additional duties that were being taken on by councils, it created a shift in the cost element between central government and local government.

There were two ways of dealing with that, the first of which was, effectively, to have some form of annual grant. The danger in that was a bit like the general grant: whenever you felt some level of pressure in the system, it was always susceptible to the whim of particular Ministers or, indeed, financial pressures. That gave no overall certainty to the future of local government. The other way was to have some mechanism that allowed a degree of rebalancing between central government expenditure — essentially between the regional rate and the local rate. Amendment No 69, which is sometimes referred to as the notional buildings-type solution, is quite sensible in that it provides a clear, independent mechanism that can guarantee that, at least in the long run, there is that shift between the local and the regional rate that provides a degree of protection.

8.45 pm

Amendment No 82 is on the PCSPs. From my experience as somebody who has observed the DPPs in particular, and now their successor, and as somebody who has previously served on the Policing Board, I can say that, broadly, the governance arrangements for DPPs and now PCSPs are ones that have worked. In enshrining what is essentially common practice at present, amendment No 82 seems to be a common-sense solution. Therefore, I have no problem supporting amendment No 82.

I will move on to amendment Nos 93 and 101. I appreciate what the Minister said, and, if those amendments are defeated, I will look forward to his amendments. Alternatively, if they are passed, there may well need to be some tweaking to what is there. Amendment Nos 93 and 101 seem to address a problem that was not realised or perhaps not fully grasped in the Department until fairly late in the day. That problem is that the mechanisms in the legislation for appointment to committees could have simply perpetuated disproportionate balances in committees. If it meant, effectively, that each committee was appointed individually, that could mean that some parties and some individuals would simply be excluded from committees altogether. In other cases, it is not even simply that large parties will be over-represented and smaller parties not represented. You could have quirks and a situation in which there is an under-representation for a larger party and an over-representation for a slightly smaller party. The only way to cover that is to look at the

situation that applies largely in the Assembly and at the overall distribution in Committees across the Assembly. I believe that amendment Nos 93 and 101 start to address that problem. To be fair, this issue was flagged up to the Department a number of weeks before we reached this point, and, with the greatest respect to the Department, no amendment came forward. Therefore, until we see at least another amendment at Further Consideration Stage, amendment Nos 93 and 101 are worth supporting for those of us who believe that there is a need to be able to provide that fair representation.

Finally, I will turn to the Alliance Party's amendment Nos 95, 96, 98 and 99, which I touched on already. In proposing those amendments, the Member who spoke previously was very candid in saying that they are essentially to take, from an appointments point of view, d'Hondt out of the process and substitute it with the single transferable vote. That was effectively agreed on an all-party basis quite a long time ago, and I have no problem with parties changing their mind. I appreciate that, at the time, the Alliance Party put in a reservation about d'Hondt, and I think that it has been consistent in that regard. The problem is that, in these circumstances, leaving aside any other considerations, STV simply does not work. It works very well if you are selecting out of an electorate of 5,000 people in an area and giving them six councillors to vote for. It can even work reasonably well if you are picking four positions out of 40 councillors, because at least there can be some level of balance in that. However, irrespective of whether amendment Nos 97 and 100, which are in my name, are passed and reduce the number, you may find that, in any one particular year, the council is selecting 50, 60 or 70 positions of responsibility. If you multiply that across a four-year period, because it will run once, you may find 200 or 300 positions being selected on day one, or early into the process. The electorate will then have to choose that of 40 or 41 councillors. In Belfast, the highest number will be 60. If you are selecting 300 positions with an electorate of 40, it essentially means that the quota figure for that would be — well, you can work that out for yourself. It simply does not work with STV.

The other complication with STV is that it does not necessarily produce a ranking of order. For example, if a decision is to be made and two parties have an identical position under STV and both want the role of mayor in the first year, how do you decide who gets it? In those circumstances, the d'Hondt system and other variations of that such as Sainte Laguë or other things of that nature will come up with a similar result, and at least then you will have a much clearer sense of ranking order of responsibility for the positions. On the basis of having 40 councillors —

Ms Lo: I thank the Member for giving way. Mr Weir mentioned that in the Committee, and I have checked it out with those who know. I put my hand up: I have no experience in local councils and least of all of the various electoral systems. However, I checked out that assertion and have been told that any system, whether d'Hondt or STV, will not work for such a large number of positions. So the answer is to break down the groups into smaller units. That will work for STV.

Mr Weir: The problem is that the only way that STV could work would be, yes, to group it into smaller numbers. What does that mean? Say, for the sake of argument, to

make it work, we group the positions into eight at any one time. You have 40 councillors. However, on that basis, the independent councillor, who, in an STV system, may only be able to attract their own vote, will never make the quota under those circumstances. You will elect block after block of eight positions; you may end up with 300 positions allocated on that basis; but an individual councillor, who is an independent, would get none of them.

The Member indicated, for example, that we had backed, on a cross-party basis, what might be described as "the NILGA amendment". NILGA has used this system between the main parties for the past number of years. The initial run, I think, runs to 60 or 70 positions, and d'Hondt has worked, having been selected by everybody, and has been part of a broad agreement. It has worked fairly well.

There is no doubt that, if you are electing a vast number of positions, there is always some level of difficulty as you work your way down the system. However, for any mathematician trying to do that and striving for fairness, the position is essentially that d'Hondt works a heck of a lot better than STV. Under STV, whatever way you calculate a quota or group them together, it either enshrines a range of unfairnesses by which you discriminate against particular minorities, or it creates something that mathematically becomes very quickly — indeed, from moment one — pretty much unworkable. It only works if you have a very small number of positions. If you keep on repeating a small number of positions, then perhaps the representative who is an independent, of whom mention was made, and if the election results repeat themselves as previously.

Mention was made, for example, that, in North Down and Ards, out of 48 councillors, there is at present one nationalist. If, in the new circumstances in which there are 40 seats in North Down and Ards, again, there is one nationalist elected out of 40; if you simply group that together, the SDLP representative from the peninsula would get no positions at any stage. I am not trying to sway the Minister's mind by highlighting that. The problem is that, essentially, on any mathematical system, where you have a very large number of positions and a very small electorate, STV does not work. It works well if you have a large electorate and a small number of positions. That is why it has largely been used here. Leaving aside the fact that there has been a broad consensus for some time at local government level that d'Hondt, applied properly, is perhaps the best fallback option, it simply, from a mathematical point of view, will work better and in a fairer way than single transferable vote.

So, there is obviously a wide range of amendments. I will not go through the remainder of them; not even the quota greatest remainder of amendments. With that, I urge Members to examine all those issues in group 3 of the amendments.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Sinn Féin views a number of the amendments and proposals in group 3 as contributing to the greater democratisation of the way in which we do our business at local government level. Sinn Féin advocates the delivery of public services as close to local communities as is practically feasible, and there is a need for all of us to continually appraise how local services are best delivered.

Of particular importance to Sinn Féin is the fact that the Bill contains provisions and a range of measures that will

see a far fairer way of delivering local government and services than has been the case historically.

In the past, Sinn Féin has been very reluctant to oversee the transfer of any additional powers or responsibilities to local government, not least because of instances of misuse of powers in certain councils. That is why safeguards are so important. In particular, I want to note that positions of responsibility will be allocated according to party political strength using d'Hondt as the default position. That is real progress. Throughout its analysis of the Bill, Sinn Féin has been at pains to point out that it will not accept anything short of the d'Hondt principle in that matter. Indeed, we met the Minister on 4 March to communicate that directly to him and followed it up with a letter a week later on 11 March.

I will turn to some of the amendments. Under amendment No 10, the chair and vice-chair of council executives shall be non-voting members, and Sinn Féin supports that. That is only right when the chair and vice-chair are out front under the spotlight as leaders of the council and are called on, in all circumstances, to promote and defend the policies and decisions of a council. They need to be fully involved in the executive structure and be across the detail. In opposing amendment No 11, we suggest that, while we want them to be involved, it is more appropriate that they are ex officio and do not have voting rights.

In amendment Nos 12 and 13, the figure of six for the membership of a council executive is more sensible, inclusive and representative than the figure of four. Sinn Féin considers the figure of four to be far too few in the context of a 40-member council.

Amendment No 57 relates to the partnership panel. We support the removal of the phrase "appointed by the Department". Councillors should be appointed by councils and by the representative body of local government.

In amendment No 58, Sinn Féin supports the idea of the partnership panel being inclusive of representation from, for example, NILGA in its current form, or whatever representative body is in place. I put it on the record that, through its modus operandi, NILGA has earned the confidence of people generally and of the parties.

Regarding amendment No 68, the Executive's commitment of £30 million to help to offset the burden on many ratepayers through rates convergence is a good thing. It will help to avoid a sharp hike in rates and allow the absorption of a sharp pain that will be experienced with the merging of some councils. I believe that it is appropriate to use the DFP financial model for a minimum of three years to phase that in.

Amendment No 71 is perhaps the final amendment in this group that I will comment on. I want to point out that the Staff Commission has played a valuable role in helping councils with legal and procedural advice on human resources and personnel issues. The 11 new councils will have an increased in-house HR role. They will be able to absorb that function, and amendment No 71 allows for that winding-up provision. Those are a number of specific comments.

Mr Speaker: Tom Elliott. Sorry, Colum Eastwood.

Mr Eastwood: I thought that we had lost a couple of seats, Mr Speaker. Thankfully, that has not happened.

Mr McElduff: STV.

Mr Eastwood: Yes. Thank you very much for the opportunity to speak on this group of amendments. You will be glad to hear that I do not propose to address all the amendments. Mr Weir and Mr Durkan have already done most of that for us.

I will start by referring to clause 25 and amendment No 10, which makes perfect sense to me. There was quite a bit of discussion about that issue in Committee and about everything else — a bit like today. It was felt very strongly — I felt very strongly — that the mayor and deputy mayor or the chair and deputy chair should be involved, at least in an ex officio capacity, as members of the executive committee. You and I both had the honour of representing our city as mayor, and you know that it is very difficult because you are always the first phone call. It is very difficult to go out in the media and discuss an issue that you do not know anything about, although I have done that. *[Laughter.]*

9.00 pm

I also understand and agree with the point that mayors and deputy mayors should not have voting rights because, in any given year, the mayor and deputy mayor will change, the parties that are represented will change, and that will skew the balance in the executive committee and in voting rights. It does not make any sense. Once we discussed all that, it was very easy to understand why they should be in the room, they should have all the knowledge, but they should not have voting rights. I think that it is a sensible amendment that we can all support.

Amendment Nos 12 and 13 relate to increasing the minimum numbers from four to six. Again, that makes a lot of sense to us. It is important that as many people as possible can be represented in the room when decisions are being made. A large part of the Bill is about ensuring that we can have all parties represented and the maximum number of people represented on committees to make decisions. We are happy to support that.

On the other hand, amendment No 68, in the name of Mr Elliott and Mr Kinahan, relates to the transitional rate relief scheme. We have to be mindful — other Members have already touched on this and explained it quite well — that there is already an agreement. There is already work going on between DOE and DFP officials to try to develop an affordable scheme based on the Executive's commitment to provide up to £30 million to stagger the effects — the very real effects, for some people — of rates convergence. I do not think that the amendment takes consideration of that fact, and it would not be a good idea to adopt it. When we are mindful of these things, we need to be mindful of what else is happening around us. The new scheme that I am sure will be announced soon will have to be subject to consultation with local government. I think that makes a lot of sense. To put the provision in the Bill now without any consultation, knowing that there is already work going on, would be a mistake.

Ms Lo and Mr Dickson proposed amendment No 82. The proposal would require the chair to be allocated to each of the four largest parties in turn. That is an addition to the Bill, but it seeks to effect a change in the Justice Act. It does not seem to make much sense to us that you would do that here. We need to ensure that any change to the

Justice Act is effected in consultation with the Justice Committee to start with and with the Justice Minister. That would be a better place to look at those types of issues.

My final contribution to this part of the debate is around amendment Nos 95, 96, 98 and 99, tabled by Ms Lo and Mr Dickson. The amendments relate to the issue around STV versus d'Hondt. It is very clear to us, and it seemed very clear to everybody else when all the parties agreed, that d'Hondt would be the default mechanism that we would rely on. It is difficult to hear the Alliance Party, which has two Ministers in the Executive when it does not really have a right to them, talking about proportionality. Maybe it explains why they are not too clued-up on the figures around how STV and d'Hondt would affect the filling of positions on any given council. I think that d'Hondt works. Mr Campbell might disagree with me, but I think that Derry City Council has been a very good beacon with regard to cross-community partnership working and filling positions. I know that we were referred to earlier, but, in that area, we have always been very good at ensuring that people who are in the room are getting the positions that, maybe, they would not necessarily be entitled to under more traditional systems, and I know that others have done that too.

Mr Campbell: Will the Member give way?

Mr Eastwood: I am glad to; I knew you would be up.

Mr Campbell: I thank the Member for giving way. To take his analogy a bit further, and I put a question to the Minister, his colleague, the other day, does he appreciate and accept that there will be an opportunity in the next stage of the Bill to see if that magnanimity will extend to getting agreement on what the council should be called? We will see if consensus emerges there, and we will see the degree of magnanimity that is offered at that stage.

Mr Eastwood: I take the fact that Mr Campbell has not challenged my assertions around how magnanimous the SDLP and other parties have been on Derry City Council as an acceptance of the fact that we have been groundbreaking in partnership working and in involving minorities in that area.

Ms Lo: I thank the Member for giving way. I will respond to the Member's earlier comments about two Ministers in the Alliance Party, if I may. Under d'Hondt, we were given only one ministerial position, as we were entitled, but the Minister of Justice was established on a different method, because both sides of the House would not agree, and it had to have cross-community support. Alliance, being very much in a neutral position, got the position. So, it is nothing to do with d'Hondt.

Mr Eastwood: A neutral position is an interesting position to be in in politics. You have agreed with me that, under d'Hondt, you got your fair share. It was the other process that you created to ensure that you got an extra place that was not fair. I am glad to see that the Alliance Party is now saying that d'Hondt would be —

Ms Lo: I did not say that it was not fair. You are putting words in my mouth.

Mr Eastwood: I am not actually. I am glad to see that the Alliance Party is now saying that d'Hondt would be properly proportionate.

On Mr Campbell's point, I would be glad to see a process in which we could try our best to get names that everyone

would feel comfortable with. We all have moved on a fair bit in our city. People, maybe not all of us, are now more comfortable in using both names — Derry, Londonderry, whatever you want to call it.

Mr Wells: He said it.

Mr Eastwood: I have said it many a time.

Mr Wells: It is the first time ever.

Mr Eastwood: No, it is not the first time ever. I call it Derry — *[Interruption.]*

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

Mr Eastwood: In fact, I have said it in here. *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr Eastwood: Thank you very much, Mr Speaker. I call my city Derry; other people call it Londonderry. That is all right; I think that that is fair enough. I do not think that we should be using names to rub each other's noses in it.

Mr Campbell: Oh dear. It is a bit late in the day for that.

Mr Speaker: Order.

Mr Eastwood: I know that Mr Campbell likes to create a victim complex and whip up tension around things like that. The city of Derry has moved on very, very far. It is a city that was able to accommodate thousands upon thousands upon thousands of Apprentice Boys one day, and, the next day, have hundreds of thousands of people coming through it to celebrate the biggest festival of Irish traditional music and dance in the world. That shows you where the city is. I hope that Mr Campbell is on the same journey as us all. I presume that he is, and I will be glad to enter into any discussions around names of councils or whatever else. I look forward to that discussion and debate with Mr Campbell as we go forward.

Mr Speaker: Now Mr Elliott.

Mr Elliott: Thank you very much, Mr Speaker. It was worth waiting for, of course. I am almost tempted to get into the debate over Londonderry and Derry, but I know that you might stop me at that point. I am also tempted to get into the debate over how the Alliance Party came to have two ministerial places, but I will not, at this stage, because we all know that it should not have them and that it has them by default.

Anyway, moving on to this group of amendments to the Local Government Bill, I will start with amendment Nos 10 and 11. These concern the issues around the chairs and vice chairs of councils being part of the structure if there is an executive structure in the council. I have to say that I am not overly content with having an executive structure at all. I just think that that is not for councils. Anyway, it is there and —

Mr A Maginness: Thank you for giving way. I know that you are not in favour of an executive. However, if there were to be an executive in a council, surely you would agree that that executive should be proportionate in accordance with the membership of the council? I assume that that is the correct position and that I am not doing you any disservice by saying that. If that is true and you then add the mayor and deputy mayor or the chair and deputy chair, would that not, in fact, create the potential

for an imbalance on the executive? In fact, the mayor and deputy mayor being added on to the executive will create an imbalance in that area, which surely defeats the whole purpose of having a balanced executive in the first place.

Mr Elliott: I thank the Member for the intervention. The point is that the mayor and deputy mayor or chair and vice chair can be taken into account in party strengths. There is no issue with that, so I do not see that as a valid argument for not having them as full members of the executive. I know that the vast majority of Members here are indicating that they will support the Committee position. I have to say that we had to fight long and hard to get to that Committee position. The Bill, as it stands, says that the chair and the vice chair will not have any part of the executive committee on the new councils. We had to fight to get even that at Committee Stage.

We would like to go that bit further, as we are quite entitled to do. Our amendment is saying that the leading people on councils, who are the chair and vice chair, should be part of the executive. Can you imagine — maybe some people would support this, by the way — the Northern Ireland Executive not having as its head, or even as part of it, the First Minister and deputy First Minister? I will not ask people for their views on that. However, in that position, you would not have the head of the Assembly on the Executive, which is the decision-making body. That will be the same if this goes through.

Mr Weir: Will the Member give way?

Mr Elliott: The chair and the vice chair will not be part of the executive committee, which will be the main decision-making body in those councils. The fact is —

Mr McCallister: Will the Member give way?

Mr Elliott: I will give way to both in a wee second, if you let me finish this point. The point is that the executive committee, whether there are six, eight, 10 or however many on it, will be the body that makes the decisions. I do not know what the other 32 and 34 councillors on that council are going to do. They will not have a great lot to do, because those people will be the decision-making body. I will give way to Mr Weir first.

Mr Weir: Thank you for giving way. A lot of this may be a slightly moot point, because I suspect that it is unlikely that anybody is going to embrace an executive in that regard. So, it is useful that we look ahead to the role of a mayor in those circumstances. He draws the analogy of this House and the First Minister and deputy First Minister, but that is not a complete fit. If we are comparing this House to a council, a closer analogy is the mayor being effectively the equivalent of the Speaker, who does not sit on the Executive and does not have decision-making powers. Largely speaking, where an executive has operated in England, Scotland and Wales, whoever is the mayor for that year is not the council leader. Those are two distinct positions; that is the way that it is operated.

9.15 pm

Mr Elliott: I take your point, Mr Weir, about the Speaker, but the mayor and deputy mayor, or the chair and vice-chair, are, in my opinion, the political leaders of the council. I am happy to give way to Mr McCallister.

Mr McCallister: I am grateful. On this occasion, I am probably closer to Mr Weir's view, in that the First Minister

and deputy First Minister are Executive Ministers, so a more relevant comparison would be with the Speaker and Deputy Speakers. If we expect our mayors and deputy mayors, or chairs and deputy chairs, of councils to hold much more ceremonial-type roles, they will not have an executive function. I take Mr Elliott's point in the amendment that it is probably right that they should be there as non-voting members.

Mr Elliott: Thank you, Mr McCallister. As usual, I am not sure whether you are supporting what is in the Bill, the Committee's amendment or our amendment. It is still unclear. I have made the point, and I will leave it at that, which is that —

Mr A Maginness: I thank the Member for giving way. He has been very patient. The concept of an executive comes from the English experience, where there is Cabinet government in many councils throughout England and Wales. The fact is that, in English councils, the leader of the council is the political leader, usually of the majority party or the majority coalition in a council. The mayor and deputy mayor are the civic representatives and the public figures, but the political power resides, essentially, with the leader. It is the leader who dominates the Cabinet that is established in the council. So your analogy is, I think, not correct. You have to see the mayor and deputy mayor, or the chair and deputy chair, as civic representatives rather than executive or political figures.

Mr Elliott: I thank the Member, once again, for his view. Obviously, that is your view, and we differ on that. It is good to see the SDLP looking at the English model of councils and holding it up as one that we can endorse here in Northern Ireland, thereby keeping consistency across the United Kingdom. I welcome Mr Maginness's progress in that respect.

In amendment No 16, the Ulster Unionist Party seeks that the criteria for an 80% qualified majority be established in regulations as opposed to standing orders. What we propose is quite straightforward. I have heard the Minister speak on it, and I have also heard him talk about the protection in clause 42. I do not hold that clause 42 gives total protection; I think that it gives only limited protection. We seek to ensure that the criteria are built into regulations as opposed to leaving it up to each council. The problem that I see in leaving it up to each council is that standing orders will include only what a council agrees to put into them as qualified majority issues. Therefore, councils dominated by one community or another will put into the standing orders what they wish, and the number of ideas or items that can be qualified majority vote issues will be very limited. The majority community would dominate and include in standing orders only the issues that it wants. That is why I wanted a consistent approach built into regulations.

Amendment Nos 17 and 18 deal with legal advice for any decision that is subject to the 15% call-in mechanism. That has also received a lot of discussion. I listened to Mr Weir talk about the DUP's amendment No 19, and maybe that will move eventually to the position that the Ulster Unionist Party and I propose. We are trying to move one step ahead.

The Bill proposes that the legal advice must be sought. We heard much about that potential legal advice in Committee. We have heard today about legal advice that was sought

and conflicting legal advice that was received. Indeed, one day in Committee, when we were debating the very issue of the call-in mechanism, I recall that Mr Weir and the city solicitor for Belfast City Council had a long discussion and debate. I will not say that it was a legal argument, but it certainly went into quite a bit of detail. I thought to myself that, if that is the kind of discussion that we will have around the legal advice on call-in mechanisms, you are going to bring councils to gridlock. You will actually stop any decision-making taking place.

What I am trying to do is bring a consistent approach that would involve a panel of solicitors. It was quite interesting that, when we had NILGA up in front of the Committee, some of its officers recommended that type of panel solicitor group, or, indeed, barrister group, if it must be. Clearly, the solicitors could then engage the barristers, as I understand it. What we are trying to do is have a panel of solicitors to give consistent advice about the call-in mechanism to all 11 councils.

Ms Lo: Will the Member give way?

Mr Elliott: Yes, I am happy to give way.

Ms Lo: How are you going to ensure that they will give you consistent opinions if you have a panel of solicitors, following your earlier train of thought about different and varying legal opinions?

Mr Elliott: Yes, I think the Chair of the Committee is right. What we are trying to do is reduce and curtail the amount of conflicting legal advice that the councils will get, simply because, if they get conflicting legal advice, they will be into gridlock. I keep making the point that that mechanism could bring councils to gridlock, stop any decisions being made and stop the normal business of councils going ahead.

Amendment Nos 57 to 61 deal with the partnership panel. There is obviously an acceptance that the partnership panels can be a good advice-making operation for the Minister and the Department. The one aspect that I have a concern about is equality and fairness. The councils will appoint representatives to the panel. The end result of that could be that the panel would be totally dominated by the two main parties, and the smaller parties and independents may have no representation whatsoever on that partnership panel. That causes me concern.

Amendment Nos 68 and 69 again deal with the financial aspect. Amendment No 68 is the Ulster Unionist Party's proposal for a minimum of three years for the rate convergence support. I heard other Members and the Minister saying that there is much good work going on between the Department of Finance and Personnel and DOE in bringing forward the rate convergence mechanism and proposals. I have no doubt that that is happening, and I hope that it progresses well. All that we are trying to do is ensure that it is in place for a minimum of three years, otherwise you could have some sort of support to councils for one year and then it would be, "Over to yourselves, folks. Get the money off the ratepayer and let them pay for this change in convergence".

Amendment No 69 gives the financial support mechanism to the transfer of functions. Again, I do not think that has been totally worked out. I would be interested to hear from the Minister whether those proposals have been definitively worked out and whether we know how they will be managed. I am just not sure. It is something that I

raised not only with this Minister but with his predecessor to try to ensure that we will have a smooth transfer of functions and the finance that goes with it. We need to ensure that the ratepayers are protected in all that. That is why both those amendments are very important. The Ulster Unionist Party amendment to ensure that there is a three-year rate for convergence support is very important to ratepayers, especially those who will be disadvantaged in circumstances where two councils merge and there is significant difference in the rates. That is very important. The second issue is the financial support that will follow the transfer of functions. Again, that must protect the ratepayer at all costs.

The final issue in this group is the Local Government Staff Commission. I understand that the Department has been attempting for some time to find a mechanism to wind that body up. It seems that it has eventually found that mechanism. For the moment, however, I will reserve judgement on whether that is good and positive.

Mrs Cameron: Happily, my colleague Peter Weir covered this group of amendments thoroughly, so I will be brief.

I am pleased to support the majority of amendments in the group, which deal with governance, decision-making, appointments and the transition to new council structures. However, there are a number of amendments that I cannot support.

I oppose amendment No 11, as I believe that the Committee already caters for the roles of mayors and deputies.

I do not regard the UUP amendment No 68 on rates convergence necessary. I say that on the grounds that the Department of the Environment and the Department of Finance are to make an announcement on that issue in a relatively short time.

I will class amendment Nos 96, 98 and 99 together, as they concern the same part of the Bill. I oppose those three amendments, as I feel that they are nothing more than an attempt to remove the d'Hondt principle when appointing positions of responsibility. The Executive have accepted that principle as the fairest, most representative way to allocate positions of power, and I see no reason why councils should operate on a different system. We must, of course, be sure that reasonable safeguards are put in place to ensure that one section of the community is not seen to be holding all positions of power. We have seen how that has worked in the past. However, I believe that the Bill does indeed protect against that.

Mr McCallister: I want to make several comments. At different stages of our debate on the reform of local government, I have warned about the dangers of devolving our own dysfunctionality in the Assembly to local government. Some of that was highlighted earlier in today's debate.

I will work through some of the earlier comments. I will point out to the Alliance Party that, in the debate on the Justice Minister, it had the chance to change that in the recent Northern Ireland Bill that went through. However, it did not, and it is effectively locked in to the Justice Department forever. Of course, it will probably come as no surprise to the House to hear that I think that the Alliance Party, along with others, should be in opposition, with Mr Allister and myself.

I will turn now to the amendments that are before us. Most of the themes that we want to progress are on making whatever system we have in local government as open and transparent as possible. We debated amendment Nos 10 and 11 earlier, and I make a very clear distinction between the political lead of a council and a civic role. Someone carrying out civic responsibilities, such as a mayor or deputy mayor, or indeed chairing council meetings in an impartial manner, very much in a role similar to yours, Mr Speaker, and those of your Deputy Speakers, has a completely different role from what a political lead would have if we had a Cabinet or executive-style local administration. It is sensible to increase the number of executive positions; four seems a very small number. That seems to have gained more or less widespread support.

My perspective is that we should move to a more Cabinet or executive style. I know that, having looked at some of the English experience, Members have warned that that is unlikely to happen. However, in the medium to longer term, I think that that is a more desirable place to get to. It would be a more normalised politics where the larger parties that win elections would form a government — much the same as I advocate for this House where the larger parties would be in government forming a proper programme for government. I also advocate that for councils so that they too could work out a council programme for government to set out the changes and the strategic direction that councils were to go in. To answer Mr Elliott's point, the rest of the councillors would hold the executive to account, judge it and make sure that it delivered what it said it would deliver, in the same way that I would expect Back-Benchers here to do. If we ever moved to an opposition, that is exactly what an opposition would provide, both here and in local government. I accept the argument that it is important that the chair and the deputy chair might be in the executive arm of local government, but not as voting members. That is a sensible amendment, and I will support it and oppose Mr Elliott's amendment.

9.30 pm

Qualified majority voting is sensible. I have much more sympathy with Mr Elliott's point around rates conversion. We probably hear too often in the House the phrase, "Don't worry too much about that; the Executive or the Government have that sorted. A deal is about to emerge. Don't worry, you can put your trust in us; the cheque is in the post." The one lesson that we all should learn is this: if it is important enough to be debated, let us put it in the Bill. There are huge issues for councils. When Mr Elliott was declaring an interest, I am not sure whether it was with regard to when Fermanagh merges with Omagh and the subsequent problems that that might cause. It is important to protect ratepayers, and ratepayers should know that it has been thought about, debated in the Assembly and that those points have been made, because it is too important not to have it in the Bill. It is too important to walk out of here with the line, "The cheque is in the post; it is all going to be OK; the Ministers are close to a deal". It is too important to leave it at that point.

Although I listened carefully to Ms Lo's case for amendment No 95 and the idea of STV being the default, I am not totally convinced by it. Although I would like to see us moving to a more normal system of voluntary coalition and moving away from this, it is clear that, almost 16 years after the Good Friday Agreement, we have not built up

the partnership and trust that were envisaged. For those who were in Washington last week, it was obvious from some of Richard Haass's comments about his time here that he was disappointed that we had not progressed to that level. It is clear that so much of what we are building into the legislation for our local councils is saying that we recognise that we have not made the progress and the leaps in building trust and confidence in partnership government, either here or in local councils, that we should have made in the past 16 years, and I regret that.

If the Alliance Party looks at d'Hondt, it will see that, if it were run for all the positions together, there would be a much better chance of smaller parties and independents being included. I would probably make the same argument for here: we should not run d'Hondt for the Executive and stop and then run it again for Committee Chairpersons, and so on. We should run d'Hondt as one process. Mr Weir's point is very valid. If we stick with d'Hondt or opt for a proportional system, and then run it for all positions, smaller parties and independents have a better chance of getting in. That is why I am somewhat reluctant to support the Alliance Party's amendment.

Overall, the group of amendments is a mixed package. We need to think carefully about arrangements for decision-making appointments and ensure that we get them right without being too prescriptive about what councils do. There is merit in sticking with at least some of the things that work, because we have not made the significant progress that I would like to see to having proper voluntary coalitions and partnership arrangements.

Mr Allister: When it comes to the Bill's provisions on how local government will be run, I suppose that the point that concerns me most is that, among many of the clauses, there seems to be a desire to concentrate power in the hands of the few, leaving the question that someone rightly asked in the debate, which was to wonder what the other 30-plus councillors will in fact do. If the starting point is that there should be an executive committee — an executive Cabinet, in fact — which could be as small as four, but, from the tone of the debate, is more likely to be six, that begs the question as to what the remaining members of the council would have to do at all. It is foolish to start down that road.

Such as I know about local government, as always indicated, it operates — in some places, quite successfully — fundamentally on a committee system, where there is sometimes the involvement of committees of the whole council and sometimes subject committees, all of which report back to the whole council. No councillor can ever say that he was not involved in some way or other in the decision-making process.

Under the arrangements that are anticipated in clause 23, it seems to me that what could well evolve is very tight control of power among a very limited group of people, with the remainder of the councillors simply being spectators — perhaps not even spectators — because many of the issues decided among that small group would not even be reported for ratification to the council. That does not seem to me to be prudent.

I have heard Members say that this is about sharing power in councils. It is quite the reverse, I would have thought. Far from being about sharing power, it is the concentration of power in the hands of a few. I do not think that that is

healthy or desirable. Of course, the council executive is a body that would be spawned and appointed under d'Hondt. I have to make the observation that there are some in this House who, even yet, tell us that they are not d'Hondt enthusiasts; that they do not agree or support a government formed by d'Hondt; and that it is not their aspiration, vision and hope. Indeed, some told us that the demise of d'Hondt was almost upon us. Yet, here we have it being institutionalised in local government. I think that the answer came from Mr McElduff when he told the House that Sinn Féin made it plain that it would not accept anything but d'Hondt and a d'Hondt Cabinet in local government. Of course, as is so often the case, what Sinn Féin wanted, Sinn Féin got in the Local Government Bill. So, those who paraded themselves as opponents of d'Hondt are now going to be the legislators for d'Hondt, in perpetuity, at the very heart of local government. That gives its own message.

Part of the real concern I have is that, under this tightly controlled system, there really is no accountability, and you could well have a council run by a dictatorial cabal. Yes, we will set up the smokescreen of a scrutiny committee to give some others something else to do, but real power will never be outside the hands of that Cabinet. Some tell us that, although that is the preferred and first-mentioned option in the Bill, in truth, they do not really expect that the Cabinet will be the system chosen. We will wait and see; I am not so sure about that. I certainly agree that, on past experience, a committee arrangement would be the preferable and better option for running councils. The Alliance amendment, which would accentuate that option, is the one that I prefer over the current wording in those clauses.

If the mission here is to move local government forward, surely this has to be a backward step. Some talk about the bad old days of local government in the past, the exclusion of people and all that. Yet, now we are creating a structure that could exclude the great majority of councillors from any effective control. That does not seem to me to make a lot of sense. For those reasons, I am opposed to the provisions on governance as they presently stand.

Mr Durkan: I thank all the Members who participated in the debate on the third group of amendments. We had quite a lengthy and, I believe, fruitful debate on this part of the legislation. Thankfully, there were a lot fewer questions than there were during the previous debate, even though the debate was a lot longer.

Ms Lo, the Committee Chair, started off proceedings and spoke to each amendment as Chair and as an Alliance Party Member. She and subsequent Members who spoke, including Mr Weir, dwelt for some time on the amendment on the role of a local government association in any future partnership panel. I have to clarify that I have nothing against NILGA, NAC or any local government association. I fully understand and appreciate the point that those Members made about the representation of more political parties, which this would allow, and the experience and expertise that some members of any association could bring to that important panel. However, NILGA itself lobbied to ensure that local government determined for itself who its representatives would be on the partnership panel. I agree with NILGA's position on that, and I therefore cannot agree that I predetermine in legislation some of the representatives.

9.45 pm

Mr Weir: I thank the Minister for giving way. I appreciate what he is saying. It may be a slight misrepresentation of NILGA's position to be fair. Yes, it said, and the Committee accepted, that the local government representatives of each of the councils should be elected from local government rather than being chosen by the Department. However that does not preclude NILGA having some form of direct representation, which was the argument that it put to the Committee. It would be wrong to suggest that the two are in any way incompatible. Indeed, NILGA and some Members would see them as complementary rather than incompatible.

Mr Durkan: Yes, and I am not saying that they necessarily conflict. However, NILGA's view was that local government should determine the representatives; this is about empowering local government rather than enforcing someone else's being on the partnership panel or ensuring that another association is represented on it. This decision will ultimately lie with local government and with the partnership panel. If it decides that it wants an association represented on it, so be it. It can vote to do so. As I said, I am aware of the strengths that that could bring to the partnership panel, and I would be supportive of such a move.

I am also aware that the president of the Welsh Local Government Association was invited to join the Welsh partnership panel, but that was not legislated for. If local government wishes to nominate a representative from a regional body, it will be at liberty to do so. The panel would potentially end up disproportionately representing local government, with up to 16 representatives, while central government would only ever field a maximum of 12 Ministers.

Ms Lo spoke about the committee system being the default political governance structure. I want to clarify that it will be a matter for a council to agree which structure to operate. The three methods specified here are of equal significance. Executive arrangements are not the default.

With regard to the make-up of an executive, should any council decide to go down that governance route, Mr Elliot asked whether we could imagine not having a First Minister and a deputy First Minister on the Executive: well, yes, frequently. However, as Mr Weir pointed out, that is the wrong analogy. The First Minister and deputy First Minister are Executive Ministers running a Department; the Speaker — as Mr Maginness pointed out — as head of the Assembly, plays no role in the Executive, and so his office would be a more appropriate analogy in that respect.

In response to Mr Elliott's points around standing orders: the regulations to be made under clause 42 will specify the matters and the wording of those matters that must be included in standing orders. Those regulations will specify the process that must be followed in relation to a call-in. Clause 41 requires a council to have standing orders, so a council cannot operate without having the mandatory elements in place.

Mr Elliott asked another pertinent question about whether the system for transferring budgets has been worked out. The technical aspects of the proposed system for transferring funding for those functions that are transferring have been fully explored by my Department, DFP and Land and Property Services. There are ongoing discussions on the level of funding to transfer, and I await

the findings of a DOE diligence exercise that is being carried out on this by Deloitte. So, the cheque is not quite in the post yet, but I will let you know how much it is for and when it will arrive.

Mr Allister spoke of the role of an executive, should councils choose to go down that road, and the fear that other councillors might not have anything to do. The Bill provides flexibility for a council to choose from a number of governance structures. The Bill will not impose an executive structure on any council. The fear that two tiers of councillors would be created should a council vote to go with the executive arrangements is also unfounded. The establishment of an executive by a council will not diminish the role of those councillors not on the executive.

The adoption of executive arrangements must be accompanied by the establishment of one or more overview and scrutiny committees. The members of those committees will play an important role in the operation of a council. The arrangements that I am putting in place for the allocation of positions of responsibility and membership of committees will not prevent a political party from rotating its representatives on the executive or those committees to give all its members the opportunity to serve.

In addition, subordinate legislation will provide that a range of council functions and responsibilities will not be the responsibility of the executive. In delivering those functions and responsibilities, a council has the ability to arrange for them to be discharged by a committee. That provides further opportunities for councillors to serve their committee. One such function and committee, one would assume, would be planning, when councillors will have a lot more power than they currently do.

Mr Speaker, that is my winding up on this part of the debate —

Mr Kinahan: Will the Minister give way?

Mr Durkan: OK.

Mr Kinahan: I just wanted a bit of clarification. One or two people wondered whether the chair or the mayor was going to end up being more ceremonial than political. How does he see that working? Has he got a direction that he wants to see there?

Mr Durkan: It is explained in my amendment that I brought. I believe that, yes, a mayor and deputy mayor have an extremely important role to play on a council. They have a civic or ceremonial role, as he puts it. However, they have a duty also as elected councillors; they have a duty to scrutinise. As ex officio members of the executive committee, they will retain the power and authority to scrutinise its decisions in full council or any oversight committee.

So, Mr Speaker, that concludes my winding up on this part of the debate and, hopefully, for the day.

Mr Speaker: The Business Committee agreed that the House would not sit later than 10.00 pm this evening and would resume at 10.30 am tomorrow. This would seem to be a convenient moment at which to suspend. The sitting is, therefore, suspended until 10.30 am tomorrow.

The debate stood suspended.

The sitting was suspended at 9.52 pm.

Northern Ireland Assembly

Wednesday 19 March 2014

*The sitting begun and suspended on 18 March 2014 was resumed at 10.30 am
(Mr Speaker in the Chair).*

Executive Committee Business

Local Government Bill: Consideration Stage

Clause 11 (Arrangements for discharge of functions of council)

Amendment No 8 agreed to.

Clause 11, as amended, ordered to stand part of the Bill.

Clauses 12 to 22 ordered to stand part of the Bill.

Clause 23 (Permitted forms of governance)

Amendment No 9 proposed:

In page 10, line 11, leave out lines 11 to 13 and insert

“a committee system unless the council decides to operate executive arrangements or prescribed arrangements”.— [Ms Lo.]

Question put, That amendment No 9 be made.

The Assembly divided:

Ayes 47; Noes 46.

AYES

Mr Agnew, Mr Allister, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Cree, Mr Dickson, Mrs Dobson, Mr Elliott, Dr Farry, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr McCausland, Mr I McCrea, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McNarry, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr P Ramsey, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Eastwood and Mr Wells.

Question accordingly agreed to.

Clause 23, as amended, ordered to stand part of the Bill.

Clause 24 ordered to stand part of the Bill.

Clause 25 (Council executives)

Amendment No 10 made: In page 11, line 29, leave out subsection (3) and insert—

“(3) The chair and deputy chair of the council shall be non-voting members of the executive and shall be disregarded for the purpose of subsections (4) and (5).”— [Ms Lo (The Chairperson of the Committee for the Environment).]

10.45 am

Mr Speaker: I will not call amendment No 11 as it is mutually exclusive with amendment No 10, which has been made. Order, Members.

Amendment No 12 made: In page 11, line 31, leave out “four” and insert “six”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

Amendment No 13 made: In page 11, line 34, leave out “four” and insert “six”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

Clause 25, as amended, ordered to stand part of the Bill.

Clauses 26 to 33 ordered to stand part of the Bill.

Clause 34 (Reference of matters to overview and scrutiny committee etc.)

Amendment No 14 made: In page 18, line 9, leave out “an excluded” and insert “a prescribed”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 15 made: In page 18, line 17, leave out subsection (4).— [Mr Durkan (The Minister of the Environment).]

Clause 34, as amended, ordered to stand part of the Bill.

Clauses 35 to 43 ordered to stand part of the Bill.

Clause 44 (Qualified majority)

Amendment No 16 proposed: In page 23, line 40, leave out “Standing orders must” and insert “The Department must by order”.— [Mr Elliott.]

Question put.

Mr Speaker: Order, Members. I have been advised by party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement among the Whips to suspend the three minutes and move straight to the vote.

The Assembly divided:

Ayes 20; Noes 77.

AYES

Mr Allister, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Elliott, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Agnew, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr McNarry, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr G Robinson and Mr Rogers.

Question accordingly negated.

Clause 44 ordered to stand part of the Bill.

Clause 45 (Power to require decisions to be reconsidered)

Amendment No 17 proposed:

In page 24, line 16, at end insert

"(1A) The Department must appoint a panel of solicitors for the purposes of providing an opinion if requested under subsection (2)."— [Mr Elliott.]

Question put.

The Assembly divided:

Ayes 46; Noes 50.

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy,

Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Boylan and Mr Milne.

Question accordingly negated.

Mr Speaker: I will not call amendment No 18 as it is consequential to amendment No 17, which has not been made. Amendment No 19 made:

In clause 45, page 24, line 20, at end insert -

"and the process by which a legal opinion is obtained in subsection (2)".— [Mr Weir.]

Clause 45, as amended, ordered to stand part of the Bill.

Clause 46 (Admissions to meetings of councils)

Question, That amendment No 20 be made, put and negated.

Clause 46 ordered to stand part of the Bill.

Clause 47 ordered to stand part of the Bill.

Clause 48 (Inspection of minutes and other documents after meetings)

Amendment No 21 made:

In clause 48, page 27, line 28, after "must", insert -

"as soon as is reasonably practicable".— [Ms Lo.]

Clause 48, as amended, ordered to stand part of the Bill.

New Clause

Amendment No 22 proposed:

After clause 48, insert -

"Audio recording of meetings

48A.—(1) *So far as is reasonably practicable, a council must make an audio recording of so much of any meeting of the council as is open to the public and the recording must be available to the public at the offices of the council until the expiration of the period of six years from the date of the meeting and published on the council website until the expiration of the period of two years from the date of the meeting.*

(2) This section does not apply in relation to meetings of any committee or sub-committee of the council.”.— [Ms Lo.]

Question put, That amendment No 22 be made.

The Assembly divided:

Ayes 62; Noes 34.

AYES

Mr Agnew, Mr Allister, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, 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, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

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

Tellers for the Noes: Mr Anderson and Mr G Robinson.

Question accordingly agreed to.

New clause ordered to stand part of the Bill.

Clause 49 (Inspection of background papers)

Amendment No 23 made: In clause 49, page 28, line 18, at end insert -

“(6) A council must put on its website any document which is open to inspection under subsection (1).”— [Ms Lo.]

Clause 49, as amended, ordered to stand part of the Bill.

Clauses 50 to 57 ordered to stand part of the Bill.

Clause 58 (Investigations)

Amendment No 24 made:

In clause 58, page 33, line 17, at end insert -

“(1A) Instead of, or in addition to, conducting an investigation under this section, the Commissioner may take such action as appears to the Commissioner to be desirable to deal with any particular case falling within subsection (1).”— [Mr Durkan (The Minister of the Environment).]

Clause 58, as amended, ordered to stand part of the Bill.

Clauses 59 to 61 ordered to stand part of the Bill.

Clause 62 (Decision following report)

Amendment No 25 made:

In clause 62, page 36, line 36, at end insert—

“(13) A person who is censured, suspended or disqualified by the Commissioner as mentioned in subsection (3) may appeal to the High Court if the High Court gives the person leave to do so.”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

Amendment No 26 made:

In clause 62, page 36, line 36, at end insert—

“(14) An appeal under subsection (13) may be made on one or more of the following grounds—

(a) that the Commissioner’s decision was based on an error of law;

(b) that there has been procedural impropriety in the conduct of the investigation under section 58;

(c) that the Commissioner has acted unreasonably in the exercise of the Commissioner’s discretion;

(d) that the Commissioner’s decision was not supported by the facts found to be proved by the Commissioner;

(e) that the sanction imposed was excessive.”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

Clause 62, as amended, ordered to stand part of the Bill.

Clause 63 (Decisions on interim reports)

Amendment No 27 made:

In clause 63, page 37, line 29, at end insert—

“(9) A person who is suspended (or partially suspended) by the Commissioner by notice as mentioned in subsection (1) may appeal to the High Court if the High Court gives the person leave to do so.”.— [Ms Lo (The Chairperson of the Committee for the Environment).]

Clause 63, as amended, ordered to stand part of the Bill.

Clause 64 (Recommendations)

Amendment No 28 made:

In clause 64, page 37, line 37, leave out from “and” to the end of line 38.— [Mr Durkan (The Minister of the Environment).]

Amendment No 29 made:

In clause 64, page 38, line 5, leave out from “and” to the end of line 8.— [Mr Durkan (The Minister of the Environment).]

Amendment No 30 made:

In clause 64, page 38, leave out subsection (6).— [Mr Durkan (The Minister of the Environment).]

Clause 64, as amended, ordered to stand part of the Bill.

Clauses 65 and 66 ordered to stand part of the Bill.

Clause 67 (Expenditure of Commissioner under this Act)

Amendment No 31 made:

In clause 67, page 39, line 23, leave out subsection (2).—
[Mr Durkan (The Minister of the Environment).]

Amendment No 32 made:

In clause 67, page 39, line 28, leave out “Commissioner” and insert “Department”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 33 made:

In clause 67, page 39, line 28, leave out

“, with the approval of the Department of Finance and Personnel,”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 34 made:

In clause 67, page 39, line 30, leave out from “may be prescribed” to the end of line 35 and insert

“the Department, after consultation in accordance with subsection (3A), considers appropriate.

(3A) The Department must consult—

(a) councils; and

(b) such associations or bodies representative of councils as appear to the Department to be appropriate, about the manner in which the amount mentioned in subsection (3) is to be apportioned.

(3B) The Department may deduct from any grant payable under section 27A of the Local Government Finance Act (Northern Ireland) 2011 to a council for a financial year the amount apportioned to it under subsection (3).”— [Mr Durkan (The Minister of the Environment).]

Clause 67, as amended, ordered to stand part of the Bill.

Clause 68 (Interpretation)

Amendment No 35 made:

In clause 68, page 40, line 11, at end insert -

“(5) Where a councillor who is suspended otherwise than partially or is disqualified under this Part is also a member of any other public body (whether as an external representative of the council or otherwise), the councillor is also suspended or disqualified from being a member of that body and any committee or sub-committee of that body.

(6) Any reference in this Part to a councillor being partially suspended from being a councillor includes a reference to the councillor being partially suspended from being a member of any other public body of which the councillor is a member (whether as an external representative of the council or otherwise) and the reference in subsection (2) to particular functions or particular responsibilities as a councillor includes particular functions or particular responsibilities as a member of that body.”.— [Mr Durkan (The Minister of the Environment).]

Clause 68, as amended, ordered to stand part of the Bill.

Mr Speaker: We now come to the fourth group of amendments for debate. With amendment No 36, it will be convenient to debate amendment Nos 37, 47, 50, 51, 56 and 62, which deal with general powers and duties, community planning, general power of competence and performance improvement. Members should note that amendment No 42 is mutually exclusive with amendment No 43 and that amendment Nos 51 and 56 are consequential to amendment No 50.

New Clause

Ms Lo (The Chairperson of the Committee for the Environment): I beg to move amendment No 36: After clause 68 insert

“PART 9A

GENERAL DUTY TO PROMOTE SHARED USE OF THE PUBLIC REALM

General duty to promote shared use of the public realm

68A. A council must in exercising its functions promote shared use of the public realm between persons of different religious belief, political opinion or racial group so far as is consistent with the proper exercise of those functions.”.

The following amendments stood on the Marshalled List:

No 37: In clause 69, page 40, line 25, at end insert

“(iv) equality and good relations between the categories of persons listed in section 75 of the Northern Ireland Act 1998.”.— [Ms Lo.]

No 38: In clause 69, page 40, line 29, after “partners” insert

“(including actions and functions related to the planning, provision and improvement of public services)”.— [Ms Lo.]

No 39: In clause 69, page 40, line 30, at end insert

“(2A) In subsection (2)(a)—

(a) the reference to improving the social well-being of the district includes promoting equality of opportunity in accordance with section 75 of the Northern Ireland Act 1998; and

(b) the reference to improving the economic well-being of the district includes tackling poverty, social exclusion and patterns of deprivation;

and expressions used in this subsection and in section 28E of that Act (Executive Committee’s strategy relating to poverty, social exclusion etc.) have the same meaning as in that section.”.— [Mr Durkan (The Minister of the Environment).]

No 40: In clause 70, page 41, line 3, at end insert

“(1A) The bodies or persons specified under subsection (1) must include representation from the community and voluntary sector and businesses.”.— [Ms Lo.]

No 41: In clause 74, page 43, line 22, leave out “towards” and insert “and outcomes achieved in”.— [Ms Lo.]

No 42: In clause 76, page 44, line 3, leave out from “ensure” to “taken” and insert

“(a) seek the participation of and encourage the persons mentioned in subsection (2) to express their views and (b) take those views”.— [Ms Lo.]

No 43: In clause 76, page 44, line 3, at end insert “reasonable”.— *[Mr Durkan (The Minister of the Environment).]*

No 44: In clause 78, page 45, line 7, leave out “aim to”.— *[Mr Durkan (The Minister of the Environment).]*

No 45: In clause 85, page 48, line 33, leave out from “then” to “overlap,” and insert

“it shall seek to remove or reduce that overlap, taking into account the views of the bodies exercising the overlapping powers.

(2A) For the purposes of subsection (2).— [Mr Elliott.]

No 46: In clause 85, page 48, line 41, at end insert

“(5) Before the Department makes an order under this section it must consult—

(a) such associations or bodies representative of councils;

(b) such associations or bodies representative of officers of councils; and

(c) such other persons or bodies,

as appear to the Department to be appropriate.

(6) If, following consultation under subsection (5), the Department proposes to make an order under this section it must lay before the Assembly a document explaining the proposals and, in particular—

(a) setting them out in the form of a draft order; and

(b) giving details of consultation under subsection (5).

(7) Where a document relating to proposals is laid before the Assembly under subsection (6), no draft of an order under this section to give effect to the proposals (with or without modification) is to be laid before the Assembly until after the expiry of the statutory period beginning with the day on which the document was laid.

(8) In preparing a draft order under this section the Department must consider any representations made during the period mentioned in subsection (7).

(9) A draft order laid before the Assembly in accordance with section 125(3) must be accompanied by a statement of the Department giving details of—

(a) any representations considered in accordance with subsection (8); and

(b) any changes made to the proposals contained in the document laid before the Assembly under subsection (6).”— [Mr Durkan (The Minister of the Environment).]

No 47: In clause 95, page 53, line 34, leave out “31st October” and insert “30th September”.— *[Mr Durkan (The Minister of the Environment).]*

No 50: In clause 98, page 54, line 25, after “Each financial year, the” insert

“Department, after consultation with the local government auditor, must determine which councils are to be councils in respect of which subsection (1A) applies in that financial year.

(1A) Each financial year, the”.— [Mr Durkan (The Minister of the Environment).]

No 51: In clause 98, page 54, line 26, after “each council” insert

“to which this subsection applies in that financial year”.— [Mr Durkan (The Minister of the Environment).]

No 56: In clause 100, page 56, line 4, at end insert

“, unless no such reports have been issued in respect of that council during that financial year”.— [Mr Durkan (The Minister of the Environment).]

No 62: After clause 109 insert

“International obligations

109A.—*(1) If any Northern Ireland department considers that any action proposed to be taken by a council would be incompatible with any international obligations, that department may direct that the proposed action must not be taken.*

(2) If any Northern Ireland department considers that any action capable of being taken by a council is required for the purpose of giving effect to any international obligations, that department may direct that the action shall be taken.

(3) A direction under this section must give the reasons for making the direction and may make provision having retrospective effect.

(4) In this section “international obligations” has the same meaning as in the Northern Ireland Act 1998.”.— [Mr Durkan (The Minister of the Environment).]

Ms Lo: Many stakeholders greatly welcome the inclusion of community planning in the Bill. However, there are concerns that, unless the wording of the Bill is strengthened, this will be a missed opportunity. It is important that the community is involved in shaping health and well-being provisions. The Alliance Party has therefore tabled several amendments in this group on community planning and how to ensure that it is best utilised.

As part of local government reform, we are not simply amalgamating councils but are conferring on them a range of new powers. Those include specific new powers that will give councils a huge opportunity to promote shared space. Chief amongst those include powers over regeneration and neighbourhood renewal, as well as planning decisions. Those powers will give councils control over a series of mechanisms to promote shared public space. The maintenance and protection of shared space is a cross-cutting responsibility for the entire Northern Ireland Executive, other public bodies and civic society.

Amendment No 36 provides for a general duty to promote the shared use of the public realm. Councils would therefore be duty-bound to promote shared use of public space between people of all religious beliefs, political persuasion or racial group. That obviously applies only so far as it is consistent with the proper exercise of those functions. It recognises not just the need to promote

shared space but that it is a responsibility of all public bodies. Therefore, it is imperative that we reflect that cross-cutting responsibility in the legal framework for new councils. All public space in Northern Ireland should be open and shared. However, evidence shows that fear affects our basic choices, such as where people live, what they wear and where they access public services. Amendment No 36 would create a new duty that would ensure against that.

Alliance's amendment No 37 to clause 69 seeks to add equality and good relations to the long-term objectives of community planning. We are rather shocked that the two nationalist parties have tabled a petition of concern against that. At this time, when building a shared future is so important, they need to explain to people why they are opposed to embedding good relations into community planning and are prepared to support only an inferior amendment that references only equality. We believe that —

Mr Dickson: Will the Member give way?

Ms Lo: Yes.

Mr Dickson: Does the Member agree that, in essence, you cannot have good relations without equality and, likewise, cannot have equality without good relations? They go together. They go hand in glove. It is therefore a nonsensical argument to describe us in Northern Ireland, or anyone else, as having a hierarchy of equality issues. Good relations and equality are one and the same thing; they go together. It is vital that, in these matters, we take forward our whole responsibility to ensure that, working hand in hand, we have equality and good relations in our shared spaces, our shared society and our shared community.

Ms Lo: Absolutely. I thank the Member for his contribution.

We believe that equality and good relations should be central to community planning. We recognise that, although they are different concepts, they are mutually supportive. Too much time and energy has been wasted on arguments about whether equality is more important than good relations. We reject that distinction. Commitments and policies on equality and good relations must be applied to reinforce each other, rather than setting them in opposition. There is a clear relationship between the two.

Any society that intimidates or generates fear among some of its citizens or systematically excludes or discriminates against them cannot be equal. In turn, a shared society cannot be delivered without equality. Therefore, to achieve equality, we must insist on inclusion, and to achieve inclusion, we must insist on equality. Equality arguments must not be used to undermine good relations, and good-relations arguments must not be made to undermine equality.

Good relations must not be an excuse to ignore or deny significant issues of injustice or exclusion. Rather than having a hierarchal relationship between the two, they are interdependent. A hierarchy between equality and good relations must be avoided as it too often masks the maintenance of a de facto, hostile and parallel reality in which there is a shared-out future rather than the shared future that we all want.

I draw Members' attention to our other amendments — Nos 38, 40, 41 and 42. Amendment No 38 builds on clause 69 on actions, as our amendment specifies:

“including actions and functions related to the planning, provision and improvement of public services”

in community planning. After all, that is what community planning is about: it is about delivering better and more coordinated services.

Amendment No 40 requires:

“the community and voluntary sector and businesses”

to be included as community planning planners. Communities know what local needs are. Voluntary organisations and businesses often provide services on behalf of councils; therefore, their involvement as partners is crucial. Businesses are very important in economic development.

Amendment No 41 inserts “outcomes achieved in” into clause 74 alongside “progress made”, which focuses on monitoring not only the progress but the effectiveness of community planning. We cannot just talk about output; we need to talk about outcomes as well.

Mr Attwood: I thank the Member for giving way. I have been listening very intently to her argument. Can she explain the silence that she has introduced in her amendment? That silence in no way, shape or form defines what good relations is, and in no way, shape or form defines good relations in the context of international obligations. How can you make an argument, which you do with some eloquence, about the requirement to have a balance between good relations and equality and then have complete and utter silence when it comes to what good relations should mean in law?

I suggest to the Member that, in the circumstances in which there is a vacuum in the middle of her amendment, the right course of action today should be to withdraw it or not move it and, over the next short period, work up an amendment with the Minister that is not silent about what good relations should mean in law in Northern Ireland.

Ms Lo: I thank the Member for his contribution. I am aware that there is perhaps a very definite definition of “good relations” in all our legislation. However, we have been using the term for a long time. We have been using it in community and race relations. Councils need to do their best in order to have good relations in whatever way they define them.

Mr Weir: Will the Member give way?

Ms Lo: Yes.

Mr Weir: I take on board what has been said, particularly by Mr Attwood. He urges the Member not to move the amendment. I am content with what is in the amendment. If there were an issue that needed further definition of “good relations”, one possible route would be to move the amendment, have it passed, and then seek to attach additional explanation or qualification to it at Further Consideration Stage. That might be another way around it.

Ms Lo: Mr Weir, you are always so helpful. *[Laughter.]* I would certainly be very pleased to do that. I urge you to support the amendment, after which we can table a further amendment.

Mr Attwood: Will the Member give way?

Ms Lo: Yes, of course.

Mr Attwood: If that is the Member's thinking, does it is not suggest that the Alliance Party now accepts that there is gap in the amendment? We could legislate today on good relations, which is a very important principle that we should all live up to, but not legislate by defining it today. That is bad law, Mr Speaker. That is a bad way to legislate, even if there are good intentions behind so doing.

In any case, there is a way through this. Only a matter of weeks ago, my colleague in the House of Commons tried to introduce an amendment to the then Northern Ireland (Miscellaneous Provisions) Bill that did what the Member's amendment fails to do, which is to define "good relations" with regard to tackling prejudice and promoting understanding — words that are borrowed from British legislation. Is it not the wiser course of action today, given that we could legislate without certainty about what will happen at Further Consideration Stage, not to move the amendment and for the Alliance Party to work with Mr Weir, the SDLP and the Minister to ensure that the Bill is as tight as it possibly can be at Further Consideration Stage?

Ms Lo: No. I know that Mr Attwood has a legal background —

Mr Speaker: We should clarify the position of the House. I understand that the Member has already moved the amendment. I just want to clarify that for the House, because I certainly did not pick up that she had not moved it. To bring clarity to the debate, I ask the Member whether she has already moved the amendment?

Ms Lo: Yes, I have. I have already proposed the amendment. It is important. Surely you cannot put everything in primary legislation. You cannot include every definition. The amendment establishes the principle that we want good relations.

I applaud Dr Alasdair McDonnell's attempts at Westminster. I have been following the debate. His is a very good way of defining it. Perhaps when he has it redefined in Westminster, we can follow the definition. However, it is important now that we have the amendment in our primary legislation. If we need further amendments to put in the definition, I will be very happy to work with all parties. Let us have a meeting to look at how we define "good relations" in the Northern Ireland way.

Mr Speaker, may I continue, please?

Lord Morrow: Will the Member give way?

Ms Lo: Yes, of course.

Lord Morrow: I am interested to hear what the Member is saying. Quite frankly, she is to some degree just talking around this. She is not actually naming or doing anything. When the Member is addressing the House today, will she, for the sake of those of us on this side of the House, give one or two examples of where she has seen bad practice? Is she thinking, for instance, of the naming of a play park after a convicted terrorist, which was pushed through by SDLP and Sinn Féin councillors? Is that the type of thing that you have in mind when you talk here today? Will you be a wee bit more specific instead of talking in generalities?

11.45 am

Ms Lo: Sure. Lord Morrow, I am surprised that you even asked me that question; I really am. Surely we in Northern Ireland have seen the divisions, the bad feeling between

communities and the deep political divide. I love this country, but many things are wrong here in Northern Ireland. Good relations is one of them. The lack of respect for each other and the hostility between neighbouring districts is another. Ninety per cent of our public housing is for one side or the other. We have bus stops on street after street, because people are too frightened to get public transport or to stand at a bus stop that is not in their area. We have so many leisure centres that only one side or the other will go to. In Belfast, we have 40-odd leisure centres. That number may be wrong, but there is a large number of them. There is one for you and one for them. The people in one neighbourhood will not go to the leisure centre down the road, so we have to build another one for that community. There are far too many examples for me to say.

Mr Elliott: I thank the Member for giving way. I take the basis for some of her argument, but does she accept that there are some really good practices and examples of people working together in Northern Ireland? Even during the really dark times of the Troubles when I was growing up, you played football every Saturday and during the week, and you mixed with every community. I am not just talking about two communities but a wide range of communities. I have to say that work practices in some areas are, yes, still very much divided, as is housing. However, there are some good practices. I would not like the Member to put out a message that everywhere in Northern Ireland is totally divided.

Ms Lo: I very much agree with you, Mr Elliott. I have been involved in community work for 20 years, so I know about the good work in many communities and about the leadership from community groups, women's groups and youth groups. The cross-community work of those youth groups and community organisations has been wonderful, and they are doing their best. However, we, as legislators, need to put a marker down to say that we support good relations and equality. Let us all work together to bring Northern Ireland to a better place where we will have a shared future.

Our amendment simply makes the outcomes achieved part of the two-yearly report.

Amendment No 42 to clause 76, which deals with community involvement, ensures that councils actively seek the engagement of consultees and take their views into account. Community planning is a new concept that, if done right, could bring about a more holistic approach to coordinating resources from councils and statutory bodies in order to deliver effective services for local people. However, given the examples that we have seen elsewhere in the UK — Scotland and Wales — and here in our own neighbourhood renewal schemes, there needs to be buy-in from statutory agencies to make this work, rather than their paying lip service to it. More grass-roots level involvement will also create that bottom-up approach and strengthen the structure.

The Alliance Party is minded to support all the other amendments but for amendment No 43, which is tabled by the Minister, with good intentions, I have to say. However, to add the word "reasonable" makes it more restrictive in how the council makes arrangements to involve communities. I urge the House to oppose the amendment that adds the word "reasonable". I think that it would be counterproductive to trying to involve communities in participating. It is so important that communities feel that

they are part of the community planning process and that what they say will be taken into account.

Taken together, these amendments will widen the process of consultation and engage more people in the planning of their local communities, which can only be good for the development of effective community plans. I welcome the Minister's efforts to strengthen community planning and to encourage meaningful engagement with communities or other interests. Those are vital elements to the Bill. I urge the House to support these amendments because they will greatly improve the process of community planning. A community plan is a long-term and evolving process. Service delivery will continue to improve over time. Therefore, it is important that we start with the best and most robust mechanism that we can.

Mrs Cameron (The Deputy Chairperson of the Committee for the Environment): Speaking on behalf of the Committee, I cannot comment on amendment Nos 36 to 38, as they were not considered at Committee Stage.

During its scrutiny of clause 69 on community planning, the Committee asked the Minister to consider introducing provisions relating to equality and good relations, as well as a duty on councils to address poverty, deprivation and social exclusion. Although the Minister did not provide the wording of the amendment until 13 March, which was after the completion of the Committee Stage, members indicated that they were broadly content with amendment No 39.

I cannot comment on behalf of the Committee on amendment Nos 40 to 42, as they were not considered at Committee Stage, and there was no Committee agreement on these issues.

Moving to amendment No 43, Committee members agreed that clause 76 needed to be strengthened to ensure that councils are encouraged to actively seek the views of stakeholders and to take those views into account in community planning. The amendment proposed by the Department is what the Committee had called for. Therefore, I am content to support this amendment.

Similarly, amendment No 44 seeks to strengthen the active participation in community planning by removing the words "aim to" from clause 78(a), thereby giving Departments the simple duty to promote and encourage community planning. The Committee welcomed the Department's proposal to bring forward the amendment, and I support amendment No 44.

I cannot comment on behalf of the Committee on amendment No 45, as it was not considered at Committee Stage.

During its scrutiny of the Bill, the Committee was advised by the Examiner of Statutory Rules, in a paper on the delegated powers memorandum, that members may wish to press the Department to consider a super-affirmative procedure for orders made by the Department under clause 85(1) and under 85(2), where combined with orders under clause 85(1). The Examiner was concerned that the proposed Assembly procedure may not be appropriate in view of the wide powers conveyed by the clause. The Department agreed to make the necessary amendment. On behalf of the Committee, I am content to support amendment No 46.

I move now to Part 12 of the Bill, which is on performance improvement. Although the Committee welcomed the enhanced role of the local government auditor, members expressed concerns regarding the timescales for reporting that are outlined in clauses 95 and 98. The Committee supports amendment No 47, which will bring forward the date by which local councils must prepare reports on performance improvement, thus allowing the auditor an additional month to complete the audit of the information.

The Committee also expressed concerns about the requirement of the local government auditor to report on each council every year, as specified at clause 98(1). Not only are there resource implications for the auditor but this requirement is not in line with the normal risk-based auditing procedures. Therefore, the Committee welcomes the Minister's decision to bring forward amendment Nos 50 and 51 to clause 98, and consequential amendment No 56 to clause 100, to allow the auditor to consult the Department to determine which councils are to be audited each financial year. I also ask the Minister to give the House his assurance that the audit process will be reviewed after two to three years, as indicated by his officials.

Amendment No 62 was brought to the Committee's attention after the Committee Stage had officially ended, but, in the course of their scrutiny of the Bill, members had requested the Minister to consider introducing a provision to require councils to comply with all international obligations. When the Committee was briefed by departmental officials on 13 March, members indicated that they were broadly content with this amendment.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. I am pleased to speak to the group 4 amendments, which deal with general powers and duties, community planning, general power of competence and performance improvement.

I will go first to amendment No 36. Although Sinn Féin is happy to see work going forward to promote shared spaces, which is obviously something that we all want to see, we are wary of having a clause that would put an onus on councils to prioritise the use of shared space over other objective need in an area. Perhaps repeating a point that Mr Attwood made, you do not end up with good legislation if it is poorly worded and has unintended consequences. Where added value can be achieved, it certainly should be. However, undermining existing duties of councils is an entirely different matter.

I move on to amendment No 37. Perhaps there is a noble sentiment in it, but the Alliance amendment as it stands does not reflect the safeguards in section 75 of the NI Act 1998. Bringing amendment No 37 into legislation would go against section 75, which is a key piece of equality legislation, and Sinn Féin cannot support that. If a reference to good relations was added to the legislation, Sinn Féin would also want an interpretation clause that defines what it means.

Mr B McCrea: Will the Member give way?

Mr McElduff: Yes.

Mr B McCrea: I actually agree with the Member on this point, but I wonder where would we find such a definition of good relations? If Sinn Féin would like to introduce it, perhaps there is an example of it.

Mr McElduff: Yes, no problem. I thank the Member for his intervention. An interpretation clause could add, for example, that good relations involves having regard, in particular, to tackling prejudice and promoting understanding. There is suggested wording for a clause that might fit there.

Just to further my case, good relations cannot be built on inequality. Inequality is not the foundation here at all for good relations. Equality is the bedrock of good relations. That is why section 75 is worded the way it is. No society can overcome inequality by saying that if it upsets some people, we should not do it. That only preserves inequality.

Moving on to clause 69 and amendment No 39, the Minister of the Environment's amendment: this section on community planning is an extremely important part of the Bill. Sinn Féin believes that public services should be delivered locally and as close to the citizen as possible. Community planning provides tremendous opportunities for greater partnership working between councils, statutory agencies and the community and voluntary sectors. It brings joined-up thinking, which can bring greater expertise and local knowledge to bear in addressing the challenges that face our local communities. I am pleased that the Environment Committee is working to ensure that our local communities will be fully involved in making things better for those who live and work in their areas.

12.00 noon

In that regard, I welcome the Minister's recognition that improving the social and economic well-being of a district includes promoting equality and tackling poverty, social exclusion and patterns of deprivation. Community planning will allow local communities to address the needs of their areas. They will be better equipped to promote prosperity and improve business strength while also promoting equality of opportunity and addressing the needs of those vulnerable people who are at risk of being left behind. This Part of the Bill can only benefit local communities.

Work is already under way to prepare for community planning. Some community planning pilots are under way, and the statutory transition committees are beginning to work with NISRA on making the most of the emerging knowledge from the 2011 census.

Poverty, social exclusion and child poverty in particular have been the focus of much discussion recently in the Assembly and in the media. It is important that we all contribute in a joined-up way to tackling our high level of deprivation so that we do not pass it on to the next generation. The whole concept of community planning is very positive: it makes local councils bigger players in contributing, for example, to economic recovery and regeneration, with all the rights and responsibilities that go with that.

That concludes my comments.

Mr Eastwood: We should all be very happy that we have got to the stage at which we are talking about community planning going ahead. A good example of some of that work is being pioneered in our own city through the One Plan. We were very good at getting the plan together, but we were not quite as good at ensuring that we had Departments lined up to deliver parts of it. We always need to be mindful that, although a plan is very important, delivery is equally important. The process around the One

Plan has been a good lesson in bringing people together from all sections of society to try to work out the best way forward for an area. We can look at that, learn from it and maybe perfect it.

The Committee worked very closely with the Minister and the long-suffering departmental officials on this area of the Bill to try to ensure that we could agree to compromise. It is good to see some of the ministerial amendments on poverty and social exclusion. It is important that everything that we do on delivering public services keeps those issues in mind.

We are glad to support amendment No 36 from the Alliance Party, but we will be tabling amendments at Further Consideration Stage. It is slightly surprising — I am sure that it is just an innocent oversight — that sexual orientation is not included in the section 75 groups that are mentioned in the amendment. We are happy to work with Ms Lo and the Alliance Party to look at that.

We then come to the big one, amendment No 37, and I was delighted to hear that Mr McElduff has been reading very closely Hansard reports from Westminster and Mr Durkan's speeches over there. That was clear in his response to Mr Basil McCrea's question on how we define good relations. Mark Durkan made a pretty good stab at that in Westminster in the debate on the Northern Ireland (Miscellaneous Provisions) Bill. I am glad to hear that others have taken that on board. I will read some of the text of the amendment he tabled into the record to show that we are committed to getting this right.

I understand that the Alliance Party has come to the issue with a good heart and does not intend to get things wrong: we just want to get it right. This is an opportunity, and, as Mr Attwood said, you should not miss an opportunity to get something right. We need to work together at Further Consideration Stage to try to improve the Bill in that regard. We are happy to do that: we will come with wording for whoever wants to read it, and hopefully we can get a consensus. I am glad that Mr Weir has suggested that he would be happy to work with us on this as well. Maybe he should have a word with some of his colleagues in Westminster. They did not seem as keen as he was earlier, although he may contradict his earlier statement —

Mr Weir: Will the Member give way?

Mr Eastwood: Gladly, yes.

Mr Weir: So that the Member does not put words in my mouth, I will clarify that I was not necessarily indicating that I would be happy to support any particular amendment. I am not sure whether Mr Attwood was suggesting that the amendment be withdrawn, which clearly cannot be done as it has already been moved, and something tabled at Further Consideration Stage. I was simply suggesting that an alternative route that the Alliance Party could pursue would be to vote to pass this amendment and then, if there was felt to be a need for further definition, seek to refine it at Further Consideration Stage.

Mr Speaker: Any amendment moved can be withdrawn through the will of the House. It is important to clarify that.

Mr Eastwood: Thank you for that clarification, Mr Speaker, and I thank Mr Weir for his clarification, which has been very helpful throughout the whole process. In the Committee and elsewhere, he has kept all of us right

on the conventions here, and we are glad to have such an adviser on the Committee. Hopefully, he will reconsider how supportive he will be on some of this later, but we will wait and see.

The amendment tabled at Westminster seemed to get quite a lot of support around the House. The feeling was, however, that it was an issue that we needed to deal with here, and maybe we can try to get it right. I will read the relevant parts of the Westminster amendment:

"A public authority shall not interpret its obligations under subsection (2)

in a way that is incompatible with measures taken on the basis of

objective need."

(1B)

In subsection (5) of section 75 of that Act insert—

"good relations" shall be interpreted in line with international obligations

and, in particular, with regard to—

(a)

tackling prejudice, and

(b)

promoting understanding."

The final part on prejudice and understanding goes back to Mr McElduff's point.

That is where we are coming from. We are happy to look at anybody else's wording, but I think that we can finally find a way through to ensure that one does not simply trump the other but that we can have both. The Bill is an opportunity to enshrine not only good relations but equality in local government across the North.

Mr B McCrea: Will the Member give way?

Mr Eastwood: Yes.

Mr B McCrea: I am not quite as optimistic as the Member that we will get agreement on the definition of good relations. I waited for a long time to hear his definition. He mentioned "tackling prejudice". Who decides what prejudice is? I think that we need a much stronger narrative. I do not think that we will get away with making a single amendment. I join others in agreeing that we need to do this, but the devil is always in the detail. Is it his party's intention to bring a firm amendment at Further Consideration Stage to define what is meant by good relations?

Mr Eastwood: I thank Mr McCrea for his intervention and confirm that we intend to do so. We are happy to work with him and anybody else to see whether we can strengthen that commitment and that —

Ms Lo: Will the Member give way?

Mr Eastwood: I will, yes.

Ms Lo: I want to thank the Member for the collaborative approach that he offers to us. I am very supportive of and

really grateful for that. I think that, sometimes, the House lacks that sort of cooperation.

The Community Relations Council has a lot of guidance on what constitutes good relations. The guidance may not be law, but the council has been around for the past 20 or 30 years, and I am sure that, if we look to it, it would give us some guidance.

Mr Eastwood: I am grateful for the Member's support. It is right that we try, where possible, to reach consensus on these issues. It might be pretty difficult, but we have to try, and I am happy to take advice from the Community Relations Council or anyone else.

I was saying that lots of Members around the Chamber can come up with instances when we have all fallen down on good relations.

I could come up with plenty of those and plenty of times when we have fallen down on equality, but we have to do better — that means all of us. We intend to get this right. We want to ensure that good relations is not used as a reason to trump equality issues around the Irish language, social housing and other things. We need to ensure that we do not allow good relations to be an excuse to prevent equality. It has to be based on the principle of objective need, and that is where we will be coming from in any discussions that we have or any amendments that we put forward after this. I look forward to working with any of the parties, and, hopefully, people will come to it in a positive frame of mind.

Mr Elliott: It appears that a lot of parties will be working together from now on. I will look forward to that in a positive manner.

I want, first, to talk about amendment No 36, which is the new clause proposed by the Alliance Party. I understand the principle of the amendment, but I suggest that the proposals contained in it are too narrow. It talks about religious belief, political opinion or racial group but misses out the other section 75 issues. There is a significant gap in the proposal; even Mr Eastwood mentioned that, maybe not specifically, but I took it that he saw a gap as well. I am bit surprised that the Alliance Party has not gone for equality for all in this process, because normally it is quite good at making the case that it wants equality for everyone. However, it has not done so in this case.

Ms Lo: Will the Member give way?

Mr Elliott: I am happy to give way, yes.

Ms Lo: I only really named a few; I am not saying that that is the total list. It could cover all the section 75 groups. I just do not want to name everyone in a long speech. We are saying that it covers all the section 75 equality groups.

Mr Elliott: I thank the Member for that, but the amendment does not specifically name them all. It names those three, which leaves a gap. Therefore, the Ulster Unionist Party has some difficulty with that particular proposal.

Again, I support the principle of amendment No 37, but I am concerned about how it would be implemented. It may be quite difficult to implement in law and, particularly, in the Bill. I am surprised, however, that there is a petition of concern about it, because I thought that the principle of it was fine, its general process and potential was good and it had the ability, hopefully, to recognise all the section 75 issues in the legislation.

Amendment No 40, as we say in Fermanagh, puts the cart before the horse. The basis of the clause to which the amendment refers is that the Department may specify bodies or individuals by order. Instead, however, the amendment tries to put wide-ranging bodies into the Bill, especially community and voluntary groups and businesses. I would be surprised if all those would not come within an order anyway. I understand where the Alliance Party is coming from, but I would be surprised if those groups were not within an order.

I am a wee bit concerned as well about businesses. Smaller businesses are the bedrock of Northern Ireland's business community, but small businesses are not mentioned. The amendment mentions businesses in a wide-ranging fashion. Organisations such as the Federation of Small Businesses have quite a number of members who employ small numbers of people but are very important to the local economy. The amendment has merit, but it needs to be revisited. Again, I would be happy, in the spirit of today's cooperation, to discuss this with Ms Lo and her party, maybe ahead of Further Consideration Stage, to see whether we can improve the amendment.

12.15 pm

Amendment No 45 is the Ulster Unionist Party amendment and, again, is on councils' general power of competence. Personally, I am not a great believer in the general power of competence. It is very wide-ranging and is prone to huge difficulties in the future. However, if it is to go ahead, I am merely trying to include some safeguards so that there is not a significant overlap with other Departments. That is the reason behind the amendment. It is just to ensure that, where there is overlap, other Departments' views are considered. I will use a wide-ranging example. If a council decides to build a health centre, it must take on the Department of Health's views, or, if it is going to build some educational institution, it must take on the Department of Education's views. That is all that amendment No 45 from the Ulster Unionist Party is attempting to do. Hopefully, people will accept and realise that.

Mr Weir: There is probably less meat in this group than there was in the previous group of amendments, but I will try to deal with some of the uncontroversial matters first.

I will start where the Member who spoke previously left off and say that amendment No 45 seems to be a relatively sensible amendment to provide that safeguard. So, the DUP is certainly happy to support amendment No 45.

Our position on the ministerial amendments is similar. Again, this has probably been an area where, in general, there have been good working relationships between the Department and the Committee. Some amendments have come from the Minister, and some have come, to a certain extent, at the prompting of the Committee. However, I find favour with the ministerial amendments in this group.

I will perhaps leave three of the more controversial amendments to the end. The other Alliance amendments, amendment Nos 38, 41 and 42 all seem to be relatively sensible. We had this debate about community planning, and, in truth, nobody knows precisely how community planning will work out. Many in the sector and beyond have raised widespread concerns that the legislation as it was drafted was perhaps not quite tight enough, and

amendment Nos 38, 41 and 42 attempt to tighten that situation to ensure, as far as possible, that it can work well.

The one caveat is that, irrespective of whatever amendments are tabled to this section or whatever legislation is in this section, the proof of the community planning pudding will be in the eating. This is where there might be a differential quality throughout Northern Ireland. You can have all the legislation in the world and all the things that are either loose or tight by being compellable, but how community planning will work will depend largely on the attitudes of those in council and how much of an opportunity they see in this, the attitudes of the wider community and, very specifically, the attitudes of statutory bodies through their level of cooperation. The danger, as has been said, is that, on day one, the chief executive of the local area will turn up to the community planning meeting, but, six months down the line, the person who bumps the kettle on to make a cup of tea for whomever is there in the office will be the department's representative. With the best will in the world, the one weakness is that, whatever legislation is put in place, a lot will hang on that attitude, and, at the end of the day, cooperation and attitude are very difficult to legislate for. They are difficult to compel in that way. If the community planning process is done right, there will be a great opportunity to improve things, particularly for local communities. I hope that people enter into it in that spirit of cooperation and with the right attitude. I think that amendment Nos 38, 41 and 42 will help us to take at least a step forward in ensuring that that is there.

I move to amendment Nos 36, 37 and 40, all of which are Alliance amendments. I was a little bit surprised at the extent of the opposition to amendment No 37. I did not see it as a particularly significant amendment and certainly not one that potentially warranted a petition of concern. I am certainly happy enough to go along with it. Again, there is a problem with this. I suspect that, because it is subject to a petition of concern, amendment No 37 is clearly going to fall. Whatever form it comes back in at Further Consideration Stage, the key test, as with a lot of these things, is implementation. I am not convinced. I appreciate that Mr McElduff, Mr Eastwood and others have suggested that here is a line — to be fair, it might just be one line — denoting what they believe to be a definition of good relations. I am not sure whether, if everything is simply be boiled down to a line or two to provide a definition, it will be sufficient. I am getting worried, because I see Mr McCrea nodding at what I am saying. I will immediately reverse my position at that point.

It may be a question of greater detail in the guidance. Mention has been made of the Community Relations Council. The essential problem is that there is a lot of detail to be gone into. With a lot of the issues that touch upon good relations and equality, the problem is that there is no common understanding. That was touched on by one of the Members who spoke previously. The danger is that one person's good relations may be regarded as curbing somebody else's equality. Somebody's push for equality may be regarded as creating bad relations in an area. Even within the individual categories, one person's idea of equality may be regarded as someone else's form of suppression or, indeed, one person's idea of good relations. We will probably have a debate this afternoon about where the issue of flags fits into good relations. However, that is probably a decision where one person can

argue that a particular decision was intended to provide equality and good relations and another, from the other side, will simply say that it creates the opposite effect. It is fraught with danger. Nevertheless, we appreciate the intention behind amendment No 37 and, from that point of view, are happy to support it.

We understand the thinking behind amendment No 36 and, again, there are good intentions behind it. Like other Members, I am not sure of the definition and necessary relevance. The public realm, certainly in the actions taken by DSD, for instance, largely looks to bricks and mortar. Public realm schemes, as they operate throughout Northern Ireland, are on the basis of things like the renewal of pavements, brighter lighting, better seating — a range of things targeted largely at town centres as a form of regeneration. The idea of shared space and everyone living together in harmony or at least tolerance is, generally, a good idea, but I am not sure that we can translate that into actions that a council has to take in public realm works. There is no particularly natural fit. To be honest, while the intentions in amendment No 36 are good, it is not an amendment that I find favour with.

I take on board what Mr Elliott said about the cart being before the horse with regard to amendment No 40. We looked at that amendment in Committee. There will clearly be a need for guidance. The legislation indicates that the Department will produce a fairly exhaustive list of how things should be done or, at least, some guidance. It strikes me that this is an area where there is a lot of detail to be put in place. When this issue was raised in Committee, departmental officials said that the reason why there was nothing very specific in place was that the best way of handling it was through guidance. Simply to name

“community and voluntary sector and businesses”

in the legislation, when it will already be covered by guidance, is relatively unnecessary. The best approach was indicated at an earlier stage by the Department. Guidance would be a much better way of dealing with the issue of deciding who the representatives from outside the public sector should be. I am not sure how far forward the amendment will take us.

Mr Agnew: I thank the Member for giving way. What is your view of the potential for inconsistency, if it is not clear in the legislation which groups will be included?

I am conscious that some councils are already more inclined towards community engagement than others. Is the amendment possibly a way of ironing out inconsistencies?

Mr Weir: There is always a balance to be struck between consistency and a certain level of flexibility to meet local needs. I mentioned that yesterday, and I think that it is one of the complications of the Local Government Bill. For example, community planning will be very different, potentially even because of the range of groups that will be engaged. If you are dealing with an area that is largely rural with a small town, such as the new Fermanagh and Omagh District Council in Mr Elliott's area, what is done there may be different from what is done in North Down and Ards District Council, and the level of engagement and the issues that need to be tackled may differ from what is needed for Belfast City Council.

It strikes me that guidance can cover consistency. The general point in amendment No 40 that community planning

“must include representation from the community and voluntary sector and businesses”

is so vague that I am not altogether sure how much consistency it would give. Consequently, I am not convinced that having the amendment in the Bill will be of particular benefit. I think that the issue can largely be tackled by way of guidance and, if needs be, by regulation. I am not convinced of the merits of having amendment No 40 in primary legislation. With that, I will close.

Mr Kinahan: I am very happy to speak on the general powers. Before I start, I want to say that, after I had stood down from being a councillor having been co-opted to the Assembly, it became very evident to me that there was no easy way for councils to work with the Assembly and vice versa. I really hoped that there would be something in the Bill that would get the Assembly and the councils working together. There are hints of that. That is very much a general comment, but I hope that we will expand on that before we get to Final Stage.

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

My colleague has already spoken on amendment No 36 and the other amendments from the Alliance Party in the group. I very much agree that the amendment is the right way in which to go, but I have problems with exactly how it will be done; how it will be defined; how we will make things happen in a way that means that we do not put too onerous a burden on councils; and how the legal side will be interpreted. I look forward to us all working together on those matters.

I am still concerned about the issue of community planning. We discussed it while debating the Planning Bill two and a half years ago. In the Antrim Borough Council area alone, I think that there were 335 community groups. Somehow we have to find a way — I do not yet see it in the Bill — of getting all the different community groups involved. At the time of the Planning Bill, I asked the Minister who is involved in the community and was told that it is the people who live there, who work there, who pass through there and who are affected by what happens there. Before we realised it, we were talking about everybody. I look forward to future amendments that will put something in place to encourage community groups' involvement. However, how do we do it so that it is not the people who scream loudest or are most aggressive who always gets their way?

I acknowledge my colleagues' concerns with the power of competence, but there is one side of it that I am particularly keen to see happening. Last year, I attended a Royal Institution of Chartered Surveyors (RICS) meeting at which lawyers from Scotland showed us how they had got over many of the difficulties of public-private finance. The power of competence will give councils the chance to get money on the back of the money that they get in from rates and other sources. We need that to be explored and expanded on in the Bill. For example, when the Education Committee went to Scotland, we saw that its schools were being built by hub companies that had been set up. They had worked their way through the regulations from

Europe and the UK so that they could build schools by using more subcontractors from local areas. The power of competence offers a great chance. If you look at my patch in South Antrim and the Ballyclare West project, which has stopped at the moment, a road was meant to be built at the back of a whole group of housing developments. That is an ideal way to do things, which could work in the future, and councils could get income from the sales of houses. It is that sort of competence that I am very pleased to see coming into the Bill.

12.30 pm

I fully support amendment No 45, which was proposed by my colleague. It tries to get everyone with overlapping powers to work together. That fits with what I have just been saying. We have to make sure that the Departments work with councils and that the powers are created in a friendly overlapping way so that we do not have people competing against each other.

The one amendment that no one seems to have spoken about so far is amendment No 62. I feel that it is incredibly important that Northern Ireland should fit in with all international obligations. However, I know from the all-party group that I chair on the European Union that even trying to keep an eye on what is coming from Europe is going to be extremely difficult. Whether we look at the zebra mussels problem in Strangford lough or the present problem in Lough Neagh over planning, the regulations and rules will come not just from Europe but Westminster and everywhere else.

It is absolutely right that we have the amendment, but what concerns me is that councils might need more resources to be able to carry out and follow the rules that are coming down to them. For example, to go back to Lough Neagh and planning restrictions, we need surveys of the wildlife and the ecosystem. Who is going to pay for that? We need to put something in place that ensures that there is a way of getting the resources. Part of that is how we work with the Departments and how we pull it all together. That concerns me. At the same time, we need bodies in place such as the all-party group and much larger organisations that are following all the regulations that are going to come our way. That is phenomenally important and we must not forget it.

Mr B McCrea: It is quite interesting that this debate seems to be the calm before the storm. Everybody has a great sense of humour and is getting on and saying, "Can I work with you?" It is quite amazing. It will be interesting to see how the day ends up.

Lord Morrow: It depends on whether we are still standing or sitting.

Mr B McCrea: Yes, exactly. I find myself in agreement with a number of people. I am sorry to confirm to Mr Weir that I was nodding vigorously for no other reason than that I agreed 100% with what he was saying. It just goes to prove that even a broken clock is right twice a day. Mr Weir raised some interesting points. The particular areas that I want to look at are amendment Nos 36, 37 and 40. I will also touch on amendment No 62, which Mr Kinahan brought up.

One of the real problems with amendment No 36 is that I am not entirely sure why we need it in the Bill because we have section 75 protection. That is already in law, and

you have to take cognisance of it. In effect, section 75 is there because there are some differences in our society, compared with other societies. You might even call it abnormal. The problem is this: is this amendment trying to spread our abnormality into the public realm? If anything can be learnt from this peace process, it is that, if you try to legislate for things, sometimes you have the perverse effect of enshrining into law that which you are trying to remove. I am not sure that this amendment is the right way to go about it.

Ms Lo: Will the Member give way?

Mr B McCrea: I will, indeed.

Ms Lo: We want to put a duty on councils to look at shared spaces to make them more neutral, more welcoming and more inclusive to all sections of society. Section 75 is very much about equality scrutiny of policies, but this puts the duty on the council to look at all the functions and actions that they carry out and to bear in mind promoting the shared use of public space.

Mr B McCrea: I thank the Member for the intervention, but, as Mr Weir put forward, the trouble is that one person's equality, right or opinion may contradict another. What we do not want to see in our society is some form of grey or beige outlook where nobody's opinion is tolerated. In fact, one of my key worries, and I have said this repeatedly in the House, is about the use of "political opinion" and the notion that people are allowed to say that you cannot hold a certain political opinion. In any other jurisdiction, that approach would be considered to be non-liberal — illiberal — because the whole idea about a pluralist democracy is that you are allowed to hold differences of opinion. Lord Morrow and Mr Weir hold a different opinion from me on certain issues, and, in a democracy, they have absolutely got the right to do that. If you get to a situation in which you are not allowed to express that opinion for fear of offending somebody, that is a pretty bad place to be. It is not the type of place that I want to live in.

Although I understand that the amendment is well intended, I worry that, if we go down that road, we may never get our society to the point of being normal. We may never get to a situation in which we will be able to embrace diversity or take a certain amount of tolerance with other people, or one in which people do not go round saying, "We're going to be offended by every single issue".

The point was brought up, and it is germane to what is going to happen later, that if somebody in Castlereagh council, for example, says that they want to fly the Union flag, does that offend somebody else? It is in the public realm. Can you come back and say, "No, you're not allowed to do that"? Equally, if a GAA match is taking place, is that offending somebody? You get this issue around who decides who is offended and why. So, I am concerned about amendment No 36.

The key term in amendment No 37 is "good relations". Who is going to define "good relations"? What does "good relations" mean? I do not think that you are going to get away with one line or one phrase that says that good relations are no prejudice and looking after equality, because it is a much deeper issue. It is something that we need to discuss and thrash out. To be honest, you can only start talking about good relations when you are not going to have motions brought forward that provoke a petition of concern. People know what the effect of the motion is

going to be, and they know what the reaction is going to be. That is why we do not really have good relations here.

Unless you get a firm definition into which consensus is built, I feel that you could have quite a lot of interpretation going on in the courts. That is why I asked our colleague from Foyle if he was going to bring forward a definition. I agree that this is not a good way to legislate. We need to do this in a better way.

Moving on swiftly to amendment No 40. Here, again, in the spirit of goodwill, I am in agreement with Mr Elliott. There are no bounds to our generosity today; it is going to be a great —

Mr Lyttle: Will the Member give way?

Mr B McCrea: I will give way. When I say “generosity”, I am not sure if it includes Mr Lyttle. It depends on what he has to say.

Mr Lyttle: I thank the Member for giving way, and I apologise because I have not been here for all of his speech. However, I was following it. In the interests of inserting some accuracy into the debate, I say that there are existing definitions of good relations. Neither good relations nor promoting good relations are defined in legislation, but the Equality Commission has developed a definition. It says:

“The growth of relationships and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms.”

So, we have workable definitions available to us. I think that the purpose of today’s amendment is to put a principle in place, and there are very clear workable definitions available to us in the implementation of that. I thank the Member for giving way.

Mr B McCrea: I thank the Member for his contribution. The worrying thing that he said in his intervention was that there are multiple definitions of good relations.

Mr Lyttle: There is a clear one there.

Mr B McCrea: There are multiple definitions. If we can get consensus for what it is, and, certainly, Members have indicated that they are going to bring forward a definition, I would be interested to see if the Assembly can get an agreed definition. If that is the case, that is all to the good. However, I do not minimise the challenge. It is not just as easy as saying, “Let’s take the CRC’s definition” or, “Let’s take somebody else’s definition”. It is something that we have to argue, discuss, come to a consensus on and agree on ourselves. I am sure that the Member agrees that it would be a good thing if we were able to do such a thing.

Mr Lyttle: Will the Member give way?

Mr B McCrea: I will.

Mr Lyttle: I do not disagree. I do not want to overplay the multiple definitions. There are clear working definitions available. I agree with him: the Assembly should work to clarify those, implement them and lead on them. However, frankly, this long after the Good Friday Agreement, it should be very clear and second nature to Members of this Assembly. I hope that he agrees with that as well.

Mr B McCrea: I will take his intervention. Moving on —

Ms Lo: Will the Member give way?

Mr B McCrea: Yes.

Ms Lo: Thank you. We, in the past 20 or 30 years, have had a whole — I do not want to use the word “industry” — industry, for want of a better word, on promoting good relations. It seems such a nonsense to say that we have no definition, guidelines or framework about what good relations are. We have talked on and on for years about promoting good relations. How can we say that we do not know what good relations are?

Mr B McCrea: I do not know how you can say it, but I will be surprised if you can bring forward a definition of “good relations” that will gain the complete support of the House without a considerable amount of work. There will be work that has to be done. Maybe you have an answer, Mr Dickson. Maybe I am doing you an injustice.

Mr Dickson: Not at all. I just want to acknowledge the point that the Member made about the amount of work that will be required to be done. That is also a very sad reflection on the House. As Ms Lo said, we have spent some 20-plus years — indeed, many of us have spent a great deal longer than that — working clearly on the equality agenda and also defining and working in the field of good relations. It is a very sad reflection that we cannot get to a point where we can reach agreement on that or at least produce a sufficiently broad definition that will bring consensus.

At the end of the day, I just want to ask the Member this question. He said that, in the first instance, we are trying to establish a principle of bringing good relations alongside equality. This is not about undermining equality. I hope those who have put forward the petition of concern genuinely reflect on that. It is about strengthening it and underpinning it and bringing good relations alongside it.

If Members are truly genuine in the comments that have been made — I am sure that Mr McCrea was when he said that we are attempting to establish a principle and to determine then, at the next stage, whether we can bring forward those determinations — I put the challenge out today to the Members to withdraw that petition of concern and join us in accepting the principle of equality. These are parties that have spent their entire lifetimes preaching, teaching and encouraging this community and society to get on board the equality agenda. We are on that equality agenda; we are asking you to take the next step and bind that to good relations.

Mr B McCrea: I must admit that I am inspired by that speech, Mr Dickson. It was an intervention, but —

Mr Eastwood: Will the Member give way?

Mr B McCrea: Yes.

Mr Eastwood: I will be brief. Does the Member accept that there have been occasions in recent years when the issue of good relations has been used to trump equality and stop certain developments taking place? That is why it is so important that we get a proper definition of it and that we use objective need as the basis for that. I read out our proposed Westminster amendment earlier. I hope that people will understand that we are coming at this with a genuine desire to get it right. We do not want to see a situation in which one trumps the other. Our attempt is a

good one, and we are prepared to listen to other people's attempts.

12.45 pm

Mr B McCrea: I thank Members for their interventions. I will deal with that and move on, as we have said our piece. It is self-evident. This debate shows that there is no unified belief in what good relations are, what the relationship with equality is, and what we are trying to do. The very fact that petitions of concern are brought in on such issues says, "Look, there is a problem here".

Nevertheless, taking it in the round, Members said that they are interested in trying to resolve the matter. It is not a simplistic process, but it has to be done. I agree wholeheartedly with people who say that it is too long since the 1998 agreement and that we should have sorted this out. However, let us sort it out now. I do not think that you will be able to do it on the basis of one simple line. I am not even sure that you will be able to do it in the Bill. However, I am willing to give it a go.

I move on to amendment No 40. I was saying that I am in agreement with Mr Elliott's point that, when you specify certain groups and things, there is a danger that you exclude others. The most organised, well-funded and biggest organisations will feel that they should come in and have a say in government, and that is fair enough. However, what about smaller businesses? What about individuals? What about everybody else who deserves to have their say and be heard?

Councils are not above the community. Councils are not separate from the community. Councils should be the community. It is the job of councillors to represent as many facets of people's opinions as possible. That is their role in a democracy. It seems to me that specifying it in this way is counterproductive and not the right road to go down.

I will finish. Mr Kinahan made the point that amendment —

Lord Morrow: Will the Member give way?

Mr B McCrea: I will indeed.

Lord Morrow: I want to commend Basil McCrea. He has, to some degree, excelled in what he has said. I find myself generally in agreement with what he said and with the manner in which he has presented himself and his case. I am not sure whether he set out to do this or not, but he has demolished very well the SDLP's reason for bringing a petition of concern here today. I can understand Members voting against something. If you feel very strongly about it, you bring a petition of concern. My party does that from time to time and will do so in future. However, it is very difficult to understand bringing a petition of concern on an issue that they feel is not right in its detail.

There is an onus. I do not know whether this puts the Minister on the spot or not. I understand that he comes from that party, but I am leaving him out of this whole equation for the moment. He will get an opportunity a little later to say his bit and clarify his position. It is extremely difficult to understand the SDLP coming here today with a petition of concern on this issue.

I want to reinforce Basil McCrea's point. I was a member of a council for some years, and I thought that we were working at community level. This is now telling me, to some extent, "No, there is another community there that

you are not working with". I do not understand or accept that. I believe that, by and large, councils are working with the community at grass-roots level. I want to reinforce Basil McCrea's point on that. Well done to him.

Mr B McCrea: I am grateful for Lord Morrow's intervention. We have differences of opinion on many things, but we are at one on this issue. I do not think that a petition of concern is the right way forward on the issue. It seems to me that there is a more serious problem afoot here. I am sure that the debate will come forward at Further Consideration Stage, and we will see what we can do on it.

In closing, Mr Kinahan feels that amendment No 62 is particularly important. I ask the Minister this: what does it mean when it states:

"incompatible with any international obligations".

What is "international"? If we have obligations under the European Union to deal with waste product by way of an incinerator or something like that, we have to meet them. We are in danger of being sanctioned if we do not deal with chicken litter and various other waste products. Does this amendment give the Department the power to say, "You will build an incinerator in x"? Is that what that means? I know that a lot of people will be quite worried. They will say that they understand the need for a dump or an incinerator but that they would prefer if it were not on their patch. So perhaps the Minister will clarify exactly what that means. I conclude my remarks.

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. It seems that cooperation has broken out. Mr Principal Deputy Speaker, before I offer my view on the Alliance Party's amendments, I will, with your permission, deal with a number of my own in this group. Some arise from recommendations made by the Environment Committee during Committee Stage. I thank Committee members for their helpful recommendations and timely scrutiny of the Bill.

Amendment No 39 adds to clause 69, which places a duty on councils to deliver community planning. The purpose of the amendment is to clarify that:

"improving the social well-being of the district"

will include "promoting equality of opportunity" and that "improving the economic well-being" will include:

"tackling poverty, social exclusion and patterns of deprivation".

Clause 76 makes provision for the involvement of the community in the development of a council's community plan. Amendment No 43, which I tabled in response to the views of the Environment Committee, will provide that councils and their community planning partners will be required to make "reasonable" arrangements to ensure that stakeholders have the opportunity to express their views and have them taken into account. The statutory guidance that my Department will issue to support the operation of community planning will address the form that these reasonable arrangements might take.

Amendment No 44 will amend clause 78 to place a requirement on Departments to promote and encourage community planning rather than provide for them to "aim to" do so.

I tabled amendment No 46 in response to comments from the Examiner of Statutory Rules. The amended clause 85 would provide for a super-affirmative Assembly procedure to be used in cases where my Department seeks to amend, repeal, revoke or disapply legislation that would prevent or restrict a council's use of the general power of competence. This would involve an enhanced consultation process and require the order to be laid in the Assembly twice before it could be made.

Amendment No 47 will provide for councils to publish their assessment of performance by 30 September each year rather than 31 October. This will provide a slightly longer time frame for the local government auditor to undertake her assurance responsibilities in relation to a council's improvement plan.

Amendment 50 is linked to amendment Nos 51 and 56. With the Deputy Speaker's permission, I will give the background to these amendments simultaneously. The new performance improvement framework makes provision for the local government auditor to issue for each council an annual report on whether the council has complied with the relevant legislation and any guidance issued by my Department. The provisions will be amended to provide for a risk-based approach to be adopted when deemed appropriate by my Department. This will mean that audits can be undertaken on specific councils in a given year, once the new performance improvement regime has been operating for a number of years.

I propose amendment No 62 to ensure that councils play their part in the delivery of international obligations, which, as defined in the Northern Ireland Act 1998, do not include EU law. This is provided for separately. I am not sure that I like the example of building an incinerator. I distance myself from that suggestion.

The amendment would make provision for any Department to direct that any proposed action that would be incompatible with an international obligation must not be taken. It would also allow any Department to direct a council to take any action required for the purposes of giving effect to an international obligation. I urge Members to support the amendments.

Mr B McCrea: Will the Minister give way?

Mr Durkan: Certainly.

Mr B McCrea: I will give a different example, rather than an incinerator. The United Kingdom has international obligations under Kyoto regarding CO2 emissions and energy use, but Northern Ireland as a region does not and councils do not. Is the legislation that he is looking at suggesting that in some way we ought to reduce energy consumption? What type of international obligation are you talking about that might affect a council?

Mr Durkan: I thank Mr McCrea for the intervention. He might be getting closer to the mark now. I am not thinking of any — that will be for councils, obviously — but he might be getting closer if I were thinking of any.

I now move to the amendments proposed by the Alliance Party. As you heard, amendment No 36 would place an additional duty on councils to ensure promotion of the shared use of public spaces. Councils should, where possible, encourage the shared use of public space where all citizens can feel welcome. I, therefore, support the

amendment, although I understand the points made by other Members.

Amendment No 37 proposes the introduction of a new requirement on councils and their community planning partners to identify long-term objectives for improving equality and good relations between section 75 categories. I believe that, as outlined today by quite a few contributors, we need an agreed definition of good relations to support the amendment. I would be glad to work with Ms Lo and all Members who have expressed a willingness to collaborate in an attempt to agree a definition of good relations. My amendment No 39, however, proposes a similar thing regarding equality of opportunity. For that reason, I urge Members not to accept the Alliance Party's amendment.

Amendment No 38 is designed to emphasise the need for the community planning process to consider, in the context of setting community plan objectives, the planning, provision and improvement of public services. I am content to support the amendment.

Anna Lo and Stewart Dickson proposed in amendment No 40 that clause 70 should specify that representatives from the community and voluntary sector and the business community should be required to participate in community planning. I do not believe that it is appropriate for my Department to place a statutory duty that would require non-statutory bodies to perform functions in support of a council. The role of those bodies will be set out in statutory guidance. It is vital that we encourage and facilitate the participation of those sectors and others.

I will respond to an intervention from Mr Agnew.

Community planning is not a one-size-fits-all issue.

Although there are statutory bodies that will have a role to play in all council areas — those bodies will be named in subordinate legislation — areas will have different requirements and will therefore require participation from different organisations.

Mr Elliott: I thank the Minister for giving way, and I know it is important to get things onto the record in Hansard. I appreciate what he says about amendment No 40, but does he envisage that the voluntary and community sector and, indeed, businesses will be part of community planning groups?

Mr Durkan: I envisage that they will be. I very much hope that they will be, and I hope that they hope that they will be. Community planning is an exciting new power going to councils, and it is important that we maximise participation in it in order to yield real, tangible benefits for communities. As the amendment would be likely to add an extra burden on organisations, such as those in the voluntary and community sector, as well as businesses, that should be free to choose whether they participate in community planning, I urge Members not to support it.

1.00 pm

In amendment No 41, Alliance Party Members propose that, when reporting on community planning objectives, councils' statements on community planning should focus not only on progress made but on outcomes achieved. A council's community plan is likely to cover short- and longer-term objectives. However, I acknowledge the significance of reporting on outcomes and encourage Members to support the amendment.

Amendment No 42 proposes a change to clause 76 that would require a council and its community planning partners to actively:

“seek the participation of and encourage the persons mentioned in subsection (2) to express their views”.

That requirement has the potential to place an additional burden on councils and their community planning partners and does not take account of the desire of individuals or groups to be involved in the process. Following officials' engagement with the Environment Committee, I have tabled amendment No 43, which would require a council and its partners to ensure that reasonable arrangements are in place for engagement with the community. That will be supplemented by statutory guidance, which will provide further detail on arrangements for community engagement.

Ms Lo: Will the Minister give way?

Mr Durkan: Certainly.

Ms Lo: I certainly have spoken to the voluntary sector. They feel that putting in the word “reasonable” will restrict rather than promote the chances for engagement. I do not know what the Minister's view on that is. They said that it is well intentioned but would have the opposite effect.

Mr Durkan: They are right, in that it is well intentioned, and I certainly hope that they are wrong to say that it would have the opposite effect. I have met representatives of the community sector on the issue, and they do not all have the same view. However, I remain committed to working with the voluntary and community sector and all sectors, particularly on community planning as councils move forward with it. I urge Members to support my amendment instead of amendment No 42, tabled by the Alliance Party.

Finally, Mr Elliott and Mr Kinahan tabled amendment No 45, which relates to cases where my Department intends to make an order altering a statutory provision that, it thinks, overlaps the general power of competence. The amendment seeks to ensure that account is taken of the views of bodies acting in exercise of those powers prior to the making of any order. The amendment is, in my opinion, unnecessary, as clause 125 already requires orders made under clause 85 to be subject to consultation and specifies that such orders must be subject to the draft affirmative procedure. That is a sufficient level of scrutiny, and I ask Members not to accept the amendment.

Mr Principal Deputy Speaker: Before I call Ms Anna Lo to make a winding-up speech, Members should note that it will be convenient after the conclusion of Ms Lo's comments to take a short break for a cup of tea or whatever.

Ms Lo: Thank you, Mr Principal Deputy Speaker. I am sure that Members would welcome that, as they have been sitting here since 10.30 am. I will be brief, given that it is nearly lunchtime.

Mr McElduff said that the definition of good relations was not in amendment No 37. He wants that definition to include tackling prejudice and promoting understanding.

Amendment No 39 is not mine.

Mr Eastwood talked about good relations. He said that we were good at putting together plans but not so good at delivering them. He is glad to support amendment No 36

and happy to work with the Alliance Party to strengthen it to include the LGBT community, and we are happy to cooperate on that. He talked about amendment No 37 and offered to cooperate. Mr Principal Deputy Speaker, I really appreciate the atmosphere here today: it is one of the rare occasions when all parties have been cooperative. There is a harmonious atmosphere, and we should continue with that and replicate it all the time. It is such a pleasure to be working this morning with so many parties offering their support and offering to work together.

Mr Elliott thought that amendment No 36 was too narrow and did not include all section 75 groups. As I said, we are happy to extend that. He was surprised that two parties had lodged a petition of concern, and so were we. With regard to amendment No 40, he was surprised that those groups would not be included and thought that the amendment was not necessary. He asked about smaller businesses and said that he thought that they needed to have a say. He offered to work with us on that.

Mr Weir supported amendment Nos 38, 41 and 42, although he said that amendment No 38 needed to be slightly tighter. His worry was that it was difficult to legislate for cooperation, and he said that the attitudes of the wider community, councils and the cooperation of statutory bodies were needed to make the community plan work. I agree with him: that has been the sentiment expressed by many stakeholders, who said that it was good on paper but they needed to see how it would work out. He was surprised to see the extent of the opposition from the two nationalist parties to amendment No 37 and said that he was happy to support it. He said that the intention of amendment No 40 was good but he could not support it. He said that it was a case of putting the cart before the horse and that the matter would be covered by guidance or regulation, which is a better means of moving it on.

Mr Kinahan asked how we do this, because the problem lies in trying to get everybody to work together. He also expressed concerns about how to get all the community groups together. He gave examples of many organisations wanting to take part and asked how we would include everybody. He was pleased to see the power of competence being given to councils. He said that it was important that Departments worked with councils and that they did not compete against each other. That is a good point.

Mr McCrea commented on the atmosphere and said that he was a bit worried that it might be the calm before the storm. I hope not, Mr McCrea; we have plenty more work to do this afternoon.

On amendment No 36, Mr McCrea said that we had section 75 in law and asked why we needed a new duty to promote shared space. He said that we did not want to see everything become neutral, grey and beige. He wants a pluralist society in which pluralist opinion can be expressed freely. We are not saying that our amendment is opposed to that; rather, we say that there should be shared space where everyone can express their identity, cultural preferences and traditions freely without fear. I agree with what Mr McCrea says, but our amendment would create space where everyone could express their identity and culture freely.

Mr B McCrea: Will the Member give way?

Ms Lo: Yes, of course.

Mr B McCrea: We generally want to go in the same direction, but I think that the Member was covered in speaking about flags and various other things that are in a public space. Some people think that those are part of their culture, and other people think that they are not. There is where we have difficulty. If it becomes a zero sum, where nobody is allowed anything, that would be a regrettable place to be in. I am not saying that the Member and I can solve that; I am just pointing out that it is an issue that we need to address.

Ms Lo: Sure.

On amendment No 37, Mr McCrea agreed with others that we needed to define what “good relations” means and have consensus to build on it.

Amendment No 40 is ours. Mr McCrea agreed with Mr Elliott that the best-funded organisations will get the biggest say, and he asked about others’ role. He said that that was not the right road to go down.

The final contributor was Minister Durkan. He supports the shared use of public spaces under amendment No 36 and said that, in fact, it was in the strategic planning policy statement. I am grateful for that information. The Minister is from the party that submitted the petition of concern on amendment No 37, so I would not expect him to support it. He said that we needed an agreed definition.

1.15 pm

Again, I really want to stress that, although there may not be a definition in law, we have been working on this issue for a very long time. There is the Equality Commission’s working definition of good relations, which I will read again to Members. It states:

“The growth of relationships and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms.”

That is its definition of good relations. We are not working in a vacuum, so let us put this in the Bill, and then we can work on the definition at Further Consideration Stage or adopt that definition. We will work with all parties to reach consensus in the House in order to say, once and for all, what we mean by good relations and to put that in our legislation. We need that; we definitely need it.

On amendment No 38, the Minister said that he supports us. Thank you. On amendment No 40, he said that it is not appropriate to require non-statutory bodies to participate and it has to be up to them whether or not they take part. He said that the guidance will obviously encourage participation from the community and voluntary sector.

The Minister supports amendment No 41. He said that amendment No 42 may add an additional burden to councils and voluntary organisations and he urged Members to support his amendment No 43 instead.

Mr Principal Deputy Speaker: Members, as I indicated, this would be an appropriate time for a short suspension. The sitting will resume at 1.50 pm. Thank you.

The sitting was suspended at 1.17 pm and resumed at 1.51 pm.

Mr Principal Deputy Speaker: Order. Having concluded the debate on the group 4 amendments, we resume consideration of the Bill with the Question on amendment No 36.

Question put, That amendment No 36 be made.

The Assembly divided:

Ayes 21; Noes 74.

AYES

Mr Agnew, Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Allister, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ni Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Boylan and Mr G Robinson.

Question accordingly negatived.

Mr Principal Deputy Speaker: I ask that Members take their ease for a moment while we change the top Table.

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

Clause 69 (Community planning)

Mr Deputy Speaker: As a valid petition of concern has been tabled in respect of amendment No 37, the Question will require cross-community support. Amendment No 37 proposed: In page 40, line 25, at end insert -

“(iv) equality and good relations between the categories of persons listed in section 75 of the Northern Ireland Act 1998.”— [Ms Lo.]

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 minutes and move straight to the Division.

Question put.

The Assembly divided:

Ayes 53; Noes 42.

AYES**Unionist**

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Other

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES**Nationalist**

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr Allister, Mr McCallister, Mr B McCrea.

Tellers for the Noes: Mr Milne and Ms Ruane.

Total Votes	95	Total Ayes	53	[55.8%]
Nationalist Votes	39	Nationalist Ayes	0	[0.0%]
Unionist Votes	47	Unionist Ayes	44	[93.6%]
Other Votes	9	Other Ayes	9	[100.0%]

Question accordingly negated.

Amendment No 38 made: In page 40, line 29, after "partners" insert

"(including actions and functions related to the planning, provision and improvement of public services)".— [Ms Lo.]

Amendment No 39 made: In page 40, line 30, at end insert

"(2A) In subsection (2)(a)—

(a) the reference to improving the social well-being of the district includes promoting equality of opportunity in accordance with section 75 of the Northern Ireland Act 1998; and

(b) the reference to improving the economic well-being of the district includes tackling poverty, social exclusion and patterns of deprivation;

and expressions used in this subsection and in section 28E of that Act (Executive Committee's strategy relating to poverty, social exclusion etc.) have the same meaning as in that section."— [Mr Durkan (The Minister of the Environment).]

Clause 69, as amended, ordered to stand part of the Bill.

Clause 70 (Community planning partners)

Amendment No 40 proposed: In page 41, line 3, at end insert

"(1A) The bodies or persons specified under subsection (1) must include representation from the community and voluntary sector and businesses."— [Ms Lo.]

Question put, That amendment No 40 be made.

Mr Deputy Speaker: Order, Members. Two Tellers for each side have not been nominated. The amendment falls.

Question accordingly negated.

Clause 70 ordered to stand part of the Bill.

Clauses 71 to 73 ordered to stand part of the Bill.

Clause 74 (Monitoring)

Amendment No 41 made: In page 43, line 22, leave out "towards" and insert "and outcomes achieved in".— [Ms Lo.]

Clause 74, as amended, ordered to stand part of the Bill.

Clause 75 ordered to stand part of the Bill.

Clause 76 (Community involvement)

Amendment No 42 proposed: In page 44, line 3, leave out from "ensure" to "taken" and insert "(a) seek the participation of and encourage the persons mentioned in subsection (2) to express their views and (b) take those views".— [Ms Lo.]

Question put.

The Assembly divided:

Ayes 69; Noes 26.

AYES

Mr Agnew, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Allister, Mr Attwood, Mr D Bradley, Mr Byrne, Mr Copeland, Mr Cree, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.

Tellers for the Noes: Mr Kennedy and Mr McGlone

Question accordingly agreed to.

2.30 pm

Mr Deputy Speaker: I will not call amendment No 43, as it is mutually exclusive with amendment No 42, which has been made.

Clause 76, as amended, ordered to stand part of the Bill.

Clause 77 ordered to stand part of the Bill.

Clause 78 (Duties of departments in relation to community planning)

Amendment No 44 made: In page 45, line 7, leave out “aim to”.— *[Mr Durkan (The Minister of the Environment).]*

Clause 78, as amended, ordered to stand part of the Bill.

Clauses 79 to 84 ordered to stand part of the Bill.

Clause 85 (Powers to make supplemental provision)

Amendment No 45 made: In page 48, line 33, leave out from “then” to “overlap,” and insert

“it shall seek to remove or reduce that overlap, taking into account the views of the bodies exercising the overlapping powers.

(2A) For the purposes of subsection (2).— [Mr Elliott.]

Amendment No 46 made: In page 48, line 41, at end insert

“(5) Before the Department makes an order under this section it must consult—

(a) such associations or bodies representative of councils;

(b) such associations or bodies representative of officers of councils; and

*(c) such other persons or bodies,
as appear to the Department to be appropriate.*

(6) If, following consultation under subsection (5), the Department proposes to make an order under this section it must lay before the Assembly a document explaining the proposals and, in particular—

(a) setting them out in the form of a draft order; and

(b) giving details of consultation under subsection (5).

(7) Where a document relating to proposals is laid before the Assembly under subsection (6), no draft of an order under this section to give effect to the proposals (with or without modification) is to be laid before the Assembly until after the expiry of the statutory period beginning with the day on which the document was laid.

(8) In preparing a draft order under this section the Department must consider any representations made during the period mentioned in subsection (7).

(9) A draft order laid before the Assembly in accordance with section 125(3) must be accompanied by a statement of the Department giving details of—

(a) any representations considered in accordance with subsection (8); and

(b) any changes made to the proposals contained in the document laid before the Assembly under subsection (6).— [Mr Durkan (The Minister of the Environment).]

Clause 85, as amended, ordered to stand part of the Bill.

Clauses 86 to 94 ordered to stand part of the Bill.

Clause 95 (Improvement planning and publication of improvement information)

Amendment No 47 made: In page 53, line 34, leave out “31st October” and insert “30th September”.— *[Mr Durkan (The Minister of the Environment).]*

Clause 95, as amended, ordered to stand part of the Bill.

Clause 96 (Improvement information and planning)

Mr Deputy Speaker: We now come to the fifth group of amendments for debate. With amendment No 48, it will be convenient to debate the amendments listed, which deal with technical and consequential changes to the Bill.

Mr Durkan (The Minister of the Environment): I beg to move amendment No 48: In page 54, line 13, leave out “(1) to (5)”.

The following amendments stood on the Marshallled List:

No 49: In page 54, line 15, leave out “under section 95(6)” and insert

“by the Department about the council’s duties under that section”.— [Mr Durkan (The Minister of the Environment).]

No 52: In clause 98, page 54, line 31, leave out “(1) to (5)”.— *[Mr Durkan (The Minister of the Environment).]*

No 53: In clause 98, page 54, line 33, leave out “under section 95(6)” and insert

“by the Department about the council’s duties under that section”.— [Mr Durkan (The Minister of the Environment).]

No 54: In clause 98, page 55, line 1, leave out “under section 95(6)” and insert

“by the Department about the council’s duties under section 95”.— [Mr Durkan (The Minister of the Environment).]

No 55: In clause 98, page 55, line 20, at end insert -

“(5) In subsection (4) “specified” means specified in a direction under that subsection.”.— [Mr Durkan (The Minister of the Environment).]

No 67: In clause 111, page 62, line 25, leave out “Article” and insert “Articles 18(1) and”.— *[Mr Durkan (The Minister of the Environment).]*

No 70: After clause 117 insert

“Payments for special purposes etc.

Payments for special purposes and public appeals

117A.*In the Local Government Finance Act (Northern Ireland) 2011 the following provisions cease to have effect—*

(a) section 37 (payments for special purposes);

(b) section 38 (restrictions on power to make payments under section 37); and

(c) section 40 (limit on expenditure on payments under section 37 and on public appeals).”— [Mr Durkan (The Minister of the Environment).]

No 72: In clause 121, page 66, line 14, leave out subsections (1) to (3) and insert -

“121.—(1) The power conferred by subsection (4) is exercisable where it appears to any Northern Ireland department necessary or expedient as mentioned in section 123(1) or (2).”— [Mr Durkan (The Minister of the Environment).]

No 73: In clause 121, page 66, line 27, leave out “paragraph (c) of section 123(1)” and insert “section 123(2)”.— [Mr Durkan (The Minister of the Environment).]

No 74: In clause 121, page 66, line 30, at end insert

“(6A) The Department of Culture, Arts and Leisure may make one or more schemes for the transfer of designated assets or liabilities of the Board of Trustees of the National Museums and Galleries of Northern Ireland relating to Armagh County Museum to the council for the district of Armagh, Banbridge and Craigavon.”.— [Mr Durkan (The Minister of the Environment).]

No 75: In clause 121, page 66, line 40, leave out from “means” to “that” in line 42.— [Mr Durkan (The Minister of the Environment).]

No 76: In clause 121, page 67, line 1, leave out “it”.— [Mr Durkan (The Minister of the Environment).]

No 77: In clause 121, page 67, line 3, leave out “it”.— [Mr Durkan (The Minister of the Environment).]

No 78: In clause 122, page 67, line 11, leave out from “means” to “includes” in line 15 and insert

“includes the Local Government Staff Commission and”.— [Mr Durkan (The Minister of the Environment).]

No 79: In clause 122, page 67, line 18, leave out from “Act” to the end of line 22 and insert -

“or any other Act mentioned in subsection (1) of section 123;

(b) any transfer of functions or any statutory provision falling within paragraph (a) or (b) of subsection (2) of that section.”.— [Mr Durkan (The Minister of the Environment).]

No 81: In clause 123, page 68, line 12, leave out from “order” to “order” in line 38 and insert

“regulations make such incidental, consequential, transitional or supplemental provision as appears to the Department to be necessary or expedient for the purposes of, or otherwise in connection with—

(a) this Act;

(b) the Local Government (Boundaries) Act (Northern Ireland) 2008; or

(c) the Planning Act (Northern Ireland) 2011.

(2) Any Northern Ireland department may by regulations make such incidental, consequential, transitional or supplemental provision as appears to

that department to be necessary or expedient for the purposes of, or otherwise in connection with—

(a) any transfer of functions to a local government body, whether they are functions of that department or not, coming into operation on or before 1st April 2015; or

(b) any statutory provision coming into operation on or before 1st April 2015 which confers functions on a local government body, whether this is expressed as transfer of functions or not.

(3) In this section “local government body” includes the Northern Ireland Housing Executive.

(4) Nothing in this section is to be taken as limiting the generality of any other statutory provision (including a provision of this Act) and nothing in any other statutory provision (including a provision of this Act) is to be taken as limiting the generality of this section.

(5) Regulations under this section which amend any statutory provision must not be made unless a draft of the regulations”.— [Mr Durkan (The Minister of the Environment).]

No 84: In clause 124, page 69, line 12, at end insert

“‘external representative’, in relation to a council, has the meaning given by section 10(4).”— [Mr Durkan (The Minister of the Environment).]

No 85: In clause 124, page 69, line 17, at end insert

““local government body” means a local government body within the meaning of Part 2 of the Local Government (Northern Ireland) Order 2005.”.— [Mr Durkan (The Minister of the Environment).]

No 86: In clause 124, page 69, line 27, leave out “section 103” and insert “sections 103 and 123”.— [Mr Durkan (The Minister of the Environment).]

No 87: In clause 125, page 70, line 5, leave out “making” and insert “a Northern Ireland department makes”.— [Mr Durkan (The Minister of the Environment).]

No 88: In clause 125, page 70, line 6, leave out “the Department” and insert “it”.— [Mr Durkan (The Minister of the Environment).]

No 89: In clause 125, page 70, line 10, leave out “the Department” and insert “it”.— [Mr Durkan (The Minister of the Environment).]

No 90: In clause 125, page 70, line 12, leave out “made by the Department” and insert “under this Act”.— [Mr Durkan (The Minister of the Environment).]

No 94: In clause 125, page 70, line 40, leave out “Department” and insert “Northern Ireland department making them”.— [Mr Durkan (The Minister of the Environment).]

No 102: In schedule 9, page 89, leave out line 20.— [Mr Durkan (The Minister of the Environment).]

No 103: In schedule 10, page 91, line 19, leave out “Northern Ireland department concerned” and insert “transferee”.— [Mr Durkan (The Minister of the Environment).]

No 106: In schedule 11, page 93, line 8, at end insert

“Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c. 7)

3A. In section 17 (power to modify legislation), in subsection (2) in the definition of 'local government legislation', after paragraph (cc) insert

'(cd) the Local Government Act (Northern Ireland) 2014;'.— [Mr Durkan (The Minister of the Environment).]

No 109: In schedule 12, page 93, line 19, in the second column at end insert

"In section 104(1), the words 'any other council or', and in both places where they occur the words 'the other council or, as the case may be,'.— [Mr Durkan (The Minister of the Environment).]

No 112: In schedule 12, page 93, line 33, at end insert -

"The Local Government (Best Value) The whole Act." Act (Northern Ireland) 2002 (c.4)— [Mr Durkan (The Minister of the Environment).]

No 113: In schedule 12, page 93, line 33, at end insert

"The Local Government (Northern Ireland) Order 2005 (N.I. 18)

In Article 5(1), (2), (4), (5), (6) and (8), the word 'chief', In Article 25(1), the word 'chief'.

In Article 26, in paragraph (2) the words 'Department or the chief' in the second place where they occur and in paragraph (3) the word 'concerned'.

Article 28(2) and (3).— [Mr Durkan (The Minister of the Environment).]

No 114: In schedule 12, page 94, line 9, at end insert

"In section 13(3), the words 'of a statutory transition committee'.— [Mr Durkan (The Minister of the Environment).]

No 115: In schedule 12, page 94, line 13, in the second column at the beginning insert

"Sections 37 and 38.

In section 39, the words 'Subject to section 40,'.

Section 40."— [Mr Durkan (The Minister of the Environment).]

Mr Durkan: The amendments in this group are technical. They include textual amendments to ensure a consistent approach throughout the Bill, typographical corrections and updating amendments. The amendments do not involve any change in policy and have been supported by the Committee. I therefore do not wish to prolong the debate by commenting on each amendment individually, but I will highlight key amendments.

Clause 113 provides a power for my Department to issue statutory guidance on any aspect on which provision is made in the Bill. Amendment Nos 48, 49, 52, 53 and 54 provide clarity that the local government auditor, in carrying out her functions in relation to performance improvement, will only consider a council's compliance with guidance issues in relation to the performance improvement framework.

Amendment No 70, which introduces a provision to repeal provisions in the Local Government Finance Act (Northern Ireland) 2011, is a direct consequence of the introduction of a general power of competence for councils. The 2011 Act provides that a council may make payments for special purposes, subject to a specified upper financial limit. The

introduction of the general power for councils will, however, enable a council to take any action that it considers appropriate, provided there is no other legislation in place to prevent it. There are no financial restrictions placed on a council's use of the general power. As a consequence, the provisions in the 2011 Act would conflict with that new power. Therefore, it is necessary to make provision for sections 37, 38 and 40 of the 2011 Act to cease to have effect.

A number of the technical amendments relate to clauses 121 to 123. They are designed to ensure that relevant Departments have the necessary powers to make transfer schemes in relation to the transfer of functions and the conferring of powers to local government and to provide the statutory authority for the relevant Department to make schemes for the transfer of assets, liabilities and staff to the new councils. Amendment No 74 makes specific provision for the transfer of the assets and liabilities of Armagh County Museum to the council for the district of Armagh, Banbridge and Craigavon. That amendment has been tabled at the request of the Minister of Culture, Arts and Leisure. The amendments to clause 123 will provide Departments with the necessary enabling power to make regulations for transitional and consequential issues to ensure the smooth transfer to the new councils.

Mr Deputy Speaker: I call the Chairperson of the Committee for the Environment. *[Laughter.]* We will have a brief interlude. I now call the Chairperson of the Committee for the Environment, Ms Anna Lo.

Ms Lo: I am very sorry, Mr Deputy Speaker.

The Department was able to bring many of the technical amendments to the Committee during Committee Stage. The Committee agreed that it was content with amendment Nos 67, 72, 74 to 102 in this group, 109 and 112. The Committee also agreed amendment No 70 in principle, although the Department was unable to provide the precise wording of the amendment before the end of Committee Stage. I support the amendments on behalf of the Committee.

Mr Weir: I will be brief. I thank the Department for the level of consultation with the Committee. This is a range of technical amendments, and I am happy to support all the amendments in the group.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar na leasuithe. I also speak in favour of the amendments.

I have just a couple of comments to make. The technical amendments provide clarification and make some corrections. I put on record my support for two of the amendments. One is on the general power to afford councils the opportunity to deliver. Obviously, the Minister has clarified that point. The other one concerns the opportunity for DCAL to transfer the Armagh County Museum to the new Armagh, Banbridge and Craigavon council.

I do not propose to speak to the next group of amendments, so I put on record my thanks to all the people involved in the Bill up to this point. I also put on record the good work that has been done through the Minister's office and his Department and by all associated with the Bill. I hope that the good work done by the Assembly on the Bill up until now is not undermined or overshadowed by anything else

that will come forward. It is a good piece of work. Further debates will happen. We welcome those debates, but I put on record the good work done by the Committee.

Mr Durkan: I thank Members for their consideration of and support for the amendments. I thank Mr Boylan for his contribution in the Committee and in the debate over the past couple of days. I echo his gratitude to the officials, who have worked extremely hard on the legislation to date.

Amendment No 48 agreed to.

Amendment No 49 made: In page 54, line 15, leave out “under section 95(6)” and insert

“by the Department about the council’s duties under that section”.— [Mr Durkan (The Minister of the Environment).]

Clause 96, as amended, ordered to stand part of the Bill.

Clause 97 ordered to stand part of the Bill.

Clause 98 (Audit and assessment reports)

Amendment No 50 made: In page 54, line 25, after “Each financial year, the” insert

“Department, after consultation with the local government auditor, must determine which councils are to be councils in respect of which subsection (1A) applies in that financial year.

(1A) Each financial year, the”.— [Mr Durkan (The Minister of the Environment).]

2.45 pm

Amendment No 51 made: In page 54, line 26, after “each council” insert

“to which this subsection applies in that financial year”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 52 made: In page 54, line 31, leave out “(1) to (5)”.— *[Mr Durkan (The Minister of the Environment).]*

Amendment No 53 made: In page 54, line 33, leave out “under section 95(6)” and insert

“by the Department about the council’s duties under that section”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 54 made: In page 55, line 1, leave out “under section 95(6)” and insert

“by the Department about the council’s duties under section 95”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 55 made: In page 55, line 20, at end insert

“(5) In subsection (4) ‘specified’ means specified in a direction under that subsection.”.— [Mr Durkan (The Minister of the Environment).]

Clause 98, as amended, ordered to stand part of the Bill.

Clause 99 ordered to stand part of the Bill.

Clause 100 (Annual improvement reports)

Amendment No 56 made: In page 56, line 4, at end insert

“, unless no such reports have been issued in respect of that council during that financial year”.— [Mr Durkan (The Minister of the Environment).]

Clause 100, as amended, ordered to stand part of the Bill.

Clauses 101 to 105 ordered to stand part of the Bill.

Clause 106 (Partnership Panel)

Amendment No 57 made: In page 60, line 6, leave out “appointed by the Department”.— *[Mr Durkan (The Minister of the Environment).]*

Amendment No 58 made: In page 60, line 7, at end insert

“(c) a maximum of 5 representatives of such representative body or association of the district councils as appear to the Department to be appropriate.”.— [Mr Weir.]

Amendment No 59 made: In page 60, line 8, leave out “(4)” and insert “(3A)”.— *[Mr Durkan (The Minister of the Environment).]*

Amendment No 60 made: In page 60, line 8, at end insert

“(3A) Each council may nominate a councillor to serve as a member of the Panel.”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 61 made: In page 60, line 9, leave out subsection (4).— *[Mr Durkan (The Minister of the Environment).]*

Clause 106, as amended, ordered to stand part of the Bill.

Clauses 107 to 109 ordered to stand part of the Bill.

New Clause

Amendment No 62 made: After clause 109 insert

“International obligations

109A.—(1) *If any Northern Ireland department considers that any action proposed to be taken by a council would be incompatible with any international obligations, that department may direct that the proposed action must not be taken.*

(2) *If any Northern Ireland department considers that any action capable of being taken by a council is required for the purpose of giving effect to any international obligations, that department may direct that the action shall be taken.*

(3) *A direction under this section must give the reasons for making the direction and may make provision having retrospective effect.*

(4) *In this section ‘international obligations’ has the same meaning as in the Northern Ireland Act 1998.”.— [Mr Durkan (The Minister of the Environment).]*

New clause ordered to stand part of the Bill.

(Mr Speaker in the Chair)

New Clause

Mr Speaker: Order, Members. We now come to the sixth and final group of amendments for debate. With amendment No 63, it will be convenient to debate amendment Nos 64, 65 and 66, which deal with the

flying of flags at council offices. Members will note that amendment Nos 63 and 64 are mutually exclusive and that a valid petition of concern has been received in relation to amendment Nos 63, 64 and 66. Therefore, they will require cross-community support. I call Anna Lo to move amendment No 63 and to address all the other amendments in the group.

Ms Lo: I beg to move amendment No 63: After clause 109 insert

“PART 14A

FLYING OF FLAGS AT COUNCIL OFFICES

Flying of flags at council offices other than a bespoke council flag

109A.—(1) *The Union flag and any other flag shall be flown at the main office of any council on the days on which and at the times at which they are required to be flown according to the UK Government department responsible for designating the days for the flying of flags on UK Government buildings in Northern Ireland.*

(2) *Except as provided in this Part, no flag shall be flown at any council offices at any time.”*

The following amendments stood on the Marshalled List:

No 64: After clause 109 insert

“PART 14A

FLYING OF FLAGS AT COUNCIL OFFICES

Flying of flags at council offices

109A.—(1) *The Union flag shall be flown at the offices of any council as a minimum on the days on which and at the times at which they are required to be flown at United Kingdom government buildings in Northern Ireland.*

(2) *Except as provided in this Part, no national flag of any other country shall be flown at any council offices at any time.”— [Mr Elliott.]*

No 65: After clause 109 insert

“The flying of bespoke flags for the district council at council offices

109B.—(1) *A council may commission and adopt a flag for use which represents the council district.*

(2) *The adoption of a flag for the council district must be adopted by resolution of the council passed by qualified majority.*

(3) *This flag may be flown from the council offices on any day that the council decides.*

(4) *Nothing in this section should be taken to prevent the flying of flags as specified elsewhere in this Act.”— [Ms Lo.]*

No 66: After clause 109 insert

“Flying of the Union flag at Belfast City Council offices

109C. *The Union flag shall be flown at Belfast City Council offices every day.”— [Mr Elliott.]*

Ms Lo: I propose the amendments in group 6 on behalf of the Alliance Party. The Alliance Party's policy on flying the national flag on council buildings is that the flag should be flown on designated days. This has been our policy and our position for some time, long before the vote at

Belfast City Council. As with the majority of councils in England, Scotland and Wales, this is the most appropriate mechanism to represent the constitutional status of Northern Ireland. I am disappointed that some parties have felt the need to yet again table a petition of concern. It is up to us as legislators to have mature and thoughtful discussions of contentious issues. It is up to us to find the solutions. Attaching petitions of concern presents us from having a full and proper debate on the issue. The amendments are already dead in the water, which is deeply regrettable.

Alliance's amendment No 63 proposes a designated days policy for flags on council offices. We are following the legal, equality and protocol advice. Flying two flags suggests joint sovereignty, which is not what people voted for in the Good Friday Agreement, and no flag at all denies the reasonable and appropriate expression of sovereignty in line with national guidance. We believe it to be a sensible and fair proposal. The amendment creates a standard policy in all councils and takes the whole flags issue off the agenda for the new councils, rather than each of them getting into a row about where, when and how to fly the flag, which would distract them from other, more important issues. We want to deal with it here in the Assembly. Amendment No 63 allows councils to adopt a bespoke local flag. Some councils already have their own flag, and for others that may help foster a sense of local identity. It is protected by qualified majority voting.

Amendment No 64, tabled by the UUP, would see a minimum of designated days for flags on council offices, and amendment No 65 would see Belfast City Council fly the Union flag every day. We will not support either of those amendments. The Good Friday Agreement agreed to parity of esteem between Great Britain and Ireland and declared that we govern with rigorous impartiality on behalf of all of the people in the diversity of their identities and traditions.

The Good Friday Agreement has implications for the question of flag flying in Northern Ireland. First, it makes it very clear that Northern Ireland is and remains part of the United Kingdom until or unless the people decide otherwise. Secondly, in matters of nationality and culture, we have divided and overlapping identities. Finally, in matters of esteem, all must be treated with dignity and in a spirit of equality.

Mr Givan: I appreciate the Member giving way. As the Member outlines how the Belfast Agreement gives recognition to what the people want, does she not recognise that, in Belfast, 16,000 people responded to the consultation, 95% of whom said that they wanted the flag to remain every day of the year? Given that figure, does she not believe that her party should have recognised the will of the people in that situation?

Ms Lo: I think that matter has already been settled. There are certainly many people who support the compromise agreement. That is the way to go. It is based on equality and legal advice. If we do not do it —

Mr F McCann: Will the Member give way?

Ms Lo: If we do not make this compromise agreement, there will be no flag in Belfast City Council; Sinn Féin and SDLP would have their way. We managed to have designated days in Belfast City Council. I give way to Mr McCann.

Mr F McCann: I thank the Member for giving way. The Member that she gave way to previously quoted a figure of 16,000 people. Does she not recognise that there are almost 300,000 people living in the city of Belfast?

3.00 pm

Ms Lo: Absolutely. That is only a fraction of the number of people who live in our capital city. I have forgotten where I am now.

With this in mind, the logic is that the Union flag is flown over public and civic buildings in Northern Ireland on designated days, which are defined by the UK Department for Culture, Media and Sport.

Creating a shared future requires leadership. We were elected to represent all those in our constituencies. It is regrettable that the Haass talks failed to propose a viable solution to the issue of flags. I have been hopeful for an outcome here today. Without placing designated days on a statutory footing, we risk the issue being the first agenda item for many of the new councils. I strongly believe that the issue is too divisive to be taken up by the new councils and left with them. It is up to us, as an Assembly, to show true leadership and to discuss the contentious issue of flags in a mature and thoughtful way. I do not believe that attaching a petition of concern has allowed us to do that on this occasion. We must endeavour to prove that we represent everyone and are truly committed to a shared future. We can start by having meaningful debate and listening to everyone in the Chamber.

Mrs Cameron: Amendment No 65 truly brings us into the land of once-upon-a-time politics. It is presumably the Alliance Party trying to wish away all the hurt and bitterness of the past few years over flags by offering a so-called solution. However, it yet again demonstrates a complete lack of acceptance of unionism and a complete disregard for anything that is unionist in origin. What I find most patronising is that the Alliance Party is not just content to tell us that the Union flag cannot be flown anywhere unless it agrees to it, but it will even design us a new flag to take its place and be flown instead.

It is clear that, until democracy decides differently, Northern Ireland is part of Great Britain. Those who choose that identity have every right to express it. That right, along with the rights of other communities and traditions, is enshrined in a series of agreements. If we are truly to move forward as a society, it can be done only by acceptance and recognition of truth, not by ignoring and airbrushing it. Of course there should be a proper discussion on flags and emblems. However, it is for the House to decide an overarching way ahead on that, and it should not be batted off to local councils to manage as a sticking-plaster solution. Furthermore — this is perhaps why there is so much opposition to the Union flag — I accept that elements of unionism have done nothing for their cause by the manner in which they have used and treated the Union flag. There is truly nothing more depressing than a flag being used to mark territory, and it says much about those who erect those flags that they cannot even be bothered to maintain them.

I do not believe that there is any room in the Bill to prescribe when a council should or should not fly a flag, be that the Union flag or a bespoke flag. Some parties in the Chamber are maybe uncomfortable with the realisation

that their stance on flags may have made them unpopular in some quarters, especially with such vital elections occurring in May. However, I do not think that sneaking flag legislation in by the back door is the way forward. I feel that, by hiding the amendments in the Bill, that is what they propose. The amendment proposes to allow individual councils to design their own bespoke flag and to fly those flags on any dates that a council decides are appropriate. I feel that we have a perfectly adequate flag to fly 365 days a year outside all council offices, and there is zero need for additional flags. The flag to which I refer is, of course, the Union flag. However, I recognise that much needs to be done by way of mutual respect for identity before that option can be accepted by all sides.

It remains a truth that you cannot simply batter a whole community into submission over identity and culture, and the Alliance Party needs to wake up to that fact. Saying nice things fixes nothing. The simple truth is that identity has to be respected. That applies not only to minorities but to everyone. Sensible leadership must be shown, if we are ever to find a way out of our current mess over flags and emblems. That leadership must come from the Assembly; it is too important to bat it off to councils hidden in amendments.

All communities here were promised great things in the Belfast Agreement. Although there is an argument to say that we have not made the most of the opportunity, there is equally an argument to suggest that it was an agreement built on sand.

The past few weeks have demonstrated that none of us really knew what we had or had not signed up for; we just knew bits of convenient truths. It is up to us all to rebuild confidence and trust and to truly move our society forward. Restoring the Union flag to its rightful place would be a start in repairing the damage. There should be an opportunity for wrongs to be righted. Equally, those who believe in the Union flag should be given a new opportunity to demonstrate that it can be a flag that unites and respects and does not threaten or hide behind street violence. To that end, I support amendment Nos 64 and 66 on the basis that they allow us to move on with respect while learning the lessons of the recent as well as the more distant past.

Ms Boyle: Go raibh maith agat, a Cheann Comhairle. Sinn Féin will oppose amendment Nos 63 to 66 and have signed a petition of concern in relation to them. We believe that they only fabricate difficulties that are not there. There is clearly a very powerful emotional connection between identity and symbols, and that goes for all our community. That is why compromise and dialogue on these issues are so important. As republicans, we have made many compromises in the pursuit of peace, and that is the nature of peace-building. We need joint action and joint initiatives. I am very conscious that change can be difficult and, to some, can feel like a loss. However, change based on equality, mutual respect and parity of esteem is a win for us all.

I believe that political unionism is in complete denial of the changed political realities and that the Good Friday Agreement legislates for equality. The days of imposing British flags and emblems where they are not wanted are long gone. In my constituency, for example, the Union flag is not flown from the council building in Strabane, and there is mutual respect and parity of esteem for all who

work in the building and those who visit it. The council building in Strabane is neutral and free from flags. People from all cultures right across the district can register births and deaths and license their dogs in a flag-free environment. They do not feel in any way intimidated by one flag or another. In our council, I am certain that unionists and members of the unionist community would not support this action because it is divisive. Mutual respect means having proper regard for another individual. Without the proper respect for employees in a diverse workforce, incidents of workplace conflict may increase, and that has a negative impact on productivity and overall morale. In my constituency, even thinking of flying a flag over a council building would be seen as an obstacle to community reconciliation in this part of the island of Ireland.

Mr Lyttle: Will the Member give way?

Ms Boyle: I will.

Mr Lyttle: Is the policy of no flags and total neutrality one that Sinn Féin believes is long-term, regardless of the constitutional status of Northern Ireland? If so, can she explain why her party thinks that it is a positive policy?

Ms Boyle: I thank the Member for his intervention and continue with my contribution to the debate. *[Laughter.]*

Mr Speaker: Order. Allow the Member to continue.

Ms Boyle: Thank you, a Cheann Comhairle. Recently, my office was inundated with calls and complaints when the Union flag was flown from the social security office in Strabane for the first time since 1999. Why that happened remains a mystery. The people of my town and district did not want that. The loyalist flag protest —

Mr Allister: Will the Member give way?

Ms Boyle: No, I will not.

Last year, the loyalist flag protests filtered into parts of my rural constituency such as Castlederg and Ballymagorry. On a number of occasions, we witnessed the illegal blocking of the main A5 road at New Buildings and Ballymagorry by flag protesters. We also witnessed a complete lack of leadership and consideration of the majority of the community in Castlederg, who would not class themselves as British, when the town was saturated with Union flags on the eve of the Tyrone fleadh. That was in complete contradiction to a call by unionist politicians in the area for Comhaltas to ensure that the fleadh would be totally inclusive and that no offensive flags should or would be flown; a wish that was respected by Comhaltas. Unionists are speaking out of both sides of their mouth as most of the unionist community in my area are genuinely motivated by a strong desire to make progress. They are being continually blocked from doing so by many small, reactionary elements who want to turn the clock back.

Equality and parity of esteem need to be embraced as instruments of inclusion and integration and as a means to encourage mutual understanding. We teach our children to understand and appreciate cultural diversity and to live alongside their neighbours of different religious and cultural backgrounds. We teach them the importance of promoting and understanding tolerance, yet here we have these amendments, which lack regard for parity of esteem and mutual respect for the people of my home town and

citizens throughout the North. Reconciliation is a vision that we should seek —

Mr Lyttle: Will the Member give way?

Ms Boyle: No, I am almost finished.

Affirming equality and respect for all cultural traditions and political allegiances in the North is not about one-upmanship; it should represent common ground to be built upon. Constituents of mine have asked me why politicians are creating flag-flying issues here when they had the opportunity to put those issues to bed during the Haass talks.

Mr F McCann: Will the Member give way?

Ms Boyle: Yes.

Mr F McCann: Do you agree that the Alliance Party Member is being fairly mischievous when the effects of an amendment that his party is putting forward would force the union flag on councils in areas where it is not wanted? *[Interruption.]*

Mr Speaker: Order.

Ms Boyle: I thank the Member for his intervention. I agree with him. *[Interruption.]*

Mr Speaker: Order.

Ms Boyle: It is time for us all to move forward together and for unionists to stop continually bowing to the lowest common denominator in their political constituency. The Haass proposals are very much compromises. The essence of any negotiations is that, in order to be successful, all participants must be prepared to compromise in the interests of the greater good. There can be no renegotiation of what has been painstakingly negotiated. It is time for unionists to stop looking over their shoulder at the likes of Jamie Bryson and Jim Allister and to move to implement the Haass proposals instead of wasting any more time debating the subject here in the Assembly.

Mr Eastwood: It has been a fairly lengthy debate on the Bill. A lot of people, particularly in the media, were looking forward to this particular section. I had the opportunity yesterday to speak at the beginning of the debate. You allowed me some latitude, Mr Speaker. Maybe I took more than I should have. What I said at that point was that this is not a flags Bill, and it should not become one. I do not believe that it will, but it is unfortunate and pretty predictable that the story tonight will be about this part of the debate. I implore Members to think about that when they make their contributions.

Thankfully, those amendments will not be passed today. There is good reason for that. We have just gone through in fine detail, and the Committee has gone through in a lot of detail over the past number of weeks and months, very important legislation that will change the way we do local government business for the next generation. The focus should be on that. I think that we have done a good piece of work here in the past couple of days.

Mr Lyttle: I thank the Member for giving way. Does he agree that failure to address this particular issue means that there is a risk that local government getting on with the business of delivering public services will be severely hampered and handicapped by that hanging round its neck?

Mr Eastwood: Well, that is all very well, and we have to understand that there is an issue. Of course there is an issue around flags.

We were all engaged in a process to deal with the past, flags and parades. The Alliance Party's lukewarm reaction to the Haass proposals does not leave us in a very good place either. I think that the Alliance Party needs to understand — this might be because it does not have very many representatives too far from here — that this issue is not an issue right across Northern Ireland.

3.15 pm

Some people obviously have deep concern about their national flag. People who are nationally minded have concern and fond feelings for their national flag, but the issue is how we deal with that. I can tell you what people in my city were saying during the trouble that erupted around here, at your office and across the whole city of Belfast. The whole world was looking at us and saying, "I thought that they had that whole thing sorted out. What's going on in Belfast?" What does that do for our economy? I can tell you what people in Derry were saying. They were saying, "Don't be importing that problem over here, because we don't need it".

We were engaged —

Mr Lyttle: Will the Member give way?

Mr Eastwood: I will.

Mr Lyttle: I will make this clear for the Member: the Alliance Party was in no way lukewarm on the Haass proposals. The Alliance Party worked tirelessly and hard, not least for victims and survivors in Northern Ireland, to come up with a set of proposals that have a realistic opportunity to improve access to justice, information and services for victims and survivors across Northern Ireland and to deal with parading and flags.

If you think that this is not an issue for Northern Ireland, you need to get your head out of the sand. As for it being a Belfast problem, it was Sinn Féin and the SDLP that put the proposal forward at Belfast City Council. So, if they think that there is a need for change and compromise at Belfast, there is a need for change and compromise across the whole region.

Mr Eastwood: I thank the Member for his contribution. Of course, the Alliance Party had nothing to do with that decision in Belfast.

I think that Members need to understand this. People right across Northern Ireland looked at the trouble that erupted here and, wringing their hands, said, "What under God have we got ourselves into this time? Why is there such a reaction?" Maybe some of us need to understand that people do have a particular reaction.

Mr Humphrey: I thank the Member for giving way. I am one of two people in the Chamber who was in the City Hall the night that the vote was taken. The Member is quite right: the Alliance Party played a very pivotal role. In fact, it brought forward the suggestion that the flag be removed at all. Let us be clear: two men and a wee lad complained about the flag flying at Belfast City Hall. The truth of the matter is that it is unfortunate that, in this scenario, when a majority will work in the City Hall, Alliance, Sinn Féin and the SDLP come together, but that, in this place today,

when we are discussing this very issue about the flying of our national flag, Sinn Féin and the SDLP reject that majority and table a petition of concern. That is appalling, and it is a complete denial of democracy.

Mr Eastwood: We could talk about democracy all night. The DUP never tables petitions of concern on issues such as this — ever. It would be a real shock if that happened in here.

Mr Humphrey: Not if —

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

Mr Eastwood: OK, Mr Speaker.

Mrs D Kelly: Will the Member give way?

Mr Eastwood: I will.

Mrs D Kelly: Was the decision at Belfast City Hall that led to the Union flag being taken down not a democratic one, which the Members opposite fail to recognise? *[Interruption.]*

A Member: Would they accept it here?

Mr Speaker: Order.

Mrs D Kelly: Did the 40,000 leaflets that the DUP and the Ulster Unionist Party distributed not also have a huge role in and a huge impact on drawing and bringing people out on to the streets?

Mr Humphrey: Educating people.

Mr Speaker: Order.

Mr Eastwood: The Member is correct. It was a democratic decision. Unfortunately, —

Mr Givan: Majority rules.

Mr Speaker: Order.

Mr Eastwood: Unfortunately, there was agitating and stirring of tensions outside Belfast City Hall. Talk about democracy: the offices of Members who were elected to this House were attacked because of that stirring up of tension around east Belfast and in other places. That is not recognising democracy.

We have to understand that, in Northern Ireland, we have two competing identities. The unionist identity is not the only identity in Ireland. Our identity counts as well, and I think that it is important that people understand that. I have no desire to strip councils of unionist emblems or symbols.

Mr Givan: Londonderry.

Mr Speaker: Order.

Mr Eastwood: I will take any of the Members from across the Chamber to the Guildhall in Derry and give them a tour.

Mr Givan: Do you not mean "Londonderry"?

Mr Speaker: Order.

Mr Eastwood: You call it "Londonderry"; that is fine.

Mr Givan: Aye, that is right.

Mr Speaker: Order.

Mr Eastwood: I have no —

Mr Humphrey: You stripped that.

Mr Eastwood: OK, so that was not a democratic decision either. I will take any of you to Derry. *[Interruption.]*

Mr Speaker: Order. All remarks through the Chair. Order.

Mr Eastwood: Sometimes people do not want to listen because they do not like what they hear. However, sometimes they have to listen, because I was elected to the House in the same way as they were — by a democratic decision. I would love to take — we will maybe do a bus run — a group of DUP MLAs to Derry, and we will do a tour of — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: You can go to Londonderry as well. We will put two signs on the bus. *[Laughter.]* Maybe Mr Campbell could take the tour as well. We will do a tour of the Guildhall — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: — and we will look at all the symbols of British identity and of historical imperialism in our city that we have not stripped away. I think that it is important that we recognise our history, because we have a shared history. We do not like all of it, but we have a shared history. I am not proposing that we tear down the Walls of Derry because they are a symbol of British imperialism. I am not proposing that at all. What we have done in our city — *[Interruption.]*

Mr Speaker: Order. There is no time limit on Members who want to contribute to the debate. If they want to make a contribution, they should get their name on the speaking list. I also say to the Member who has the Floor: let us try to get back to the amendment. Let us not have a debate about the Guildhall or anywhere else. Let us get back to the amendment before us.

Mr Eastwood: The point that I was trying to make was that the SDLP has no desire to strip away Britishness or even the symbols of British imperialism. That is because we recognise that we have a history in this part of the world. We have to understand, as does the DUP, that we also have a future, and it needs to be a shared future.

Mr F McCann: Will the Member give way?

Mr Eastwood: Yes.

Mr F McCann: Would you not agree that for decades, were you to have looked at the emblems in many councils across this state, you would have been forgiven for believing that there was only one community here, and you are now trying to address that problem?

Mr Eastwood: That is a fair point, because many nationalists across the North have a very different opinion and experience of councils than have been explained from across the Benches today. We need to stop. Why are we debating flags? Mrs Cameron made a good point — I thought that her speech was eloquent and thoughtful — when, referring to the Alliance Party amendment, she said that flags should not be sneaked into the Bill by the back door because the Bill was much more important than that.

Mr Lyttle: Will the Member give way?

Mr Eastwood: Unfortunately, she went on to say that she would support two of the other amendments on flags. Did you say that you wanted to come in?

Mr Lyttle: Yes. I thank the Member for giving way. Mrs Cameron also said that we should deal with the issue in the Assembly. I find it hard to describe what is happening today, in full public view in the regional legislature, as sneaking something in via the back door. The hope is to have a mature, sensitive debate, as was initiated by my colleague Anna Lo. I hope that we get back to that.

Mr Flanagan: Good luck with that.

Mr Eastwood: Yes, well. The place for dealing with this issue politically was the Haass process. We need to get another process on the cards as soon as possible. We are going into an election, and the DUP, and everybody else, has to speak about flags and wave the flag and punch the table. However, after this election, we will have to get back to it, because people are fed up listening to us talk about flags and parades and the past. They are all very important, but, until we deal with it, we will be bound and imprisoned into constantly debating them here, across councils and everywhere else.

I ask every political party in the Assembly to get together as soon as possible. I would love you to do it today or tomorrow, but we can already tell that that will not happen until after the election. Get the two Governments around the table to pull us together to deal with it once and for all, because my generation will not forgive us if we do not deal with this a matter of urgency.

Mr Givan: Thank you for giving way. On getting “around the table” and dealing with this as “a matter of urgency”, will the Member clarify why his party joined Sinn Féin in boycotting the Assembly Commission when it tried to deal with this issue?

Mr Eastwood: Here we go again. No attempt — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: It has been universally recognised across the world, and it was recognised last week in America, that the only way to deal with these issues is comprehensively and properly in a negotiating setting. *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: We made quite a lot of progress around Haass. All parties played their part in that, but we need to get back to it. We cannot just leave it up in the air, because, otherwise, the people will not forgive us. I believe strongly that the tricolour is my national flag. I have no problem with you believing otherwise. I do not have any problem with you believing that the Union Jack is your national flag. *[Interruption.]*

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

Mr Eastwood: My national identity is not decided by you or anybody else. *[Interruption.]*

Mr Speaker: Order. All remarks must be made through the Chair. Order.

Mr Eastwood: Mr Speaker — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: I thank the Member for giving way. He touches on an important point. We are conflating identity with a reflection of constitutional status. The Good Friday

Agreement enshrines absolutely the Member's right to be Irish and of Irish nationality, but the constitutional status of Northern Ireland is that it is part of the UK. Would the Member then agree that reflecting that constitutional status requires a reflection of the Union flag in the way that we are proposing, which is a sensitive, balanced way that reflects the diversity of Northern Ireland?

Mr Eastwood: The Alliance Party's argument to extend the flying of the Union Jack across all councils would mean more flags rather than fewer. I cannot quite understand the logic of that, given that that party talked about good relations earlier.

We have to recognise each other's identity. I have no problem recognising unionism's identity. I am happy to help you to celebrate it and everything else, but you have to understand that I and people over here have a different identity. Our identity is not out to threaten your identity, and I do not think that your identity threatens my identity. I am comfortable enough to say that I am Irish and that the Irish tricolour is my national flag. *[Interruption.]* It is surprising — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: Again, you do not want to listen. It is surprising that, when you get two nationalist parties voting to fly the Union Jack in Belfast City Council, once again unionism snatches defeat from the jaws of victory and creates —

Mr Humphrey: I am grateful to the Member for giving way. That is at the core of the issue. In Belfast City Council, the views of the unionist community were completely ignored — *[Interruption.]* Yes, they were —

Mr Speaker: Order.

Mr Humphrey: The fact of the matter is that the decision was taken by the SDLP, the Alliance Party and Sinn Féin to remove that flag, a flag that flew there, causing little or no offence. There were six objections over the years that it flew. The truth of the matter is that there was no objection from this side of the House to anybody celebrating their culture. However, my culture as an Orangeman — I am proud to be an Orangeman — is denigrated, demeaned and attacked by your two parties sitting across the way, which actively go out and protest and campaign against parades. That is something that you really lecture us about, but, when it comes to reality, you do not deliver.

Mr Eastwood: I come from a city that last August had, I think, the largest Loyal Orders march — I stand to be corrected on that, because I am not an expert — right across Northern Ireland. We had that marching through Derry city, which is largely a nationalist city, without any trouble, but of course we are very much against your identity and are running it down and everything else. *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: The very next day, we had the largest ever festival of Irishness in the same city, in the same street, but we were able to accommodate that. A bit of — *[Interruption.]*

Mr Speaker: Order.

Mr Eastwood: A lot can be learned from the way in which Derry has behaved over the past year and beyond.

People also need to understand that, outside council buildings and everything else, I have to witness in my own city, around the anniversary of 14 people being murdered on the streets, the Paratrooper flag being flown on the entrance to the city. Why do all of us as public representatives not get together and recognise that that in itself is meant to try to offend people? The meaning behind erecting that flag was to try to offend people. Surely we can be a bit more grown up than that and try to move things forward.

I will finish there, Mr Speaker.

A Member: Hear, hear.

Mr Eastwood: I know that you are glad to hear that, but we will have plenty of time to listen to probably all of you throughout the rest of the debate. *[Interruption.]* I hope, Mr Speaker, that, when this is reported tonight, the media and public recognise that we have done some good work in the Assembly over the past couple of days, because we are often criticised for not doing a lot of good work. We have done some good work. We will have passed an important piece of legislation that will change the way in which we do local government for the next number of years, and we should be proud of that. Hopefully, when this is all over and everybody gets things off their chest and gets to release a bit of anger, we can get back to doing what we should be doing in the House, which is dealing with the economic crisis that is going on right across the North.

3.30 pm

Mr Elliott: Like others, I hope that the debate on this group of amendments is not classified as the grand finale of this two-day debate. I am just sorry that we are at a position where we are having to debate trying to restore the Union flag to its rightful place on Belfast City Hall and have it flown on designated days from other council buildings throughout Northern Ireland. If the decision taken in Belfast back in December 2012 had not been taken, we would not be here today. That is the reality.

I was pleased to hear that the Alliance Party, in some way, might be coming round to agreeing that Northern Ireland is a constitutional part of the United Kingdom. I am pleased to hear them say that. Now, they need to put their actions into words and react in the proper way by ensuring that that is recognised. I also welcome Mr Lyttle's suggestion that there is a difference between identity and the constitutional position. That has been the Ulster Unionist Party position for some time; we have been saying that for a long, long time.

The fact is that the Union flag represents the constitutional position of Northern Ireland as part of the United Kingdom. That is enshrined here and that is the democratic position. I cannot for the life of me see why people cannot understand and accept that. I accept that the Irish tricolour is the constitutional emblem of the Irish Republic. I accept that they have a right to fly it from government buildings in Dublin or elsewhere. That is a constitutional right. It is part of the identity of people there but it is not just their identity; it is their constitutional position and their constitutional right. Why can people not accept that the same is the case for Northern Ireland? We are part of the United Kingdom, and the constitutional emblem is the Union flag.

Mrs Foster: Will the Member give way?

Mr Elliott: I will, yes.

Mrs Foster: Does the Member agree that the principle of the constitutional position of Northern Ireland was enshrined in and was the cornerstone of the Belfast Agreement and the 1998 Act that followed it? That is the same Belfast Agreement that is talked about a lot by people on the other side of the House as something that they very much adhere to. Given that that is the case, is it not entirely hypocritical for the parties across the way to talk about the Irish tricolour being the flag that they adhere to, given that they signed up to the principle of consent, which is enshrined in the Belfast Agreement?

Mr Elliott: I promise Members that the other Member for Fermanagh and South Tyrone and I did not have a conversation before this debate, because that is the next point that I was going to make. That position was enshrined in the Belfast Agreement. Whether you supported it or not, over 71% of the people in Northern Ireland supported it, and over 98% of people in the Republic of Ireland. Mr McCallister wants me to give way.

Mr McCallister: I just wanted to make the point that the two Members who brought up that point did not vote for the Good Friday Agreement. *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr Elliott: I am not so sure that Mr McCallister needed to give clarification on that. Over 71% of people in Northern Ireland voted for it. That is the constitutional position. *[Interruption.]*

Mr Speaker: Order. Let us not have a debate across the Chamber. The Member has the Floor and must be heard.

Mr Elliott: Thank you very much, Mr Speaker. The point that I am making is that many of those people on the other side of the Chamber — in fact, all of them, I believe — support the position that the constitutional reality of Northern Ireland is that we are part of the United Kingdom. I see Mr Alban Maginness shaking his head and having a snigger, but that is a fact. He voted for that agreement and supported it, so why does he not support it now? Why does he not support the rightful position of Northern Ireland in the United Kingdom, in the same way that I support the right of the Irish Republic to fly its tricolour? That is a democratic right.

I support Ms Lo when she indicates that one of the councils' first tasks may be to debate the very issue of whether they will fly a flag. That is why it is much better, I think, that we do it regionally, here in the Assembly, and try to find a compromise resolution that will suit all the councils, in order to ensure that we have that consistency throughout Northern Ireland.

Mr Nesbitt: I thank the Member for giving way. Does he agree with Professor Meghan O'Sullivan, the vice-chair of the Haass talks, who, on a recent American television programme on CNN — *[Interruption.]*

Mr Speaker: Order.

Mr Nesbitt: — said that the failure of some in the talks to distinguish between identity and sovereignty evidenced immaturity?

Mr A Maginness: She was not referring to you, was she?

Mr Speaker: Order.

Mr Elliott: I thank the Member for his intervention. I hear other people shouting: if they want an intervention, maybe they would ask instead of having the Speaker continually intervene. People know that I am quite generous with my time and allow people to have a good debate.

I agree with Mr Nesbitt in that respect. Professor O'Sullivan recognised, as did Dr Haass, that some people were being immature here about how they looked at the constitutional position of Northern Ireland.

I listened carefully to the issues that Mr Eastwood raised in that he does not want to remove everything representing Britishness and does not want to clear the decks. He held out his own city of Londonderry — he calls it Derry, and I am not going to argue with him over that — as being a prime example. I challenge him to go on the walls of the city and look down over the housing estates and areas, as I did quite recently. There were hundreds upon hundreds of Irish tricolours flying from lamp posts and even cranes in the city. What welcome is that to people from the unionist community? What welcome is that to people of a minority community?

Mr Eastwood: Will the Member give way?

Mr Elliott: I am happy to give way.

Mr Eastwood: Maybe the Member is not aware that I have a very strong affinity to my national flag, and I do not like to see it hanging tattered on a lamp post or on a footpath. I am sure that the Member knows that there are other areas in Derry that have different flags flying all over as well. If he looked over the other side of the wall, he might have seen into a different area that had the same problem. Will the Member join me, then, in condemning those people? I have no problem talking to my community when they are doing things that, I think, denigrates our national flag.

Mr Elliott: I have always been quite clear that it does no national flag justice to be hanging in tatters from lamp posts, but the point that I am making is that there is not the same level of Union flags hanging in the city of Londonderry than there is Irish tricolours of a foreign nation. I am happy to go with Mr Eastwood and have a count of the flags if that is what he wants, because it is quite obvious, when he looks from the walls, how welcoming it is to the unionist people there.

Mr Eastwood also said that he does not want to strip out all Britishness and that he does not want to strip our identity out of council chambers. However, I was on Fermanagh District Council back in 2002 when the SDLP, in conjunction with Sinn Féin, decided to remove the Union flag from Enniskillen town hall, which at that time was only flying on designated days. It was not flying every day. Were they satisfied with just taking the Union flag off? No. They had to strip every iota of Britishness, any identity that I may have been able to feel akin to, any identity at all that was to do with Britishness, from Enniskillen town hall. Were they satisfied then? No.

I heard Ms Boyle say that they do not want workplace conflict. Fermanagh District Council has a very good working relationship among the staff. There are no items of identity whatsoever. What did the council do last year? It introduced Irish language onto its vehicles. It added Irish language onto its letterheaded paper. Is that not bringing workplace conflict right into the heart of the workplace? That is not done by the workforce but by the councillors

who decided to do it. So, please tell me that that is not workplace conflict brought in by those councillors.

We have brought forward these proposals and amendments in the hope of resolving some of these issues so that councils do not continually have to debate them and have discussions and heated arguments about them. Let us resolve them here, and let us do it in such a manner that people actually respect each other's identity. I am happy if people want to have their days and their identity recognised, but please let me have my identity recognised. Above all, however, let us recognise the constitutional position of where you live and where you are, which you all accepted in the Belfast Agreement as being the constitutional position but which you will not accept now.

Mr Newton: Thank you, Mr Principal Deputy — Mr Deputy — Mr Speaker; sorry. *[Laughter.]*

Mr Elliott: He has not been demoted yet.

Mrs Foster: You got there in the end.

Mr Newton: I got there in the end.

I listened to Ms Lo on this matter, and I accept that she was not involved in the decisions that were made in Belfast City Council and she was unaware of the complex issues and situations that were being created in Belfast City Council. Because of that, I can only think that the words she used were spoken with a degree of naivety. If I do not believe that and if I cannot give her the credit for that, I have to believe that she was talking nonsense. I will give her the benefit of the doubt on the matter, because she comes on to use —

Ms Lo: Will the Member give way?

Mr Newton: I am happy to give way, Mr Speaker.

Ms Lo: That is extremely patronising, I am afraid. I have to say this — *[Interruption.]*

Mr Speaker: Order.

Ms Lo: Mr Newton, I have lived in this country since 1974 and I am probably older than many of your party colleagues here, so do not be so patronising to say that I am naive.

Mr Newton: I said you were naive about the situation in Belfast City Council. *[Interruption.]*

Mr Speaker: Order.

Mr Newton: If you were not naive, then it pushes me towards saying that what you were talking about was nonsense.

You went on to say that the removal of the flying of the flag was a matter of esteem and that it was based on equality and legal advice, but you were wrong on both counts. Sinn Féin said that it was also about parity of esteem and creating a neutral environment. That expression, "creating a neutral environment", is frequently used and, in fact, the organisation that is tasked with equality and creating equality impact assessments — not an organisation that my party is particularly fond of — describes the need to create a neutral environment. The Equality Commission has said:

"While the Commission recognises that some employers will still choose to promote their workplace environment as a 'neutral' space, it is important to

recognise that the two concepts 'harmonious' and 'neutral' are not inextricably linked. In other words an 'harmonious' working environment does not necessarily need to be a 'neutral' one."

The situation on Belfast City Council, which had been emerging over a period of years, was one of harmony. We were in danger of harmony breaking out on Belfast City Council to the point where there was so little to fight about on the agenda that the council meetings lasted 45 minutes when in previous years they had lasted for three hours. We were in danger of harmony breaking out. That was when Alban Maginness was a member of Belfast City Council, and in the early stages of William Humphrey's time on Belfast City Council.

3.45 pm

There was a Sinn Féin strategy whereby it removed from Belfast City Council those councillors who were perceived to be getting too comfortable, becoming part of the institution and working with other council members to do constructive things such as policies on rates that were not based on spend, spend, spend. There was a constructive approach. Indeed, investment programmes were being looked at and launched, and that can happen only when councillors from all sides are working together. All of a sudden, Sinn Féin removed half a dozen councillors overnight and put into the leadership of its group — *[Interruption.]*

Mr Speaker: Order. Let us not have a debate across the Chamber or have Members trying to make contributions from a sedentary position. The Member is prepared to give way.

Mr Flanagan: *[Interruption.]*

Mr Speaker: Order. Let us also get back to the amendments. We are having a debate on Belfast City Hall and everything except the debate on the amendments. Let us get back to the debate on the amendments. I am prepared to give Members some latitude in setting forth their position, but we really need to get back to the amendments.

Mr Newton: For the sake of Ms Lo, I have to put this into context, Mr Speaker, having referred to her earlier.

Mr I McCrea: Will the Member give way?

Mr Newton: I am happy to give way.

Mr I McCrea: The Member is obviously speaking to amendment No 66, which refers to the Union flag being flown at Belfast City Council. I am sure that that is the reason why he is referring to Belfast City Council so much.

Mr Speaker: Yes. Let me say that — *[Interruption.]*
Order. All Members will know that, when Bills are going through the House, I give Members some latitude, but we cannot have a debate continually on what happened at Belfast City Hall. Members need to try to get back to the amendments. I am still prepared to give Members some latitude in how they contribute to the debate.

Mr Newton: I will move on then, Mr Speaker.

It does not really matter whether Mr Eastwood believes that the tricolour is his national flag. The fact that he believes it does not make it true. He can believe what he likes.

It was said that this matter is based on equality and legal advice. However, when the Equality Commission undertook an EQIA on Belfast City Council —

Mr F McCann: Will the Member give way?

Mr Newton: Yes, I am happy to give way.

Mr F McCann: The Member did not mention me, but he practically did as I was a member of Belfast City Council. He is looking on the issue wearing rose-tinted glasses. I do not recognise the place that he is talking about, and it is unfortunate that cameras were not in the City Hall as they are now because they would have shown a different picture. In fact, when I spoke on the night that I was leaving the council, I said that I was glad to get out of it because of the attitude and the sectarian decisions that were being taken in the council.

Mr Newton: That makes my point for me. The Member was glad to get out because of the reversal of the attitudes that had emerged across the chamber.

The Equality Commission issued further guidance to Belfast City Council on promoting a good and harmonious working environment, and it distinguished, as I said, between a harmonious working environment and a neutral one. The new guidance that it issued states:

“A good and harmonious working environment is one where all workers are treated with dignity and respect, and where no worker is subjected to harassment by conduct that is related to religious belief or political opinion.”

Of course, that does not mean that working environments need to be devoid of the symbolism of the two main communities in Northern Ireland. In other words, a harmonious working relationship does not necessarily mean a neutral one. You do not have to wipe everything out. The guidance includes the following specific advice:

“the flying of the Union Flag must be viewed within the context in which it is flown or displayed. Factors affecting the context include the manner, location and frequency with which flags are flown.”

According to the Equality Commission —

“The Union Flag is the national flag of the United Kingdom and, arising there from, has a particular status symbolising the constitutional position of Northern Ireland. On the other hand, the Union Flag is often used to mark sectional community allegiance.”

Such allegiance has been referred to, and we want no part of that.

The flying of the national flag from the City Hall does not create an environment in which people are not comfortable. That was indeed —

Mr Humphrey: I thank the Member for giving way, and I agree with everything that he said. However, given the damage caused by the decision taken by the Alliance, Sinn Féin and the SDLP in December 2012, which led to the erection of flags right across the city and damaged community and inter-community relations in Belfast, does the Member think that the policy that they set out has made the city better?

Mr Newton: Let me say that I agree with the Member. The decision taken on 3 December created a situation that had been emerging but one that was soured by Sinn Féin. It will take years to get back to the situation before that decision, if we can get back to that.

Mr Lyttle: Will the Member give way?

Mr Newton: I am happy to give way.

Mr Lyttle: There has been an attempt to paint a picture of 3 December 2012 as the one focus point for when this first became an issue in Northern Ireland. Given how well the Member has educated us all on the City Hall, does he accept that it was an issue that had been worked on, discussed and debated there for many years? As far back as the Good Friday Agreement, it was stated that the issue would have to be dealt with on a regional basis by the Assembly.

Mr Newton: I do not recognise that it was a major issue that was debated and discussed over a period of years in the City Hall. Ms Lo also made the point that this was based on equality and was a matter of esteem. Belfast City Council, because of the importance of the flag, asked people coming to the City Hall and its employees about it. A survey was taken of 402 people who visited the City Hall, in which the question was asked:

“Did you happen to notice any flags flying outside the building?”

Some 67% of people who came to the City Hall never even noticed the flag. Did you notice — *[Interruption.]*

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

Mr Newton: Another question was this:

“Did you notice the Union Flag flying over the front entrance of City Hall?”

Some 93% of people said that they did not. In another part of the survey, this question was asked:

“The Council flies the Union Flag on the City Hall every day. Which of the following statements best reflects your feelings regarding the Union flag?”

Of the 402 people surveyed, 306 said that they were “pleased”, “comfortable” or had “no particular feelings”. That is the level of offence that flying the flag creates. The survey shows that it was not a matter of esteem and was not an issue in the City Hall. I have referred to —

Ms Lo: Will the Member give way?

Mr Newton: I am happy to give way.

Ms Lo: I do not know whether the Member recalls that Belfast City Council ran a stakeholder event one evening to consult on the flag, and only a couple of people turned up. That was before 40,000 leaflets were distributed and agitated people into rioting.

Mr Newton: I am not quite sure what the point of that intervention was, Mr Speaker. Can I just say that — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr Newton: It has been mentioned that it was an important issue in the City Hall. I indicated that I believe

that there was an orchestrated campaign and that some people fell into the trap, maybe willingly or otherwise. After it started to become an issue and after it was wound up and new appointments were made by the Sinn Féin side of the chamber, Belfast City Council senior officers — the chief executive, I presume — started to get letters. William Humphrey said that, in the decade before, six people had made a complaint and then, all of a sudden, letters started to appear. I want to take the comments from some of the letters that appeared. The first stated:

“Over the past number of weeks and months, our Sinn Féin team in the council have received a number of complaints from constituents in relation to the current council policy of flying the Union Jack above the City Hall.”

Out of that flowed:

“The Chief Executive has also received six letters from individuals in recent months”.

We are told that comments to the chief executive included:

“I was very offended to see the Union flag flying”.

“I was surprised and annoyed to see the Union Jack flying over the City Hall”.

I think that it had been there for 110 years, yet only over the past few weeks and months had people become annoyed. The letter continued:

“As a Nationalist who aspires to Irish re-unification and as someone who gives his allegiance to the Irish Tricolour, I found the presence of the Union Jack above my City Hall offensive.”

Another letter stated:

“when I think of a building flying the British Union Jack I think of a place that is predominantly Protestant/ Unionist. It certainly did not look to be a ‘City Hall for all’, but for only one side of the community.”

A further letter stated:

“I believe that this is ... divisive and intimidating and is counter-intuitive when it comes to nurturing cross community participation ... I believe that if the Tricolour were to fly above City Hall, it would be a harmonious gesture”.

A further letter stated:

“I’ve always felt alienated from my City Hall and its grounds because it is a bastion of Unionism and Britishness.”

Mr A Maginness: I am grateful to the Member for giving way. The Member has talked a lot about the constitutional position etc, the Union flag and so forth. He has also talked, in my view, quite correctly, about political identity and has made a distinction between the two. Will you tell me in what way you, as a Member of the DUP, and your party would recognise my political identity as an Irish nationalist? How do you do that? How do you express that in overt terms?

Mr Newton: I have the greatest respect for Mr Maginness. We were colleagues in the City Hall, and I do not think that I have exchanged an angry word with him at a Committee

or across the Chamber. *[Interruption.]* I am being told that there is something wrong with me. *[Interruption.]*

Mr Speaker: Order.

Mr Newton: He knows that when there was only the City Hall and that was the debating chamber, issues went through the City Hall. Take St Patrick’s Day as an example. I was not unhelpful in the sense that I wanted St Patrick’s Day to happen. However, I wanted it to be a tricolour-free St Patrick’s Day so that it truly recognised his cultural identity as opposed to the political identity that St Patrick’s Day has so often been used to enhance in Belfast City Council. He knows that I have worked with him on cross-community aspects for the good of all the citizens in Belfast.

Mrs D Kelly: I thank the Member for giving way. Although the letters that have been received by Belfast City Council might be of interest to some people, I wonder whether we will hear the content of the 40,000 leaflets that were issued. Does the Member now regret being part of a campaign that led to 700 young people in the east Belfast and greater Belfast areas being criminalised as a result of being antagonised and called out onto the streets?

4.00 pm

Mr Speaker: Order. Once again, I get a feeling that we are slipping away from the debate. Let us get back to the debate. That applies even to interventions.

Mr Newton: I must be annoying some folk on the other side of the Chamber today. I will quote the opinion of a senior counsel on the flying of the flag at Belfast City Hall. He stated:

“It is difficult to see how the flying of the Union flag on the exterior of Council buildings would be likely to have an intimidatory or chilling effect on persons working within the buildings — although a tribunal could conclude that it had that effect.”

He went on to say that there would likely be a very low outcome to that.

I will conclude on this matter. As my colleague reminded me, I support Mr Elliott’s amendment. This decision has probably created the worst community relations problem in Belfast for many, many years. I believe that Ms Lo did not understand the situation in Belfast City Council on that decision and that it is part of an ongoing campaign.

I will finish with this: many people here are so pleased to rush off to the States and regard the States as the home of democracy. The United States of America is made up of so many nationalities that have gone to America. When they arrive, they may continue to identify themselves as Irish-Americans, Italian-Americans or Polish-Americans, but the one thing that they do is rally round the national flag.

Mr Flanagan: Will the Member give way?

Mr Newton: I am happy to give way.

Mr Flanagan: Will the Member accept that some of those people who he is talking about, who are immigrants to America, did not bring their own flag and put it up instead of the flag of the United States of America? The Union flag that you are talking about has not always been the flag here. You need to accept that. You are running about quoting all these different surveys. The thing that you need to accept is that most people actually do not care

about what you are talking about. They want to move on and enjoy their lives. Will you quit bringing up surveys and letters that you are selectively quoting from and just move on? Think about the many hundreds of people who did not even know the flag was flying. So, why are you so annoyed about it?

Mr Speaker: Order. Let us not refer to Members as “you”. Let us call Members by their proper names.

Mr Newton: Maybe he will discuss the removal of the flag with his colleagues in Belfast City Hall and talk about why they were so exercised about something that he says that nobody cares about.

Mr Humphrey: I thank the Member for giving way. The Member is so out of touch with his colleagues in City Hall. Mr McVeigh, who is the leader of your group in the City Hall, said that they were voting for the flying of the Union flag on designated days tactically so that it would be a stepping stone.

The other thing is that we have just seen exactly why Sinn Féin has no interest. It talks about a shared future, it talks about shared space and it talks about respect of identity, and then we see an example of complete disrespect. This is the same party that, when the Union flag was, sadly, removed from City Hall, held a party in its room in City Hall to celebrate the Union flag being removed, such is its respect for our tradition. *[Interruption.]*

Mr Speaker: Order.

Mr Newton: That example that Mr Humphrey gave indicates the lack of respect —

Mr Speaker: Order. The Member must be heard.

Mr Newton: — or the contempt in which my culture, identity and politics are held. In America, when they ask, “Where should the flag be displayed?”, the flag code says that it should be displayed in or near every schoolhouse on school days, near the administration building of every public institution each day and in or near every polling station on election days.

I am trying to say that that was not, as the —

Mr Eastwood: I thank the Member for giving way. Does the Member accept that the American national flag unifies all the different identities in America? Regardless of whether the other side of the House likes it or not, the Union flag is not one that brings us all together under one banner. It is not.

Mr Speaker: Order. Let us not get into a debate on the American flag. I have no problem if Members want to mention something quickly and move on, but let us not get into a full debate on the American flag.

Mr Newton: The ethos that prevails in America and the respect that is shown to the flag in America ought to be shown here. The one request that the Assembly is making is to fly the flag on the City Hall of Belfast.

Ms McCorley: Go raibh maith agat, a Cheann Comhairle. I rise to speak against amendment Nos 63 to 66. Beidh mé ag labhairt in éadan leasuithe 63 go 66.

Some Members: *[Interruption.]*

Ms McCorley: Pardon?

Mr Speaker: Order.

Ms McCorley: Mutter, mutter. The Bill is the biggest shake-up — *[Interruption.]*

Mr Speaker: Order. The Member must be heard.

Ms Boyle: No manners.

Ms McCorley: Yes. It is the biggest shake-up of local councils in the North for more than 40 years. It is a new system of local government that is equality proofed, has an oversight commissioner and a mandatory code of conduct for councillors. It is about bringing democracy back to the people. It is about attempting to enshrine principles, such as equality, human rights and parity of esteem at the core of local government.

The Good Friday Agreement provided for a bill of rights that called for an equality-of-treatment duty on public authorities. That statutory duty was explicitly singled out in the agreement to be enshrined in a bill of rights. In a divided society, public authorities cannot, and should not, reflect the national identity of just one side of the community. In that regard, Sinn Féin could have argued for a policy of equality or neutrality, as has happened in other places where no flags are flown. That translates into —

Mr Lyttle: Will the Member give way?

Ms McCorley: I will give way.

Mr Lyttle: Equally, how do you reflect the fact that the sovereignty of the constitutional status of Northern Ireland is part of the UK? What is the equivalence of that fact? *[Interruption.]*

Mr Speaker: Order.

Ms McCorley: I think that the Member needs to accept that we are a society coming out of conflict. We have two major traditions, and the Good Friday Agreement guaranteed equality and the rights of both communities, and, in that context, both traditions should be respected.

We could have argued for a policy of equality or neutrality, as happens in other places, and that could have translated into both national flags being on display or no flags being flown. That would be a manifestation of mutual respect for both identities, British and Irish. What is wrong with that? What is wrong with both traditions being respected? However, instead, what do we see happening here? Cad é atá ag titim amach anseo? We see amendments being introduced on flags, and we have to ask: what is the point of this? I ask that, because, clearly, they are going nowhere.

Mr Humphrey: I am grateful to the Member for giving way. Does the Member accept that there is a growing number of people from across the population of Northern Ireland who now accept that the Union is here to stay? They come from all backgrounds. Therefore the nonsense that the Sinn Féin president spoke at the party conference, when he said that the union of Great Britain and Northern Ireland hangs by a thread, is not accepted by the greater number of people in Northern Ireland and should be accepted by your party as being fact and the case.

Ms McCorley: I do not accept your figures. I accept that there is a large population in the North and throughout Ireland who view themselves as Irish and who see their identity enshrined in an Irish tradition.

Mr F McCann: Will the Member give way?

Ms McCorley: I will.

Mr F McCann: Again, Members are moving away from discussing the Bill today. If the Member is that sure about where people stand, why does he not support a referendum?

Ms McCorley: That is a good question.

We have a number of amendments proposed to the Bill on the issue of flags. We have to ask where it is going. All that the amendments are is an attempt by some to impose their will on the whole community. That runs — *[Interruption.]*

Mr Speaker: Order, Members.

Ms McCorley: That runs totally contrary to the core of the review of public administration, which is about trying to put democracy back into people's hands. It is an undemocratic move, because it denies the spirit of the Good Friday Agreement, which highlights the requirement for equality, democracy and respect for the traditions of all communities. It rekindles the debate on flags, on which there was no agreement among political parties here. Nor could it be sorted out during the recent talks, when Richard Haass and Meghan O'Sullivan made a concerted effort to bring about compromise. That happened despite three out of five parties agreeing that compromise was the only way forward.

What do we have now? We have another vain attempt to bring us back to the past and the bad old days of unionist domination. We see it happening over the Belfast City Hall issue. Belfast is a divided city: it has a 50% nationalist population, whose traditions and culture were not respected. The flag on City Hall did not reflect Irish nationalism, so it was right and proper that Sinn Féin made a move — *[Interruption.]*

Mr Speaker: Order, Members.

Ms McCorley: — to try to address that imbalance. It was an imbalance.

Sinn Féin could have decided to go for the no-flag or both-flags option, but the councillors agreed that compromise was better, so they went for the designated days policy. I commend my party colleagues and former mayors of Belfast City Council, who went to great lengths and made great moves to bring about equality in what has been a divided city. I commend Alex Maskey and Niall Ó Donnghaile, as well as Máirtín Ó Muilleoir, the current — *[Interruption.]*

Mr Speaker: Order.

Mr Humphrey: On a point of order, Mr Speaker. It is on record in Belfast City Hall that the leader of Sinn Féin, Mr McVeigh, said that the party voted the way in which it did for tactical reasons, not because of compromise. It is important to put that on the record.

Mr Speaker: That is not a point of order. Members should not use points of order to score political points. Allow the Member to continue.

Ms McCorley: I also commend the current mayor of Belfast, Máirtín Ó Muilleoir, who is making great strides in trying to create a city of equals in Belfast. I hope that we get to the point at which everybody accepts that Belfast should be a city of equals.

We heard reference to 16,000 people in Belfast who wanted the Union flag to fly every day of the year, but what

about the rest of the population? Do their views count for nothing? As I have said, 50% of Belfast is nationalist and republican. They deserve to have their traditions respected. We have not heard unionists mention equality or mutual respect. If symbols and cultural expressions are to be treated equally, unionists must recognise that we are coming from a time when it was all one-sided. That is no longer the case. There needs to be discussion about how people's Irishness or Britishness and the identity of other nationalities can be respected and valued. We need to respect the right of all citizens to celebrate their culture and identity in an acceptable manner while recognising and respecting the perceptions of those who may view such displays as overtly sectarian, intimidating and threatening in nature. Failure to do so perpetuates division and instability.

This is an issue of respect for the rights of all, not just one group in society. It is about parity of esteem. It is about equality. The fact is that Sinn Féin's equality agenda is not going to go away. Tá sé anseo, agus níl sé ag gabháil áit ar bith. We are committed to the principles of mutual respect, democracy, parity of esteem —

Mr Lyttle: Will the Member give way?

Ms McCorley: — and equality. I am almost finished.

Mr Lyttle: We have all day.

Ms McCorley: OK, I will give way.

Mr Lyttle: I thank the Member for giving way. Consistently, the Sinn Féin Benches have made much of an equality agenda, and I welcome that. Given their commitment to equality, how does the Member respond to the fact that the Equality Commission for Northern Ireland said that the review of public administration and the Local Government Bill is a place where the issue should be dealt with; that the Flags Order, which deals with the display of the Union flag on designated days, should form a basis for dealing with the issue; and that a regulatory framework of a regional nature would address the prospect of the issue becoming a running sore across 11 councils?

4.15 pm

Mr McCartney: Will the Member give way?

Ms McCorley: Yes.

Mr McCartney: Has the Equality Commission said anywhere that the Union flag should fly anywhere in the North of Ireland?

Ms McCorley: I have not seen it. Thank you for making that point.

Mr Lyttle: I thank the Member for giving way. I am advising that the Equality Commission references the Flags Order, which regulates the display of the Union flag on designated days as a basis on which to find a solution on a regional basis. *[Interruption.]*

Mr Speaker: Order. Let us not have debate across the Chamber. The Member has the Floor.

Ms McCorley: Just on those points, I do not see eye to eye with everything that the Equality Commission comes out with. This debate is about empowering the House, and that is what we are here to do. In conclusion, ba mhaith liom focal scoir a rá —

Mr McKay: I thank the Member for giving way. There is a general theme coming from across the House and, indeed, from the wee Alliance corner that the flag is about the constitutional position. Flags are about identity, and identity was a big part of the conflict that took place here for many years. When the Alliance Party and others say that flying the Union flag is about a constitutional position, that is a lot of nonsense. It is insulting. It is insulting to us, and it is insulting to the many thousands of people across the North who see themselves as Irish. The Good Friday Agreement was about parity of esteem. It identified that people here can be British, they can see themselves as Northern Irish and they can see themselves as Irish. That is equality. I think that, unfortunately, Alliance has its eye more on the upcoming local government elections and unionist transfers than on equality and parity of esteem.

Mr Lyttle: Will the Member give way?

Ms McCorley: No, I have to finish at some point.

Mr Lyttle: I will be brief.

Ms McCorley: OK.

Mr Lyttle: I thank the Member. I accept much of what the Member has said.

Mr Campbell: About the transfers?

Mr Lyttle: Well, I fundamentally disagree with that. This is a position that the Alliance Party has held for over a decade and that we have stood for in the face of the threat of violence and real violence, so I do not take that point in any way.

I will try to get back to a constructive debate. You are right: the agreement absolutely enshrines a person's right to be Irish and have an Irish national identity. However, do the Members accept that you can be Irish and show mutual respect to the constitutional status of Northern Ireland in very limited, respected, time-bound and sensitive ways? *[Interruption.]*

Mr Speaker: Order.

Mr McKay: Will the Member give way?

Ms McCorley: Yes.

Mr McKay: What the Member for East Belfast is saying is, "You can be Irish and have your identity, but on our terms". No. An identity is very specific to a group of people, to an individual — *[Interruption.]*

Mr Speaker: Order. Let us have remarks through the Chair.

Mr McKay: We will not have our identity and how we express it dictated by anybody else. I would expect the same vice versa.

Mr Allister: Except in Rasharkin.

Mr Speaker: Order.

Mr McKay: We have a right to see ourselves as any identity that we wish. That should not be interfered with. We should express that through our national flag as we see it. There should be parity of esteem —

Mr Allister: Remember that in Rasharkin.

Mr Speaker: Order.

Mr McKay: There should be parity of esteem in Rasharkin. There should be parity of esteem in Belfast, in Derry and across the North. Unfortunately, the Alliance Party —

Mr Speaker: Order. Interventions should not be speeches. Let us move on. I ask the Member to finish. *[Laughter.]* Order. Allow the Member to finish.

Ms McCorley: Mar fhocal scoir, I concur with my colleague's comments. My Irishness and our Irishness is valid, just as valid as British identity. That is what mutual respect and parity of esteem are about. *[Interruption.]*

Mr Speaker: Order, Members.

Ms McCorley: We are committed to the principles of mutual respect, democracy, parity of esteem and equality. That is something on which we will never compromise. *[Interruption.]*

Mr Speaker: Order, Members.

Lord Morrow: Basil McCrea, when making a very good speech earlier that I have commended him on already, said that he thought that that debate was the lull before the storm. He went on to comment that harmony was breaking out right around the place. I think that he was right on that, and I suspect that he is still right, although it might be a different type of harmony that is existence at the moment.

On the amendment that is before the House, it is obvious that, as we look across one at the other, in particular as we look over from here, we hear and see a lot about, allegedly, equality and moving on and going into a new future. However, there are those of us who believe passionately that we are in the United Kingdom and will be there for as long as we are in existence and, indeed, for the next generations too. If Members opposite were able to get it into their heads that that is the reality, there would be a real opportunity for us here in Northern Ireland to move on.

I listened intently to what some of the Members were saying to try to understand where they were coming from. I listened to Ms Boyle, and I found it difficult to get to grips with exactly what her position was. She talked about the situation in her own town, which, I suspect, is Strabane; I am not 100% sure. She said that, when her constituents were going to the social security offices, they did not feel very safe if the Union flag was flying. I found that an amazing statement, but I suspect that they went ahead anyway. She did not say that, in fairness to her.

Ms Boyle: Will the Member give way?

Lord Morrow: Yes, I will give way.

Ms Boyle: If you had been listening, you would know that I did not say that: I said that they called to my office.

Lord Morrow: On their way to the social security office. That is fair enough. *[Interruption.]*

Mr Speaker: Order.

Lord Morrow: I suspect that, in fairness, they still got their entitlement. You did not say that the flying of the flag would have stopped them. It might have made them feel uncomfortable, for whatever reason; I just do not know. That is what you said or something similar to that.

We hear much today about parity of esteem. What does parity of esteem really mean? Does it mean that you take

all and we take what is left, the remnants? I think that that is what is coming out here very clearly.

Mr Flanagan: Will the Member give way?

Lord Morrow: In a moment or two.

When the flag was flying at Belfast City Hall, the Member who now wants to speak — maybe he will deal with this when he is speaking — said that nobody cares about these issues. If nobody cares, why was the flag ever interfered with in the first place? It would have been a good idea to pass on and let things continue, because we know what the consequences have been for the country, economically and in every other way. You want to say something.

Mr Flanagan: I thank the Member for giving way. He is at this “You take all, and we take nothing”. If the Member looks back at history, he will see that it was his side of the community that took all, and all that we want is our fair share back. *[Interruption.]*

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

Lord Morrow: I do not think that that deserves a reply, to be quite frank with you. This is ‘Alice in Wonderland’ stuff that they are coming out with. They have lived in that sort of an environment, and they try to portray it that they have been treated terribly over this past while. Look folks, we all know what happened in this country over the past 30 or 40 years.

Here is how equality from the opposition is coming across to us: “We will put up signage to commemorate dead terrorists, and we will put them in children’s play parks”. That is what you mean by equality. That sends out a dreadful message to our community, and it is one that we simply do not understand. If that is your definition of equality, you will have to define it in some manner.

Mr Humphrey: I am grateful to the Member for giving way. The Member makes a very salient point, and this is something that, on this side of the House, we do not understand and which our community does not understand. Will the Member agree that, in Londonderry a number of months ago, there was a campaign, led by the SDLP, to remove an advertisement asking people to join the Royal Air Force? Is this an example of a shared future and shared space?

Mr Speaker: Order. Once again, I am afraid that we are going slightly outside the debate that is before us this afternoon. Let us get back to the amendments that are before us.

Lord Morrow: Thank you, Mr Speaker. That might be marginally outside the debate today, but it is a very good illustration, and, again, it reinforces what we have been trying to say.

Mr Eastwood comes as close to patronising as you will ever find. He said, “You know, you come to Londonderry” — he said it differently; I accept that — “You come up here to our city and you will see what fine people we are, how we do things and how we are so all-embracing” and all of that. We heard all of that —

Mr Eastwood: It is the truth.

Lord Morrow: Well now, is it the truth? *[Interruption.]*

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

Lord Morrow: I give way to Mr Campbell. *[Interruption.]*

Mr Speaker: Order.

Mr Campbell: Reluctant as I am, as I have not intervened very much, sometimes I get tempted just once too often. The honourable Member alluded to some of the comments made from across the way. Given that we are talking about the flying of flags, the identity that people have and how they show affinity to their national identity, it is a bit rich if people lecture people about how magnanimous they are, whether it is in Londonderry or anywhere else, when an entire population has been systematically ethnically cleansed from one side of that city. Then they present that as magnanimity 40 years later.

Mr Speaker: Order. Once again, we really need to get back to the amendments before us. *[Interruption.]* Order, order.

Lord Morrow: I thank Mr Campbell for the point. Maybe he was marginally outside the brief, but, again, it was a good point and it was well made. I think Mr Eastwood even gets the benefit of it too. I can see that he appreciates it, because he is nodding in agreement.

We listened to the Alliance Party. Quite frankly, the Alliance Party is all things to all people. Some days it is right; most days it is wrong. This is another situation where it got it totally wrong and then tried to say, “Well, this is nothing to do with us, really”. In Belfast, the SDLP and Sinn Féin merged together to mount a vigorous campaign against the flying of the flag of this country, which was so offensive that they said it just had to be pulled down. The Alliance Party, of course, said, “Yes, we see the benefit of your argument. We will join you in that crusade”.

Mr Lyttle: I thank the Member for giving way. That is obviously another classic DUP misrepresentation of reality, but we are getting used to that. The Alliance Party position has, for over a decade and independent of any other parties, been a regional policy of designated days. That was not the initial proposal at Belfast City Council. The Alliance policy compromise position was then the proposal. I would be grateful if you could reflect that accurately.

Lord Morrow: All I can do is reflect on the facts, and the facts come across loud and clear. Whatever the pros and cons and whatever the issues were that Mr Lyttle feels offended by, he should explain them, or Anna Lo, who has been quite vociferous on the Floor today, should do that. To date, that has not happened, Mr Lyttle, so you have a problem, and your party has a problem. You need to clarify the whole situation, because you have not got your message across. The message that comes across to me, who resides some 30, 40 or 50 miles away from here, is that you have joined arms and linked up with the pan-nationalist front to ensure —

Mr Lyttle: Will the Member give way?

Lord Morrow: I will let you in in a moment or two. To ensure that, in fact, that very offensive flag that has been flying for 140 or 150 years or whatever it was — a single flag — offended you to such an extent that you had to link arms with the pan-nationalist front and have it pulled down. Right, you want to explain that. OK, go on.

Mr Lyttle: I thank the Member for giving way. Can he give evidence and proof that the 365-days policy has been in place for the length of time that he says it has and confirm that the Alliance Party policy is completely independent of any other parties? Indeed, the difficulty with getting that message across was probably not assisted by the fact that his party — the bastion of Christian ethics — put out false, inaccurate leaflets across east Belfast that framed our party position as having joined forces with Sinn Féin and the SDLP to “rip down the Union flag”. If that is not inflammatory, I do not know what is. They need to reflect on the poor leadership that was shown, which resulted in tension across the entire city of Belfast and which we should now be focusing on trying to repair.

4.30 pm

Lord Morrow: I listened to what Mr Lyttle said, and some of his comments disappoint me. However, I am not going to deal with the negatives. He has come here today having moved on from the situation that he found himself in at Belfast City Hall when the flag was removed. I am going to say this carefully to him: have a wee bit more integrity. It would be a good time to stand up and say that you got it wrong and would do it differently if you had to do it all over again. That certainly would move the situation forward. However, I suspect that that will not happen, or at least it will not happen today, which is a great tragedy.

Significantly, Mr Eastwood talked about allowing the biggest loyalist parade to pass through the city of Londonderry without let or hindrance. Why would it not pass through without let or hindrance? I do not think that that —

Mr Byrne: Will the Member give way?

Lord Morrow: I will in a moment, Joe.

It is not much to Mr Eastwood’s credit to say, “We will let it pass through”. You, more than anybody else here, talk about a shared society and a shared community, but a shared community must mean different things to you than it does to me.

Mr Byrne: I thank the Member for giving way. Does the Member accept that, over 20 years ago, the SDLP was magnanimous on Derry City Council and supported and encouraged the election of a DUP mayor, someone who is very well respected in the Chamber?

Lord Morrow: I suspect that what Mr Byrne said is factual and accurate. I am not going to get into whether the SDLP was magnanimous in what it said or did, but I am sure that it happened as the Member said.

The challenge for the SDLP today is this: do you want to be more closely associated with Sinn Féin or do you want your own identity? The challenge is to give leadership to your community in a different direction to that of Sinn Féin instead of tagging on to it or being dragged along. Whatever Sinn Féin is or is not, it is shrewd enough to know how far it can take the SDLP in that direction. It is good at that. It drags the SDLP along behind it like an unwanted parcel. Sinn Féin needs the SDLP. It needs the SDLP in here to get the 30 signatures and all that jazz. The SDLP needs to wise up and try to steer its own path, make its own policies and give its own leadership. I have said that before. Its Members may sit smugly and say, “We will name play parks after whomever we like”. You can do that, and I suspect that you will continue to do that in the

future. However, the SDLP should remember to take into account the message that it is sending out. It is time that the SDLP unhitched its wagon from Sinn Féin and went its own way. Those of us who look across the Chamber at you sometimes cannot see the difference. You might say that there is no difference, which is fair enough, but you have to stand up and say that.

The Assembly could send out a powerful message today by adopting the amendment. I know that you have made a ruling on this, Mr Speaker, and I am not trying to flout that ruling. However, amendment No 66 reads:

“The Union flag shall be flown at Belfast City Council offices every day.”

It is difficult, therefore, not to mention what happened at Belfast City Hall.

Let us be very careful. Let us get the message out that Northern Ireland is moving on with some respect. We do not want to go back to the past. It is only those on the other side who can take us back to the past. I believe that there is a better future for everybody in Northern Ireland if we keep Northern Ireland moving forward. This can be a starting point today.

Mr Attwood: Contrary to the spirit of much of the debate, I intend to be relentlessly positive in my contribution. When I look around the Chamber, even though I am profoundly critical of the failures of government and politics — I will speak about some of that later — I see many people, although not everybody, who have been authors of and participants in multiple paradigm shifts in the politics of this part of the world over the past 20 or 30 years. That was at an awful human and an enormous economic cost. An enormous price was paid by the character of the people of this island before all subscribed to the principle of democratic practice in our national politics.

Similarly, in 2002, people in the Chamber, including you, Mr Speaker, representing your party on the Policing Board at the time, decided to endorse and share in the new beginning to policing. Some did not participate in the new beginning of policing, but others recognised that, despite all the difficulties that arose from Patten and the fact that issues of identity, values and ethos had to be addressed collectively by the political and civilian members of the first Policing Board, they had to face up to that challenge and deliver the new beginning to policing. By 2007, when others belatedly found the will to join the rest of us in that enterprise, 85% of the Patten recommendations had been substantially or fully accomplished.

When I look again at the 1998 Good Friday Agreement and the subsequent St Andrews Agreement, I see how people in the Chamber measured up to the needs of the time and produced a paradigm shift in the character of our politics. Whatever this election season may or may not produce, and whatever the shadow of all the disputes of the past number of months and years that inform this debate and affect our society, I, for one, have the confidence and conviction that, once again, we will measure up to the need for a paradigm shift in our politics, because that is what the current politics require. We were able to do it with the new beginning in policing, the ceasefires and the agreements on political institutions, even if we did not all like some of them. So the measure of this generation and

this time is a further paradigm shift on the issues faced in this debate and around this debate.

I will correct a profound misunderstanding that some in the Chamber have about consent. When the Enterprise, Trade and Investment Minister, Arlene Foster, was here, she referred to the Good Friday Agreement and the principle of consent endorsed therein. People should go back to the Good Friday Agreement, and, if they want to be judged by it, they should be judged by all of the content of that section of the Good Friday Agreement that deals with "Constitutional Issues". The constitutional element of the Good Friday Agreement was not merely about the principle of consent. It was more, it was broader and it was deeper than the principle of consent. If you want to rely on the constitutional provisions of the Good Friday Agreement as the pathway to dealing with the issues of identity and flags, you have to deal with all of the content of that part of the Good Friday Agreement. Paragraph 1 of the "Constitutional Issues" section of the Good Friday Agreement has no fewer than six sub-paragraphs. Sub-paragraph (i) recognises:

"the legitimacy of whatever choice is freely exercised by a majority of the people of Northern Ireland with regard to its status, whether they prefer to continue to support the Union with Great Britain or a sovereign united Ireland".

That is the constitutional guarantee, the principle of consent endorsed by the people of Ireland, even though it was resisted by people in the Chamber who now rely on the democratic will of the people of Ireland as outlined in the Good Friday Agreement. Under "Constitutional Issues" in the Good Friday Agreement, the two Governments, endorsed by the parties, said:

"affirm that whatever choice is freely exercised by a majority of the people of Northern Ireland, the power of the sovereign government with jurisdiction there shall be exercised with rigorous impartiality on behalf of all the people in the diversity of their identities and traditions and shall be founded on the principles of full respect for, and equality of, civil, political, social and cultural rights, of freedom from discrimination for all citizens, and of parity of esteem and of just and equal treatment for the identity, ethos, and aspirations of both communities".

That is the constitutional provision of the Good Friday Agreement. Do not be selective about it. Do not say that it is all about the principle of consent without recognising that the will of the people of Ireland, in that paragraph of the Good Friday Agreement, explicitly refers to more than the principle of consent; it refers to issues of equality and parity when it comes to identity, ethos and values.

Mr Lyttle: Will the Member give way?

Mr Attwood: I will.

The DUP is right to tell us about the outworking of the principle of consent, which we argued for during the years of state violence and terror. However, that party also has to recognise that, if you rely upon that, you have to rely upon all the constitutional provisions of the Good Friday Agreement.

Mr Lyttle: I thank the Member for giving way. I was going to read out some of those passages later. I accept what

he is saying. However, how is recognising the principle of consent and some of the other texts that he has read out inconsistent with a regional policy of designated days?

Mr Attwood: On one reading, it is not inconsistent. However, surely the lesson of this time in our politics is that, if you deal with issues in a partial and selective way, you do not deal with them at all.

Just a number of weeks ago, the Assembly was reconvened to have a debate about on-the-runs. One of the issues that arises about that is that it was, by the choice of others, a partial and selective way of dealing with the issues of the past. What happened? It came to haunt our politics to the point where the First Minister threatened and then withdrew his resignation. That is the point that has to be made. It is not inconsistent to work out, depending upon where you sit, what the outcome might be on the flying of flags. However, the flaw is — I will come back to this when I deal with the Alliance Party amendments and others — that you are undermining the integrity of Haass and being selective and partial on the issue of identity when the lesson of this time in our history tells us that we must have a paradigm shift on issues of identity and ethos, and that, if we deal with any issue of our history, identity or the past on a selective and partial basis, we do not deal with it at all. That is the danger in political terms of all the amendments. I will come back to that.

If we are to measure ourselves against the challenge of the issue, the way to do so is to embrace all of paragraph 6 and all of its sub-paragraphs of the constitutional issues part of the Good Friday Agreement.

Mr Lyttle: I thank the Member for giving way. I do not disagree with him that the Haass process was a unique and exceptional opportunity to address and deal with those issues. My frustration is that the flags issue, in particular, was pushed into the long grass with regard to the appointment of another commission to try to deal with the issue more than a decade after the Good Friday Agreement. Does the Member then disagree with the Equality Commission's advice that the review of public administration is a useful and appropriate place to deal with one of those serious issues?

Mr Attwood: Yes, I do. I do differ with the Equality Commission's advice in that regard. I will come back to that in my concluding remarks.

It is not good advice when drafting legislation to let frustration — Mr Lyttle's term — inform what an amendment should look like. We should not be judged by the standards of frustration or the weaknesses in the Haass process when it comes to showing good authority and legislating for good law. That should not be what guides where we go. Wiser counsel should prevail. I will come back to that.

4.45 pm

I say this to the Members opposite: when I read out the part of the Good Friday Agreement that talks about identity and traditions, my understanding of myself when that was written and endorsed by the people of Ireland is different from my understanding of myself today. Like Mr Eastwood, I still am proudly Irish. I call myself Irish, and I have an Irish passport. I want, more and more and more, to share in the life of this island. That is what I want — *[Interruption.]*

Mr Speaker: Order, Members.

Mr Attwood: However, my sense of being Irish in 2014 is different from what it was in 1998. I am the same, but I am different, and I am the better for it. Let me explain that.

I have said in the Chamber before — this is relevant, given that this year is the 100th anniversary of the start of the First World War — that I bear the name of a man who was killed in the First World War and who lies in an unmarked grave on the Belgian coast at a place called Nieuwpoort. It was one of the greatest and saddest experiences of my life to go to the memorial that bears his name and to see the name of my great uncle, Alec Attwood, on that memorial. I honour him, value his name and respect his sacrifice. He was a Protestant man from Northampton and was the brother of my grandfather Attwood, who left in the early part of the last century to go to Cork to make shoes. That is how my family ended up on this island. I am not any less Irish for valuing that experience, but I am, I hope, a better person for honouring that man's sacrifice. I would like to think that all of us, after these years of conflict and since the Good Friday Agreement, can all begin to recognise that, in smaller or greater ways, we are different from what we were but that, in being different from what we were, we have not lost any sense of ourselves, our identity or our values. They have just simply become different, bigger and broader. If we do not have that spirit to inform this discussion, we will just end up having this discussion in 11 different places in May and June next year.

Mr Humphrey: Will the Member give way?

Mr Attwood: I will in a second.

We will just replicate this debate in those places to the damage of the people whom we all represent.

Mr Humphrey: I thank the Member for giving way. What the Member just said is certainly very powerful. I listened very carefully and intently to what he said. However, as my colleague Lord Morrow said, you must understand that, to those of us listening on this side of the House, the actions and words of the SDLP are sometimes somewhat different from the actions and words of the SDLP when it was led by Margaret Ritchie. She encouraged people in your party and in the community that you represent to wear the poppy in recognition of the sort of thing that you are talking about and to call this place Northern Ireland. As we see it, campaigning for people like McGeough to get out of prison, campaigning for Marian Price to get out of prison —

Mr Speaker: Order.

Mr Humphrey: — and campaigning for a park to be called after a terrorist do not exemplify what you are talking about.

Mr Speaker: Order. Every Member who wants to make a contribution has got quite a bit of latitude. Let us try once again to get back to the amendments that are before the House.

Mr Attwood: Mr Speaker, I will return to the amendments via a long circuit to answer that question. What surprises me about that remark and about some of the remarks that those on the DUP Benches made is that they seem to have erased from the Hansard record what the SDLP leader said at the Second Stage of the Local Government Bill.

Lord Morrow: Which was? Remind us.

Mr Speaker: Order. Let us not have a debate across the Chamber. The Member has the Floor.

Mr Attwood: I am pleased to remind the Member. When Alasdair McDonnell came into this Chamber on a Tuesday morning at about 11.55 am, he made a speech, which is in Hansard, that recognised the hurt that had been caused by the decision made by the SDLP and, in our view, others to continue naming the park in Newry after somebody who had been involved in terror. That is what the record says. He recognised the hurt, and he said that we wished that that had not happened.

A Member: What is the park called now?

Mr Speaker: Order. Once again I remind the House to get back to the amendments.

Mr Attwood: I might touch on that later. I give way to the Member.

Mr Wells: What he has just said would have much greater force had his councillors in Newry and Mourne District Council put down a motion rescinding the decision to name the play park after a convicted murderer. That would have been helpful. They did not do that —

Mr Speaker: Order. Let us not have a debate over a play park and its naming.

Mr Attwood: If I have the opportunity, Mr Wells, I will try to weave that into my later comments.

I am making the point that properly addressing issues of identity is our liberation; failing to address them properly ends up being our suffocation. Surely that is one of the lessons of this and other issues over the past while.

The job of legislatures, particularly at the level of this Chamber, is to see the wood for the trees. We must learn four or five lessons from this issue, these amendments and the history of all of this. If we do not learn from the issue, we will replay it in the next nine weeks to 22 May and in the following nine months in the run-in to forming the new councils. We have to draw on those lessons, but those who propose the various amendments have not fully done so.

The first is flags. This is where I disagree with Mr Elliott, who said that we are here because of a decision by Belfast City Council. I understand why that argument might be made, but that is not why we are here. We are here because the flags dispute was an insight into the deeper fault lines in our politics and society. The flags dispute was one that was coming, whatever its timing and nature, at a ferocious rate. That is why we are here. It is because the flaws and fault lines in our politics had deepened, not eased, over the past number of years. If we fail to recognise that, we do not recognise the political issues that we have to face up to.

Mr I McCrea: Will the Member give way?

Mr Attwood: Whether it was to be on parades, flags, identity or the workings of our political institutions, there was an emerging problem, if not crisis, over the authority and integrity of all of that, because we had failed to deal with the unfinished business of the Good Friday Agreement. I will give way.

Mr I McCrea: The problem may be that we on these Benches do not recognise what the Member is referring

to as the wider political problems. In speaking to people in my community, there was never an issue in respect of the difficulties that they see now until the decision was taken at Belfast City Hall. Will the Member give us some idea of where he saw those difficulties arising and who suggested to him that such difficulties existed?

Mr Attwood: I am surprised by that. Let us step back from flags very briefly, because we are moving away from the amendments, to talk about parades. There were negotiations about parades in 2010, in the run-down to the devolution of justice. A Bill was brought forward that was derailed by people outside the Chamber. I did not like that Bill. We then had to go back to parades in the Haass process. Did that not demonstrate that, around the issue of parades, as some people saw it, there was a political fault line in our society that had not been resolved? There clearly was. Why, when it began to deal with the issue of parades, did Belfast City Council begin to deal with other issues of expressions of identity in council premises and accommodation? It was because the issues had to be dealt with. So, if the Member is drawing the conclusion that he or the people that he spoke to could not see the issues around parades, flags, identity, the North/South review being sidelined and derailed since 2007 and the failure of political institutions to live up to people's hopes and ambitions, I respect that that is how he saw things.

Mr Agnew: Will the Member give way?

Mr Attwood: However, this issue was an insight into the wider fault lines, tensions and conflict in our society. The response to those wider fault lines was to have a wider paradigm shift. I will come back to that. I will give way.

Mr Agnew: I thank the Member for giving way. He set out the context that, I suppose, created the atmosphere to allow violence. Would he also accept that a large part of that context was a recession, widening inequalities and poverty of income and education, particularly in working-class communities across our society? Endless debates about flags are not advancing any of those causes.

Mr Attwood: There is a wider environment that may or may not be relevant to the experience of people, including those who are workless and the working poor. There is clearly going to be a wider context, but critical incidents and rubbing points that display the continued conflict in our community between the traditions demonstrate that the issues of flags and identity were there.

Mr Humphrey: Will the Member give way?

Mr Attwood: I will in a second. The second issue that we have to learn from is that there was a failure of leadership. I will speak in a moment about how that relates to the conduct and contribution of the SDLP. However, there was a failure in leadership. I have to say to the DUP benches that the issue about the flag in Belfast was portrayed as a withering blow to the sense of people's loyalty to the British Crown, their sense of Britishness and their sense of being part of the British union.

The failure of leadership came when it was not properly explained to people — this goes way back through years and covers not just the months around the matter — that, just because things feel and look different, it does not mean that you have lost out. I valued articles 2 and 3 of Bunreacht na hÉireann — the Irish Constitution — but in 1998, through democratic will, the people of Ireland gave

up what you might call an unlawful claim but that I viewed as a legitimate aspiration to Irish unity.

I am no less an Irish republican for articles 2 and 3 of Bunreacht na hÉireann no longer being in place. I am a better person because of that, so just because things look and feel different does not mean that you have lost out. It means that all of us have gained. I have to say to people opposite that, in my view, there was a failure of leadership to say to people that the outworking of the values of the Good Friday Agreement, and, as you might see it, the St Andrews Agreement, means that all of us can be enhanced and cherished, not lessened.

Just as there are things that I as an Irish republican have had to accept and live and agree with, that has not in any shape or form seen me become any different from what I am. The flag issue should not have been seen in the way in which it was portrayed.

Mr Humphrey: I thank the Member for giving way. I am listening intently to what the Member is saying. He needs to remember that articles 2 and 3 of the Irish Constitution were illegal in international law. It was an illegal claim on this territory. I accept that, as an Irish nationalist, he valued those articles. So, too, did we on this side of the House value the Government of Ireland Act. He talks about fault lines in this city. Look at the fault lines and community relations in this city and at the action that your party, Sinn Féin and the Alliance Party took over the flag.

You have to understand this: the people of Northern Ireland, the people of this city and the unionist people of Northern Ireland — Catholic and Protestant alike, because, as we see in surveys time after time, a growing number of people are now supporting the union — felt betrayed, hurt and angry at the decision taken by those parties in City Hall.

It is wrong for the Member for North Down to stereotype those people as being unemployed and uneducated. The people of Northern Ireland — the people of middle Ulster and the unionist people — felt revulsion and anger at the decision to take the Union flag off City Hall. The Member's remarks simply underline that the Members across the way do not understand that hurt and do not feel it.

Mr Attwood: I thank the Member for that intervention. I will give way to Mr Allister in a minute. There is a third learning that I hinted at in my previous remark, and this is where I have more sympathy and understanding with what the Member has said.

The decision at Belfast City Hall was the right one; it was done in the right way and it followed the right process. More than that, it was the outworking of local democracy, which, as I indicated earlier, is the better — not the best — way to deal with the flying of the Union flag.

5.00 pm

However, I accept fully what you have just said. The people of, as you put it, "middle Ulster", whom I awkwardly refer to as "middle unionism", were deeply upset and hurt by that decision. I know that, because those in middle unionism — that is not meant to be a disparaging term — who spoke to me in the days immediately after that decision told me how upset they were. Those are people who will be voting for the SDLP in South Belfast in the elections in May.

[*Interruption.*] Yes, they will. I know that because they have

spoken to me before this debate and over the past number of weeks. *[Interruption.]*

Mr Speaker: Order, Members.

Mr Attwood: They are people in unionism on whom I rely for advice about where their sector of unionism — middle unionism — is, and they told me that they were upset and alienated. So, although I believe that it was the right decision, it was taken in the right way, it followed the right process and it was the outworking of a rightful expression of local democracy, do I accept that it was upsetting and alienating to very significant numbers of unionists? I understand that.

They also say to me that it was not the flag decision per se that they found alienating; it was the character of our politics. It was the fact that the hope and ambition of 1998 was being squandered, and they wondered what it was all about. It was the fact that they saw a relentless validation of paramilitary terror without any sense of accountability, responsibility or apology in any generous and forthright manner. When you add those and many other factors together, you see what became alienating. The flag may have tipped people into a sense of alienation, but there was a process of alienation or disillusionment.

If that is the case for middle unionism, and that is what they tell me, you have to acknowledge that there was a similar process of growing alienation and disillusionment in nationalism about how the DUP was conducting itself in government and how elements of political unionism were conducting themselves in local councils.

In September, my party held an away day at the Wellington Park Hotel. People from our councils in many areas around the North said that they had lost confidence in elements of political unionism because of how they were conducting themselves in the council chambers. Community relations was part of the debate this morning, but when it came to community relations in councils, the issue had to be addressed in unionist terms when unionists were ready, rather than as soon as possible and on the right terms.

The DUP in the Government in this place began to alienate nationalism as you tried to mangle the Good Friday Agreement, recreate the past, slow down North/South cooperation and so on and so forth. The point is that, if we are to recognise where we are in terms of flags, identity and all of that, we have to recognise the disillusionment and alienation where it exists in our society, in unionism and nationalism. We have to learn from dissent — democratic dissent, I stress — to do things more wisely.

Mr Humphrey: Will the Member give way?

Mr Attwood: I am going to give way to Mr Allister, because I said I would.

Mr Allister: The Member waxes very enthusiastically about the Belfast Agreement and with great passion. Has he any appreciation of the fact that a source of the problem is that many unionists — I speak of those who voted for it — thought that they were getting a settlement. To the Member and the broader pan-nationalist community, it was always recognised merely as a process. Therefore, as things have unfolded, issues such as the flag are seen as part of that never-ending process, and the disillusionment of unionists who thought that they had got a settlement, the middle unionism that the Member talks about, is accentuated by that. Does the Member not see that,

by feeding issues such as the flag and by joining in the tearing down of the flag from City Hall, he is feeding that particular tiger of alienation? Does he not recognise that his policies are part of the problem?

Mr Attwood: I thank the Member for his waxing, but it is waxing in a somewhat extravagant and overstated way. I will explain why. The source of the problem is that we have not lived up to every word and spirit of the Good Friday Agreement. If we had politics and political parties that were unambiguously living up to, judging and challenging themselves on and compromising themselves in the image of the Good Friday Agreement, a lot of this would have been dealt with.

Way back in the first mandate, Mark Durkan was in discussion with David Trimble, as I understand it, about how to deal with the issue of identity, when the rug pulled from under their feet, although I recognise that it may never have been settled, by a unilateral decision made by another Minister to not fly the Union flag on departmental headquarters at Rathgael House. So, attempts were being made, difficult though they were, and those attempts were derailed.

Mr Allister is wrong — he is just plain wrong — when he says that there was a settlement.

Mr Allister: Will the Member give way?

Mr Attwood: Go and read the appendices of the Good Friday Agreement. Therein was further process, to use your words, in relation to policing and criminal justice. On the far side of that, upsetting and challenging though it was in many instances for unionism as well as for us, nonetheless, the DUP, the Ulster Unionist Party, the SDLP and nine civilian members of the Policing Board applied themselves to the outcome of that process and all of our society is better for it.

Mr Allister: I absolutely agree, and it is the reason why I opposed the Belfast Agreement; it never was a settlement. It always was a process. Unionists who saw that voted against it, but the unionists who wishfully hoped that it was a settlement are the people now of whom you speak who are disillusioned because they suddenly discovered that they were sold a pup: that it was never a settlement, it was a process.

Mr Speaker: Order. Once again, I think that we are moving far away from the amendments. We are almost into a debate in and around the Good Friday Agreement. I am prepared to allow some latitude, as I continually say in the House, but I ask that Members will, if possible, in whatever they are saying, refer in some way to the flags issue and to the amendments that are before the House this afternoon.

Mr Attwood: To answer that point: the Good Friday Agreement, as I mentioned in passing, refers to the very point of this debate and the Bill and the amendments in relation to the expression of identity.

Mr McGlone: Will the Member give way?

Mr Attwood: I will come back to Mr McGlone in a second.

Mr Allister is far wiser on this than I am, and it may even be presumptuous for me to say this, but I do not think that a vast swathe of unionist opinion pathologically thought that the Good Friday Agreement was something that it was not. A copy of the Good Friday Agreement was posted to every house. It was the most talked about document in Irish

political history since the treaty. It referred to the right to democratically pursue national political aspirations and the right to seek constitutional change, and people knew that this is what was meant. In my view, to portray unionism as somehow pathologically misunderstanding is disrespectful to those people.

Mr McGlone: I thank the Member for giving way. Will he accept that the fundamental challenge and the issue at the core of the Good Friday Agreement was the accommodation of difference and the accommodation of identity, about which proper, serious dialogue has yet to commence on these islands? Likewise, in the context of the Local Government Bill, that too remains a challenge for the 11 new councils to accommodate difference and protect and enshrine in its very core civil rights and equality for all. That is the very challenge that the Assembly and the Executive still have not achieved and which remains a fundamental core for those new councils.

Mr Attwood: I agree, and in my concluding remarks I will deal with that very issue, which is, as Mr Eastwood said, about how we are going to get back to this.

The final learning from all this is simply that we cannot deal with the issue of identity ourselves alone — that is a horrible phrase. I remember, during the Haass process, being corrected — that is probably the right word — by the Irish Government, with whom we had many conversations. Mr Byrne will remember one of the corrections; as the SDLP talks delegates, we had the high-handedness to start talking about the where, when and how of flying of the national tricolour — the Irish national flag, Mr Wells — in Northern Ireland. This is one of the incongruities of this debate.

Today's 'Irish News' has a photograph of Queen Elizabeth and an Uachtarán, President Higgins, in advance of the state visit in a few weeks' time. The imagery of that, compared with the imagery of this, is rather stark, acute and critical. Just as on this island there was a wave around the visit of Queen Elizabeth to the island, which within months saw mini-seismic shifts from other parties in their attitude to the British monarchy, there will be more come the middle of April. Let me tell you; there will be more. Do you know what will happen? Four weeks out from our elections, what the President of Ireland and the Queen of the United Kingdom can do will sit in sharp contrast with what we are not yet able to do, but we will deal with that when we come back to it.

We cannot deal with the issue, and this was what the Irish Government were gently reminding us of. The issue of flags is a particular responsibility in London and Dublin, and we argued for a much bigger involvement of the two Governments in the commission that was being proposed as part of the Haass talks. I presume that others in this Chamber were having none of that, but they were wrong. We need more of that in managing the issue of identity, the issue of flags as part of identity and as part of the new constitutional arrangements in this part of the island. I will come back to that.

Why do I believe that all these amendments are errors of judgement?

Lord Morrow: Will the Member give way?

Mr Attwood: I will.

Lord Morrow: I am interested to hear the Member. He puts much emphasis on the Haass talks. Does he think

that the Haass talks were undermined by the issuing of letters to the privileged few?

Mr Attwood: Dealing with the past in a comprehensive way is undermined if there are any secret deals. If any other deals are done, not exclusively but especially between those who represent the worst of our past and the British Government, that will undermine both our politics and dealing with the past in a comprehensive way. My nose tells me that other deals have been done; I will not go further down that road, but I do not understand the silence and inactivity of the Serious Organised Crime Agency (SOCA) after the Assets Recovery Agency was closed down. I do not understand its silence.

There may be very good reasons, and SOCA may choose to do its business differently from the way in which Alan McQuillan chose to do his business, which was in the public domain and through the courts. It may have chosen to do things privately through civil recovery, and there may be a logistical, organisational or institutional reason for that. However, it seems to me that it was very silent.

5.15 pm

Why is the approach adopted by all those who tabled amendments an error of judgement? I will say this to the Alliance Party: you should not give anybody an easy way to further impede or derail Haass. We all know that the proposed commission on identity was the weakest part of the Haass outcome, but, when you go unilateral on the issue of flags, what you are doing is undermining the entire outcome of Haass.

People will confirm that, during the Haass process, the Alliance Party's issue, more than any other issue — it was strong on many issues — was identity. It was right to say that we had to deal with that issue comprehensively and decisively and that the party had been treated in an appalling manner by elements in our society and by politicians in our community. I understand why the issue was so intimate and acute. However, you are undermining Haass by tabling the amendments, because you take the issue of flags out of Haass. Others could then say that we should take the issue of the past out of Haass. Mark my words, the people who are reticent about Haass and their past are not just elements of unionism. Those who have vested interests, wherever they may be, in state, non-state, institutions of the Government and institutions of the paramilitary organisations are all threatened by Haass because those proposals offer a mechanism for truth, justice and accountability that has not existed previously. Although the amendments were tabled in good faith and with the best of intentions, you give people the opportunity to say, "Let us undermine Haass further".

Mr Lyttle: I thank the Member for giving way. He will not be surprised to learn that I fundamentally disagree with what he is saying. The Alliance Party is fully committed to working on all the areas that were initiated as part of the Haass process, having proposed an independently facilitated process to deal with those issues, and we will work just as hard on dealing with past as we will on flags or parades. However, does the Member think that there is no other possible way to try to make progress on any of those issues using any fora other than all-party talks?

Mr Attwood: I will go back to my opening remark that we need a paradigm shift, and we are misleading ourselves

if we believe in the notion that you can deal with those issues of identity in a partial way by dealing with the issue of flags in the Bill. You may be doing it for the right reasons, but you will have the wrong outcome. In circumstances in which we need a paradigm shift and a comprehensive process, you should not pick off issues such as flags, important though they are. An unintended consequence could be that people will say that we should pick off other elements of Haass because we do not like them or we should deal with them in a quiet or other manner. Strategically, the Alliance Party has committed an error of judgement by trying to deal with issues of identity selectively, and it has unintentionally undermined the integrity of Haass by giving others an opportunity to pick at it over the next period of time.

Given that, hopefully, there was to have been a commission and that you hoped that people might live up to some greater aspiration and ambition around our politics, you should give this a little bit more space between now and May of next year to try to resolve the issue because, by doing this on flags now, you derail the conversation about identity later. By derailing the conversation on identity later, you do not deal with the politics of this moment. For those reasons, I think that it is an error and it is the worst of evils. In the current situation, leaving it to local decision-making is the better way to go. Rather than saying from on high, "This is the way it's going to be in the absence of agreement", it is better to leave it to local councils to decide the matter. Politically, that is the better course of action.

Mr Lyttle asked me whether I differed from the advice of the Equality Commission on this matter. I may stand corrected, but I am told that in the political reference group, the Alliance Party accepted that this Bill was not the appropriate vehicle for resolving the flags issue, and I think that that is right. When I was Minister of the Environment before Mr Durkan, I convened the political reference group. The group behaved very wisely and said, "Let us deal with this matter very sensitively and very carefully." That is the way all the parties on the political reference group decided to handle the matter, and they were right. It remains the right way.

Mr Eastwood said that we would have to get back to this but presumed that that would not happen in the run-down to 22 May. He is probably right, but he should not be. There is some talk that there may be meetings of the parties next week, post-Washington DC and post-Haass. If those talks happen next week, the measure of them should be a decisive outcome. This must not be an exercise in covering people's backs because of a reprimand from Washington DC. There has to be decisive movement on the issues of the Haass talks. I have a sense that some people may think that they have overcooked their opposition to Haass. If so, let us see the proof of it over the next number of days. I worry that, as we enter the run-down to 22 May, events may conspire against even the best intentions.

If that does not happen, the SDLP calls today for talks to be convened between the five parties and the two Governments in the week after 22 May, with an invitation to the American Government to be in the room. We cannot allow the Haass talks and all the other unresolved issues of agreement politics to continue and charge into the events of the summer.

Today, we say to the five parties: let us maximise the space over the next number of weeks. However, if that space does not result in product, immediately after 22 May, the five parties should gather with the two Governments, and with appropriate involvement by the American Government, who have some of the wisest reading of the politics of Northern Ireland. When we do not have the authority ourselves, we need the assistance of others to grow our authority in order to deal decisively and conclusively with all those issues.

Mr Wells: Will the Member give way?

Mr Attwood: Yes. *[Laughter.]*

Mr Wells: I have waited. I must say that I always admire the eloquence of the honourable Member for West Belfast. I sat through his oratory at Queen's University for many years, and now I have sat through it here for 15 years. He is a very clever speaker. Some 40 minutes ago, he said that he would weave in an answer to the question that I raised earlier. I have been listening and no answer, as far as I can tell, has been woven. I am sure that he did not intend to adopt a sedentary position without answering the very important point that I raised about the rescinding motion.

Mr Attwood: The respect is mutual. Mr Wells was a very eloquent speaker in his time and still is in the Chamber. I did not weave it in because, although others may have got a reprimand in Washington, I did not want to get a further reprimand from the Speaker. A year ago, my personal advice to the councillors of Newry, who are people of integrity and did not go out of their way in any shape or form to offend anybody — *[Interruption.]*

Mr Speaker: Order, Members.

Mr Attwood: They did not. People have to stop reading their worst fears into what other people do. Most people are good, generous and decent. I believe that, despite what Mr Allister thinks about unionism. I think that most people are good and decent. You should not read in to the actions of good and decent people your worst fears. So, they did not, in any shape or form, want to visit offence upon anybody. They were in a situation where there was legal advice coming in about what happened years ago and about the consequences of undoing all of that. They behaved in an honourable way even if people were hurt, but it was not intended. I know that because Dolores Kelly, I and others went down and spoke to our councillors and other people in that area, and that is the truth. Do not let anybody deny that, and do not let anybody deny what Alasdair McDonnell did in this Chamber. I have not heard from anybody else on any occasion any sense of acknowledgement of how things in the past may have upset and hurt people.

During the Haass process — I will finish here — one of the meetings that Joe Byrne and I had was the first at which the party met the RUC widows. There is something for us in the SDLP to acknowledge that that was the first time that we had met the RUC widows and seen their sense of hurt. In west Belfast — this is the relentlessly positive — on Friday night in St Mary's University College, there was a second showing of a film that has been produced in respect of the Ballymurphy massacre families by — I will conclude now — Sean Murray. At the end of that, when Paul Maskey and I were speaking, there were comments made about how to deal with the past. I said that, if we have to deal

with the past, we have to deal with it in comprehensive, inclusive terms. That includes the Ballymurphy massacre families, who have suffered so greatly and have shown such resilience. It also meant that we had to deal with the pain and grief of the RUC widows, one of whom we met in and around Haass. She is from and lived in my constituency of West Belfast. She was married to a police officer of my own faith who was murdered in this city. That woman, as much as any other individual, has the right to truth, justice and accountability. I go back to your question: that has to inform how we deal with all these issues, including, in my view, our councillors in Newry.

Mr Wells: Will the Member give way?

Mr Speaker: Order. The Member has finished.

Mr B McCrea: I have listened to the debate without intervening to hear what people had to say, and I am sorry to say that the speech that I have just heard has not filled me with any great confidence. It was rambling, self-indulgent, condescending, patronising — *[Interruption.]* I believe that the sentiments of the gentleman concerned are correct, but we rambled over every single thing that you could think of instead of dealing with the issues. You cannot deal with them in that way; it is simply too broad.

Mr Speaker, I want to address the amendments, in particular, amendment No 66. One Member, who is still here, stood up and said earlier that people did not care. It is true that some people do not care —

Mr Flanagan: I said “most” people.

Mr B McCrea: Maybe even many people do not care. Perhaps even most people do not care, but there are certainly people who do care. There are people here still talking about the issue. There are people who have been on the streets for the past year. There have been riots on our streets, there have been protests about flags and we have destroyed Belfast city centre. We have had all those issues. So, it is important to some people.

When it comes to the issue about how we deal with the particular position on the UUP amendment, I am surprised that the UUP tabled it. It, too, is mischievous. It, too, is designed for political opportunism. They will have known that there would be a petition of concern. They will have known the way that people will have looked at this, but they are playing politics with a very important issue.

5.30 pm

Mr Speaker, dealing with the amendment, let me refer Members to the flags and emblems legislation that deals with the issue. In the House of Commons on 16 May 2000, the then leader of the Ulster Unionist Party, Mr Trimble said:

“It is necessary that the legislation goes through, and goes through quickly ... Unfortunately, however, I believe that the form of the order will not settle the issue and may contain the seeds of future trouble ... The existence of the flag and the occasions on which it is flown are matters of custom, practice and administrative procedures, not of law.”

An issue was set out there, but, when you go through the process, you find out what the Ulster Unionist position was then. Later that evening, Lord Rogan, a UUP peer, commented on the issue. I know that Members of Parliament are present here, and they will understand how significant it is

to have a hearing in the House of Commons in the morning and then to have emergency legislation rushed through to the House of Lords that evening. Lord Rogan said that he believed that they should be discussing on what days that the flag would fly, not on what buildings.

We returned to the issue in this place, the Northern Ireland Assembly, on Tuesday 6 June 2000. A motion that the Reverend Dr Ian Paisley proposed asked:

“That this Assembly directs that the Union flag shall be flown on Executive buildings in Northern Ireland on all designated days, in keeping with the arrangements for other parts of the United Kingdom and, additionally, on Parliaments Buildings on all sitting days.” [Official Report, Bound Volume 5, p44, col 2.]

The point was that it was not 365 days; it was designated days and different days. Supporting that call was Mr McGimpsey of the UUP. He said:

“This motion is to do with a very important issue. It can be separated into two parts. The first concerns the Union flag’s being flown over Executive buildings, and the second its being flown on Parliament Buildings”. [Official Report, Bound Volume 5, p53, col 2.]

He went on to say:

“In the United Kingdom as a whole the Union flag is flown on designated Government buildings on designated days.” [Official Report, Bound Volume 5, p54, col 1.]

There was also an intervention from Mr Boyd of the DUP during the debate. He said:

“I have here a statement issued by the Ulster Unionist Party on 22 May 2000:

‘Thanks to our negotiating team, only the Union flag will be flown from Government buildings, and the proud name of the RUC will be preserved ... Unlike our opponents, who talk a lot but never deliver, we actually managed to negotiate significant and tangible concessions from the Government.’” [Official Report, Bound Volume 5, p49, col 2.]

That was to do with flags.

Then this place set up an Ad Hoc Committee. This is what the written submission of the UUP, the proponents of amendment No 66, said:

“By accepting the 17 flag-flying days as specified by the Flags Regulations, the SDLP and Sinn Féin will be honouring their obligation in the Belfast Agreement to show ‘sensitivity’ and ‘promote mutual respect rather than division’”.

That is what Sinn Féin and SDLP were being asked to do. Furthermore, it says:

“Designating a maximum of 17 days out of 365 days in the year clearly indicates that, while upholding the constitutional position of Northern Ireland, the British Government has no intention of flaunting the Union flag.”

That was in the UUP's position paper. It also directly mentions district councils. It says:

"District Council offices cannot benefit directly from these Regulations ... Consequently, in determining the appropriate days and locations for the flying of flags ... District Councils must pay particular attention to their own statutory obligations under two very important pieces of legislation: Northern Ireland Act 1998 ... and The Fair Employment and Treatment (NI) Order 1998."

That is the issue on which we have to find a way of getting designated days.

We then moved to a debate, and I think that the Members opposite will find that this is a really interesting point —

Mr Lyttle: Will the Member give way?

Mr B McCrea: I will.

Mr Lyttle: I hope that I have not broken the Member's flow, but, given the Ulster Unionist Party's policy position supporting designated days, which he has set out in detail, has he at any point heard a satisfactory explanation why such a dramatic deviation from that party policy position has occurred in recent years?

Mr B McCrea: The answer to that is that I am interested to hear what people will say in this debate. It was a matter of discussion between party colleagues and me. I refer to the Ad Hoc Committee report. Dr Birnie of the UUP said:

"The Ulster Unionist Party welcomes this report and in broad terms also welcomes the Secretary of State's Regulations."

He also said:

"We applaud the good sense of the SDLP, at least at local level in Craigavon, where their councillors have recently agreed to regulations providing for the flying of the Union flag." — [Official Report, Bound Volume 6, p403, col 1.]

When people talk about the vote in Belfast, I ask, "If you can agree designated days for Belfast and Craigavon, why can you not accept designated days for Strabane, Limavady or elsewhere?". That is the point that the Alliance Party made. Those things have already been accepted. He moves on to say:

"The regulated flying of the flag on 17 days ... upholds our constitutional position without flaunting the flag. Thus, the Ulster Unionist Party supports this motion." — [Official Report, Bound Volume 6, p403, col 2.]

That is the Ulster Unionist Party talking. Mrs Carson, a UUP MLA, said:

"This debate is about the recognition of sovereignty and the flying of the Union flag with dignity on all public buildings on recognised dates." — [Official Report, Bound Volume 6, p407, col 1.]

There is then an intervention from a certain Mr Peter Robinson, who said:

"Mrs Carson expressed the view that her interpretation of the Belfast Agreement was the only possible one. Clearly, her interpretation was inadequate". — [Official Report, Bound Volume 6, p407, col 1.]

He also said:

"The Ulster Unionist Party, when given the opportunity to show its support for other propositions, was able to support every one of the propositions made by the Democratic Unionist Party - apart from one. The one proposition that the Ulster Unionist Party felt unable to support was a simple one. The Democratic Unionist Party argued that there should be no prohibition on the flying of the Union flag on Government buildings at any time - no prohibition. It did not say that it should fly at all times, but it removes the prohibition, which was expressly put into the legislation. The Ulster Unionist Party want a prohibition. They want it to be an offence to fly the Union flag on Government buildings, except on a dozen or so days in the year. I find that difficult". — [Official Report, Bound Volume 6, p407, col 2.]

This is the party that now says, "We want to bring forward 365 days". Not then; not at that time. Mr Foster, a Minister of the UUP, responding to Mr Robinson's intervention, said:

"Today's attack by Mr Peter Robinson was an assault on the Unionist Party". — [Official Report, Bound Volume 6, p408, col 2.]

He also said:

"The Union flag must be flown with dignity and decorum on the designated days, not as an act of offence but out of respect for the sovereignty of Her Majesty. ... The motion is a further step in the full implementation of the agreement ratified by the majority of people two years ago." — [Official Report, Bound Volume 6, p409, col 1.]

That is the official policy of the Ulster Unionist Party. I do not know why you are now trying to play politics with the issue. If that is what you felt about the issue after the Belfast Agreement, that is what you should be defending now. Then, we will get to a stage — *[Interruption.]*

Mr Speaker: Order.

Mr B McCrea: If Mr Elliott would like me to give way, I am happy to do so.

Mr Elliott: I am pleased that the Member has decided to give way. I am just wondering what the use is of something that he is reading from 14 years ago. I heard him mention the Ulster Unionist Party, the Democratic Unionist Party, the SDLP, the Alliance Party and Sinn Féin, but I did not hear him mention Belfast City Hall. What does any of it have to do with the amendment to put the flag back up on Belfast City Hall 365 days a year? I have no idea. *[Interruption.]*

Mr Speaker: Order.

Mr B McCrea: Clearly, Mr Elliott was not listening to my earlier points when I said that it was specific commentary about district councils and councils in general. It is a matter of record. I can refer him to it if he wants; it is in the Ad Hoc Committee report. I quoted selectively from it. However, what is absolutely clear is that the UUP was the defender of designated days. It introduced emergency legislation and got it through the House in one day.

There was a very interesting discussion that the UUP may wish to repeat. Mr Newton mentioned senior counsel in Belfast City Council. However, Mr Elliott, there are other counsel who talk. I refer the House to the judicial review

and Justice Kerr's opinion on an application by Conor Murphy on the flying of flags. One of the issues that Justice Kerr had to deal with was:

"it is alleged that a covert arrangement was reached on the flags issue between Mr Mandelson and the Right Honourable David Trimble MP, the leader of the Ulster Unionists so as to enable the latter to persuade his party to return to the institutions of government after the suspension of those institutions."

There is quite a learned judgement on the matter, but let us just be clear that those were the politics of the time. That was the issue. The UUP has now done the mother of all U-turns on this issue. For the UUP to stand here — *[Interruption.]*

Mr Speaker: Order.

Mr B McCrea: — and play pathetic party political games that have the potential to — *[Interruption.]*

Mr Speaker: Order. The Member must be heard.

Mr B McCrea: — drag this country back to a place that it thought that it had escaped is entirely irresponsible. You should really look at what you are doing. *[Interruption.]*

Mr Speaker: Order.

Mr B McCrea: You stand here and give us lectures about how we should go forward. You say, "Let us talk about Haass" or whatever. This is the party that seemed to think that Haass was 80% to 90% a done deal. Let me tell you this: Haass is dead; Haass is no more. *[Interruption.]*

Mr Speaker: Order.

Mr B McCrea: It is deceased. It is gone. It is finished. You have missed your opportunity, and, frankly — *[Interruption.]*

Mr Speaker: Order. Let us not have a debate across the Chamber. The Member has the Floor. *[Interruption.]* Order. The Member should not challenge the authority of the Chair.

Mr Kinahan: Will the Member give way?

Mr Speaker: I am sure that the Member will give way. As I said, there is no time limit on the debate in the Chamber this afternoon. *[Interruption.]* Order. When Bills are going through the House, there are no time limits on Members' contributions. If Members want to put their name down on the speaking list, they can do so. Let us not have debates from a sedentary position. Allow the Member to continue.

Mr B McCrea: I move on to a further debate in the House of Commons on 25 October 2000. A certain Mr Peter Mandelson, proposing, said:

"I welcome the mature recognition by the Ulster Unionist party, in its submission to the Assembly's ad hoc committee, that there is no need or desire to flaunt the Union flag as such."

That was the position. Jeffrey Donaldson MP, Peter Robinson MP, Roy Beggs MP and the Rev Martin Smyth MP were present in the House of Commons at the time, but the House did not divide on the issue. In the House of Lords on 2 November 2000, Lord Falconer, proposing, said:

"Regulation 9 prohibits the flying of flags on government buildings other than as provided for by

the regulations. That means that the union flag may not be flown on days which are not specified in the regulations."

That was coming through as law. He also noted:

"That means that the Union flag will not be flown on four days on which, prior to devolution, it was flown only in Northern Ireland—Christmas Day, New Year's Day, Easter Sunday and 12th of July."

That is an issue that came out of the legislation. Lord Rogan of the UUP said in the Lords:

"Therefore, those parties lacking maturity should, in acting responsibly with respect to their commitments, both explicit and implicit, recognise that the flying of the union flag over government buildings on the same days as in other parts of the United Kingdom is part of what they agreed to."

He was referring to what parties agreed to in the Belfast Agreement. He was supported by none other than Lord Molyneux:

"I echo his congratulations to the noble and learned Lord, Lord Falconer, on the intelligent and tactful way in which he introduced the regulations."

Let me tell you that the amendment the UUP tabled is not sustainable. It is not the way forward. It was bound to provoke a petition of concern. It was not going to get through. You have to deal with these things in a different and better way.

5.45 pm

Let me just mention a few other points that I want to deal with. There are some other issues that I think we need to bear in mind.

Mr Elliott: Will the Member give way?

Mr B McCrea: I have moved on to another topic, but I will give way.

Mr Elliott: I thank the Member for giving way, now that he has calmed down somewhat. Will he be supporting the Ulster Unionist Party amendment No 64, which is for, as a minimum, designated days?

Mr B McCrea: I think that it is fairly clear what my position is. I hope that the Member has been listening.

Let me move on to a number of other points. Sinn Féin talks about identity and wanting to reach out. I have to tell you that, as far as I am concerned, what was agreed in the Belfast Agreement, not the Belfast process, was that the constitutional position of Northern Ireland was decided until the people decide otherwise. The Union flag is the constitutional emblem of this part of the world, and, in my opinion, it should be flown on designated days at every single council.

When I look at this issue, I ask what happened to us when we were in Lisburn. I notice that some of my colleagues that were there are here. I was elected in 2005 in an election that was something of a landslide, I seem to recall, for the DUP. It said that it had taken control of Lisburn council and that the first thing that it was going to do was to fly the flag for 365 days. A year or so later, people said, "This is not a terribly good idea. We are not going to fly

the flag 365 days, but don't tell anybody". I stand to be corrected, but I understood that the DUP was not going to fly it for 365 days because legal advice came forward that said that the council is a place of work and that, under fair employment law, you cannot fly emblems. However, special dispensation was allowed for city halls or town halls because of their ceremonial place, so the flag could be flown on certain days. That is a compromise.

Mr Lyttle: I thank the Member for giving way. Was the type of legal advice that Mr Newton MLA earlier referred to as "nonsense"?

Mr B McCrea: I do not know exactly what advice he was referring to. All I can tell you is that, as a result of the legal advice that we got, we decided that the flag would not be flown for 365 days but that it would be flown on designated days, plus two more, I think. The decision that we took then was to say nothing. No one noticed that it had gone up, and no one noticed that it had gone down. The situation was resolved in what I thought was the constitutionally appropriate way. Oh, that we had decided to adopt that position at Belfast City Council. This is where I disagree with people who say that they think —

Mr Givan: I appreciate the Member giving way. I wanted to let him finish his understanding of the situation at Lisburn council. I am sure that the Member will concur that the flag was removed in 2001 by the Ulster Unionist Party. Having taken over the council, albeit with the help of others, we explored every avenue and tested every opportunity to return the flag to its place, flying 365 days a year. The end result of that is that the flag does fly in Lisburn at the war memorial for 365 days a year. It flies on designated days at the civic building, with the proviso that the mayor has the ability to fly it on other days. That is why, over the Jubilee period, it flew in all of July and August. However, it does fly in Lisburn 365 days a year.

Mr B McCrea: I have to say that I agree with the position that he put forward. What it does not do is fly at the City Hall for 365 days. The point is that other arrangements were required. The other bit, as far as my recollection is concerned, is factually correct. I agree with the Member on that point.

It gets to the stage where we have to ask, "Did we handle it right?". The answer is that we did not. Whether it was a democratic decision or not, we did not understand and we did not apprise ourselves of the dangers of putting out 40,000 leaflets that would get people riled up who would try to play politics out of this issue. Symbols are an important issue, and we did not do it right. And we are not doing it right here again.

I have just a couple of other points to make. I say to colleagues in the SDLP that there is an issue. Mr Attwood came forward to say, "We are trying to do good things about the park down in Newry". The trouble is that it takes 10 acts of goodness to try to put away one act of disappointment. People understand what happens when you have a McCreesh park. You need to work very hard, very consistently, and at every opportunity people will drag you backwards. That is what is not good about the way that we deal with things.

I say this to people in the SDLP: if you are serious about this — you say that you defend the Good Friday/Belfast Agreement — you must be entirely consistent and rigorous, reach out to people who are not from your

traditional voter base and do the right thing at all times. Flip-flopping around destroys confidence. That is why we do not have that situation. The idea is that we are all going to get together after the elections. Sorry; we are not all going to get together. Apparently it will be everybody apart from Jim Allister, NI21, and the Green Party, but the rest of you can get together and sort it out. That is not going to happen.

A Member: David McNarry.

Mr B McCrea: Yes, David McNarry. I forgot. Look, that is not the right way to go about things.

This is the second-last point that I want to make, and it is about the issue with the DUP. When we had the discussions and negotiations with regard to the Belfast Agreement, there was every possibility that there could have been a settlement that required two flags. I know that you would not have agreed with that, but it could have been the Union flag and the Irish flag or the alternative, as Sinn Féin put forward, of no flag. You could have had two flags or no flags.

Against that context, getting designated days was a victory for unionism. It was a better result than you could have got elsewhere, at any time, and you should have sold it as such. You should have told people, "This is a good thing; this is the same as in the rest of the United Kingdom; this is what we can aspire to". Anybody who was here on Monday —

Mr Humphrey: Will the Member give way?

Mr B McCrea: I will. Just let me finish.

Anybody who was here on Monday will have seen two Union flags flying over the Building for St Patrick's Day. The real issue is this: do flags flying over buildings matter for the constitutional position? Yes, they do, to an extent. However, there are flags galore. There are flags everywhere. Every lamp post has a flag. Apparently, in Derry/Londonderry, every crane has a flag. We are not short of flags. The issue is that the constitutional position of Northern Ireland is safe and secure. We should be finding a way to work together, and we should not be scaremongering.

Mr Humphrey: I am grateful to the Member for giving way. I point out to him that my party's position on the flying of the Union flag at City Hall has been consistent. We have consistently argued, and did until the vote in December 2012, that the Union flag fly on 365 days.

The Member talks about being consistent with the rest of the UK. Having designated days is not consistent with the rest of the UK. Many councils across the United Kingdom fly the flag, 365. It is not the norm across the kingdom that the flag fly on designated days.

When it became clear to the unionist family at City Hall that, tragically, the Union flag was not going to fly over City Hall, 365, a solution was put to the Alliance Party. I personally was involved in meetings with the Alliance Party. A solution was put forward, similar to what happens in Lisburn, where the flag flies at the war memorial, and that was refused by the Alliance Party. In fact, in a TV interview with the Alliance Party leader at City Hall, she indicated that she may even support that. I want to make the Member aware that those were the positions adopted by the Alliance Party at City Hall at that time.

Mr B McCrea: I hear what the Member has to say. However, in reading the judgement by Kerr, I see that he concluded that there is the appropriate balance of the constitutional position, fair employment activity and the rights of others to different views of their nationality. When you look at that, you will see that a different point of view comes across.

Mr Lyttle: I thank the Member for giving way. Briefly, he put forward the judgement of Kerr. It might also be worth putting on the record that the British Legion did not support the DUP proposal in relation to the war memorial either.

Mr B McCrea: The issue comes back to this: we can talk backwards and forwards on this.

My last point is for people who were talking about articles 2 and 3 and about their flag — the Irish flag. I understand that the result of the vote in Ireland was the removal of articles 2 and 3, and there are quite a lot of people in Dublin who do not agree with the same aspirations that you have about how you use their flag. People who use these flags for sectarian symbols and for their own battles are actually undermining their argument.

Here is my wish, Mr Speaker, in dealing with these amendments: I am really disappointed that this Bill, which started off to be a Bill about improving local government, trying to engage economic development and getting a better democratic engagement, has been overshadowed by a debate that was about everything but trying to make things better for people.

On that basis, we will support the Alliance Party's amendment, because we think that that is the right way forward. However, with regard to the general way that this place conducts its business, be careful about what you put down in writing or in Hansard, because it will come back, and you will regret what you have said.

Mr Campbell: I rise to support amendment Nos 64 and 66. The use of the petition of concern has been mentioned ad nauseam in this marathon debate. If we are all honest, once the petition of concern was lodged, the debate, by and large, became marginalised, as it does. That happens on a number of occasions; sometimes we lodge them and, on this occasion, it was lodged by nationalist parties, but that is a fact; that is where we are. For that reason, I do not intend to delay the House even further than it has already been delayed, but I wish to make a few comments nonetheless.

The issue of leadership has been raised on a number of occasions. Mr Eastwood and Mr Attwood, both from the SDLP, raised it and the requirement to see that leadership. Unfortunately, the debate got dragged off into a very different By-path Meadow and had to be drawn back. We talk about senses of identity and allegiances. In the past, leadership has been given. Sometimes there are those who do not like the sense of leadership; they appear to think that leadership means doing a certain thing in a certain way and that it will be viewed like that by those who oppose them. However, it is not always like that. Sometimes you have to give leadership that some people do not actually like. Sometimes they may not endorse the leadership, but it does have to be given.

A lot of discussion and debate ensued around the decisions of local councils and what they would do. I well remember, Mr Speaker — I am sure that you will

remember, as well — when the unionist community in Londonderry was trying to come to terms with a very significant diminution of its symbolic allegiances by the SDLP-controlled council supported by Sinn Féin, we had to give leadership then, and some of us did. Even when others went off and put forward proposals of a different nature, we tried to bring it back to what was actually being proposed, and that is what I intend to do this evening.

Mr Humphrey: I thank the Member for giving way. In my opinion, the Member is one of the most eminent people to come from the country of Londonderry. I want to read something that was said by another very eminent citizen, the Nobel laureate Seamus Heaney who sadly passed away fairly recently. He said:

"There is never going to be a united Ireland so why not let loyalists fly the flag".

He was talking in the aftermath of the removal of the Union flag from the City Hall. Does the Member agree with those comments?

Mr Campbell: I thank my honourable friend for those comments. As I have said on previous occasions, a multiplicity of political and business groups that operate under the term of unity of purpose — Mr Speaker will be aware of them. They meet on a regular basis in Londonderry. The room that we mostly meet in is called the Writers Room in a certain location. One of the framed photographs that I sit under is of Seamus Heaney. That was before he made those comments. At the meeting after he passed away, I made it clear that I was proud to sit under that photograph for precisely that reason: he said that there would never be a united Ireland, so you might as well allow the flag to fly. Of course, I agree with that.

6.00 pm

On numerous occasions throughout the debate, the issue was raised and the terminology used of "parity of esteem". Sinn Féin spokespersons used it several times, and it was also used by some SDLP Members. I see that Mr Eastwood has rejoined us. I am delighted to see that. I wrote down the words that he used: "our identity counts as well." On a similar theme, a Sinn Féin spokesperson said that the matter of equality or neutrality raised its head every so often. Therefore, the common thread running through those statements appears to suggest that we have Britishness on the one hand and Irishness on the other hand, and there has to be some means to allow those expressions of identity to be cherished and recognised.

However, those statements fail to appreciate that, in order to make the analogy work properly and accurately, when we talk about parity of esteem, equality and neutrality or say that "our identity counts as well", we have to do that in the country to which those who made the comments give allegiance — the Irish Republic.

Here is where it gets messy for nationalists. Is it the case in the Irish Republic that "our identity counts as well" for those of a British dispensation? I do not hear much about that equality or neutrality. When will the party that has dual-country membership — Sinn Féin — of Northern Ireland and the Republic, and operates in both countries, propose neutrality or equality in Dublin City Hall? Will there be a Union flag and a tricolour, or, if that does not work, will the tricolour be taken down? Now that we

are into parity of esteem, I am all for that. I am up for it. When will it be proposed? People do not want that kind of parity of esteem. They want to say, "No, let us restrict this Britishness and Irishness to Northern Ireland". Why is that? Why is there no legitimate expression of Britishness in the Irish Republic?

I do not hear anyone asking me to give way. I do not hear any clamour to explain why that is the case. In fact, I will hold back for second or two. I am sure that some people are just champing at the bit to get up to answer that question.

Right, Mr Eastwood, over to you.

Mr Eastwood: I would not let you stand there.

I want to point out to Mr Campbell that I would love to see a lot more discussion around that issue, not only in the Republic of Ireland but here. In fact, when we talked about a united Ireland, my party proposed that the Assembly would still exist in a united Ireland to ensure that there were still links with Britain as he sees it. Therefore, we are very open to having discussions on how we can ensure that the Member's identity is held in esteem with ours. We have no problem with that. The difficulty, Mr Campbell, is that we do not hear the same noises coming from you.

Mr Campbell: Avoiding answering the question appears to be in vogue. The debate has gone on for some seven and a half hours. This is the first occasion on which Mr Eastwood's attempt to answer the question has been raised, because it does not get raised.

Another issue of identity, other than whether your national flag is that of the United Kingdom or that of the Irish Republic, is that of passports. When I look at answers to questions that I have posed in the House of Commons over the past 10 years, I find that, 10 years ago, almost 7,000 applied for British passports in Dublin, and, last year, that had gone up to 9,000. So there are more people in the Irish Republic now who have a sense of Britishness than there were 10 years ago. Yet I still do not hear any suggestion of parity of esteem.

Mr Flanagan: Will the Member give way?

Mr Campbell: Does the un-tied Member from Fermanagh want to make a contribution?

Mr Speaker: Order. Let us call Members by their proper name.

Mr Flanagan: I am just interested to know, of the four amendments in the Marshallled List, which one is the Member talking about?

Mr Campbell: I think that it is the same one that all his colleagues referred to. I will carry on, Mr Speaker.

Mr Flanagan: *[Interruption.]*

Mr Speaker: Order.

Mr Campbell: There is an increasing sense of Britishness in the Irish Republic, but nothing by way of parity of esteem. I do not see it. I do not hear it. I do not hear it proposed. I do not hear it suggested and I do not hear it hinted at.

Mr Byrne: Will the Member give way?

Mr Campbell: Yes.

Mr Byrne: I think that it is important to recognise the progress that has been made. When the Queen visited the

Republic recently, the Union flag was accommodated, and what she represented was greatly accommodated. Does the Member concede that, if the President of the Republic of Ireland were to visit Northern Ireland, the Irish tricolour should fly alongside the Union flag? *[Interruption.]*

Mr Speaker: Order.

Mr Campbell: No, I do not. However, the honourable Member made a good, positive reference in his contribution when he very accurately described the president as the President of the Republic of Ireland, not the President of Ireland, as he is inaccurately known. He is not the President of Ireland; he is the President of the Republic of Ireland. I live on the island of Ireland, but he is not my president. I am quite happy that proper protocols should be recognised and that, when he visits our country, those protocols are adhered to. I am very happy with that. All the associations of Irishness by those who live in the Irish Republic should be recognised in that way. However, what we are not seeing is any progress being made on resolving the outstanding problems. Those problems were comprehensively outlined in the Haass proposals, and agreement was not reached.

What we need to do now, quite apart from this debate, which we will, I hope, conclude shortly, is to continue on the political process, which is aimed at trying to get a resolution to those outstanding problems. That is called giving leadership. We are prepared to give it and offer it and to involve ourselves in those discussions and negotiations to try to arrive at some sort of accommodation.

However, one of our problems is that when we talk about whether we have an allegiance to a certain identity and how we manifest that, there is a lack of understanding across the community divide about how that appears in the other community. If a Sinn Féin Member from West Tyrone, for example, talks in the Chamber about people being able to get their dog licensed in a flag-free environment and then tries to reduce the sense of loss of identity felt when the flag comes down to something as puerile as that, we will face a difficulty in trying to arrive at some form of accommodation.

We need to continue the process of trying to reach a resolution that will be more satisfactory than what we had in the past. We have to try to do that in a way that people feel comfortable with. No one in Sinn Féin or, to some extent, the SDLP should ignore the fact that when they talk about parity of esteem, they seem to think that unionists view that as a mechanism whereby we lose and you win. They appear to think that that is our view.

Many of us think that parity of esteem should be discussed, very broadly and widely, in the context that I just outlined. When Sinn Féin and the SDLP start talking about it in that wider context, we will be up for it. When they talk about equality —

Mr Attwood: Will the Member give way?

Mr Campbell: Yes, I will.

Mr Attwood: I listened intently, so you deserve a bit of a reply. You say that you are "up for it", up for this conversation about identity. Why were you not up for participating in the constitutional convention convened by the current Irish Government? They invited you and other northern parties to participate. The SDLP, Sinn

Féin and the Alliance Party participate. The constitutional convention is a vehicle to reshape the constitution for the 21st century to make it inclusive for all the people of Ireland. You could make what you believe is this strong argument about parity of esteem for the British identity in the Republic —

Mr Speaker: Order. I must say to the whole House that we need to get back, as I said continually this afternoon, to the amendments that are before us. Let us not have other debates that go totally outside what we are trying to deal with here this evening.

Mr Campbell: Thank you, Mr Speaker. I am not even going to go down the route of the constitutional convention, because it is the constitutional convention of the Irish Republic. Unionists are not interested in what type of Republic you would like, you would want or you would prefer — *[Interruption.]*

Mr Speaker: Let us not debate across the Chamber. The Member has the Floor. *[Interruption.]* Order.

Mr Campbell: We are trying to take this concept of parity of esteem and say to you that, if you are using parity of esteem within Northern Ireland in the sense of Britishness and Irishness, we want you to apply it to the country that you want to be part of and that we are never going to be part of. What problem do you have in doing that? Why is it that the SDLP and Sinn Féin have never done that? You demand that Northern Ireland must accommodate Irishness but the Republic of Ireland cannot accommodate Britishness in that country.

Mr Attwood: Will the Member give way?

Mr Campbell: Yes.

Mr Attwood: I am sure that that is part of the conversation being had at the constitutional convention. The more worrying point is that Mr Campbell has just denied the principle of consent by saying:

“we are never going to be part”

of the Republic of Ireland. I am sorry to tell you that honouring the principle of consent could lead to you being part of the Republic of Ireland.

Mr Campbell: I will resist the attempt to get me even further away from the amendments through that intervention. I will be kind and call it an intervention.

We have to make progress and try to resolve these issues. I think it was Mr Attwood who commented that these issues did not begin in December 2012. That is true, although we would not have had the months of mayhem afterwards had December 2012 not been mishandled, principally by the Alliance Party, but by others as well. But we are where we are, and we now have to try to deal with the situation we are left with. We have got to try to put this issue to bed in a way that is consistent with what most people in Northern Ireland want.

Prior to December 2012, most people in Northern Ireland were content with or ignored the fact that the flag at the City Hall flew. It did not raise objection, controversy or opposition. It did not prompt a petition to the City Hall to get it removed; most people accepted it or were indifferent to its presence. You cannot say the same for its absence. The issue is there. It needs to be resolved. I support the two amendments.

Mr Lyttle: It is a pleasure to have the opportunity to speak on this issue. I support the Alliance Party amendments. Mr Attwood said that he would endeavour to be relentlessly positive. If at all possible, I am going to endeavour to be audaciously hopeful throughout my contribution.

6.15 pm

However, I acknowledge and am acutely aware that many people in Northern Ireland are most likely thinking that we should not be here and that we should have already dealt with these issues. Many people are growing exhausted with the fact that we have not dealt with them. Mr Agnew argued that many feel that this is taking us away from dealing with extremely important and urgent social and economic issues. I know how they feel, but I believe strongly that, to be able to deal with and focus on those important social and economic issues, we have to settle and address these issues. Otherwise, they will remain fault lines that will erupt with, at times, brutal consequences for our society, community and economy. We saw that in recent years.

It is for those reasons that I am slightly disappointed that the SDLP said that we need to park this issue and that it vetoed our proposals, along with Sinn Féin and the DUP. From my point of view and from that of the Alliance Party, the only way to park this issue meaningfully is to deal with it in a long-term, sustainable way. We do not believe that the UUP proposal deals with the issue in that settled way either, so we will not support those amendments.

I hope that it is not too late for the Minister, although with the petitions of concern, they have made some very final views on the motion. I think that the Minister is in danger of going on record as an SDLP Minister who had the authority and responsibility for local government and declined, and, indeed, blocked an opportunity to deal with this issue in a proactive, positive way and to address the issue of flags. I cannot see any assessment of this other than that it is a wholehearted abdication of responsibility.

It failed to take into consideration the Equality Commission's guidance. We hear constantly from Sinn Féin and the SDLP about the importance of equality, and we share that view. However, the Equality Commission recommended that the review of public administration — the Local Government Bill — was an appropriate opportunity to address this issue in an open and transparent way in this devolved legislature, that is, the Assembly. Indeed, it said —

Mr Durkan: Will the Member give way?

Mr Lyttle: I am happy to give way.

Mr Durkan: I thank the Member for giving way. I wonder whether the Member could then explain to the House why the Alliance Party disregarded that advice of the Equality Commission when, in the political reference group, it shared the view that reform of local government was not the proper forum in which to achieve progress on the flags issue?

Mr Lyttle: I thank the Minister for his intervention. I can tell you only my view about this matter, which is that this is the appropriate place and the appropriate opportunity to deal with it. I have seen the most recent Equality Commission view on this matter, which is that this is an appropriate opportunity to deal with it. Indeed, it went on to say that a failure to address the matter or to introduce regulation

introduces the prospect of the issue running as a sore across all 11 councils from their inception.

So, despite the DUP's efforts to make this an issue about just Belfast City Hall, or the SDLP's unwillingness to use this opportunity to deal with the issue, we believe that this is a unique opportunity to put a settled, consistent, clear, balanced, regional policy in place that, frankly, we might not have again for the foreseeable future.

Mr Humphrey: I thank the Member for giving way. The Member mentioned Belfast City Hall and people trying to make it specifically about Belfast City Hall. The Member is quite right in pointing out that his party put forward the motion for designated days in Belfast City Hall. Why was it specifically in Belfast City Hall and Belfast City Council? Why, for example, did the Alliance Party not put forward a similar motion in North Down Borough Council?

Mr Lyttle: The Alliance Party is putting forward a proposal now to make this a regional policy. Indeed, that has been our policy for a long time — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: — and that is what we are putting forward. *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: Our proposal is to agree Assembly legislation to govern the display of the Union flag on all council headquarters on designated days. We believe that that is a shared-future option that would settle this issue in a balanced, respectful and sensitive way, reflecting Northern Ireland's constitutional status. It is an issue not of identity but constitutional status. Indeed, Mr Attwood agreed that —

Mr Humphrey: Will the Member give way?

Mr Lyttle: I need to make some progress here. OK, go ahead.

Mr Humphrey: I appreciate your giving way. The Member talks about the constitutional status of Northern Ireland. I listened to him earlier and welcome the noises that I am hearing from the Alliance Party today, but I have heard your leader saying that the Alliance Party is ambiguous, in fact, ambivalent on the Union. Do you speak for the Alliance Party or does your leader speak for the Alliance Party, and do you support the Union? *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: My focus, and that of the Alliance Party, is to respect the principle of consent in the Good Friday Agreement and to focus on building a shared community in Northern Ireland. There will be people in the Alliance Party who feel British, who feel Irish, who feel both or none, and they are entitled to take their view when required. Our focus is on building a shared community in Northern Ireland, and this, I believe, is an opportunity to put a shared future policy in place.

As I said, the SDLP, Sinn Féin and DUP actions today guarantee that every council will now have to rerun this issue, and that is extremely unfortunate. However, I recognise that this is a difficult issue. I get the sense that some people think that we should leave the issue and that we should not have difficult conversations in the Assembly. I disagree. We have to face them and deal with them in a responsible way. We have points of reference to help us to find a best compromise solution to those issues.

Mr Campbell said that our steer should be what most people in Northern Ireland want. We have seen a number of polls taken recently. One, taken in September 2013, found, as has been suggested by other Members, that a significant number of people do not feel strongly enough to express a view on the issue: 10% of those who gave an opinion favoured the current situation of all councils deciding, and the most popular option, by a narrow margin, was that all councils should fly the Union flag but only on designated days, which was the preference expressed by 29%. There are points of reference to help us on this policy.

We have also said that the agreement is a place where we can go to find founding principles to steer us in the decisions that we have to make. Mr Attwood referenced the constitutional issues section of the agreement, where participants:

“recognise the legitimacy of whatever choice is freely exercised by a majority of the people of Northern Ireland with regard to its status, whether they prefer to continue to support the Union with Great Britain or a sovereign united Ireland.”

He also acknowledged that:

“while a substantial section of the people in Northern Ireland share the legitimate wish of a majority of the people of the island of Ireland for a united Ireland, the present wish of a majority of the people of Northern Ireland, freely exercised and legitimate, is to maintain the Union and, accordingly, that Northern Ireland's status as part of the United Kingdom reflects and relies upon that wish; and that it would be wrong to make any change in the status of Northern Ireland save with the consent of the majority of its people.”

Mr Attwood also referenced the affirmation that:

“if, in the future, the people of the island of Ireland exercise their right of self-determination on the basis set out in sections (i) and (ii) above to bring about a united Ireland, it will be a binding obligation on both Governments to introduce and support in their respective Parliaments”.

It also affirms that, whatever choice may be freely exercised, there should be rigorous impartiality from the Government:

“on behalf of all the people in the diversity... and equality of, civil, political, social and cultural rights, of freedom from discrimination for all citizens, and of parity of esteem and of just and equal treatment for the identity, ethos, and aspirations of both communities.”

Mr Attwood agreed that that is consistent with the Alliance Party's proposal of a regional policy of designated days in order to reflect, respectfully and sensitively, the constitutional status set out in the agreement. That is the position of the Alliance Party: that, in matters of state sovereignty, Northern Ireland is and remains part of the United Kingdom.

In matters of nationality and culture, we have diverse and overlapping identities that should have parity of esteem. We think that you can use those principles to guide our decision-making on contested and difficult issues around the display of flags at local councils and that you can agree

a regional policy that brings stability and settlement to this issue.

We also have, as a point of reference, submissions that were made by political parties on the Flags (Northern Ireland) Order 2000, and Mr McCrea articulated some of the positions in quite considerable detail. I am not going to go over them in too much detail again, suffice it to say that the Ulster Unionist Party was clearly in favour of designated days, to the point at which it acknowledged that, by accepting the Union flag on designated days:

"the SDLP and Sinn Féin will be honouring their obligation ... to show 'sensitivity' and 'promote mutual respect rather than division'."

It is a shame that that reaction to Sinn Féin and the SDLP's support for designated days was so starkly different from that which the previous policy set out. The UUP submission also said:

"In ... allowing for the national flag of the country of a visiting Head of State to be flown, the British Government has again fulfilled its obligations under the Belfast Agreement by showing sensitivity and mutual respect."

The DUP said:

"The Union flag is a constitutional symbol recognised internationally. As an integral part of the United Kingdom the Union flag is therefore the constitutional symbol for Northern Ireland and should be accorded no less standing and acknowledgement than in any other part of the Kingdom."

It went on to say:

"The Union flag shall be flown on all Government Buildings on the specified days."

It is interesting that the PUP said that the view of the flag cannot be divorced from the principles of the Good Friday Agreement. It went on to say:

"The healing process, which the Agreement was meant to be, is seriously hampered by the continued resurrection of divisive issues - especially if those issues are hyped to one's own constituency as make or break."

It continued:

"Northern Ireland is an integral part of the United Kingdom ... There is no requirement to all day every day ensure that that glaring fact is appreciated."

Again, that is a point of reference in support of designated days.

The SDLP made a lengthy submission, and Mr Attwood spoke to that today, again in some detail. Sinn Féin also made a submission, and, frankly, some of the language used in it is somewhat concerning. The party's contribution today shows that there is a significant amount of work to be done in order to settle and work out what exactly the Good Friday Agreement and its principles mean and what the political parties and the people of Northern Ireland understand them to mean.

Sinn Féin's submission said:

"Any approach to the issue of flags should be set firmly within the context of the Good Friday Agreement."

It continued that arrangements should be made to:

"monitor this issue and consider what action might be required."

Regrettably, no monitoring arrangement was agreed or made. It is high time that we moved on and dealt with that issue.

I have set out my party's position. Indeed, interestingly, the UK Government have recognised that discussions of this sort will differ in Northern Ireland from those in other parts of the United Kingdom. In 2007, they stated:

"There are particular sensitivities in Northern Ireland. The flying of flags there is governed by the Flags Regulations (Northern Ireland) 2000. The Government believes that this is the most appropriate way to deal with the matter."

We also have legal opinion, as was suggested earlier, to which we can refer. In 2001, Justice Kerr stated that the flying of the Union flag on designated days:

"is not designed to favour one tradition over another; it merely reflects Northern Ireland's constitutional position as part of the United Kingdom."

Try as we may to communicate that to some parties in the Assembly — Sinn Féin and the SDLP — that is proving a difficult conversation to have, but it is our aim to support that legal opinion where it emphasises that the flying of the flag is not designed to favour one tradition over another but is merely a reflection of here's constitutional status as part of the UK.

We also have a judgement from Mr Nicolas Hanna QC, who said that the flying of the Union flag on designated days is likely to be seen by the courts and tribunals as "striking the right balance". He went on to say:

"there is a degree of risk that the flying of the Union flag at the City Hall on days other than designated flag days and at other premises even on designated days only, could be held to infringe the concept of a neutral working environment for those who work in those buildings."

6.30 pm

We have had legal opinion and advice on which to draw. Indeed, the Belfast City Council equality impact assessment states:

"In the light of the legal opinion and the views expressed by the Equality Commission, it appears that the option of flying the Union flag at the City Hall on designated flag days only has the potential to be regarded by many as striking the right balance and therefore to be the most effective in terms of promoting good relations."

Interestingly, in relation to the issue of two flags, which has been raised by some people, Mr Hanna QC stated in 2004:

"If the flying of the Union Flag by the Council is limited to the City Hall, and is also limited to designated flag

days only, such a practice could and would almost certainly be justified on the basis that it would be acknowledging Northern Ireland's constitutional position as part of United Kingdom in a balanced and moderate way, and without giving undue offence to those who oppose that position; ie the approach approved by Kerr J in his judgment in Murphy: However, if the reason for flying the Union Flag is to acknowledge Northern Ireland's constitutional position as part of the United Kingdom, such a reason could not be deployed to justify flying the flag of any other state, and in particular the Irish Tricolour. Put simply, since Belfast is not in the Republic of Ireland, there is no equivalence."

The legal advice and the equality impact assessment strongly favoured the option of designated flag days only. Indeed, the Equality Commission advice from January 2013 on the flying of the Union flag at councils states:

"The Union Flag is the national flag of the United Kingdom and, arising therefrom, has a particular status symbolising the constitutional position of Northern Ireland. ... the Commission considers that flying the Union Flag with the aim of acknowledging the constitutional position of Northern Ireland would be a legitimate aim."

So, we have significant points of reference and advice to draw from. I remain audaciously hopeful that parties such as the Ulster Unionist Party, the DUP, given its position on Lisburn council, and the PUP will find a way to show leadership and return to previous positions that they have held on this issue. I also hope that Sinn Féin and the SDLP think about their refusal so far to strongly consider the mutual respect that they speak of and put that into action. Rather than park the issue, they should face up to the compromise solutions that we need to agree to settle this.

At worst, parties will continue to play Russian roulette with the social and economic well-being of people across Northern Ireland, I fear, for calculated political gain. I hope that that is not the case and that we can find a way to settle the issue so that we can deal with inequality, regeneration and economic development across Northern Ireland and put real peace and stability, which is the only way that we can move Northern Ireland forward, in place.

I know that this is a sensitive issue, but I truly believe that we have nothing to fear and everything to gain from agreeing a compromise solution. Indeed, as people who are passionate about uniting Ireland, about a United Kingdom and about building a united community, we will have to compromise and settle issues on flags or we will contest them in perpetuity, and, frankly, that will unite absolutely no one.

The Alliance Party will continue to stand up for compromise and progress regardless of the extent of threat that we face for doing so. Indeed, we refer to OFMDFM's Together: Building a United Community strategy, which aims to build a society that is reconciled and shared in Northern Ireland. I encourage political parties in the Assembly to live up to those aims. Indeed, I say to those in Northern Ireland who are feeling fed up with Northern Ireland politics not to check out or take the advice of some commentators I have heard on television recently to get educated and get out of here. I was 17 when the Good Friday Agreement was signed. I have something

in common with Mr Allister in that I was not able to vote for it either. However, I encourage people to get in line with political parties that want to move Northern Ireland forward and to work hard to see us compromise, settle the issues and show the leadership that we need to move Northern Ireland forward.

Mr Anderson: I speak in support of amendment No 66, which relates to the flying of the Union flag on Belfast City Council offices every day.

One of the most contentious and divisive issues in our Province at present is that of flags. I accept that there has always been controversy over flags, but the whole issue was turned into a crisis in December 2012 by the short-sighted, bigoted and foolish decision by the parties opposite — Sinn Féin and the SDLP, aided and abetted by the Alliance Party — to remove the Union flag from Belfast City Hall.

More than any other single act in recent times, that has caused widespread, deep and lasting hurt and anger within the broader unionist community. As we all know, the decision was followed by prolonged civil unrest that was felt right across the Province and not just in Belfast. Protests continue in Belfast on a regular basis. The anger is still very raw. There is no point in Sinn Féin, the SDLP or the Alliance Party constantly blaming loyalist protesters and unionist elected representatives for the ongoing tension and adverse impact on the economy. The blame lies, fairly and squarely, at the feet of those three parties and no one else.

I honestly wonder whether the parties opposite fully understand the extent of the damage that they have done. Indeed, do they even care, so long as the flag of our nation is removed from City Hall? At any rate, by that single foolish act in December 2012, they have set back community relations for many years.

I urge the parties opposite to acknowledge that serious error of judgement in voting to remove the Union flag. That has been said in the Chamber already. There was no widespread demand for its removal; as we have been told today, that was shown through the impact assessment exercise carried out at that time by Belfast City Council. It caused offence only to those who were determined to be offended.

The Alliance Party in particular needs to be singled out. It has a lot to answer for.

Mr McCarthy: More.

Mr Anderson: Yes, there is more to come. The Alliance Party could have prevented this crisis by ensuring that the status quo in Belfast was preserved. Indeed, if it were true to its avowed commitment to non-sectarian politics and mutual respect, it would have refused to support the nationalist campaign to dilute the Britishness of Belfast. It would have recognised that "no change" was the right decision; but what did it do? It caved in. And we still pay the price. This, of course, is a party that claims that it is non-sectarian, has no real interest in flags and wants to promote the cross-community agenda. Yet, even today, Alliance still takes the Pontius Pilate approach and attitude, constantly washing its hands of responsibility. Looking for someone else —

Mr Lyttle: Will the Member give way?

Mr Speaker: Order. I have been asking the House for some time to get back, as far as possible, to the amendments. I must say that all Members, whether present or outside the Chamber, have gone well outside the confines of the debate this afternoon. I have given a number of Members some latitude for that. However, it is vital that, as far as possible, Members refer to the amendments.

Mr Anderson: Thank you, Mr Speaker. I will try as far as possible to do that, as other Members have done. Maybe at times I strayed outside the confines of the debate, but I am only trying to set the context of where we were and where we are in relation to the Union flag, not only in Belfast but in Northern Ireland.

Mr Lyttle wanted to intervene, but I think that he has had plenty to say, and much of it I could not make head nor tail of, in relation to where you are. You would not even answer my colleague, in relation to where Alliance stands on its relationship with the United Kingdom.

Mr Lyttle: I did. You just do not like the answer.

Mr Humphrey: He did not give an answer.

Mr Anderson: He is right. You did not give him —

Mr Speaker: Order. Let us not debate across the Chamber. The Member has the Floor and must be heard.

Mr Anderson: Thank you, Mr Speaker. I will move on. Alliance and Ms Lo have talked in recent weeks about the Giro d'Italia cycle race in May. In relation to flags —

Mr Speaker: Order. If the Member in some way, when he is making his contribution, could even mention the amendments. *[Laughter.]* Order. It is vital that, as far as possible, he weaves the amendments into his contribution in some form.

Mr Anderson: Thank you, Mr Speaker. I think that I am in good company here today when different ones were debating this issue because I have listened to quite a bit. I am speaking in relation to amendment No 66. *[Interruption.]* I am still trying to set the context for the Alliance Party.

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

Mr Anderson: Thank you, Mr Speaker. I am trying to set the context for the benefit of the Alliance Party when it relates to flags. I, for one, would like to see our nation's flag flying not only in Belfast 365 days a year but across a lot, if not all, of our civic buildings. I believe that in relation to what happened at Belfast City Hall — and I am back to Belfast City Hall, Mr Speaker — in amendment No 66, they removed the flag, with the support of SDLP and Sinn Féin, they surrendered the —

Mr McCallister: Will the Member give way?

Mr Anderson: No, I will not. I have a bit more to say here. *[Interruption.]* Go ahead.

Mr Speaker: Order. Members should not persist.

Mr McCallister: I have a very brief question, Mr Speaker. Would it be possible for the Member to remind us what the flag-flying policy is in Craigavon Borough Council?

Mr Anderson: He has pre-empted my speech. I will answer that in a couple of minutes. In relation to flags at the City Hall, Alliance, teaming up with Sinn Féin and the

SDLP, has ensured that we now have any amount of flags flying not only around Belfast but right across our Province. I believe that they have secured the flags flying across our cities, towns and villages. There are probably more than I can ever recall in my lifetime.

Belfast is our capital city, and it is only right and proper that the flag of our nation — the Union flag — should fly from City Hall every single day of the year. That is why I support the amendment.

The Ulster Unionist Party proposed the amendment. That is very good, and I am really pleased that it has decided to do that, but it seems to me that it is sending out mixed signals on this issue. Therefore, I welcome clarity about its position on the flying of our nation's flag on public buildings.

The current crisis over the flags began in Belfast, but, as we all know, it is now of much broader relevance right across Northern Ireland. There has been that renewed desire and determination to see that the Union flag is restored to many of our council and public buildings. If you bear with me, Mr Speaker, I will be able to answer the Member from South Down. In relation to Craigavon, which is in my constituency of Upper Bann, in 2002, the Ulster Unionist Party in Craigavon council, with some of its members abstaining, effectively supported designated days. As a result of that, the flag no longer flies 365 days but just flies on designated days. I think that Basil McCreagh mentioned Craigavon.

My party in Craigavon brought forward a motion in relation to that in February 2013. That was a direct response and desire for the public to see the flag reinstated. We proposed, as a party, that the council review the current flag policy, with a view to extending the days and extending the flying of the flag to civic buildings, as well as Portadown and Lurgan town centres. Initially — and this is where I am coming back to the Ulster Unionist Party now — the Ulster Unionists supported that, and we greatly appreciated their support in that. We hoped that the UUP at that stage was getting its act together and getting in touch with grassroots again, but, sadly, our hopes were built on sand.

Mr McCallister: Will the Member give way?

Mr Anderson: Go ahead.

Mr McCallister: I am very grateful to Mr Anderson for his reply. I just wanted to enquire which political party he was a member of at that time.

6.45 pm

Mr Anderson: Mr —

Mr McCallister: McCallister.

Mr Anderson: McCallister, yes. Are you talking about 2002?

Mr McCallister: Yes.

Mr Anderson: In 2002, I was a member of the Ulster Unionist Party, like your colleague, but — this is the “but” — I voted, as every Ulster Unionist on that council should have voted that night. I did not abstain. The Member is not here at the minute, but the then mayor of Craigavon council was none other than Mr Sam Gardiner. Maybe if he comes back into the debate, someone else could ask what he did on that evening. *[Interruption.]*

Mr Speaker: Order.

Mr Anderson: We tabled that motion to extend the number of days for that council. Believe it or not, the UUP proposed that the matter be referred to the First Minister and deputy First Minister. The Ulster Unionists probably thought that that was a bit of a get-out clause. They probably asked themselves, “How do we get out of this one?”. However, it was made clear by that fateful decision of Belfast City Council that this is entirely a matter for the council, as it was in Belfast.

I have no problem in supporting the amendment; in fact, I welcome it. However, we need clarification this evening from the Ulster Unionist Party on its position on the flying of the Union flag on civic buildings outside Belfast. The Ulster Unionist Party leader is in the Chamber: I suggest to him that he needs to have stern words with his Ulster Unionist Party mavericks, as I call them, on Craigavon council, whose position seems to be, at best, a bit mixed up and, at worst, two-faced.

Mr Eastwood: Will the Member give way?

Mr B McCrea: Will the Member give way?

Mr Anderson: Why not?

Mr Eastwood: Is that to me?

Mr Anderson: I did not see you.

Mr B McCrea: Will the Member clarify what he thought the Ulster Unionist Party's position was on designated flag-flying days when he was a member in Craigavon?

Mr Anderson: Mr McCrea, you were a member of that party, and you have not left it for very long. In those days, I believed that they were a bit mixed up and all over the place. From listening to you today, I think that you found out that they were all mixed up and all over the place. I do not think that the Ulster Unionist Party is any further on today. You asked me for the answer. *[Interruption.]*

Mr Speaker: Order. The Member must be heard.

Mr Anderson: I am prepared to give way. Ulster Unionist Party Members from Craigavon are sitting here. I thought that Craigavon would have come more to the fore in the debate because of what happened there. That is why I am prepared to bring it out.

Mr Eastwood: I thank the Member very much for giving way. I know that quite a number of Members are trying to get in on his contribution, so I am grateful. Is it the case in Craigavon that the Union flag is not flown every day and there have not been 40,000 leaflets or riots on the streets? Maybe the Member should look at that and look at the Pontius Pilate job that is being done by unionist politicians in Belfast who say that they had nothing to do with stirring up tension around east Belfast and the city because it happened in Craigavon, and there were no riots.

Mr Anderson: I do not believe that someone needs to go out on the street to riot when they want to bring their flag back or to respect it. They should have the democratic right —

Mr Humphrey: — and vote.

Mr Anderson: — and vote; that is right. They should have the right to peaceful protest, and that is what has been done. There were protests in Craigavon after what happened at Belfast City Hall. However, the people whom I speak to want their flag back there 365 days of the year. The motion that was tabled recently was to extend the

number of days. The Ulster Unionist Party could not even run with that. For whatever reason — only the party can tell us — it decided that it wanted to bring it to the Office of the First Minister and deputy First Minister. We have the leader here, so maybe he wants to tell us what his mavericks are doing in Craigavon. Maybe he would like to tell us that today.

Mr Speaker, you have been very —

Mr Speaker: I have very patient.

Mr Anderson: You have been very gracious. In finishing, I must say that I have concerns about the really confusing position of the Ulster Unionist Party. What the unionist people need when we talk about the flying of the Union flag is clarity, not duplicity. I support amendment No 66.

Mr McCarthy: After six or seven hours of talking about flags, we must all be nearly flagged out — I certainly am. Given that, Mr Speaker, I will not detain you for any longer than I have to. I hope that Members speaking after me will do the same. I support our amendment, amendment No 63. It is the only amendment available today by which we could, hopefully, settle the issue of flags on local government buildings.

I want to mention two or three early contributions to the debate. Sinn Féin's Mr McCann accused us of being mischievous. We are not mischievous; we are dedicated to bringing respect and diversity to everybody throughout Northern Ireland. That is one of the reasons why we tabled the amendment. Maurice Morrow criticised the Alliance Party for trying to move things forward. I am disappointed, because I always had respect for Lord Morrow. He has acknowledged how we try to move things forward. Perhaps I will forgive him on this occasion. He is not in the Chamber at the moment.

Daithí McKay referred to the Alliance Party in really derogatory terms. I say to Daithí McKay and everybody else listening that I am a proud member of the Alliance Party. I have been for a lot of years. I also want to say that I am a proud Irishman. Despite what Daithí McKay said, I want diversity and respect for everyone; that is what our party stands for. Daithí, I am as good an Irishman as you and will continue to be so.

Mr McCallister: A better one.

Mr McCarthy: Maybe a better one. Everyone of Irish descent who saw the Irish rugby team winning that trophy at the weekend must be proud. It was a fantastic achievement, and we say “Well done” to them.

Every person in this country knows that flags are an issue that antagonises the other side. Let us, for God's sake, get past this and show leadership once and for all. Otherwise, we will be bogged down in this for God knows how long. The UUP amendment will not settle the issue. It will mean that the coming elections will focus on this issue and councils will be forced to make decisions on the flying of the Union flag all over again. I totally agree with Anna Lo —

Mr McCartney: Will the Member give way?

Mr McCarthy: No, I want to get home tonight. *[Laughter.]* I really do. We have said all these things over and over again.

Mr B McCrea: Say them again.

Mr McCarthy: No. We want to get out and get home.

I agree entirely with my colleague Anna Lo, who moved the amendment some time ago, and Chris Lyttle, who very recently said what any normal person would say. As a result of this performance, councils will be stuck with poisonous arguments about this decision for God knows how long.

As the shadow councils get the new councils up and running, they will have a wide range of functions. They will have to carry out the new arrangements, get to grips with new powers and tackle complex financial issues such as rate convergence and so on. I happen to reside in the Strangford constituency. Ards Borough Council will merge with North Down Borough Council. I am very concerned that I will end up paying rates for the expenditure that North Down has incurred over the past number of years, and others will be in exactly the same position. Arguments about flags could hold back crucial debates on such issues for years to come, which would not be in the best interests of our citizens.

Passing amendment No 63 will, in my opinion, enable us to move on from the issue of flags and concentrate on bread-and-butter issues, and that is what I think the majority of people want. Passing the UUP amendment No 64 will mean the opposite. Debates about flags will continue to dominate council agendas, and I do not think that that is what our hard-pressed ratepayers want. Amendment No 63 is also the only sustainable cross-community solution to the issue. This has been borne out by a poll that was carried out, I think before Christmas, by the 'Belfast Telegraph', which clearly showed that that was the only solution commanding significant cross-community support.

Our amendment has attracted petitions of concern from unionist and nationalist politicians. The unique situation of having competing petitions of concern on the amendment demonstrates that our amendment is balanced and is the only sustainable way forward, even though others do not yet accept this reality. Amendment No 63 is also supported by the equality advice that has been produced time and again. A designated days policy is the best way to reflect the multitude of identities in Northern Ireland while also reflecting the constitutional situation agreed by the Belfast Agreement, to which over 70% of our people subscribed in 1998. I must say that I was part of the Alliance delegation that brought forth the 1998 agreement despite the fact that others who are now working the Belfast Agreement were outside it. I am proud to say that we accepted that, and that is where we are at. As I said, I am a proud Irishman. We are living in Northern Ireland in the United Kingdom, and that is the way that it will be according to the 1998 agreement. That is the way that the House should be following.

It is clear that amendment No 63 reflects the preferred option for most government bodies in the UK across the water and that it is the best way to reflect the unique circumstances of this place, Northern Ireland. It is the only option that will settle the debate, and, therefore, it should be supported today. The amendment is a sincere and genuine effort by the Alliance Party of Northern Ireland to get people to respect difference, work together and make progress. I support the amendment.

Mr G Robinson: The topic of flags is one of the most emotive that Northern Ireland has to deal with. Therefore, it is essential that the issue is dealt with in a practical manner, taking into consideration the constitutional position that Northern Ireland has in the UK. No one can

deny or take this right away from us. Amendment No 64 is about designated days for the Union flag to be flown. I welcome that amendment, especially subsection (2), which excludes any other national flag being flown. Everyone should accept that Northern Ireland is British and that, therefore, the Union flag should be flown 365 days a year in our capital city.

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

Amendment No 65 deals with bespoke flags. Some of the new councils may wish to have a bespoke flag for their corporate identity, but it is essential that the Union flag still flies on designated days, as is stated in subsection (4). The national flag of our country, namely the Union flag, is the only recognised flag of Northern Ireland.

Amendment No 66 deals with the flying of the Union flag in Belfast City Council offices 365 days of the year. I am on record as wholeheartedly supporting this approach, and I welcome the amendment as a common-sense way forward. Contrary to part of Mr Attwood's contribution, I can appreciate and realise the hurt and anger that resulted when Sinn Féin and SDLP voted by a majority to remove from Limavady Borough Council buildings the Union flag, which had been flying only on designated days. To this day, we in Limavady cannot fly the flag even on designated days. This is why I have so much sympathy for the unionist position in Belfast City Council, the capital city of Northern Ireland. As I stated, Belfast is the capital city of Northern Ireland, and, therefore, the national flag should be flown 365 days a year. Northern Ireland is an integral part of the United Kingdom, and our flag is the Union flag. I will support amendment Nos 64 and 66, but, because of concerns about the possible abuse from the wording of amendment No 63, a petition of concern was lodged, and I fully support it.

7.00 pm

Mr Kinahan: Mr Principal Deputy Speaker, I was going to start by apologising to the Speaker for being a little noisy earlier. As a member of a party, being constantly attacked by a former party member made me feel that the well-worn phrase, hell hath no fury like a woman scorned, is quite accurate.

I want to see us working today for a solution. All of us want to see a solution. I think that the Ulster Unionist Party's stance is very clear in the two amendments that have been tabled. I do not think that it could be clearer. So much has changed over the past few weeks and years that all of us have to keep looking at the stance that we take. I am proud that the Ulster Unionist Party has continually tried to find ways forward that would work for everyone.

You will see that, in amendment No 64, we want the flag flown by all councils on designated days and that, in amendment No 66, we want it flown in Belfast, our capital city, on every day of the year. That should not concern anybody. As we have all seen, we end up muddling sovereignty and identity. The Union flag should not be seen as an insult to anybody. It is the flag of the nation; the nation that we all agreed to in the Good Friday Agreement. That is the way that it should remain and the way that it should be treated.

I feel that where we are lacking — all of us here, at different times — is in leadership. That is not just leadership in our own parties but leadership for and of the other parties. It is about looking at what the other side would like and not always at what we want. I think that that is where we all fail to find mutual respect and trust. It should be a case of looking at the Union flag, as we agreed in the Good Friday Agreement —

Mr A Maginness: Will the Member give way?

Mr Kinahan: No, I am going to carry on, thank you.

It is about finding a way forward that will actually bring the other side on board. What has happened over Haass and everything else in the past few months has divided us more and more. Today, we have seen a debate in which there have been hints of everyone wanting to work for a joint solution. That is where we should be working to get to.

Much history and many previous positions have been quoted. We have had principles, guidelines and legal advice. None of that is going to help until we sit down together, recognising the other side, to look for mutual respect and trust to try to find a way forward. We heard from Lord Morrow, Alex Attwood and Chris Lyttle — from everyone here — that we are looking for a solution. If we are going to get to that solution, we need amendments such as those that we put forward today so that we get a chance to discuss it.

In amendment Nos 64 and 66, we have a sensible way of going forward that respects the Union flag, the flag of our nation. That is where I would like to see us all leading to in the future. I would then like to see us deal with the things that really matter to Northern Ireland: the economy, our health and our jobs. It is about pulling together. If we resolve that, it will resolve all the other issues.

Mr Givan: Let me address my comments in the order of the amendments as they appear.

First are those of the Alliance Party. I will not repeat what other Members already said, but I want to pick up on a couple of points that Members made previously. The Alliance Party has often proclaimed itself to be the party of the centre ground, the party that wants a shared future and the party that wants to bring the community together. Yet, the way in which it handled this issue when it came to Belfast City Hall has driven a wedge in the community, created tension and divided the community, not least by the damage that the decision caused to the traders of Belfast. To have made the decision in December —

Ms Lo: Will the Member give way?

Mr Givan: It was bad enough that the decision was made at all, but to do it at one of the most economically important times for the city of Belfast was, I think, a retrograde step that the Alliance Party and others should apologise for. I am happy to let the Member apologise.

Ms Lo: It was not the Alliance Party that caused the disturbance: it was the 40,000 leaflets and the DUP hyping up the situation. It was not us. It was you — you people. You should bear the responsibility.

Mr Givan: I am happy to let the Principal Deputy Speaker correct Members when they refer to “you” and do not go through the Chair. That is his job, not mine.

Nevertheless, Joe Jordan, the chairman of the Chamber of Commerce, made it clear that it was the Alliance Party, Sinn Féin and the SDLP that brought about the difficulties at Christmas time. I make no apology for my party, and other parties, democratically engaging with the public to make them aware of what was going on and for urging them. If they are interested in the issue, you need to lobby people to do it. I make no apology for saying to the public, “Keep peaceful at all times; be respectful at all times”. I have no apology for that whatsoever.

Mr Lyttle: Will the Member give way?

Mr Givan: I give way to the Member.

Mr Lyttle: Perhaps the Member will advise why the one person they advised people to lobby was the MP for East Belfast.

Mr Givan: It was very clear. It was because the Alliance Party has a pivotal role to play, and it holds the balance of power in Belfast City Hall. When the Ulster Unionists, the DUP and the PUP were working together on the issue, the people holding the balance of power were the Alliance Party.

Mr Lyttle: The MP.

Mr Givan: Clearly, we will campaign. Maybe the Member, who is an MLA, feels that the Member of Parliament does not somehow represent the Alliance Party. I do not want to get into personal differences that there may be between MPs and MLAs.

Mr Principal Deputy Speaker: You should address remarks through the Chair. Let us stick to the agenda. We are not discussing what happened in Belfast City Council over a year ago.

Mr Humphrey: I am grateful to the Member for giving way. Perhaps clarity might be given to the Member for East Belfast. Let us be very clear: members of the Alliance Party in Belfast City Council sought the counsel of the MP for East Belfast. That is one of the reasons why lobbying was done, and not just of her, but of every elected member of the Alliance Party in the council.

Mr Givan: I thank the Member for that intervention. It is clear that the Alliance Party's decision to act as the midwife for the pan-nationalist front on this issue caused consternation in the community and led, ironically, to a proliferation of flags, and not just in Belfast. In my constituency, we have more flags flying on lamp posts across Lagan Valley than ever before. They continue to remove the ones that get tattered and put up fresh ones, and that was replicated across Northern Ireland because of the decision taken in Belfast City Hall. Therefore, this issue caused division, and the public will have to decide —

Mr A Maginness: Thank you very much indeed for giving way. I am most grateful. For quite some time, the Member was a member of Lisburn City Council. As far as my information is concerned, Lisburn City Council had designated days. During that period, there did not seem to be any concern expressed about designated days. There was an acceptance of the fact that there were designated days. Nevertheless, the Member talks about the shock and the trauma experienced in Belfast by introducing designated days there. Yet, you, as a councillor in the city, tolerated designated days for years without any serious concern.

Mr Givan: I thank the Member for that intervention, and I will come to Lisburn, because it was addressed earlier.

Mr A Maginness: But I am right, am I not?

Mr Givan: Needless to say, in respect of the DUP's position on Lisburn, the Member is not correct, but I will mention it because I want to touch on it with regard to the Ulster Unionist position.

However, to conclude on the Alliance Party's position, it will ultimately be a matter for the public to decide whether the Alliance Party got this one right, and the people of east Belfast in particular will have the power to decide that. We will leave it to May to find out what the people think, and that will be the democratic way for people, in my view, to quite rightly vent their frustration. If that is a genuinely held view, the place for them to vent their frustration on the Alliance Party is through the ballot box and by no other means.

Mr Lyttle: Thanks. At least the Member has made it crystal clear that he thinks democratic means should be used. I am not sure whether that was the case on the leaflet.

The Member has had a lot to say about the Alliance Party. What is his assessment of the legal opinion that the preferable option for Belfast City Hall is one of designated days?

Mr Givan: I do not want to disobey the Speaker's previous rulings on this, so I will not get into the minutiae of whatever the legal opinion was for the City Hall. However, I want to make this point again — the story has never been lost in the telling of it — that at no point did the leaflet advocate taking forward a particular position by anything other than peaceful and democratic means. The Alliance Party may well have adopted a victimhood mentality to try to deal with the issue. Quite rightly, we condemn any of the violence that those Members have endured, just as I condemn the violence that Members on all these Benches endured throughout the Troubles. Problems that have been inflicted on the Alliance Party did not start with the flags issue. Members on these Benches have endured violence and personal attacks against them for many years. We condemn all of that.

However, I defend the right of political parties to engage in direct lobbying of their constituents to try to influence through peaceful means a decision that is being taken. That is a legitimate means for people, unless the Alliance Party has taken a position that it does not put out leaflets, communicate with its constituents through leaflets or sell its position and decisions that it takes through leaflets. I somehow suspect that we need only review the expenses of this place to find that a considerable amount of money has been spent by the Alliance Party on producing leaflets.

Ms Lo: Will the Member give way?

Mr B McCrea: Will the Member give way?

Mr Givan: I am going to move on to my next point, which brings me to the Ulster Unionist amendments. We will support the Ulster Unionist amendments and what they are trying to achieve.

I will not labour this particular issue, but I thought that my colleague from Lagan Valley Mr McCrea very clearly articulated the position of the Ulster Unionist Party. He went into much more detail than I would have. There was not one single word that I disagreed with in his analysis of the Ulster Unionist position on dealing with flags. When

it came to the Flags Order, it pursued the position that it adopted through councils in Craigavon and Lisburn, for example. It was in Lisburn where the UUP took the flag down in July 2001. My party opposed that. We voted against it. We continue to vote against it. We then had to work towards an eventual solution, whereby we have the flag flying 365 days a year at the war memorial. Hopefully, that addresses Mr Maginness's point: we have always opposed that particular position in Lisburn.

Mr A Maginness: Will the Member give way?

Mr Givan: I will, yes.

Mr A Maginness: The war memorial is quite some distance away from the city hall in Lisburn. It really does not address the issue of designated days. The Member knows that quite clearly.

Mr Givan: The issue has been addressed in Lisburn, because we gave a commitment to address it so that the flag would be flown 365 days a year. We achieved that. We exhausted every avenue that we possibly could. Indeed, I, along with the group leader at the time, Edwin Poots, paid a visit to our Member of the European Parliament to get advice on the issue. Perhaps he wants to elaborate on the advice that he gave us. We eventually exhausted every avenue and got to a solution whereby we have the flag flying for 365 days at the war memorial.

Notably, one party's position has not been mentioned until this point. In discussing the designated days issue for Belfast City Hall, and amendment No 66 in particular, it is important to do so. It is the position of the Progressive Unionist Party. It is one that needs to be exposed. Members here will talk about people who got engaged in the rabble-rousing, street protests, and so on. It is important to note that the PUP has decided to use its outrage on the flags issue as the particular issue through which to try and reinvent itself and claim some kind of authority over, credibility with and representation of working-class loyalists. Its policy, up until very recently, was that Northern Ireland is an integral part of the UK, but that there is no requirement, all day, every day, to ensure that that glaring fact is appreciated. Also, when it came to a submission in a report in this place, it said:

"We believe that the Union flag should be flown on the same designated days as the rest of the United Kingdom".

7.15 pm

So, the Progressive Unionist Party's position now, which is to fly the flag 365 days a year, is completely at odds with the position that it adopted in the past. It is also completely at odds with the vote taken in Belfast City Hall, when Progressive Unionist Party members voted to remove the flag and, when that vote was lost, it voted to go for designated days. However, now it has come to this position of 365 days a year. I think that people will see through the hypocrisy being espoused by the Progressive Unionist Party on this issue.

Mr Lyttle: Will the Member give way?

Mr Givan: I will give way, yes.

Mr Lyttle: Did the DUP not have a very similar position to the PUP in its submission to the Ad Hoc Committee on the Flags Order, which he is referring to?

Mr Givan: No, we have not had the same position as the PUP at any point on this issue. At any point on this issue, we have never shared the position of the PUP. Indeed, he can check with his colleagues at Belfast City Hall to find how we voted on the issue and how it voted on the issue. We were at different parallels to each other. We were on one side, and it was on the side of removing the flag. However, now it proclaims to be the representatives of working-class people. The hypocrisy from the PUP and its leader Billy Hutchinson is clear to me and to everybody.

Indeed, it would be remiss of me today not to mention the comments that he made to the media when he said that killing two Catholics somehow prevented a united Ireland. That is a disgrace, and it is a disgrace that he then went on to say that middle-class unionism would not understand what he said when it comes to why those Catholics were killed; somehow working-class loyalists would. I have to say that upper-class, middle-class and working-class unionists, loyalists, nationalists and Catholics cannot ever recognise that it was ever justified for Billy Hutchinson to engage in taking the lives of those two Catholic individuals. By engaging in terrorist activities, he did more harm to the flag that he now seeks to represent and to have flown 365 days a year. He brought shame to the flag that he now seeks to represent and to his claims that he speaks for the working-class loyalist people.

Mr B McCrea: Will the Member give way?

Mr Givan: I will.

Mr B McCrea: I will not detain the Member long. I would like to associate myself with his remarks: I think that Billy Hutchinson's comments were absolutely outrageous. Any attempt to try to justify what was done is just untenable, and it besmirches the flag that he wants to represent him. It is absolutely appalling, and I think that we, as an Assembly, should deal collectively with the matter at some stage.

Mr Givan: I often ask myself this question: what happened to the true and abject remorse that Gusto Spence spoke of? It certainly was not evident in Billy Hutchinson's comments.

I will move on to the Sinn Féin and SDLP position on this. Colleagues have talked about the fact that they want parity of esteem, but we see what that means in nationalist-controlled councils when it comes to the flying of the flag and the tactical voting that takes places in Belfast to use it as a stepping stone. The fact of the matter is that Northern Ireland is still British. I know that you can say, "The Irish tricolour is more representative of my identity." That is fine. You are at liberty to have that aspiration. However, by supporting the Belfast Agreement, that is all that it is. It is an aspiration to have the Irish tricolour as your sovereign national flag of identity, because, for as long as the people of this place decide by way of consent, Northern Ireland is British, and we are part of the United Kingdom. Therefore, it is right that that sovereignty is respected when it comes to the symbols that are used to identify Northern Ireland as part of the United Kingdom.

I think that Mr Attwood indicated that he voted, as the people in the Irish Republic did, to give up articles 2 and 3 — the territorial claim to Northern Ireland. That was good and welcome, because that should never have existed in the first place. However, that does not buy you some entitlement to then say, "We do not want to have any British symbols represented here in Northern Ireland".

We are, of course, in the Northern Ireland Assembly. We are part of the apparatus of the United Kingdom Government. Our Executive Ministers are all Ministers of the Crown, and they all require Royal Assent on every piece of legislation that comes through the Assembly. I know that Sinn Féin members will want to portray that, somehow, they have failed to achieve what they set out to achieve during the Troubles, but this is certainly not what the IRA fought for. It is certainly not what Bobby Sands died for. Now, do not pretend otherwise to your constituency, because that is certainly not the case when it comes to reflecting British identity. This is what you have signed up to — being part of the United Kingdom Government in this Northern Ireland Assembly. Therefore —

Mr McMullan: On a point of order. Will the Member tell us what part of this debate —

Mr Principal Deputy Speaker: What is the point of order?

Mr McMullan: We are wandering away from the debate on flags. We have wandered into different political parties and personalities, and now we are on to something else. The Member keeps on —

Mr Principal Deputy Speaker: OK. Thank you. The Speaker has allowed significant latitude. Because people have taken advantage of that, he has been forced to invite Members to bring their focus back to the debate in hand. Let us remember that. In the past 10 minutes, we have been hearing about events that were 20 years ago and 30 years ago, and now we are actually going further back. We have to remember that we are trying to make decisions here. We are addressing legislation. I accept that the context is there and has been set by earlier contributors and that other Members are entitled to the same latitude. However, as did the Speaker, I very strongly urge Members to bring their focus back as often as they can to the business before us. Thank you.

Mr Givan: Thank you, Mr Principal Deputy Speaker. I will certainly endeavour to do that, because you are right, Members have strayed off. I think that it was the Member for Fermanagh and South Tyrone who indicated that nobody cared and that we are only looking back at what someone took off us. I thought to myself that we were going to go back to 1155, when Pope Adrian IV, an English Pope, commissioned Henry II to come to Ireland to subdue the people and bring it back to the Catholic Church. Maybe that is what he wants to take back a little. So, the contributions from some Members have been from the sublime to the ridiculous.

Ultimately, we have to debate the amendments put in front of us, and we are obviously dealing with this particular issue around flags. Throughout the Bill, we have dealt with a range of amendments that will provide governance and different arrangements to allow our local authorities to move on. The public may say, "Here goes the Assembly again talking about flags". However, we have to deal with these things, and we continue to work on a whole range of issues.

It is obvious that I will not be able to reach agreement with other people in the Assembly when it comes to identity. Nevertheless, it is right for me to say that when it comes to Sinn Féin and the SDLP, there are things that we can reach agreement upon. There are areas where we have a common approach, because our constituents require the same things as those in the republican and nationalist

community. Where we can get agreement, we can move on. I believe that we have been able to do that on a range of issues. Obviously, however, this issue around flags will continue to be a challenge for us to deal with effectively, particularly in the absence of being able to find any common ground and a zero-sum game being played out by republicans in particular. Until there is recognition of the sovereign status of this part of the United Kingdom, Sinn Féin will continue to wage that cultural war, one over which we, as unionists, need to continue to be prepared to engage in battle.

Mr McCallister: Several things have arisen in this debate, and, in speaking, I will be careful to mention the amendments every few sentences. I was not planning to go back just as far as Mr Givan did. However, since Belfast City Hall has been the focal point and the decision around the flag has directly led to these amendments, I remind Members of the remarks of George V at Belfast City Hall. The King said this: “I appeal to all Irishmen” — notice that he referred to us all as Irishmen —

“to pause, to stretch out the hand of forbearance and conciliation, to forgive and forget, and join in making for the land they love a new era of peace, contentment, and good will.”

We started off that journey after partition and we lost focus of building and taking advantage of what was agreed then, and these institutions and maximising them, and looking after and protecting minorities. We lost focus.

We were given another chance in 1998 to do that. Some Members were in Washington last week, and some will have seen it on the news: Richard Haass was very critical about the progress that we have made in the past almost 16 years since the Good Friday Agreement in delivering its promise. The point about these amendments and why we are debating them, and this is the one bit from Mr Attwood's contribution that I agree with, is a failure to live up to the promise of the Good Friday Agreement and the promise to build reconciliation, to build on that peace and to move to normal politics some 16 years after the Agreement. To build on what a normal society might look like. We are still stuck dealing with those issues from the past.

Mr Humphrey: I thank the Member for giving way. Would the Member agree with me and the assertion of some of my colleagues earlier in the debate that that is simply because, for some parties in the Assembly, the Belfast Agreement was clearly not a settlement but a stepping stone towards what they see as a united Ireland? We are simply seeing the playing out of those tactics all these years later. The finger has to be pointed at those parties that failed to accept the agreement. I voted against the agreement but I have to accept the decision that people made in 1998. However, parties have singularly failed to accept that and have cherry-picked what they want to see, took that and moved on to what they are going to see in the future as a settlement, other than the Belfast Agreement.

Mr McCallister: I am grateful for the intervention. In looking at these amendments, I agree with much of what he said but he must include himself and his own party in that cherry-picking. For almost 16 years, they have consistently denied being part of the Good Friday Agreement, being in support of the Belfast Agreement. They deny it, yet they sit here. They deny it, yet they hold Executive office. They deny it, yet they work all the

institutions from this place to North, South, east and west. You cannot continue to deny that. Get on board and go back and read the Good Friday Agreement and embrace it.

I agree with your point that other parties have cherry-picked. I said that before to members of Sinn Féin. I said at a conference in London that they wanted a new Ireland, and they got a new Ireland. This is what it looks like. It looks like a devolved Assembly in Northern Ireland — a Northern Ireland in the United Kingdom. That is why you have the constitutional position and fly the flag on designated days. That is what it looks like. They are stuck in a position where they recognise neither the Republic of Ireland nor Northern Ireland.

Mr Eastwood: I thank Mr McCallister for giving way. Alex Attwood touched on this in his contribution: the Good Friday Agreement, and I am glad to see that you are still a supporter, also stated in its human rights section that people in Northern Ireland would have the right to pursue democratically national and political aspirations. Does he accept that?

Mr McCallister: Of course I accept that because I accept the agreement. Mr McCrea and I are probably the only pro-UK people in this House who now openly admit that they voted for the agreement. So many people have moved away and forgotten about it. There are people declaring cultural war all over the place. Mr Nesbitt not only declares the cultural war, he is out apologising for the Good Friday/Belfast Agreement or aspects of it. That is not where the Ulster Unionist Party was. It is not where it should be. When people ask me whether I regret at times having left the UUP, I say, “No. Simply, they have so lost their way and focus.”

DUP Members continued a change in policy on designated days to the ridiculous position that they are now proposing amendments to fly the flag every day. I can tell you —

7.30 pm

Mr Principal Deputy Speaker: Order. I remind the Member of what I have reminded the House. You gave me a promise that you would address the issue before us, and I am really looking forward to your doing that.

Mr McCallister: Thank you, Principal Deputy Speaker, I was speaking to amendment No 66 from the UUP.

It is the very idea that you go from being a pro-agreement party to accepting designated days — along with the PUP as well, I might add — and go right through from the late 90s through the noughties and suddenly find yourself in late 2012 with a changed position. I can tell you when the party changed that position: it was at the last executive meeting of the UUP that Mr McCrea and I attended on 8 December 2012. That was when the party policy changed and that is a huge matter of regret.

I know that the DUP might welcome the conversion, but I think that it is a hugely regressive step by the Ulster Unionist Party, and, regrettably, it has stuck to that position and continued to not recognise the folly of it. I know that Mr Kinahan, although he is absent now, seemed disappointed when Mr McCrea pointed out to the party the ridiculous position of its tabling this amendment, but that is where it is at. It is more in sadness and disappointment that I point out that it has moved to this position. It has tabled this amendment and continues to take this position. These are the outworkings of continuing to fight a cultural war. When

you start to get into a position where the flag moves from being the constitutional symbol of the United Kingdom of Great Britain and Northern Ireland to being your property, my property, a cultural symbol, not a symbol of the nation state, that is where we lose our way. Doing that, tabling amendments, making mistakes and going off course in that way is a huge retrograde step.

We have had two reasonably good days of debate with lots of interventions and proper debating, and it has been encouraging to see in the House, but we still very much have “us and them” politics. If “them” wins, “us” has to lose and vice versa. We all end up in the zero sum game of politics, so we grab on to any symbols. The Union flag has to be the symbol of unionism, we have to have protests, we have to make sure that it is flying every day; the Irish language cannot belong to unionists, it has to belong to nationalists or whatever. Those are hugely retrograde steps that we will live to regret every single day. Those are the very issues that hold this Assembly and Northern Ireland back. That is why it is so important to properly debate these amendments, because this is what is holding Northern Ireland back. They are a noose around us, holding us in the past, 16 years after the hope and promise of the Good Friday Agreement. We do it on flags, we do it on language, we do it about parading and about sporting events.

Mr McCarthy talked about being a proud Irishman. I am a proud Irishman. I am as good an Irishman as any member of Sinn Féin or the SDLP. I was proud to watch Ireland win the rugby on Saturday. Admittedly, it probably knocked around five years off my life expectancy, but I was proud and pleased to see that trophy coming home. That is something that we should always work towards, enjoy and support. I probably view myself as Northern Irish first and foremost, and I think that, if we actually start to build a common identity, to build an identity around “we” rather than “them and us” —

Mr Wells: Will the Member give way?

Mr McCallister: I will.

Mr Wells: As a so-called unionist, does the Member not regard himself as being British rather than Irish? Before he gets too carried away, he is talking about three or so British Ulstermen and the rest from the Irish Republic winning a rugby match.

Mr McCallister: I can show the honourable Member my British passport. I carry a British passport: is that British enough for you?

We put a narrow definition on identity. There is nothing to say that we cannot be much more complex and that we cannot be proud supporters of GAA, rugby, Young Farmers' Clubs of Ulster or whatever. Whether it is inter-county, Down playing Antrim, or Ballynahinch playing rugby against Banbridge, of course people's identity shifts and changes. Therefore, I can be a proud County Down man. I can be an Ulsterman. I can be Northern Irish. I can be British. I can be Irish. I can be European. I can be all those things, because identity is much more complicated. We do ourselves a great disservice in the House when we place a narrow definition on identity and then, suddenly, we come to these amendments that just end up saying, “The flag belongs only to us, and you lot can clear off” or “The language belongs only to us, and you lot can clear off”. That is not how we will build a united community.

Mr B McCrea: Will the Member give way?

Mr McCallister: Certainly.

Mr B McCrea: Does the Member agree that, if you use a flag as a sectarian symbol, it will be treated as a sectarian symbol? We need to find a way of unifying our country and our people. For the record, because some people across the way seem to think that it is a problem, I have no problem in standing up and saying that I, too, am an Irishman. Does anybody have a problem with my saying that?

Mr Wells: Yes.

Mr B McCrea: Well, it is not your place to say so. I can also tell you that my uncles fought in the war for the British Army, that I carry a British passport and that I am Northern Irish. Reducing identity to the simplistic nonsense of this label and that label is what is wrong with this place. What we really need is a sense of identity that we can all share. Until we get that, it is Groundhog Day all over again. The problem with the people opposite is that they have no unity of vision or strategic vision, and they are not going to lead us anywhere.

Mr McCallister: Mr Deputy Speaker, I could not have said it better myself. *[Laughter.] [Interruption.]* He is a wonderful leader, indeed, and long may he lead.

I point out to Mr Wells that his former leader, Dr Paisley, now Lord Bannside, whom he adored and followed everywhere that he went, described himself on many occasions as being Irish. Does Mr Wells, like many Members of the DUP, now want to distance himself from Lord Bannside? I am surprised at his wanting to abandon an elderly gentleman.

Mr Wells: I understand that Dr Paisley does have some Irish blood in his veins, but I have not one drop of it in mine. *[Laughter.]*

Mr McCallister: I will have to take Mr Wells's word for that, Mr Deputy Speaker. We will not send him for DNA testing.

It is with sadness that I note that former colleagues have tabled amendments about going back to flying the flag 365 days a year and that we are having debates on the subject. I think that it was Mr Poots from the DUP who said, after the flag came down, that he was going to put the flag back up on Stormont 365 days a year. Where is that? That has not happened. There has been no change, and, if it were done, that would be a retrograde step, too.

Mr McCartney: Will the Member give way?

Mr McCallister: Just one minute.

The now Lord Trimble took on hard-fought battles to get legislation through the House of Lords and the House of Commons to make designated days the position. A move away from that position would be a mistake.

Mr McCartney: You talk about your former colleagues. Ulster Unionist amendment No 64 states:

“no national flag of any other country shall be flown at any council offices at any time.”

Take the World Police and Fire Games. What signal would we have sent to international visitors had we told them that they could not put the flag of their country up at the Mary Peters Track in Belfast during that event?

Mr McCallister: It is a good example. Are we serious about wanting to build a normal society? I heard from many Members opposite how secure the Union is. I believe that the Good Friday Agreement secured the Union unless people want to change that, and there is no evidence that that will be changed.

Mr McCartney: Will the Member give way again?

Mr McCallister: Yes.

Mr McCartney: The Alliance amendment No 65 says that no other flag should fly. Mr McCarthy described himself as a proud Irishman, and I would say that he is. He mentioned the success of the Irish rugby team. Imagine if the Irish Rugby Football Union wanted to fly its flag over Belfast City Hall or in Strangford in recognition of what the team did. You would be prohibiting that flag from being flown.

Mr McCallister: I am keen not to bring the Irish Rugby Football Union into, dare I say, the grubby world of politics. I and NI21 support designated days because it reflects the constitutional position of Northern Ireland's place in the UK. Mr Lyttle, in his contribution, set it out very clearly. Of course, if we are holding sporting events such as the World Police and Fire Games, you would want to see other flags.

Mr Humphrey: I am grateful to the Member for giving way. The World Police and Fire Games were indeed a great advertisement for Northern Ireland and the city of Belfast. However, Members across the way talk about flags of visiting police forces and fire services, and they have to remember that the Union flag was not flown during the World Police and Fire Games because of a diktat from the Department of Culture, Arts and Leisure.

Mr McCallister: I have spoken about that in different places on different occasions, and that is where we need to get back to. We are lacking in a spirit of generosity. We have moved so far away from the days of the agreement and have poisoned the relationships up here; hence, we need all these amendments to deal with this issue 16 years after the agreement. We have moved away and lost that spirit of generosity, and that is why we have such difficulty in running events. I point out to Mr Humphrey that the World Police and Fire Games were a huge success up to the last night when we had a riot in Belfast that did huge damage.

My colleague Mr McCrea mentioned the flags protest and the damage that it has done to confidence in Northern Ireland. We have had the debate about who is to blame for it, whether it was the DUP, the UUP, Alliance, Sinn Féin or the SDLP, and about whether there was a better way of handling it. Should it have been done in the mouth of Christmas? Probably not. Should the council have sought to get a consensus like Lisburn and Craigavon quite rightly did? That was at the time when the UUP supported a designated days policy, but that has since changed. That is where we go wrong on those issues.

Mr B McCrea: Will the Member give way?

Mr McCallister: Yes.

Mr B McCrea: Will the Member agree that there are different types of flying of flags? There is the constitutional issue that represents the constitutional position agreed by the people of this part of the world, and there are other times for celebratory reasons such as sporting achievements. We need to find a different way of doing

that. Regrettably, there is a different scenario in which we hang them from lamp posts and they become rags, and it is no respect to anybody. We really need to find a way of separating a constitutional issue from something that lets us move on with an identity.

Mr McCallister: Absolutely, because that is where we go wrong.

The amendments, quite rightly, are to deal with flags on civic buildings, public buildings and the process around that, and that is why we support the Alliance amendment. We support designated days. Mr McCrea made a point about street flags, and that needs to be addressed. Quite frankly, it serves none of us well to go round our constituencies, towns, villages or even rural crossroads and see our flags falling down or hanging by a thread. What purpose does that serve? What sort of national embodiment is that and what message does it send?

7.45 pm

I know that the Speaker quite rightly said that we do not want to debate the situation in the United States. However, you do not see many flags hanging by a thread in the United States. That is because Americans know how to treat a flag with respect. That is what we ought to be doing with the Union flag, and that is vital. I welcome the Alliance amendment that supports that. That is why it is so dangerous to move away from and, as Mr Humphrey quite rightly pointed out in an earlier intervention, to cherry-pick the bits of the Good Friday Agreement that we like and to discount the bits that we do not like or that cause us a bit more discomfort than others.

That is why I say this to former colleagues in the UUP, and I say it with disappointment and sadness: you have moved away from that, mainly in the process of driving for some sort of unionist unity. You have managed to be spurned by the DUP, and now you are much closer to Mr Allister's position. In fact, I noticed that even the journalist and commentator Alex Kane, on reading your submission to the Haass talks, mentioned that the UUP was now somewhere to the right of the TUV. I have to say that, with the greatest respect to Mr Allister, I did not think that that was possible. *[Laughter.]* So, that is what we need to do. We need to look at those amendments and to consider seriously why we are tabling amendments to do a U-turn on a long-established UUP policy and to move away from it.

Mr Elliott: I thank the Member for giving way. Obviously, he likes to quote from his good friend Alex Kane who is maybe a scriptwriter for him. I am not sure about that, so maybe he can confirm it. I am just wondering about this, because the Member is quite critical of the Ulster Unionist Party. I recall that, when he was in the Ulster Unionist Party, he led the party in the shared future all-party group, which, I think, met with failure in the end. Mr McCallister told me on several occasions that that was over the flags issue. Mr McCallister was leading for us on that, so do not blame us.

Mr Principal Deputy Speaker: I ask the Member who has the Floor not to be tempted into revisiting the past. I think that you were coming quite well to the focus of the debate.

Mr McCallister: Absolutely, Mr Principal Deputy Speaker. I will stick strictly to your guidance. This is how Mr Elliott has got to the point of proposing his amendment. He is quite right in saying that I led the party in the shared future

all-party group; indeed, he was party leader for a good bit of the time that those talks and negotiations were going on. The flags issue was a problem, and it was not going to be resolved. When I said that those talks were a waste of time, I know that not everybody in the UUP agreed with that position. In fact, they seemed so keen to get back into talks that they involved themselves in the Haass talks and then pulled out of them and tried to blame the First Minister and deputy First Minister by saying that they had nothing to do with them.

I am not entirely sure, given this amendment, whether the UUP is in or out of the all-party talks that Mr Attwood said should resume now or immediately after the election. So, perhaps some of the UUP Members will clarify whether they are in those talks or out of them to try to resolve it, as it looks unlikely that the party will get its amendment made tonight.

However, that is the key point in all this. This debate has not become just as raucous as it could have done, but the point is that we are moving away from and cherry-picking from the Good Friday Agreement. Sixteen years on, the lesson is that we need to go back and reread it. Yes, the agreement was meant to evolve, and these institutions were meant to normalise and move towards government and opposition. We were meant to have normal politics. That was the promise of the agreement. Tonight, we could be debating economics or the impact that the UK Budget is going to have on us. That is what we should be doing instead of having to focus so firmly on flags and other issues. We need to get back to partnership government. I have to say this to the DUP, Sinn Féin, SDLP, Ulster Unionists and Alliance: you have to remember that you are the Government of Northern Ireland.

Stop always saying that the Executive are terrible — you are part of it. Either have the decency to come out of it before you criticise it so much or get in and make it work. I would prefer to see other parties in opposition; that is why we needed to have the debate on these amendments and why they are so important.

The issues around flags, parades and dealing with our past are holding Northern Ireland back; they are not letting us reap the rewards and the promise of the Good Friday Agreement. We need to get back to that spirit of generosity. That is why I support the Alliance Party amendment.

Mr Allister: I do not want to unduly discourage Members, but I have already missed my scheduled meeting in Ballymena tonight. *[Laughter.]* When we look at this subject, there are a number of matters that we need to deal with. First, when the Alliance Party, in a quite calculated and deliberate move in Belfast City Council, empowered Sinn Féin and the SDLP to obtain a long-held objective of pulling down the Union flag from our prime civic building, not only did it release turmoil on our streets, but it then sought to take refuge in the catchphrase, “Oh, it was a democratic decision.” We heard that from the Alliance Party, from the SDLP and from Sinn Féin, with all the evangelical enthusiasm of new recruits to majority rule. They kept telling us, “Oh, it was a democratic decision.”

How hypocritical then tonight that, when it comes to this House debating the issue, this House is not allowed to make a democratic decision because of the pernicious use of a petition of concern. It is OK to say, “Oh, we managed

to pull the flag down by a democratic decision”, but, when it comes to the House debating the issue and daring to take any step that would equalise respect for the flag in Northern Ireland, then, fearful of a democratic decision and fearful of what a majority view might be in this House, they scuttle off and sign up a petition of concern. So let us not hear again the protestation that, on the flag issue, the Alliance Party, the SDLP and Sinn Féin are the paragons and the defenders of a democratic decision, when, tonight, they are the subverters of a democratic decision.

Mr Lyttle: I thank the Member for giving way. I encourage him to accurately reflect what happened at Belfast City Hall. I do not expect that he will, but will he have the decency to clarify that the Alliance Party has not signed a petition of concern this evening, please?

Mr Allister: Yes, I will certainly clarify that. One could say that it did not need to because the SDLP and Sinn Féin did the job for it.

Mr Lyttle: I thank the Member for giving way. I thought that he might have reflected what has happened here tonight accurately. The Alliance Party is putting forward a proposal. Why would we welcome someone signing a petition of concern against that proposal? I would be grateful for accuracy. Thank you.

Mr Allister: I suspect that the party might welcome the petition against amendment Nos 64 and 66. But, yes, it did not sign any petition in the House today, but some of those who were loudest in hiding this behind a democratic decision are the people who have signed a petition of concern in order to subvert a democratic decision in this House. There is no getting away from that, as far as they are concerned.

Then, of course, we are told that you cannot fly the Union flag 365 days, for example, because it is an equality issue. Here we come to the very nub of what is supposed to be the Belfast Agreement. It is not my agreement — it is not something I ever voted for or wanted — but it, supposedly, provides clarity and certainty as to the constitutional position of Northern Ireland.

The flying of any nation's flag is but an emblem of its constitutional status. It is but a manifestation of the fact that, within that territory, that is the flag of that country. If those who support, or claim they support, the Belfast Agreement, accept it, then they are supposed to have accepted that this territory of Northern Ireland is a part of the United Kingdom. There should be no surprise then that the flag of the United Kingdom is the flag of this territory. There should be no surprise then, when a council or anyone else in the governmental tiers is called upon, required to or wants to demonstrate its constitutional allegiance and constitutional position, that the flag that flies is that of the United Kingdom, just as, sadly, if the Belfast Agreement ever attained its endgame aspiration of an all-Ireland, the flag that its proponents would most certainly be saying must fly, should fly, will have to fly, is the flag of the nation state of which it then would be a part.

If that is the aspiration, and it doubtlessly is the aspiration of nationalism in this country to take us to a place where we are part of the nation of Ireland and that they want, therefore, to fly the flag in that circumstance of the nation of Ireland, why are they the ones being churlish about the fact that, under the same supposed constitutional arrangement when we are part of the United Kingdom, we

cannot, should not and must not fly the flag of the nation of which we are today a part?

That is the illogicality of the nationalist position on the flying of the flag. They aspire to the erection of one flag — the flag of the Irish nation, as they see it — if and when they can ever cajole this part of the United Kingdom out of the United Kingdom into joining that Irish nation, and they would say that that flag must have primacy, not equality, primacy. The corollary is that so long as you are part of the United Kingdom, the flag that has to have primacy is the flag of the United Kingdom. There is nothing too much to ask for in that. It is a natural consequence of our constitutional position which should offend no one; it is a reality.

Mr Lyttle: I thank the Member for giving way. He has expounded the Sinn Féin and SDLP long-term position in relation to the display of flags in Northern Ireland.

Mr A Maginness: Supposed position.

Mr Lyttle: Yes, supposed position. I have made an effort to ask what they are, and I have not had any response. Perhaps he would like to cite on what grounds he is expounding those positions on behalf of the other parties.

8.00 pm

Mr Allister: Well, I think that the silence of the other parties confirms the fact that they are not taking issue with that being their ultimate aspiration. Are they going to rise and tell us that their aspiration is not the unification of Ireland? Are they going to rise and tell us that their aspiration, if and when they ever attain the unification of Ireland, would not be to give primacy to the flag of Ireland? Of course they are not. Of course they are not.

Mr Eastwood: Will the Member give way?

Mr Allister: Yes.

Mr Eastwood: I will send Mr Allister, just for his information, some of our documents about a united Ireland and what that might look like. In every written document that we have produced about a united Ireland, we have proven and have shown that we are up for the discussion around recognising the fact that the North of Ireland in a united Ireland would be unique and would be very different to the rest of the island. We recognise that Britishness would still exist here. In the same way as you can be British in America or Irish in America, you could still very much be British in Ireland. The Member does not recognise that we are Irish within the United Kingdom as it stands. He has no recognition of that, and neither do the Members opposite.

Mr Allister: I do have to rhetorically —

Mr Principal Deputy Speaker: Could I just point out that Members, including those making interventions, should address their remarks through the Chair. The same rules apply to everyone.

Mr Allister: I do have to rhetorically say to the Member that, if he really wants unionists to believe that, in this utopia of a united Ireland, their heritage, their traditions and, as he would see it, their flag would be protected, he has to explain why, within the United Kingdom, they have bent every effort to tear down the flag of the United Kingdom. It is not much comfort for a unionist if, while within the United Kingdom, the combined forces of

nationalism attempt to “de-Briticise” us and to remove the British flag. It is not much comfort then to say, “Oh, but don’t worry about it. When we have you in the parlour of an all-Ireland republic, we will respect your flag”. Who does he think he is kidding? The reality, I think, is so very different from the pretence.

Mr Attwood: Will the Member give way?

Mr Allister: Yes.

Mr Attwood: There are a lot of points that I might ask you to give way on later when you, eventually, reveal the contradictions in your approach, so you can anticipate that, Mr McCallister. *[Laughter.]* Tear down the British flag. Tear down the British flag. Although it was a very irregular way to do things, we accepted it when the British Government, with David Trimble and Peter Mandelson, imposed a flags order over the head of the Northern Ireland Government, without consultation with our party or with other parties in the Executive and without any consultation with the wider community. Bad politics and bad process — some might even argue a bad outcome — but we accepted it.

Do not — do not — say to the SDLP that we are tearing down flags when we, for the greater good, 12 and 14 years ago, when others were trying to impose flags, said in those circumstances at that time that, when it came to Government buildings, the order could prevail.

Mr Principal Deputy Speaker: Order. I have only just reminded Members to address their remarks through the Chair. Now, I will take a tighter line on that if Members do not obey that ruling. Members understand these rules as well as I do.

Mr Allister: I must say, if Mr Attwood thinks that my constituents do not believe that SDLP and Sinn Féin have been involved in a concerted campaign to tear down the flag, he has far less understanding of unionist perception than even I thought. That is the belief. It is the belief based on what we saw at Belfast City Hall and the triumphalism and partying of Sinn Féin that attended it. So it should come as no surprise to the Member that the unionist community is very much of the opinion that the SDLP, in cahoots with Sinn Féin and with the obliging assistance of the Alliance Party, obtained that republican objective and was very happy and triumphant in doing so.

Mr McCallister: There are a couple of issues on that. Will the Member accept that it was the first time that Sinn Féin and the SDLP voted to fly the flag on the Queen’s birthday and on all of the designated days? He talks about the perception in unionism, and this goes to the very heart of the leadership, or what passes as leadership, of unionism. The leaders of the DUP, UUP and PUP keep telling unionism that they have lost something, rather than actually facing that down and saying that this is where we should be. They keep telling them that they have lost something to the point where people believe it. At the end of 2012, unionism should have been looking back on that year and feeling quite buoyant and confident. You had the jubilee celebrations, the Olympics in the national capital, the centenary of the covenant, and you ended that year with a flags protest. That is where it takes away and shows the weakness and lack of confidence in unionism and its leadership.

Mr Allister: The honourable Member might be in the business of hoodwinking the unionist population into

believing that, when it celebrates the covenant but the Union flag cannot even fly on this Building, it is a victory and that, when the Union flag comes off City Hall, it is a victory. That might be the Member's politics, but it is certainly not mine.

Of course, the Member's politics is driven by an unthinking, unchallenging allegiance to the Belfast Agreement, which is the template for the ultimate delivery of the removal of the British flag and the British territory of Northern Ireland. That is its endgame, and proof positive is the fact that the only referendum under the Belfast Agreement that the people of Northern Ireland can ever have is one that effectively says to them, "Are you yet ready to join the Irish Republic?". When that question is asked, it has to be asked every seven years until the answer is yes. The Member might be blind to the trajectory and the direction of travel of that, but I am not. Therefore, it is no surprise to me that every step along that road involves —

Mr B McCrea: Will the Member give way?

Mr Allister: In a moment. Every step along that road involves the "de-Briticising" of this Province, and the tearing down of the Union flag from Belfast City Hall was a very significant milestone in that regard, as was celebrated by those who contrived and colluded in bringing it about.

Mr B McCrea: I appreciate the Member giving way. Surely, the Member will recognise the huge significance of Her Majesty The Queen's visit to the Republic of Ireland and the warmth and generosity of her response there and that that was replicated by President Higgins going to meet Her Majesty over in London. Surely, he will recognise the fact that David Cameron and Enda Kenny and the Irish Government and the British Government have never, ever been closer. The whole future of our island and the United Kingdom — the British Isles — works better in cooperation and understanding of the point of view. No one is losing anything. We are building a future.

Mr Allister: I think that the Member deludes himself on this issue — I suspect that this is not the only issue — if he thinks that that is the truth of the political path that this Province is on. Look at this House. Look who sits and rules over us. Look at the fact that we are part of the United Kingdom, which is the birthplace of democracy in many senses. We cannot even have the basic democratic rights to have an opposition. We cannot even have the basic democratic right as citizens to vote a party out of Government. Please, in those circumstances, do not come telling us that things have never been better.

Mr Principal Deputy Speaker: Order.

Mr Allister: Things have never been worse is the truth.

Mr Principal Deputy Speaker: Order. The Member will resume his seat. Remember, please, that we are discussing the Local Government Bill. I think that the Member has yet to address that Bill. I give him the same latitude as anyone else, but you are required to address the agenda of this Assembly.

Mr Allister: I will seek to travel route 66 — *[Laughter.]* — but I keep coming up against these diversions. Being weak minded, I get distracted. I will address the specific issue.

Mr McCallister said that, in the United States, you do not see the flag of the United States flying threadbare. That is right. Sadly, you do so in this country. But ask yourself this:

why is it so different here? The answer is that, in the United States, they wholly respect the flag and give it absolute primacy. They require it to fly on schools, polling stations and government buildings. Indeed, so fastidious are they, that they have rules that it goes up at dawn and comes down at dusk. They give absolute primacy and respect to the flag.

It is no surprise then that any red-blooded American patriot does not feel the need to run a flag up a lamp post. Contrast that with the United Kingdom, where we have passed through a bloody terrorist campaign to remove our Britishness. Then, we have the companion policy of removing the flag. It should be no surprise to anyone that the reaction of many will be, "If I cannot see the flag fly where I want to see it fly, it will fly in as many other places as I can fly it". I am not saying that that is the right approach, but that is the reality.

If people want a solution to the flags issue in Northern Ireland, I respectfully suggest that they need to build that solution upon showing respect and primacy for the Union flag, in keeping with the fact that it is a manifestation of our constitutional reality.

Mr Lyttle: Will the Member give way?

Mr Allister: Yes, I will give way.

Mr Lyttle: How is displaying the Union flag respectfully and sensitively on designated days, as is done throughout the rest of the United Kingdom, in any way contradictory to what he has just set out?

Mr Allister: In the Province, we have an abundance of councils that refuse to ever fly the flag. We heard from Mr Elliott that, in Fermanagh, not only is it a prerequisite to take down the flag but the insatiable demand is to sanitise entire buildings of any semblance of any British attachment.

Mr Lynch: Will the Member give way?

Mr Allister: In a moment.

The Member from Strabane told us that it was offensive to her constituents to have to go to a social security office with the Union flag flying to get their benefits — not so offensive to collect the Queen's head from the social security office; not so offensive then.

That is the attitude that drives many disaffected, often feeling disenfranchised, unionists/loyalists to put flags on lamp posts, because people like those in Mr Lyttle's party arrogantly decreed that the flag will not fly, year-round, on Belfast City Hall. That is part of the consequence of that. The Alliance Party, whatever its motivation, obviously did not have very much foresight if it thought that tearing down the flag would not have consequences; consequences that we have all been reaping ever since.

I will give way.

8.15 pm

Mr Lyttle: I thank the Member for giving way. Perhaps he could set out for me exactly in what way any employee of any council has actually torn down any flag at Belfast City Hall, and be willing to stand over that description. I bring him back to my last question that he completely refused to answer. In what way is the respectful display of the Union flag on designated days, as is the case in many other parts of the United Kingdom, anything other than an appropriate

proposal and, indeed, can he tell us whether he will be supporting the Alliance Party's proposal put forward today?

Mr Allister: Perhaps the difference is that, happily in the rest of the United Kingdom, the citizens have not been subjected to 30 years of butchery and genocide by those who wanted not just to tear down the flag but to tear the very part of the United Kingdom out of the United Kingdom, and that comes with a legacy whether the Member likes it or not. You cannot visit terrorism of that magnitude on a small community and not reap a resulting attachment to the very thing that the terrorists want to take away from you. That is the reality.

As for designated days, if the Member could come to the House —

Mr McCartney: Will the Member give way?

Mr Allister: In a moment.

If the Member could come to the House and say that the House is going to try and settle this flag position with a proposition of what I would call designated plus in every council — that every council everywhere would have to obey the designated days and that those who wanted to do more in a designated-plus approach could fly it more — and if, in addition, because of the symbolic significance of it, that Belfast City Council is the prime civic building, and the Member could tell the House that a resolution had been reached whereby the flag would fly 365 days from Belfast City Hall, then I, who am always looking for more, would not be arguing with him. However, the Member cannot come to the House because his cohorts in the House — those whom he colluded with in Belfast City Hall — made sure that even his proposition will not pass tonight. Therefore, the Member is in no position to lecture, to challenge and to question what one wants when he cannot even deliver his own proposition.

Mr B McCrea: Will the Member give way?

Mr Allister: Yes.

Mr B McCrea: The Member is a learned man, a QC and a man who understands the law. He will, I am sure, be aware of the legal position set out in the fair employment acts about places of work that must be separated from symbols. There have been judicial inquiries and reviews on this, and city halls are allowed special dispensation because of the ceremonial position, but only in part. This is a result of the law. When we talked about Lisburn, Craigavon and other things, it was the threat of surcharge that changed people's minds. He will know that what he is asking for is not deliverable in law, and I am surprised that a man of his learning, which I absolutely respect, does not take the point that Mr Lyttle is making.

Mr Allister: It is most certainly deliverable in law, because the proposition is that the political headquarters of each council — primarily a political place — should fly the flag. When you go to where the chambers of those councils are, they are political buildings. In consequence, you will find no credible legal advice that will tell you that you cannot fly the flag in a political chamber — as Belfast City Hall was advised.

Mr Weir: I thank the Member for giving way. Further to the point raised by Mr McCrea, can Mr Allister indicate any legal ruling — certainly I am not aware of any — where

it has been ruled that the flying of a flag at a council headquarters constitutes a breach of a neutral working environment?

If there has been a single court ruling on that issue, I am not aware of it. Indeed, if we are to consider what constitutes a neutral working environment, I am not aware of anybody working up a flagpole.

Mr Allister: I am sure that, if there were such an opportunity to give such a legal ruling, Sinn Féin, through Madden and Finucane or someone else, would have tried it years ago. It has never been obtained. There was no legal declaration that the flying of the Union flag on Belfast City Hall was in breach of the law. It patently is not.

Mr Lyttle: Will the Member give way?

Mr Allister: If I must, if you do not want home. *[Laughter.]*

Mr Lyttle: I thank the Member for giving way, briefly. Is he aware, as I am, of advice that there is at least a risk of a breach of the neutral working environment as a result of the flying of the flag on 365 days?

Mr Allister: I repeat the point: where it is primarily a political chamber and headquarters, it is my belief that the flying of the flag is safe and sound legally. If the Member, who has been a council member, can turn up any contrary advice, the question is why it has never been acted upon.

I probably need to move a little further along route 66. I want to address the DUP in particular for a moment. In a debate like this, there is the luxury of having a little fun with various parties. We have had an anxiety from some, which is a bit reminiscent of the on-the-runs saga, to point to the Ulster Unionists and say, "It all happened on your watch: it is your problem" etc. In one sense, that is fair enough, but the lead party of unionism today is the Democratic Unionist Party. It, above all, is required to deliver a solution to the crisis created by the tearing down of the flag from Belfast City Hall.

Mr Lyttle: Will the Member give way?

Mr Allister: No. I am not giving way any more to you.

I suggest that this, the Local Government Bill, is one of the last opportunities to do anything about it. If these amendments are thwarted tonight, and the Bill passes as it is, the reality will be that in approximately half of the councils, the Union flag will not fly. Indeed, it could be more because, if excess is taken to the insistence on a qualified majority vote, maybe the Union flag will fly from only a couple of the 11 councils. The only way to protect against that is by legislating in this Bill.

It is a bit like the definition of a victim: once it is through, it is, essentially, too late to do anything about it. Therefore, I say to the lead party of unionism that it has to pick up the challenge and consider the fact that it will not be enough to leave here tonight saying, "We tried, but the perversion of the petition of concern defeated us. We now have a Bill, and we will just have to live with it." That is not how it has to be. If it really goes to the core of what the primary unionist party in the Province would wish to defend, that party has the option, as others have exercised in respect of other Bills, of stalling this Bill until the issue is addressed. If it is not addressed in this Bill, it will not be addressed.

That is the challenge and the opportunity. I think that the DUP needs to consider whether or not it feels strongly

enough about this issue to make sure that the Local Government Bill that eventually passes in the House addresses it. Taking that stand is in your gift. I respectfully say to you that you should think about exercising that, because if the Bill goes through as is —

Mr Weir: Will the Member give way?

Mr Allister: In a moment.

If the Bill goes through as is, we are not going to see the change, the reversal, the restoration or the fulfilment of the promise that the flag would fly again on City Hall. I will give way to Mr Weir.

Mr Weir: At Second Reading, the Member raised the issue of flags. The Minister indicated that he did not intend to make any regulations as regards the flag in terms of a qualified majority vote. What becomes a qualified majority vote essentially rests on two things in the legislation. The first is standing orders. On that basis, unless it was put in by a council, it could potentially restrict the flying of the flag, and, clearly, no unionist council would do that. The alternative is affirmative resolution in this House, in which case, if there were any attempt to restrict the flying of the flag, that would be blocked in the House. So, there is a degree of protection in the legislation on this issue.

Mr Allister: I hear what the Member says, but that can only give protection to those councils where there is an exercised unionist majority who wish to fly the flag. We are in a situation of dearth, whereby in or about half the councils will not be inclined to do that, and one of the most likely will be the primary council in this land.

If we are as exercised as we say we are about the tearing down of the flag and wish to see the flag flown on political buildings, such as council chambers, in every part of the United Kingdom, it will be too late once this Bill passes, having fought and lost a battle. So there is an opportunity and a challenge to weigh up and decide. Is the lead party of unionism prepared to take a stand of that strength on this issue? That is how many people in the community who hoped, and believed the promises, that the flag etc would be restored will judge the issue. I do not see any other opportunities to do that but through applying the leverage and the pressure that this Bill presents the opportunity of doing.

Mr Poots: It is good to have the opportunity to speak on this issue. The debate has had a number of interesting aspects. The first interesting aspect to today's debate has been that a considerable amount of amnesia has set in. The Ulster Unionist Party seems to be suffering quite badly from that, almost as badly as the deputy First Minister on Al Jazeera when he did not seem to recall when the IRA was established. He seems to think that it was established some time in the mid-70s, as opposed to the 60s.

Nonetheless, political amnesia has certainly set in with the Ulster Unionist Party. It does not seem to recall its connivance with the British Government on all these issues in and around and after the signing of the Belfast Agreement to remove the flag; to bring in the Flags Order on designated days; to remove the flag from Craigavon Borough Council, which is a majority unionist council; and to remove the flag from Lisburn Borough Council, which is also a majority unionist council. In each instance, the Ulster Unionist Party stood along with Sinn Féin, the SDLP

and, of course, the scurrilous Alliance Party in taking the flag down from those buildings.

8.30 pm

Therefore, many people in Belfast were quite significantly surprised by the Ulster Unionist Party reaction, given that it had already done it in other areas and did not seem to have a particular problem in removing the flag in places such as Lisburn and Craigavon, and in engaging with the British Government to bring in the Flags (Northern Ireland) Order 2000. Indeed, I understand that Councillor McCusker recently voted with nationalists on Craigavon Council to reject putting the flag up 365 days a year. So, the Ulster Unionists' political amnesia stretches back not to the early part of this century but to just a few weeks ago, when they voted against the flag flying 365 days a year. Having put us all in the position we are in, their amendments are clearly a means of trying to demonstrate that they are great and mighty unionists.

Towards the end of his speech, Mr Allister made the point that half the councils would not be flying the flag under the new council scenario. Therefore, not to go ahead with the Bill would be a means of making it happen. Of course, around half, or more, councils in Northern Ireland do not fly the flag as it is. So, if we were to not go ahead with the Bill, the flags would not fly in any event. It is an illogical argument that Mr Allister makes on this occasion.

Mr Allister: Will the Member give way?

Mr Poots: Yes.

Mr Allister: Of course I understand that half the councils, or whatever the number, do not fly the flag presently. I am presenting that there is an opportunity to change that. If this Bill goes through, that will never change. However, if this Bill goes through with requirements for designated days across the Province plus Belfast City Hall on 365 days, it will change. Only legislative change will make it happen. That is the point. If you simply pass the Bill, nothing will ever change.

Mr Poots: On the basis of how the Assembly is established, with petitions of concern and everything else, Mr Allister knows full well that this is not going to happen. He raises a false hope. He runs a false flag up the pole to try to encourage people that something can be done, when he knows full well that that will not be the case. Mr Allister seems to project in the House an image that flying the flag can be delivered in places such as Strabane, Newry and so forth. He is living in some cloud cuckoo land, because it is an expectation that cannot be delivered upon.

We can say clearly that had unionists turned out to vote in Belfast, the flag would not have come down in the first instance. If they turn out to vote again, they will have the opportunity to rectify the great wrong that was done in our capital city.

The Alliance Party never seems to learn. Its members pulled down the flag. That party had the casting votes in this matter. The majority did not lie with nationalists and republicans, so they did not have the ability to take down the flag. However, the Alliance Party in Belfast City Hall ensured that it happened. They ensured that our capital city had the flag removed for the vast majority of the year, and shame on them.

I am very proud of our national flag. It incorporates St Patrick's cross, which no other flag in Ireland does. This week, we celebrated our patron saint. Yet, at the same time, other Members in the House want to remove the symbol of St Patrick from our civic buildings. I am proud of the fact that people fought for and under our national flag against people such as the Nazis and communist forces. Against the dictators and despots of this world, they stood and they fought under the national flag. For despicable people in the Alliance Party to pull it down from our capital's City Hall is something that we totally reject: in doing so they have brought great shame upon us.

Mr Lyttle: Will the Member give way?

Mr Poots: Mr McCallister wished me to give way.

Mr McCallister: Mr Poots mentioned amnesia, and I gently remind him that he has a health service that could probably do with his attention. *[Interruption.]* In effect, his answer to Mr Allister's point is no. He is in blame-everyone-else mode, but he cannot do anything about it and he is not going to stop the Bill. At least the Alliance Party has brought forward an amendment for a sensible solution of designated days, which he might do well to support.

Mr Principal Deputy Speaker: Order. I remind the House about the use of appropriate language.

Mr Poots: OK, that did not raise many points of concern, so I will give way to Mr Lyttle.

Mr Lyttle: I thank the Member for giving way. I recognise the passion and pride that he has in the flag, but I ask him to reflect on connecting that passion and pride that he has for people who made sacrifices under that flag with directing shame towards the Alliance Party, given that members of the Alliance Party include RAF wing commanders who have more sacrifice to that flag in their big toe than he has in his entire body.

Mr Poots: I note the Member talks about others and not himself, so perhaps if he has done some great thing, he can let us all know about it. Many people in this party have served for Crown forces, many people in this party have given their lives, and many people in this Chamber have been shot at and bombed by republicans because they stood up for the national flag.

So we do not make any apologies for standing up for the national flag. My father was shot at by republicans, so I am not going to take lessons from Mr Lyttle about this issue. We have always fought and stood for our country, and will continue to stand and fight for our country. We will stand and fight for the flag of our country because it is the right thing to do — because it is a flag about freedom. It is a flag that recognises that people within that country can have the freedom to enjoy their faith, whether it is a Roman Catholic, Muslim, Jewish or Protestant faith, irrespective of what you are or of no faith at all.

The national flag of the United Kingdom — the Union flag — recognises all of that. It recognises people's right to have political freedoms and political conscience. So whether you are a communist, socialist, right-of-centre, on the middle ground or wherever you happen to be or want to be, you can practise your politics, because we believe in democracy and freedom. That is why we cherish the national flag. Unfortunately, others do not and, unfortunately, others have done damage to Northern Ireland as a consequence.

Mr B McCrea: Will the Member give way? I simply ask the Member, because I recognise the passion that the Member has put forward in his speech, why he does not take Mr Allister's suggestion and get his party to do a petition of concern on this Bill unless the flag is flown 365 days a year in Belfast? Why does he not do that? Why not just make your stand?

Mr Poots: Belfast can be dealt with. The Belfast flag can fly again if unionists come out and cast their votes and elect people to fly the flag. That is how the situation can be resolved. The splinter parties will not help in all that. The splinter unionist parties that split the votes and take people away will not help us to ensure that the national flag flies and that unionism can put things right for the great wrong that was done.

What we need to recognise, and what it is shocking that the Alliance Party has not learned, is that one flag was removed from Belfast city centre at the City Hall. One flag. As a consequence, we had huge community divisions and thousands of flags put up all around Belfast and beyond. Not content with doing that, and not having learned from that, the Alliance Party wants to replicate that right across Northern Ireland. So let us go into Ballymena and rip the flag down there, and Newtownabbey and rip the flag down there, and Carrickfergus and rip the flag down there, and so forth.

That is what the Alliance Party wants to do. Having raised tensions and caused people huge and passionate concerns, it wants to go ahead and do more of it. I would have thought that a party that allegedly prides itself on reconciliation and bringing people together would know better than to seek to cause further divisions. I will give way to them if they wish, but they cannot but recognise that the removal of the national flag at Belfast City Hall caused massive divisions in Northern Ireland that did not exist beforehand. There was no issue, but the Alliance Party made it an issue, and it caused major problems as a consequence: massive problems in policing and massive problems in justice. Many young people have ended up getting themselves into trouble unnecessarily and foolishly, but the Alliance Party had a major part to play in that by taking the flag down off Belfast City Hall. Not content with that, it wants to do it across Northern Ireland. That is not somewhere that we are going to go and it is not something that we will support.

We cannot support the Alliance Party's amendment. We will reject it wholeheartedly.

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am glad to rise today. In fact, I am glad that I can rise; I have been sitting for a very long time.

As we all know only too well and have seen and heard, and heard, and heard, and heard today, flags remain a contentious issue in our society. The debate around a future policy is ongoing, despite the best efforts of Richard Haass and others. It is, in some respects, unsurprising, therefore, that we are being asked to consider today two sets of conflicting amendments on the subject: one from the Alliance Party and one from the Ulster Unionists.

In another respect, though, I am surprised that these amendments have been tabled, given that flags were raised several times — sorry, the issue of flags was raised several times — at the political reference group. All six parties that attend that group, including the Alliance Party

and the Ulster Unionist Party, agreed that this Bill is not the appropriate vehicle for resolving the flags issue and that that should be considered in the wider context of the ongoing discussions on flags, emblems and dealing with the past.

Mr Elliott: I thank the Minister for giving way. I attended most of the political reference group meetings, and, although the Minister and his predecessor both raised the issue, there was never any agreement that this was not the place to deal with it. There may have been an indication from the Minister and the Department, but there was no agreement at the meetings.

Mr Durkan: I thank the Member for his intervention. I do not recall any dissent at the meetings. As Mr Elliott has intervened, I feel that I should apologise to him that he found my home city, and yours, Mr Principal Deputy Speaker, so uninviting on his last visit, although I know that thousands and thousands of Apprentice Boys have no problem going there every year.

People will be relieved to hear that I will get the debate back to the amendments. The Alliance Party's proposed clause 109A suggests that councils adopt the flags protocol as adopted by central government Departments on flying the Union flag on designated days, but gives a further option to councils to fly any other flag alongside the Union flag on those days.

Currently, councils are advised each year of the calendar of designated days as determined by the Department for Culture, Media and Sport. However, it is for councils, as locally democratically elected bodies, to decide on their flags policy, including whether to follow central government's protocol, whether to fly any other flags or, indeed, whether to fly no flag at all.

Clause 109A, as proposed by the Ulster Unionists, would require councils to adopt central government's flags protocol as a minimum and prevent any other national flag being flown at any other time. Its proposed new clause 109C goes even further than that by proposing that the Union flag flies every day at Belfast City Council offices. That could result in the Union flag flying in all council offices in all parts of the city, leading to fair employment issues, as identified by Mr McCrea, given the requirement that all workplaces should be neutral.

Mr Allister: Will the Minister give way?

Mr Durkan: This will be the final time.

Mr Allister: Is the Minister saying that if it did not apply to all workplaces but was restricted to City Hall — we still have the Further Consideration Stage to come — he would be better disposed towards it, or is he just setting up a straw man to knock it down again?

8.45 pm

Mr Durkan: I would not say that I am setting up a straw man, but this is not the only reason I have stated for opposing this amendment. Local government reform is about strengthening local democracy and both these amendments run counter to that. Furthermore, the Ulster Unionists' clause 109A could cause diplomatic embarrassment — Mr McCartney identified this issue — if councils were receiving important visitors from overseas or hosting international tournaments and were prevented

from flying their national flag as a sign of respect to visitors.

The new clause 109B proposes that a council can, through qualified majority voting, adopt its own flag that can be flown at any time. There is currently nothing to prevent a council from flying its own flag and, indeed, it is common practice in some councils already. Therefore, there is no need to legislate for it.

In conclusion, I commend parties on their mature approach to the first five parts of this debate. I appeal to them to revert to that and maintain that constructive approach as this Bill progresses to and through its next stage. I urge them not to be tempted — I reiterate tempted — into any knee-jerk reactions. People look here for leadership; let us lead and get through this groundbreaking piece of legislation that will transform local government and bring power closer to people. These amendments do the opposite of that. I, therefore, recommend that Members reject all four amendments.

Ms Lo: I will not be long, Mr Principal Deputy Speaker.

[Interruption.] That just killed it; I had better sit down.

[Laughter.] I am so disappointed with the change of mood compared with earlier this morning, from one of genuine cooperation among all the parties to this evening's mood of deep division and negativity. It is really depressing to hear the rants from the DUP and the TUV, one after another, on the same thing. There is nothing new coming from them. There is no leadership — no leadership — to move away from tribal politics to a shared future with a common purpose. It is really depressing, and I am beginning to wonder why I should stay in politics. *[Interruption.]*

Mr McCarthy: You stay where you are. You stay. We need you to fly the flag, Anna.

Ms Lo: Which flag? *[Laughter.]* It is very important also to point out that the events after the Belfast City Hall vote were very much the DUP's responsibility because it hyped up tension and fear in loyalist communities, particularly in east Belfast. Many would say it was the start of a campaign to try to win back the East Belfast Westminster seat, and I do not doubt that.

(Mr Speaker in the Chair)

Mr Eastwood mentioned the fact that the flags disturbances caused so much harm to our economy and to our reputation worldwide. I wonder what the public and the media made of today's debate.

The Alliance Party has been accused of putting forward amendments for electioneering purposes, to cause community divisions and even to undermine the Haass talks. I want to stress that the Alliance Party's policy on designated days, in line with other practices in the rest of the UK, has been there for 10 years. So, we are not being opportunist at this time.

Basil McCrea is quite right to highlight the inconsistencies of the UUP and, to a certain extent, the DUP in supporting designated days in the past. I want to point out, too, that it is the same for Sinn Féin and the SDLP, because they supported the policy of designated days in Belfast City Council. The Alliance Party put this forward in good faith and in the hope that we will show some leadership in the House — *[Interruption.]*

Mr Speaker: Order.

Ms Lo: — that we are moving forward, that we work for and represent everyone and that the flag issue is really not that important. *[Interruption.]*

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

Ms Lo: Go and talk to people in the community. They care about the delivery of services, jobs, the economy and welfare issues.

Mr McCarthy: Health.

Ms Lo: Yes, about health and about education. For God's sake — *[Interruption.]* — we have spent four hours — no, more than four hours — we have spent about six hours debating the flags —

Mr Allister: On a point of order, Mr Speaker. In the past, Mr Speaker, you have ruled on issues of language and language that can be offensive to others. Have you anything to say about what we have just heard?

Mr Speaker: I remind the Member and the whole House to be careful with their language and temper their language in the House.

Ms Lo: Thank you, Mr Speaker. I do not think that I have said anything wrong. *[Interruption.]*

Mr Speaker: Order.

Ms Lo: I am speaking the truth. Many Members dare to talk about the flag. Yes, it is a symbol, but, for many people, it is the bread-and-butter issues —

Mr Speaker: Order.

Mr Givan: On a point of order, Mr Speaker. The Member indicated that she does not know what she said. I will repeat it for her. She said “For God's sake”. For many Members, that is a special term to use, and to use it in the way in which that Member has just used it is offensive to many people in the House.

Mr Poots: Hear, hear.

Mr Speaker: Order. I have already said to the Member that it is important that she tempers her language.

Ms Lo: I am lost for words. *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Ms Lo: We need to get back to the real issues and the matters of importance to many of our constituents.

Mr Speaker: Before I put the Question, I remind Members that the amendment requires cross-community support due to a valid petition of concern and that it is mutually exclusive with amendment No 64.

Question put, That amendment No 63 be made.

The Assembly divided:

Ayes 9; Noes 86.

AYES

Unionist

Mr McCallister, Mr B McCrea.

Other

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Ms Lo and Mr Lyttle.

NOES

Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McKinney and Mr Milne.

Total Votes	95	Total Ayes	9	[9.5%]
Nationalist Votes	40	Nationalist Ayes	0	[0.0%]
Unionist Votes	48	Unionist Ayes	2	[4.2%]
Other Votes	7	Other Ayes	7	[100.0%]

Question accordingly negated.

New Clause

Mr Speaker: Before I put the Question, I remind Members that amendment No 64 will require cross-community support due to a valid petition of concern. Amendment No 64 proposed:

After clause 109 insert -

“PART 14A

FLYING OF FLAGS AT COUNCIL OFFICES

Flying of flags at council offices

109A.—(1) The Union flag shall be flown at the offices of any council as a minimum on the days on which and at the times at which they are required to be flown at United Kingdom government buildings in Northern Ireland.

(2) Except as provided in this Part, no national flag of any other country shall be flown at any council offices at any time.”— [Mr Elliott.]

Question put, That amendment No 64 be made.

Mr Speaker: Order, Members. I have been advised by party Whips that, in accordance with Standing Order 27(1A)(b), we may dispense with the three minutes.

The Assembly divided:

Ayes 46; Noes 47.

AYES**Unionist**

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES**Nationalist**

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Other

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr McKinney and Mr Milne.

Total Votes	93	Total Ayes	46	[49.5%]
Nationalist Votes	40	Nationalist Ayes	0	[0.0%]
Unionist Votes	46	Unionist Ayes	46	[100.0%]
Other Votes	7	Other Ayes	0	[0.0%]

The following Members voted in both Lobbies and are therefore not counted in the result: Mr McCallister, Mr B McCrea.

Question accordingly negated.

New Clause

Mr Speaker: Before I put the Question, I remind Members that amendment No 65 will require cross-community support due to a valid petition of concern. Amendment No 65 proposed:

After clause 109 insert -

“The flying of bespoke flags for the district council at council offices

109B.—(1) A council may commission and adopt a flag for use which represents the council district.

(2) The adoption of a flag for the council district must be adopted by resolution of the council passed by qualified majority.

(3) This flag may be flown from the council offices on any day that the council decides.

(4) Nothing in this section should be taken to prevent the flying of flags as specified elsewhere in this Act.”—
[Ms Lo.]

Question put, That amendment No 65 be made.

The Assembly divided:

Ayes 9; Noes 86.

AYES**Unionist**

Mr McCallister, Mr B McCrea.

Other

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES**Nationalist**

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McKinney and Mr Milne.

Total Votes	95	Total Ayes	9	[9.5%]
Nationalist Votes	40	Nationalist Ayes	0	[0.0%]
Unionist Votes	48	Unionist Ayes	2	[4.2%]
Other Votes	7	Other Ayes	7	[100.0%]

Question accordingly negated.

New Clause

Amendment No 66 proposed: After clause 109 insert

“Flying of the Union flag at Belfast City Council offices

109C.The Union flag shall be flown at Belfast City Council offices every day.”— [Mr Elliott.]

Mr Speaker: Before I put the Question, I remind Members that amendment No 66 will require cross-community support due to a valid petition of concern.

Question put, That amendment No 66 be made.

The Assembly divided:

Ayes 46; Noes 49.

AYES**Unionist**

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES**Nationalist**

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister, Mr B McCrea.

Other

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr McKinney and Mr Milne.

Total Votes	95	Total Ayes	46	[48.4%]
Nationalist Votes	40	Nationalist Ayes	0	[0.0%]
Unionist Votes	48	Unionist Ayes	46	[95.8%]
Other Votes	7	Other Ayes	0	[0.0%]

Question accordingly negated.

Clause 110 ordered to stand part of the Bill.

Clause 111 (Power to repeal provisions relating to surcharge, etc.)

Amendment No 67 made: In page 62, line 25, leave out "Article" and insert "Articles 18(1) and".— [Mr Durkan (The Minister of the Environment).]

Clause 111, as amended, ordered to stand part of the Bill.

Clauses 112 and 113 ordered to stand part of the Bill.

Clause 114 (Transitional rate relief in consequence of changes in local government districts)

Amendment No 68 proposed: In page 63, line 34, after "(2A)" insert

"for a rates convergence period lasting a minimum of three years".— [Mr Elliott.]

Question put, That amendment No 68 be made.

The Assembly divided:

Ayes 46; Noes 47.

AYES

Mr Allister, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Anderson and Mr G Robinson.

Question accordingly negated.

Clause 114 ordered to stand part of the Bill.

Clause 115 ordered to stand part of the Bill.

New Clause

Amendment No 69 made: After clause 115 insert

"Transferred functions grant"**Transferred functions grant**

115A.—(1) In the Local Government Finance Act (Northern Ireland) 2011, after section 27 (rates support grant) there shall be inserted the following section—

"Transferred functions grant

27A.—(1) The Department shall for any prescribed financial year make a grant under this section to councils.

(2) In this section "transferred functions grant" means the grant payable under this section for any financial year.

(3) The transferred functions grant is payable only to a council which is a new council within the meaning of Part 2 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010.

(4) The amount of the transferred functions grant payable to a council for any financial year is the amount equal to the difference between—

(a) the amount of the product of the district rate for that year (within the meaning of the Rates (Northern Ireland) Order 1977) so far as it relates to the rateable

net annual values of the hereditaments in the district of that council; and

(b) the amount which would have been the amount of that product if the total of the rateable net annual values of the hereditaments in the district of that council had been increased by a prescribed amount.

(5) Subsection (4) is subject to section 28 (reductions in grants) and to section 67(3B) of the Local Government Act (Northern Ireland) 2014.

(6) Payments in respect of transferred functions grant shall be made to a council at such times as the Department may determine.”.

(2) In section 28 of that Act (reductions in grants), in subsections (2)(a) and (6)(b) and in the heading for ‘or 27’ there shall be substituted ‘, 27 or 27A’.”.— [Mr Durkan (The Minister of the Environment).]

New clause ordered to stand part of the Bill.

Clauses 116 and 117 ordered to stand part of the Bill.

New Clause

Amendment No 70 made: After clause 117 insert

“Payments for special purposes etc.

Payments for special purposes and public appeals

117A.In the Local Government Finance Act (Northern Ireland) 2011 the following provisions cease to have effect—

(a) section 37 (payments for special purposes);

(b) section 38 (restrictions on power to make payments under section 37); and

(c) section 40 (limit on expenditure on payments under section 37 and on public appeals).”— [Mr Durkan (The Minister of the Environment).]

New clause ordered to stand part of the Bill.

Clauses 118 and 119 ordered to stand part of the Bill.

New Clause

Amendment No 71 made: After clause 119 insert

“Power to dissolve Local Government Staff Commission

Power to dissolve the Local Government Staff Commission for Northern Ireland

119A.In section 40 of the Local Government Act (Northern Ireland) 1972 (Staff Commission), after subsection (8) there shall be added the following subsection

“(9) The Department may by order make provision for, and in connection with, the dissolution of the Staff Commission and such an order may—

(a) provide for the transfer of the functions, assets and liabilities of the Staff Commission to any other body or person; and

(b) contain such incidental, consequential, transitional or supplementary provisions (including the modification or repeal of any statutory provision (including a provision of this Act)) as appear to the Department to be necessary or expedient.

(10) An order must not be made under subsection (9) unless a draft of the order has been laid before, and approved by resolution of, the Assembly.”.— [Mr Durkan (The Minister of the Environment).]

New clause ordered to stand part of the Bill.

Clause 120 ordered to stand part of the Bill.

Clause 121 (Schemes for transfers of assets and liabilities)

Amendment No 72 made: In page 66, line 14, leave out subsections (1) to (3) and insert

“121.—(1) The power conferred by subsection (4) is exercisable where it appears to any Northern Ireland department necessary or expedient as mentioned in section 123(1) or (2).”— [Mr Durkan (The Minister of the Environment).]

Amendment No 73 made: In page 66, line 27, leave out “paragraph (c) of section 123(1)” and insert “section 123(2).”— [Mr Durkan (The Minister of the Environment).]

Amendment No 74 made: In page 66, line 30, at end insert

“(6A) The Department of Culture, Arts and Leisure may make one or more schemes for the transfer of designated assets or liabilities of the Board of Trustees of the National Museums and Galleries of Northern Ireland relating to Armagh County Museum to the council for the district of Armagh, Banbridge and Craigavon.”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 75 made: In page 66, line 40, leave out from “means” to “that” in line 42.— [Mr Durkan (The Minister of the Environment).]

Amendment No 76 made: In page 67, line 1, leave out “it”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 77 made: In page 67, line 3, leave out “it”.— [Mr Durkan (The Minister of the Environment).]

Clause 121, as amended, ordered to stand part of the Bill.

Clause 122 (Compensation for loss of office or diminution of emoluments)

Amendment No 78 made: In page 67, line 11, leave out from “means” to “includes” in line 15 and insert

“includes the Local Government Staff Commission and”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 79 made: In page 67, line 18, leave out from “Act” to the end of line 22 and insert -

“or any other Act mentioned in subsection (1) of section 123;

(b) any transfer of functions or any statutory provision falling within paragraph (a) or (b) of subsection (2) of that section.”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 80 made: In page 67, line 28, at end insert

“(4A) Subsection (4) does not preclude the payment of compensation if it forms part of a severance arrangement which has been sanctioned by the Department. The Department must satisfy itself that the arrangement is reasonable.”.— [Mr Weir.]

Clause 122, as amended, ordered to stand part of the Bill.

Clause 123 (Supplementary and transitional provisions for the purposes of this Act and other purposes)

Amendment No 81 made: In page 68, line 12, leave out from “order” to “order” in line 38 and insert

“regulations make such incidental, consequential, transitional or supplemental provision as appears to the Department to be necessary or expedient for the purposes of, or otherwise in connection with—

(a) this Act;

(b) the Local Government (Boundaries) Act (Northern Ireland) 2008; or

(c) the Planning Act (Northern Ireland) 2011.

(2) Any Northern Ireland department may by regulations make such incidental, consequential, transitional or supplemental provision as appears to that department to be necessary or expedient for the purposes of, or otherwise in connection with—

(a) any transfer of functions to a local government body, whether they are functions of that department or not, coming into operation on or before 1st April 2015; or

(b) any statutory provision coming into operation on or before 1st April 2015 which confers functions on a local government body, whether this is expressed as transfer of functions or not.

(3) In this section “local government body” includes the Northern Ireland Housing Executive.

(4) Nothing in this section is to be taken as limiting the generality of any other statutory provision (including a provision of this Act) and nothing in any other statutory provision (including a provision of this Act) is to be taken as limiting the generality of this section.

(5) Regulations under this section which amend any statutory provision must not be made unless a draft of the regulations”.— [Mr Durkan (The Minister of the Environment).]

Clause 123, as amended, ordered to stand part of the Bill.

New Clause

Amendment No 82 proposed: After clause 123 insert

“Appointment of chair and vice-chair of district policing and community safety partnerships

123A.—(1) Schedule 2 of the Justice Act (Northern Ireland) 2011 (c.24) is amended as follows.

(2) After paragraph 10(2)(b) insert—

“(c) In this sub-paragraph, ‘in turn’ means in order of size, with size being determined by the number of seats won by each political party in the previous local government election, with the largest first, second largest second and so on. Where the number of seats won by two or more political parties is equal, the number of first preference votes cast in the council district for the parties at the last local government election shall be used to determine the order in

which each of those parties shall hold the relevant position.”.— [Ms Lo.]

The Assembly divided:

Ayes 43; Noes 51.

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Copeland, Mr Cree, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Gardiner, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, 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, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Noes: Mr McKinney and Mr Milne.

Question accordingly negated.

New Clause

Amendment No 83 proposed:

After clause 123 insert -

“Council websites

Council websites

123A.The Department must by regulations specify a standard format for the domain names of council websites.”.— [Mr Elliott.]

Question put, That amendment No 83 be made.

The Assembly divided:

Ayes 53; Noes 40.

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McKinney and Mr Milne.

Question accordingly agreed to.

New clause ordered to stand part of the Bill.

Clause 124 (Interpretation)

Amendment No 84 made:

In page 69, line 12, at end insert

"external representative", in relation to a council, has the meaning given by section 10(4);".— [Mr Durkan (The Minister of the Environment).]

Amendment No 85 made:

In page 69, line 17, at end insert

"local government body" means a local government body within the meaning of Part 2 of the Local Government (Northern Ireland) Order 2005;".— [Mr Durkan (The Minister of the Environment).]

Amendment No 86 made:

In page 69, line 27, leave out "section 103" and insert "sections 103 and 123".— [Mr Durkan (The Minister of the Environment).]

Clause 124, as amended, ordered to stand part of the Bill.

Clause 125 (Regulations and orders)

Amendment No 87 made:

In page 70, line 5, leave out "making" and insert "a Northern Ireland department makes".— [Mr Durkan (The Minister of the Environment).]

Amendment No 88 made:

In page 70, line 6, leave out "the Department" and insert "it".— [Mr Durkan (The Minister of the Environment).]

Amendment No 89 made:

In page 70, line 10, leave out "the Department" and insert "it".— [Mr Durkan (The Minister of the Environment).]

Amendment No 90 made:

In page 70, line 12, leave out "made by the Department" and insert "under this Act".— [Mr Durkan (The Minister of the Environment).]

Amendment No 91 made:

In page 70, line 27, at end insert

"() section 51;

() section 54;".— [Mr Durkan (The Minister of the Environment).]

Amendment No 92 made: In page 70, leave out line 33.— [Mr Durkan (The Minister of the Environment).]

Amendment No 93 made: In page 70, line 34, at end insert -

"(m) paragraph 4A of Schedule 4".— [Ms Lo (The Chairperson of the Committee for the Environment).]

Amendment No 94 made: In page 70, line 40, leave out "Department" and insert "Northern Ireland department making them".— [Mr Durkan (The Minister of the Environment).]

Clause 125, as amended, ordered to stand part of the Bill.

Clauses 126 to 128 ordered to stand part of the Bill.

Schedule 1 disagreed to.

Schedule 2 disagreed to.

Schedule 3 (Positions of responsibility)

Amendment No 95 proposed:

In page 74, line 6, leave out "unless" and insert "only if".— [Ms Lo (The Chairperson of the Committee for the Environment).]

Question put, That amendment No 95 be made.

The Assembly divided:

Ayes 9; Noes 84.

AYES

Mr Allister, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCallister, Mr B McCrea.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McKinney and Mr Milne.

Question accordingly negatived.

Mr Speaker: I will not call amendment No 96 as it is consequential to amendment No 95, which has not been made. Amendment No 97 proposed: In schedule 3, page 75, line 33, at end insert -

“(3) This paragraph does not apply in relation to a position of responsibility specified at section 10(1)(e) (member of a cabinet-style executive of the council) or section 10(1)(f) (external representative of the council).”— [Mr Weir.]

Question put, That amendment No 97 be made.

The Assembly divided:

Ayes 70; Noes 22.

AYES

Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Anderson and Mr G Robinson.

NOES

Mr Allister, Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCallister, Mr B McCrea, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Tellers for the Noes: Mr A Maginness and Mr McKinney.

Question accordingly agreed to.

Mr Speaker: I will not call amendment Nos 98 or 99, as they are consequential to amendment No 95, which has not been made.

Amendment No 100 made: In page 79, line 12, at end insert -

“(6A) In this Schedule ‘term’, in relation to a member of a cabinet-style executive of the council, means the period beginning with the date of the meeting at which the nomination is made and ending when the members of the council retire by virtue of section 11(2)(c) of the 1962 Act.”— [Mr Weir.]

Schedule 3, as amended, agreed to.

Schedule 4 (Appointment of councillors to committees, etc.)

Amendment No 101 made: In page 80, line 28, at end insert—

“4A. Regulations shall provide for the application of paragraphs 2 to 4 in circumstances where a council decides to appoint more than one Committee.”— [Ms Lo (The Chairperson of the Committee for the Environment).]

Schedule 4, as amended, agreed to.

Schedules 5 to 8 agreed to.

Schedule 9 (Minor and consequential amendments relating to local government audit)

Amendment No 102 made: In page 89, leave out line 20.— [Mr Durkan (The Minister of the Environment).]

Schedule 9, as amended, agreed to.

Schedule 10 (Transfer schemes)

Amendment No 103 made: In page 91, line 19, leave out “Northern Ireland department concerned” and insert “transferee”.— [Mr Durkan (The Minister of the Environment).]

Schedule 10, as amended, agreed to.

Schedule 11 (Minor and consequential amendments: general)

Mr Speaker: Amendment No 104 has already been debated and is consequential to amendment No 5 and the Minister's opposition to clause 8. Amendment No 104 made: In page 92, line 25, at end insert -

“Local Government Act (Northern Ireland) 1972 (c.9)

[A1]. In section 9 (vacation of office on account of non-attendance)

(a) in subsection (1), for ‘and (3)’ substitute ‘to (4)’;

(b) after subsection (3) add

‘(4) Any period during which a councillor is suspended or partially suspended under Part 9 of the Local Government Act (Northern Ireland) 2014 is to be disregarded for the purpose of calculating the period of six months under subsection (1) (and accordingly—

(a) a period during which a councillor fails to attend meetings of the council that falls immediately before, and

(b) a period during which a councillor fails to attend meetings of the council that falls immediately after, a period of suspension or partial suspension are to be treated as consecutive).’.

[A2]. In section 42 (councillors not to be appointed officers)

(a) after ‘paid office’ insert ‘office which is prescribed under section 4(1)(a)’;

(b) omit subsection (2).

[A3]. In section 143 (orders and regulations), for ‘115(2A)’ substitute ‘4(1)(a) or 115(2A)’.

[A4]. In Part 1 of Schedule 1 (declaration of councillor on acceptance of office), for ‘be guided by the Northern Ireland code of local government conduct’ substitute ‘observe the Northern Ireland Local Government Code of Conduct for Councillors (as revised from time to time)’.”— [Mr Durkan (The Minister of the Environment).]

Amendment No 105 made: In page 92, leave out lines 26 to 34.— [Mr Durkan (The Minister of the Environment).]

Amendment No 106 made: In page 93, line 8, at end insert -

“Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c.7)

3A. In section 17 (power to modify legislation), in subsection (2) in the definition of ‘local government legislation’, after paragraph (cc) insert

‘(cd) the Local Government Act (Northern Ireland) 2014;’.— [Mr Durkan (The Minister of the Environment).]

Schedule 11, as amended, agreed to.

Schedule 12 (Repeals)

Amendment No 107 made: In page 93, line 16, in the second column leave out “Sections 3” and insert -

“In section 4(1)(b)(i) and (ii), the words ‘or interim order’.
Section 7A.

Sections 11”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 108 made: In page 93, line 18, in the second column at end insert -

“Section 42(2).”— [Mr Durkan (The Minister of the Environment).]

Amendment No 109 made: In page 93, line 19, in the second column at end insert -

“In section 104(1), the words ‘any other council or’, and in both places where they occur the words ‘the other council or, as the case may be,’.— [Mr Durkan (The Minister of the Environment).]

Amendment No 110 made: In page 93, line 26, in the second column leave out “Articles 29” and insert

“Article 29(1).

Articles 31”.— [Mr Durkan (The Minister of the Environment).]

Amendment No 111 made: In page 93, leave out lines 30 to 33.— [Mr Durkan (The Minister of the Environment).]

Amendment No 112 made: In page 93, line 33, at end insert –

“The Local Government (Best Value) The whole Act.”.
Act (Northern Ireland) 2002 (c.4)— [Mr Durkan (The Minister of the Environment).]

Amendment No 113 made: In page 93, line 33, at end insert -

“The Local Government (Northern Ireland)
Order 2005 (N.I. 18)

In Article 5(1), (2), (4), (5), (6) and (8), the word ‘chief’,

In Article 25(1), the word ‘chief’.

In Article 26, in paragraph (2) the words “Department or the chief” in the second place where they occur and in paragraph (3) the word ‘concerned’.

Article 28(2) and (3).”— [Mr Durkan (The Minister of the Environment).]

Amendment No 114 made: In page 94, line 9, at end insert - “In section 13(3), the words ‘of a statutory transition committee’.— [Mr Durkan (The Minister of the Environment).]

Amendment No 115 made: In page 94, line 13, in the second column at the beginning insert -

“Sections 37 and 38.

In section 39, the words ‘Subject to section 40,’.

Section 40.”.— [Mr Durkan (The Minister of the Environment).]

Schedule 12, as amended, agreed to.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Local Government Bill. The Bill stands referred to the Speaker.

Adjourned at 10.53 pm.

Northern Ireland Assembly

Monday 24 March 2014

The Assembly met at 12.00 noon (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair).

Members observed two minutes' silence.

Assembly Business

Mr Allister: On a point of order. In regard to the veracity of designations in the House, is it the Speaker's expectation that a Member's designation should accord with their public declaration of political aspiration? If so, can you tell the House whether the Member for South Belfast Ms Lo has yet redesignated as a nationalist?

Mr Principal Deputy Speaker: I am sure that the Member knows quite well that, on the day of the first meeting of the Assembly on 12 May 2011, the ruling was that the designation of all Members of the Alliance Party was deemed to be "Other". I have been notified about no change to the designation of any Member of the House since then. Standing Order 3(8) deals with changes of designation. I recommend that Members study it or seek advice from the Business Office. I will take no further points of order on this issue. We will move on.

Executive Committee Business

Budget Bill: Royal Assent

Mr Principal Deputy Speaker: I wish to inform the House that the Budget Bill has received Royal Assent and will be known as the Budget Act (Northern Ireland) 2014.

Assembly Business

Mr Principal Deputy Speaker: Members may be aware that the Business Committee met earlier today and agreed to changes to the order in which today's plenary business will be disposed of. A revised Order Paper and indicative timings have been issued.

In short, the motion standing in the name of the Minister of Justice will be moved as the last item of business. Questions to the Minister of Agriculture and Rural Development will be taken at 2.00 pm, with OFMDFM questions following at 2.45 pm. I hope that all that is clear.

Ministerial Statement

North/South Ministerial Council: Special EU Programmes

Mr Hamilton (The Minister of Finance and Personnel): The North/South Ministerial Council (NSMC) met in special EU programmes sectoral format in Armagh on 6 December 2013. I represented the Northern Ireland Executive and was accompanied by junior Minister Jennifer McCann. The Government of the Republic of Ireland were represented by Brendan Howlin TD, the Minister for Public Expenditure and Reform.

The meeting began with a short presentation on the INTERREG IVa-funded Tellus Border regional mapping project. The chief executive of the Special EU Programmes Body (SEUPB) then updated Council on progress since the previous special EU programmes sectoral meeting in May 2013.

At the end of September 2013, the Peace III programme was 90% committed and the INTERREG IVa programme 93.7% committed. The importance of maximising full EU funding allocations was highlighted, and it was noted that, should all relevant approvals be obtained for projects currently under consideration, both programmes will be fully committed. It was noted that the 2013 target spend for the Peace III programme had been achieved. Although the INTERREG IVa target had not been met at the time of the meeting, it has also since been achieved.

Council noted that the INTERREG IV transnational and inter-regional competitive funding programmes were successful in providing an additional £9 million to Northern Ireland in the 2007-2013 funding period.

SEUPB's continuing efforts to promote the positive impacts of EU programmes, with two major conferences held in 2013, were welcomed.

Council was updated on the preparation work for the 2014-2020 INTERREG V and Peace IV EU programmes and advised of the intention to present the draft operational programmes to member states before formal submission to the European Commission. That will be preceded by public consultation and agreement of the Governments.

We received an update on the SEUPB draft 2014 business plan, the 2014-16 corporate plan and the provisional budget. Council noted the main priorities for SEUPB for 2014 and 2015: to achieve the objectives of the Peace III and INTERREG IVa programmes; to ensure the effective implementation of the 2014-2020 programmes; and to enhance the business performance of the SEUPB.

It was noted that agreement had been reached on the reduced SEUPB staffing complement and the opportunities for identifying additional efficiency savings.

The chief executive of the SEUPB informed Council that the SEUPB annual report and accounts for 2012 had been certified by Comptrollers and Auditors General in both jurisdictions and were to be laid before the Northern Ireland Assembly and the Houses of the Oireachtas. The documents were subsequently laid on 31 January 2014.

Council noted that Ministers remain supportive of the concept of the Narrow Water bridge project, but, given regulatory and time pressures, the priority for the INTERREG IVa programme is to ensure full programme allocation and that moneys are spent in the eligible time frame.

Council approved Safefood's 2013 business plan and budget provision and the recommended appointments to the board of the trade and business development body, InterTradeIreland.

The Council agreed to hold its next special EU programmes meeting in May 2014.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement.

As a result of the cuts to the European budget, which the Minister's party supported, there will be less money for such programmes going forward. On that basis, what assurances can the Minister give the House that the application process will be simplified and speeded up and that the DFP bureaucracy that many community organisations have had to face will be a thing of the past?

Mr Hamilton: The Member is right to identify that there have been general cuts. I welcome the fact that the EU budget is reducing. Although that is to be welcomed across the Union, it is not having the same level of detrimental effect on these two special EU programmes. INTERREG's spending envelope for the 2014-2020 period is likely to be in and around what it currently is, which is over €200 million. For Peace funding, €150 million was confirmed by the European Commission itself. That has been topped up further by a contribution of £50 million from the UK national allocation agreed as part of the economic pact in June last year.

I agree with the broad sentiment that, in a situation in which there is less money — this is a principle that I would apply not just to European funding but to all expenditure by Departments in this place — it should be subject to minimum bureaucracy. I do not accept the term that the Chairman used, "DFP bureaucracy". I make no apology, however, for ensuring that, in so far as is possible, the expenditure of public money is subject to a degree of scrutiny to ensure that it is spent appropriately. However, I do not want bureaucracy get to a level at which it impedes expenditure or results in money being unnecessarily spent on administration.

I do not accept the term "DFP bureaucracy", because, as the Chairman will appreciate, a lot of the bureaucracy — to use that term — flows principally from the European Union and the fact that there is usually a cross-jurisdictional element to a lot of this expenditure, which can only add to that level of administration. Let me put it on the record that

nothing that I will seek to do in DFP — I cannot speak for other Departments — will build up or enhance the level of red tape and bureaucracy. I want to see it streamlined and slimlined.

Mr Girvan: I thank the Minister for his statement. Why do applications seem to take so long to proceed for INTERREG IVa and what can be done to speed that up? I appreciate that he mentioned an enhanced business performance programme for SEUPB, and I know that that needs major scrutiny.

Mr Hamilton: There is a bit of a theme developing. Assessing some of the tricky applications that are cross-jurisdictional do take time, just by their very nature, particularly because the process usually requires an economic appraisal to be carried out so that we can establish through that appraisal that the projects represent good value for money. I reiterate the point that INTERREG IVa, which the Member mentioned, involves significant volumes of public expenditure. We have to ensure that there is a level of scrutiny that is commensurate with the level of public money that is being spent on a programme. It is important that we do that.

As I said to the Chairman, notwithstanding my role in driving efficiencies and reform right across our public sector, more can be done and should be done, and I want to see more being done. I accept that there have been some concerns about the level of bureaucracy or the time, as the Member mentioned, that it takes to get applications from concept stage to the money being spent on the ground and finalised. Recognising that over the last INTERREG IVa period, a number of measures were put in place to help reduce the time taken to process applications. For example, SEUPB and accountable Department economists worked in parallel to agree final versions of each appraisal, rather than them doing it separately and at different times. DFP also introduced a delegated limit of £1 million for SEUPB for projects under assessment in the public sector collaboration theme. So, for projects under that limit, DFP assessment was not required, the aim being to speed things up. SEUPB also implemented a two-stage call with the aim of reducing assessment time. That process involves sifting out the lower-scoring projects in the first stage and bringing forward only those projects with the substantive potential for achieving the funding threshold on all relevant approvals.

Ongoing work on the development of the next INTERREG programme for the funding period 2014-2020 is actively looking at the assessment process and other ways in which we can streamline it further.

Mr Byrne: I welcome the Minister's statement updating the House on the EU Special Programmes Body. With regard to the Narrow Water bridge, the Minister said that regulatory and time pressures are still a problem. What can be done to get that logjam relieved and is he committed to the project?

Secondly, with regard to another cross-border project between Donegal County Council and Strabane council with regard to the riverine project at Lifford bridge, will the Minister update us on where that project is and how committed the Executive are to it?

Mr Hamilton: I will work in reverse. I am not aware of the details of the Donegal/Strabane project that the Member

highlighted. I am happy to seek an update on that and pass it on to him.

With regard to Narrow Water bridge, at the sectoral meeting and the previous plenary session of the North South Ministerial Council, Ministers committed themselves to the concept of the Narrow Water bridge. It is unfortunate that, because of a myriad of problems, not least the huge funding gap between what was allocated to the project and the lowest tender price, it proved an unsurmountable problem. Unfortunately, given the very tight time constraints that there were in making sure that money for INTERREG was spent on time — the funding had to be spent by 31 December 2015 — and given the substantial funding gap and no likelihood of bridging it, if you will excuse the pun, I think that SEUPB took the right decision to withdraw that funding letter of offer to ensure that money could be spent on projects on time.

12.15 pm

Although I do not wish to dash the ambitions of people in that part of County Down or, indeed, County Louth, I think that it must be borne in mind that the money is not there now for that project under INTERREG IVa. There is nothing to preclude them from bidding for future schemes under, say, INTERREG V. However, there will be the caveat, of course, that money is limited for that as well and that they will be up against other projects that may be assessed as a higher priority and of better standing. It is unfortunate that the Narrow Water bridge project was unable to go forward under the scheme. However, I think that withdrawing the letter of offer was the right thing to do to ensure that the money was not lost to Northern Ireland or, indeed, to Ireland and could be spent on good, viable projects.

Mr Cree: I, too, thank the Minister for his report. I notice that both the Peace III and, indeed, the INTERREG IVa spend targets have been achieved. The Minister went on to say that it is important that the full programme allocations of money are spent within the eligible time frame. How can any shortfall in the programme be picked up? Is any flexibility built in to pick up any shortfall between the spend targets and the actual moneys that are to be spent so that no money goes back or remains unspent?

Mr Hamilton: I presume that the Member is referring to situations such as that that Mr Byrne referred to, whereby a project that was earmarked to go ahead does not. The process that we used for the Narrow Water bridge project, although far from ideal, is an example of having committed to expenditure on a project and wanting to see those moneys spent on it. A lot of money will have been spent even to take a project to a certain stage. Therefore, for it not to go forward causes all manner of problems.

Obviously, it was the case with not only the Narrow Water bridge but the Maze peace centre that money had been allocated and was then withdrawn. Other projects had been assessed as being over the line, so to speak, in meeting the requisite criteria, but not enough funding was in place initially to fund them. Certainly, that was the case with the Peace III money that was not spent on the Maze. Projects that were further down the list initially were able to be brought forward to have money spent on them. Clearly, the closer that you get to that expenditure deadline, the harder it is to get that money out the door. Obviously, in this place, we know that it is more difficult to get money spent closer to the end of the financial year. Sometimes

the project that it is spent on is perhaps not as good a project or as high a priority as it might otherwise have been.

Mrs Cochrane: I thank the Minister for his statement. A number of Members already touched on some of the issues that I was going to raise. A number of groups that carry out good relations work have expressed concern about the potential gap in funding in the time between Peace III and Peace IV. Can the Minister tell the House whether there has been discussion about how to resolve that?

Mr Hamilton: I have actually received some correspondence from various Members on that. I am not sure whether I have received correspondence from the Member herself on the issue of a gap, or a perceived gap, in funding between Peace III and Peace IV. The truth, of course, is that there is no gap in funding because funding is allocated not to organisations but to specific projects. Obviously, all projects that are funded through Peace III will end when that programme runs out. Although some of the work that organisations do might be picked up again in Peace IV and carried out by some of the same organisations through funding under that programme, there is no gap as such. There may be a gap in time between Peace III and Peace IV, but I do not see it as an obligation on our part to bridge a gap, because no gap exists to bridge. They are discrete pots of money funding discrete and different projects.

Mr Weir: In his statement, the Minister referred to the meeting being updated on the preparation work for INTERREG V between 2014 and 2020. Can he tell the House which themes have been identified and are being considered for INTERREG V?

Mr Hamilton: I thank the Member for his question. The focus of future sectoral meetings — I include the anticipated meeting in May — will switch from Peace III and INTERREG IV to themes and priorities for Peace IV and INTERREG V. Development of the new programmes is being led by a steering group, under the SEUPB chairmanship, with members from sponsor Departments in Northern Ireland and the Republic of Ireland. Scottish Government officials will be involved in the INTERREG element.

Three initial themes emerged from a 2012 consultation: research and innovation; environmental protection and resource efficiency; and social inclusion and combating poverty. We need to scrutinise those themes. It is important to say that themes, whether there are three, four, five or however many, need to fit with the criteria, such as government priorities and how capable they are of absorbing the money that is set aside for them in the programme.

I have no objection to the three themes of research and innovation, environmental protection and social inclusion that were identified in and emerged from the initial consultation, but I think that this is an opportunity for us also to use some of the funds, particularly through INTERREG V, to focus much more on developing our economy. That has come out in consultations with other Departments in Northern Ireland. So the focus would be on, for example, transportation infrastructure, telecommunications, energy or themes from other Departments. I am keen to have those other emerging themes reflected in a further consultation that will be carried out on INTERREG V.

Mr I McCrea: The Minister said in his statement that the Peace III programme had achieved its target spend for 2013. If he has it, can he provide a breakdown of the community uptake of Peace III funding?

Mr Hamilton: I know that issues around community uptake and the perceived lack of funding, particularly on the Protestant side of the community — I do not think that it is a perception; it is more of a reality — have been a concern since Peace I, which predates the Member's and my time in this place.

When you look at the funding uptake figures for Peace I, you see that an estimated 56% went to the Catholic community and 40% went to the Protestant community. That has improved over time, with the uptake of Peace II funding being a little bit higher on the Protestant side.

For Peace III, it is estimated — it is only an estimate because it is still working through — that 54% of funding went to the Catholic community and 46% went to the Protestant community. So there was a slight uplift in Protestant uptake. It is worth noting that there are no set targets for one community to get this level of funding and the other community to get another level of funding. Projects are assessed to see whether they reflect the programme's overall aims and objectives.

I would like to point out that, after recognising that there was a problem with the uptake and the quality of applications from the Protestant community in particular, SEUPB carried out a lot of work, through the Peace III project, to seek out quality applications from all sections of the community. That has reaped benefits, particularly with good, solid applications from the Protestant community. The Member will recall successful applications by, for example, the Grand Orange Lodge of Ireland for some interpretive centres and by the Apprentice Boys of Derry for the memorial hall in Londonderry. So there has been a marked increase in uptake and in the quality of projects from the Protestant community.

Ms Boyle: Go raibh maith agat, a Cheann Comhairle.

I thank the Minister for his statement. One of the areas prioritised for funding is young people. Can the Minister elaborate on any future funding for projects to address areas of high unemployment among our young people?

Mr Hamilton: As I said in the statement and in response to questions, we are still developing themes for targeting funding through the Peace IV programme. The hope or intention is to specifically target the UK Government's contribution or top-up of £50 million at meeting some of the objectives in the Executive's Together: Building a United Community (T:BUC) strategy.

The Member will recognise that T:BUC focuses considerably on young people, including some of the barriers they face in getting into employment, the benefit of young people in employment making a useful contribution to society and the beneficial impact that can have on community relations.

On those themes, it is important that we focus on positive outcomes, as opposed to one sector getting a certain amount of money or another sector getting a different amount. In taking forward Peace IV and targeting some of the T:BUC themes, a lot of which reflect the needs of young people and young people's projects, I anticipate that a significant tranche of money will go in that direction,

particularly into the areas of unemployment and skills that the Member talked about.

Mr Allister: This is a report on a meeting held three and a half months ago, yet there has been no explanation for the delay in reporting to the House, or any regret about it. The statement is also notably different in some respects from the joint communiqué that was issued after the December meeting. For example, it said of Peace IV and INTERREG V that the operational programme would be presented to the Executive "by early 2014". Has that happened? If not, what now is the timescale? If it has happened, will the operational programme be published? Can he confirm whether the proposition that Belfast should be included within the eligible area for INTERREG V has been agreed by the Commission?

Mr Hamilton: This moment will go down as the first time ever, I think, that I have heard the Member encourage cross-border activity to be reported to the House. He seems unusually enthusiastic after earlier criticising the united Ireland credentials of the Alliance Party. Perhaps his close proximity to the Alliance Benches and the reflection of Mrs Cochrane's jacket are encouraging the Member to go down a wholly uncharacteristic route. More than that, he is enthusiastic for European information to come to the House. That, again, is uncharacteristic for the Member. If some of the rumours that he will again run for the European Parliament are right, perhaps it will be a different Mr Allister and a different platform that he will be running on — one on which he will want to see European information brought forward.

The operational programme has yet to be agreed, although I understand that papers have been issued. Certainly, in the past number of days, I signed off on my element of them to go to Executive colleagues. It is still only March and, therefore, by my reckoning, the calendar is still in early 2014. Agreement to include Belfast in INTERREG Va is included in that, and I very much support Belfast projects being able to avail themselves of INTERREG Va funding. That is not least because, if we go down the theme of research and innovation, with our universities being located in Belfast, there will be an opportunity for them to avail themselves of much more funding through INTERREG Va than might have been the case in the past. I hope that that gets agreement and proceeds.

Mr Ross: In reply to Mr Leslie Cree, the Minister referred to the withdrawal of Peace III funding for the Maze proposals. Will the Minister give us details of projects that are now likely to benefit from that withdrawn funding?

Mr Hamilton: There has been some discussion about the reallocation of the Narrow Water bridge and Maze/Long Kesh funding. The statement does not refer to them explicitly, but I am content to indicate that the Maze Peace III funding will go in four different but three main ways, the first of which is to Newtownabbey Borough Council. I should say that all of these projects remain subject to final departmental approvals but, to pick up on the point that I made to Mr Cree, these are the next in line for funding, as it were, and we are hopeful that they will gain approval.

12.30 pm

It is hoped that around £3.6 million will go to Newtownabbey Borough Council for its Voices from the Valley Park redevelopment, which is located not far

from the Member's constituency. It is a project that I am reasonably familiar with, having had conversations with officials from the council, and one that I am supportive of. Hopefully, there should also be funding of £7.4 million to the Return of the Earls project, which is in the Dungannon and South Tyrone Borough Council area and looks at the development of shared spaces and community integration, and a £2.01 million allocation to the PSNI for its risk avoidance danger awareness resource (RADAR) project, which works with young people in interface areas. There will hopefully be some topping up of other schemes that were not allocated full funding previously. Now that there is funding available, they will perhaps be able to get 100% of their application as opposed to 75%.

As for INTERREG IVa funding and the Narrow Water bridge project, it has been well trailed in the press that we are looking at approximately €20.8 million of allocation to railway-related projects. One is the Enterprise upgrade, which will take the bulk of the money — €14.6 million — and there is the upgrade of the Drogheda viaduct, which the trains go over, at around €6 million.

Mrs D Kelly: I do not know whether the Minister would characterise the failure to agree the business case as a crisis within the Executive or not.

The Minister referred to the Peace IV programme. Can he detail any of the lessons learned from the last programmes and where the main thrust of the funding will go in the next round? I am disappointed that we still talk about what the Catholic community gets and what the Protestant community gets when this is a peace-building programme and should, therefore, be about not a shared-out future but a shared future.

Mr Hamilton: Given the nature of the community that we have, and given the nature of Peace funding in that it is supposed to have helped us to develop capacity in peace-building in our community, I think that it is important that Members ask, as Mr McCrea did, whether the uptake of funding is being monitored closely by the SEUPB, particularly as the Protestant community side of things has been habitually under-represented. That monitoring should ensure that there is no reason for that to be the case, so that we do not see further slippage in allocations to the Protestant community, otherwise the very objectives of the Peace programme would not be met in and of themselves.

When the initial tranche of Peace funding was secured many years ago, I do not think that anyone thought that we would be standing here contemplating what Peace IV funding would include. I agree with the Member that there are lessons that we should be learning from previous Peace programmes. Perhaps they have not always achieved some of the initial objectives that were set for them, which may reflect some of the slowness of progress that we have made ourselves in this society. However, one lesson that I want to see learned in taking forward the Peace programme is that we focus much more on an outcomes-based approach. I agree that we should not be judging projects on the basis of which community they come from, but they should produce defined outcomes that are helping to build peace and, hopefully, prosperity in the community.

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

Private Members' Business

Fostering Services

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Miss M McIlveen: I beg to move

That this Assembly welcomes the recent Regulation and Quality Improvement Authority report on statutory fostering services and its recommendations; notes with concern the lack of a retention and support strategy for foster carers and the identified need for more investment to transform foster care to a modern, highly skilled, child-centred service; further notes the continued need to fully value the role of carers in looking after the most vulnerable children; and calls on the Minister of Health, Social Services and Public Safety to outline his plans and programme of investment to meet the needs of fostering services.

There are over 2,000 non-relative and kinship foster carers in Northern Ireland who, each day, week, and year, provide much-needed love, support and kindness to the children and young people in their care. I want to pay tribute to the work and dedication of staff from the health and social care trusts in promoting, recruiting and supporting foster carers in their roles and tasks. I also pay tribute to the Fostering Network, which is the membership organisation for all foster and kinship carers in Northern Ireland.

On one level we are all familiar with fostering, but how often do we stop to think about the reality of providing a home for children who cannot live with their birth parents? We are often unaware of the level of skill, commitment and, sometimes, sheer tenacity that is required to help children and young people to settle in an unfamiliar home and to assist them to work through the range of feelings that come with no longer being able to live in their own home — feelings like anger, guilt and relief.

Although we put a range of support services in place, it is foster carers and foster families who are there at breakfast time when a child struggles to eat or does not want to face school, when they are upset or withdrawn, when they are angry or when they cannot sleep. It is foster carers who work to build real relationships with children and young people that will last not just for the time of a placement but beyond it.

Fostering in this sense is simple and complex, private and public. Uniquely of our care services, it sits firmly in the public domain and yet operates in private family homes. Foster carers are not employees but not fully volunteers. They deliver the duties of a corporate parent, which is us — the Assembly and the Executive. They undertake a huge responsibility on behalf of us all, and it is essential that they are trained, supported, valued and remunerated.

The relationship of the state to its children in care is exceptional. When the state decides to intervene in the life of a child, it starts a unique, long-term relationship that it must honour. Of the 2,807 children and young people in

care in Northern Ireland, 2,111 live in foster carers' homes. They are cared for by non-relative and kinship foster carers. Fostering is now, without doubt, the backbone and linchpin of services for children in care. Seventy five per cent of all children in care will live with foster families, and that is why I particularly welcomed the Minister of Health, Social Services and Public Safety's decision to ask the Regulation and Quality Improvement Authority (RQIA) to undertake the first ever review of statutory fostering services. I tabled this motion to consider its recommendations and the need for investment in this vital service.

This was a comprehensive baseline review, covering almost every aspect of fostering in Northern Ireland today. The vast majority of what I have to say reflects and is drawn from the comments of the review team in the report. The review generated 46 specific recommendations. I cannot possibly address all of them this afternoon, but it is an indication of a service that is under strain. I will highlight a small number of recommendations that I consider most significant, and I am sure that other Members will highlight other matters. I am keen to hear from the Minister how these recommendations are to be progressed and monitored.

During the review, the Health and Social Care Board indicated that the foster care service is under strain due to an increase in the number of looked-after children and the complexity of their needs, the challenges in recruiting and retaining foster carers, and the decrease in the number of residential care placements. It was clear from the report that, despite foster carers being a scarce resource, a retention strategy was not evident in any trust. The report recommended that such a strategy was required as a priority and should include adequate remuneration, training, support to deal with challenging behaviours and respite.

The report also recommended methods to enhance the status of carers and recognition of the carer's role and capacity to meet the needs of children in their homes. This means properly reviewing the role of the foster carer, treating them as part of the team around the child and creating mechanisms to allow and value their input. I ask the Minister to indicate when a retention strategy might be expected. If the issues of valuing and retaining carers are not addressed, those who leave fostering will not be replaced at an adequate rate. Four new foster carers are needed every week in Northern Ireland just to keep pace with demand.

I am concerned that the review team queried the lack of basic data on the age, cultural and geographical distribution of carers and on the spectrum of provision, such as those providing long- and short-term care, the training needs of carers and the areas of expertise. Furthermore, no up-to-date figures were presented by trusts on carers who retire or stop fostering. As the review team noted, that makes it difficult to plan ahead and shows the need for a more robust infrastructure to support fostering and foster carers. We know, however, that the number of children coming into care has continued to increase and that foster care, kinship and non-relative, is a priority in Transforming Your Care. The need for additional investment in foster care and fostering services is highlighted in the report and has also been raised by the Health and Social Care Board (HSCB). Without doubt, it requires a clear plan for action. The investment is not

just the responsibility of health and social services but, as the ultimate corporate parents, the responsibility of the Executive.

Since 2008, the number of children in care has increased by 15%. That alone could add significant strain to services. However, in the same period, the proportion of children in foster care placements increased by 18%, and those in other placements decreased by 15%. The increase in those in kinship foster care placements has created an additional pressure in the system given that those carers will be assessed and approved for specific children. As a consequence, the number of social worker assessments required to generate the same number of placements has increased substantially. Although the increased number of children living in kinship foster care arrangements in their wider family is to be welcomed, there must also be a recognition that broadening out the service to include promoting and supporting kinship care requires additional capacity from social work teams. A clear indication of the additional capacity and investment needed is the review team's concern at the 276 kinship placements that are not yet formally approved by the fostering panel. The very limited usage of independent fostering providers, of whom we have only four in Northern Ireland, is also highlighted. Only 6% of children in foster care are currently placed with independent fostering agencies. That is not the case in GB, where independent fostering provision represents from 25% to 50% of all placements, and research by Sellick in 2011 demonstrates the role of a mixed economy of care in driving up standards. In recent months, there has been a decrease in the number of independent providers, and I ask the Minister to ask his Department to consider undertaking a review into the role, use and funding of independent foster care provision as one element of addressing the strain on and capacity of fostering services.

All those issues impact directly on children who are at the heart of the service. Not enough carers means that too many children may not find the right carer to meet their specific needs. That could lead to placement breakdown and children having to move to another carer, which could cause adverse impacts. The report highlights placement moves as an issue of concern and, worryingly, indicates that some of those were due to financial pressures in the trusts. The review drew on research that shows that multiple moves have a negative impact on children's well-being, self-worth and outcomes. Financial pressure should not outweigh a child's welfare as a factor in determining a child's placement.

The report contains many other important issues that need to be taken forward. Perhaps it is best summed up by the call from the review team:

"Changes need to be made to transform foster care from a volunteer-based service, to a modern, highly skilled, child centred service that places foster carers at the centre of the professional network."

I ask the Minister to outline his Department's plans to ensure that that is achieved.

One child in foster care said:

"My foster carer is a light in an empty room".

That is why the report is important, and it is vital that we invest in fostering to enable it to become the modern,

highly skilled, child-centred service for all those children who require a light in an empty room.

12.45 pm

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I thank the proposers of the motion and welcome the opportunity to have this important debate.

I have no doubt that there is concern throughout society that the need for foster care arrangements outstrips the availability of places. The motion rightly refers to the need to value the role of carers who look after the most vulnerable children and the need for a support strategy for foster carers. However, I must point out that this is the second time that the issue has been brought to the Floor. I hope that we will hear directly from the Minister today about progress made and the actions that will flow from the report's recommendations. I look forward to his comments.

A number of the references that I had listed have already been made, and I do not want to repeat them. However, we should reflect on the total number of children in care in the North of Ireland, which is 2,807. The total number living in foster care is 2,111. Since 2008, there has been a 15% increase in the number of children in care. That is a substantial increase over a short period. There has also been an 18% increase in the number of children in foster care since 2008. We heard from the Member who moved the motion that 200 new carers are needed to keep pace with demand this year. That, the statistics tell us, equates to four new carers every single week.

It has been outlined that there are various subsections of carers: non-relative carers and kinship foster carers. Today, I want to focus on kinship foster carers. Between March 2011 and September 2012, there was an increase of 14% in kinship foster carers, and a decrease of 53, which is 5%, in non-kinship placements. That suggests that there is quite a high demand for kinship care places and arrangements.

This was the first ever review of statutory fostering services across the North. The report has made 46 separate recommendations for trusts, the health board and the Department on the delivery of fostering services. There is clearly a need for investment, basic information, a retention strategy, reflection on placement moves and the professionalisation of the service. Those points are well reflected in the report.

I want to single out the role of kinship care. We are told that 80 children were adopted from care during the year ending March 2013. That is 28 children more than in 2012. Some 54 of those children were adopted by their foster carer in 2012-13, which represents 61% of all adoptions. During 2012-13, some 3,664 referrals were made to children's services, which is an increase of 6% on 2011-12. We can all suggest and pontificate about the reasons for that. It is also a rise of 34% on the figure for the year 2007-08.

However, the figures become less clear when we examine the issue of kinship care. A person will be considered a kinship foster carer if they have been requested by social services to care for a child who is either related to them or connected to them through friendship. All children in anyone's care will be subject to the procedures for looked-after children. However, research in a Bristol University

report, 'The Poor Relations? Children and Informal Kinship Carers Speak Out', reveals that outcomes for children in kinship care are better than those for children in other foster care. That is in spite of the fact that most children and young people being cared for by kin receive little or no support from anyone.

I think that is the key message in this debate today: there is little or no support by anyone. I urge the Minister to address, through due process, investment and strategy, the 8,000 to 10,000 kinship care arrangements that exist in the North of Ireland.

Mr McKinney: I welcome the opportunity to take part in this debate and I support the motion. The case for improved fostering services here was greatly enhanced by the RQIA report, and the SDLP welcomes its findings.

The role of Health and Social Care (HSC) in situations where, for whatever reason, parents cannot continue to look after their children remains critical. The trust's role as a corporate parent must be exercised to the benefit of vulnerable children and young people who have been removed from their immediate family environment, which is often a very turbulent experience. There is clearly a need to attract families and individuals to register for fostering, and, as the proposer and the Health Committee Chair pointed out, there are four foster families needed each week to keep up with demand. As of March 2013, there were just over 2,800 looked-after children here. Seventy-five per cent of those were in foster care placements, which represents an increase of 131 from September 2012.

The RQIA report has found that the number of children being taken into care is rising and that finding placements for foster carers who wish to retire continues to present a real challenge. That is highlighted by the fact that, between 2011 and 2012, only half of those who requested an information pack entered the fostering process. Uptake does not always match demand, and it might be worth interrogating that statistic to see what the problem is.

The SDLP recognises that efforts are being made to recruit new foster carers but echoes the concerns of the report that no regional strategy exists to retain current foster carers. Once again, is that part of the problem? One of the reasons why the retention of foster carers is crucial is that it would create a pool of experienced carers that trusts in their totality could draw on, increasing the overall expertise in fostering services immeasurably.

Two further problems unearthed by the RQIA report were information sharing and communication between trusts and the health board. While the Health and Social Care Board has set out six high-level outcomes in its vision for the future of fostering services here, knowledge of those outcomes and Health and Social Care Board strategy was not evident in trust employees. Again, is that part of the problem? That needs to be rectified by the Department if a coordinated and consistent approach is to be applied on the matter.

The motion today reflects directly on the RQIA report in calling for the transformation of fostering services into a modern and highly skilled child-centred service, as articulated by the proposer. There is much that needs to change if that is to be achieved. The concerns of foster parents must be addressed. They have indicated that they sometimes feel under pressure to take children, who may have had two or three previous carers and present unique

difficulties in terms of appropriate care. Taking care of a child can often present intricate problems — that is the case even when you are just a parent — and the trust as a corporate parent should have a responsibility to help foster carers to respond to a child's problems and to provide constant support.

Foster carers have also expressed concerns that forward planning can pose a significant problem. For example, an issue that otherwise would be one of the most simple things for any ordinary parent to participate in is signing agreements of consent for school trips. Foster carers have indicated that clear guidance is not given in that situation, and that, too, must be rectified by the Department.

The issue here where we strongly agree with the motion is support. When a foster carer admirably steps forward to take care of a vulnerable child, both parties need appropriate and sustained support to ensure the best levels of care. The uncertainties that are often expressed by foster carers need due care and attention. The SDLP notes that the RQIA review found that training, in the first instance, for foster carers was good but is concerned by the lack of a support strategy. Such a strategy would especially help first-time foster carers who may lack experience in the broad scale of issues that may arise with any child or young person.

I will also touch on kinship care. That can be very beneficial for the child, as they often already have a strong and positive relationship with the prospective carer.

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

Mr McKinney: Foster carers provide an invaluable service by looking after some of the most vulnerable children and young people here, and they deserve a robust support strategy.

Mr Gardiner: Whenever we talk about foster care in Northern Ireland, we need to remember that there are four times as many children living in kinship care as there are living in foster care and that that number is on the increase. Only one third of the children who are being looked after by relatives are in formal kinship care arrangements. In 2001, the number of children being looked after by relatives was 5,200. More recent figures suggest that that figure has risen to as high as 10,000. Half are being cared for by a brother or sister, 41% by grandparents and just 1% by other relatives. The problem that I want to focus on is that kinship care families are more likely than average families to experience poverty. That helps to reinforce the vicious circle that leads to those children being in kinship care in the first place.

Informal kinship carers often have to operate in an atmosphere where they do not have formal legal rights for the child's welfare. For example, they may not have the right to consent to medical treatment for the child. Where normal kinship care arrangements are in place, the health and social care trust, acting in place of the parent, can delegate the authority to the carer.

The other point that we need to remember is that informal kinship carers often have to operate in the context of very complicated and difficult family circumstances. Very often, the informal kinship arrangement increases the stresses and tensions in the wider family. Thus, the child can be brought up in an atmosphere of stress. That can

be damaging to the child's emotional and intellectual development.

Foster carers are paid a maintenance allowance of between £114 and £168 a week, depending on the age of the child that is being cared for. In an informal kinship arrangement, the carer might be able to claim child benefit for the child but only if the parent is not already doing so. Financial support, therefore, becomes a matter of negotiations within a wider kinship unit. That is a far from desirable situation, because there are no guarantees of a financial safety net for the child.

So, my appeal today is for those children who are in informal kinship arrangements. There are so many of them in the context of the total number in care. Remember that there may be as many as 10,000 of these vulnerable children. That compares with 1,900 approved foster families and with 717 informal kinship care arrangements. We need to establish a formal safety net for those situations, and we should make that a priority. I support the motion and congratulate the Member who brought it to the House.

Mr McCarthy: On behalf of the Alliance Party, I will speak in support of the motion and express my gratitude to Michelle McLveen and Jim Wells for getting this important motion to the Floor this afternoon.

The motion is very comprehensive. It acknowledges the contents of the RQIA report while voicing concerns about the future of a modern foster care service for children. Equally important is how the authorities have valued the role of our carers for vulnerable children until now.

It is unfortunate that, for whatever reason, Northern Ireland has so many young people needing care in one way or another. This time last year, it was estimated that 2,807 youngsters needed care. That means that, as other Members said, there is a need for four new foster families each week to provide care for those vulnerable children.

That is a very big ask.

1.00 pm

Let me put on record our thanks to the vast majority of our families, who do sterling work in raising, educating and making good citizens of our children in general, despite the ever-changing and sometimes dangerous society that our young people face, the latest craze being the social media and internet facilities. I also commend all those who foster young people, including, as has already been mentioned, kinship care and others who bring children into their homes to live alongside their families and provide a good home and all the opportunities open to them all. There are also voluntary and statutory groups throughout Northern Ireland that deserve enormous credit for the work that they do with young people who, for whatever reason, find themselves outside the environs of a warm and loving family home.

I welcome the RQIA report and its 46 recommendations for our health and social care trusts. We sincerely hope that those can be implemented at an early date, alongside the recommendations assigned to the Department. The motion asks for a support strategy for foster carers and for investment to transform foster care into a modern, highly skilled and child-centered service. It is vital for the Department and trusts to offer nothing but the best provision and facilities to all our foster carers, like our

carers for the elderly and people with a learning disability. All too often, those fantastic dedicated people are taken for granted. They do exemplary work for very little remuneration and save the state millions of pounds a year. That must not be allowed to happen to those who work in fostering.

So much has been said recently about the journey that we are all on with Transforming Your Care. I am slightly disappointed that very little is said about the family and childcare issue in Transforming Your Care, other than number 49 in the summary of key proposals, which states:

"Promotion of foster care both within and outwith families."

That is a pretty short statement on such a huge and important issue. I sincerely hope that its brevity is not a sign of a lesser acknowledgement of the subject.

At the moment, there is a consultation out on the Foster Placement and Fostering Agencies Regulations (Northern Ireland) 2014, which, I understand, is due to end on 7 April. As I understand it, that, among other things, will enable trusts to remove barriers, which will enable those wishing to be foster carers to have a speedier process, with, of course, the necessary safeguards. It is unfortunate that the time lag for prospective foster carers is so elongated and painfully slow. We know that safeguards and other enquiries must be made, but please ensure that no undue delay holds up the process. Get those youngsters into a good home as soon as possible.

We support the motion.

Mr Dunne: I welcome the opportunity to speak on this important motion, and I commend my party colleagues for bringing it to the Assembly.

Foster carers play a very important and special role in Northern Ireland. It often goes unnoticed just how great a sacrifice and dedicated a service foster carers provide daily in supporting vulnerable children and young people. Those children rely on foster carers to meet their daily needs, and, today in the House, we should formally recognise the commitment and care that they provide.

As of March last year, there were 2,807 looked-after children in Northern Ireland, with some 75% in foster care placements. The fact that, between 2008 and 2013, the proportion of children in foster care placements increased by 18% from 57% to 75% shows the ever-increasing need and demand for foster carers across Northern Ireland.

Sadly, the reality is that there remain children across our country who are born into troubled homes and who are in need of love and support from foster carers. The demand for foster carers outstrips supply. Foster carers make great personal and financial sacrifices to provide care for these children, who rely on the love, care and support that these dedicated foster carers give so freely.

The benefits of foster care are wide-ranging and cannot be bought. They are often realised by children only in later years. Foster carers offer children and young people a safe and secure home where they are valued, properly cared for, respected and taught the difference between right and wrong.

I spoke to a family who foster a child, and they outlined to me the benefits associated with being a foster parent.

They spoke of their pride at being able to give a child an opportunity to experience family life that that child may not otherwise have had. They spoke of how it can enrich their own family and be very fulfilling personally. However, they also talked of the challenges that being a foster parent can often present. They spoke of how challenging behaviour and managing it can sometimes present difficulties. They also mentioned that it is a long-term commitment that can often involve sacrifices, that it does not always meet with expectations and can sometimes have effects on their own family.

One major factor that is mentioned in the RQIA report is the feeling that the complete foster care structure needs to be transformed from a volunteer-based service to a more modern, highly skilled, child-centred service that places foster carers at the centre of a professional network. Having a more professional structure in place would help to deal with the ever-increasing issue of allegations. It can be challenging for trusts to deal with allegations from children if there are no clear guidelines in place for children and foster carers.

There are many positive recommendations in the report that would benefit both children and foster carers. I trust that the Minister will take many of those on board. Given the ever-increasing number of foster carers and vulnerable children here, now is the time to put in place the right infrastructure to support and develop the role of foster carers and, ultimately, ensure the best outcomes for those children. I support the motion.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I, too, support the motion. We all recognise the service that foster parents provide because it is such an important — but often unrecognised — role. The children who are looked after are often very vulnerable, and the role of the carer is vital to the child's development.

Here in the North, three quarters of children in care live with foster carers. Over 2,000 households are involved in fostering, caring for almost 2,700 children. The Fostering Network indicates that four new foster families are needed each week. The RQIA chief executive said:

"Foster carers do an important job and can make a vital contribution to the lives of children who are looked after by the state. Increasingly, the HSC trusts are relying on kinship carers — those who may be related to or have a prior connection with the fostered child."

Children and young people in care are one of the most vulnerable and disadvantaged groups in society. Therefore, their protection is paramount. The trusts, foster care agencies and others involved in care must strive to achieve the best outcomes.

The number of children requiring foster care continues to rise. As of 30 September 2012, there were 2,676 looked-after children in the North, an increase of 6% from 2011. Of these, 75% were in foster care placements, including kinship care placements. As of 30 September 2012, a total of 2,073 households were involved in foster care, providing 2,837 placements.

It is so important that children and young people are consulted and involved in the decisions that affect them. Supporting relationships and developing positive contact is important. There also needs to be consistency in the contact with social services. Voice of Young People in

Care (VOYPIC) says that 47% reported having one to three social workers since they came into the care system, while a further 42% reported having four or more social workers. During the review, all of the young people who were interviewed for the Extern project group said that they did not know much about the decisions that were being made on their behalf and that they were not kept informed.

Kinship care is also such an important part of the care system. This is the care of children by a family member or family friend. This can often happen when an emergency occurs, and it prevents the children going into care.

The main aim of kinship care is the preservation of the family, and it keeps the children close to the family and their community. Between 8,000 and 10,000 children are estimated to live in informal kinship care, and the number of children living with relatives or friends is increasing. However, often because of these informal arrangements, there can be an economic impact on the families involved. It is so important that these families receive economic aid.

Scotland introduced a fostering and kinship care strategy in 2007 and regulations in 2009 to enable local authorities to provide an allowance to kinship carers. With kinship care, family and friends may take a child due to a variety of circumstances. These could be due to parental factors, for example, domestic violence, abuse of alcohol or substance abuse, mental or physical illness or, indeed, the death of a parent. Children in kinship care can experience more stability, feel safer, have a greater sense of belonging and experience better life outcomes in their own family circle.

I mentioned the importance of economic aid to kinship carers. For many of these families, life can be a struggle. Importantly, research shows that kinship carers do not receive adequate support. The fact that children are being looked after in an informal kinship care setting does not necessarily mean that their needs and issues are any less than those of children who are being looked after in formal arrangements, and it is important that this is recognised.

Currently, we do not have a specific kinship care policy. The Department has developed a strategy, and, in 2010, draft standards were developed. These standards take the form of placing the child or young person at the centre of the fostering process and making their welfare, safety and standards paramount; providing services on a regional basis; providing services that are consistently effective, efficient and capable of achieving a high level of output; and equity of service provision for all young people and carers.

Finally, with the advent of Transforming Your Care, it is important that fostering and kinship care are recognised as important elements in the framework and that the Minister recognises the opportunity to improve and enhance these services and provides the resources to do so.

Mrs Cameron: I thank my colleagues Michelle McIlveen and Jim Wells for tabling this very important motion on fostering services. As we have heard, as of 31 March 2013, there were 2,807 looked-after children in Northern Ireland, with 75% of them in foster care placements. It has long been known that, for these children to have the best outcomes possible, the optimum placement is within a foster family as opposed to a group home. A foster family can offer a child so much by way of a normal family environment and provides the child with a base with the opportunity to build strong relationships with carers.

We also know that children who come into foster care do so for a variety of reasons. Some are in care for relatively short periods as a form of respite care for the natural family unit, and others come into the system on a temporary basis to allow the situation at home to be worked on so that the child can be returned to the family unit. Others, unfortunately, will be in care for a long time.

Regardless of the reasons for the child needing to be looked after, without foster carers who open their hearts and homes to these vulnerable children, our system would be in trouble. According to the RQIA report, we need four new foster care placements each week to sustain levels of demand. In the absence of these new carers, trusts have to increasingly rely on kinship carers to fill the void.

Sadly, the lack of foster carers and poor retention rates mean that children can experience a high turnover of carers, which is not a positive experience for the child. Children have indicated to the RQIA that this turnover causes them insecurity and that they would ideally like to have more say about their care. Foster carers tell us that placements are less likely to break down when the adequate advice and information about the child is given to them. Foster carers, although rarely motivated by financial compensation, indicate that they often are not provided with enough financial resources to care for the child in their care.

1.15 pm

Often, children who have suffered abuse or have had to take on the role of carer themselves have a range of issues relating to their experiences. Foster carers are often expected to deal with extreme behaviour, and they report that they often feel that they do not get support from social workers. There is a lack of continuity with social workers, as well. We must, therefore, listen to what foster carers and the children that they look after tell us. Good policy is based on evidence and experience, and it is imperative that the Department listens to children and foster carers alike to fully meet the demands of those in the system.

I note that the Minister has already shown his commitment to the issue by moving on a number of initiatives and strategies in the area. I welcome the recent consultation on fostering service regulations that will allow the interested parties to mould the regulations and ensure that they are robust and fit for purpose. I support the motion.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin seo agus ba mhaith liom cúpla focal a rá leis. I want to speak in favour of the motion and say a few words about it. I welcome the opportunity to speak on the motion and would like to thank the proposers of the motion for tabling it.

The work that foster carers carry out is not recognised in wider circles. I want to put on record the work that they do, and also kinship carers. I also want to mention a few things about an experience that I have had in my constituency. I want to bring that to light and ask the Minister, when he is bringing forward a strategy, to talk to other Departments.

A family in my constituency has been fostering children for a long time. The family put in for the boiler replacement scheme, but the funding package that it gets for fostering put it over the threshold. I know that that may not sound a lot to some people, but those are the kinds of anomalies across Departments that you should consider in your

strategies, Minister. You should maybe talk to other Departments to try to ease that, as it is somewhat of a burden. It is an experience that I have had, and I would like the Minister to look at that issue.

I certainly welcome the review and its 46 recommendations. The recommendations mention the likes of capacity-building and creating a modern, skilled professional service. However, that will not come without investment. Minister, I would like you to touch on how much additional investment you will seek from the Executive to ensure that the issues that are addressed in the recommendations are fully carried out and that people are given that additional investment to ensure that we introduce that modern, highly skilled service.

The final point that I want to make is in relation to the placement issue that was brought up as part of one of the recommendations. Surely, at the end of this, it is about a stable life for the child. That is one of the key elements that I would like addressed. I would also like the Minister to touch on some of the recommendations and how he proposes to bring them forward. I support the motion.

Mrs D Kelly: On behalf of the SDLP, I too am pleased to support the motion, and look forward to the Minister outlining his plans and the programme of investment to meet the need of fostering services.

All Members of the House will be all too aware of the difficulties that many people in our communities experience. Very often, people believe that fostering comes about as a result of something terrible happening in the home or child cruelty, when, quite often, it can be because of parental illness or hospitalisation. There needs to be greater education across the community as to why and how fostering happens.

I recently tabled a question to the Minister about caseload management by social workers, and, of course, one of the key recommendations deals with the length of time taken to assess people's suitability as foster parents. I hope that the Minister will address that very early on. I believe that it is the key to unlocking the availability of foster parents. That is not to say that there should be any shortcuts. Children are the most precious gifts and treasures that we hold, and it is right and proper that people who want to be foster parents go through a strenuous assessment process. Nonetheless, the time taken is much too long.

Very often in social services, we find that we come to crisis intervention rather than trying to get in earlier, when perhaps parents could be more involved. It is right that people should feel that they can ask for help early on when a crisis is evolving in their home and not be judged for doing so. There is work that we all need to do, but there are also many practical measures, which Members highlighted in their contributions. Indeed, the point was made that some of those measures are cross-departmental, so I hope that the Health Minister will address some of them in his response.

I pay tribute to the foster parents who have provided a home for children over many years and acknowledge their work on behalf of all of us. I also want to set that against the context of the outcome for looked-after children. Foster homes have a much better outcome than some other homes, situations and environments that children are often placed in. There is a great need to listen not only to the concerns of foster parents but, as Mr Brady

mentioned, to the voices of children and young people and their experiences of care and, indeed, to the professional services, particularly those in social work.

It is another case of needing a joined-up, coordinated effort. Some of the measures are fairly practical, and I do not believe that they will create a financial burden. Nonetheless, in providing professional help and support, I hope that the Minister has set aside additional finance in the budget for the incoming year to meet the needs of foster parents and families.

Mr Beggs: I too welcome the debate and the RQIA report, which is very constructive. It has highlighted the need for further support for foster parents and recognised the vital role that they play. All parents, especially foster parents, play a critical role in the development of a child or young person by providing a safe and loving home in which that child or young person can develop. If someone does not have a safe and secure home, many aspects of their lives can be adversely affected. Their ability to engage in education or to form relationships with adults or other young people becomes strained, so it is a vital service. We must commend all foster parents for their work.

I note that the report states that, overall, the quality of foster care is good, and the comments about carers are generally positive, so that must also be acknowledged. Nevertheless, there is always room for improvement, and there are quite a number of suggestions and recommendations in the report. We have to welcome the fact that the RQIA is taking an independent look at this aspect of our caring service to come up with something fresh about how things might improve.

Why have our trusts and the Health and Social Care Board not identified some of the fairly basic aspects that are highlighted, such as trusts having a regular audit of foster carers, looking at their skills, training needs and expertise? I would have thought that that is a no-brainer. Does that need to be a recommendation? It implies that there are gaps, and, if there are, I welcome the fact that the issue is being looked at. It also highlights the age distribution of the carer population, because, unless we have an even age group at some point, there could be a critical shortage of foster parents. I am glad that that has been highlighted and, hopefully, can now be addressed.

The RQIA mentions another thing that I view as important:

"a mechanism for foster carers to report any deterioration in relationships between them and the child's social worker".

If that relationship breaks down, it can adversely affect the child. It is important that there are mechanisms in place to correct it should personality issues arise.

The retention of foster parents is an essential issue highlighted in the report, which refers to the need to provide:

"access to competent relevant professionals in managing/treating complex behaviours."

Some children and young people who have had difficult experiences may be difficult when trying to settle into a foster home, so it is important that support is available to their foster carers.

The idea of an exit interview with all foster carers leaving the service is a good one. Lessons can always be learned

at that point. Anyone leaving the service would be freer to indicate what their difficulty was or why they were leaving.

One recommendation states:

"Trusts should ensure there is appropriate support in place for children and foster carers to deal with emerging concerns."

Another states:

"Trusts should ensure that all essential information ... is shared with the foster carer prior to placement, or in the case of an emergency placement, within 72 hours of the placement commencing."

Why has it not been? The fact that this is a recommendation implies that it has not been the case. I would hope that foster parents were aware on every occasion of all relevant and essential information.

Kinship care is a growing and increasingly important area as more and more people step forward to provide support to members of their family who need fostering support. I am pleased that that is recognised in the document. The number of kinship carers in Northern Ireland has been growing. As my colleague Sam Gardiner said —

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

Mr Beggs: — many such arrangements were informal in the past, but it is important that this area is recognised and appropriate training and skills given to those who carry it out.

Mr Poots (The Minister of Health, Social Services and Public Safety): In December 2013, the RQIA published a report on its review of statutory fostering services, which was commissioned by my Department. It made 48 recommendations, of which 10 were for my Department to take forward, 16 for the Health and Social Care Board, 21 for the health and social care trusts and one jointly for the Health and Social Care Board and trusts.

The number of children in care continues to rise, with fostering the preferred caring option for three quarters of the 2,807 currently in care. Fostering can provide anything from short-term care of just a few weeks to long-term placements, as well as respite breaks for children, some of whom may have behavioural problems or a disability.

Between January and December 2013, the number of foster care households in Northern Ireland gradually increased from 2,105 to 2,230. Of the total number of children and young people in foster care, 1,031 were in kinship care. This compares with 467 in 2009, which means that the number of kinship carers more than doubled from 2009 to 2013.

Many more children and young people coming into care have a greater complexity of need. When a decision is made to bring children into care, it can take an unacceptably long time for the care proceedings process to conclude — sometimes over a year, which, in the life of a very young child, is far too long.

The RQIA report on statutory fostering services acknowledged that the range of supports provided by trusts for foster carers was generally good but found that there was still room for improvement. Hence the 46 recommendations, which the Health and Social Care Board and trusts are in the process of responding to by

way of a comprehensive action plan. The board will report quarterly to my Department on progress.

A number of the RQIA recommendations relate to the recruitment and support of foster carers.

I note that the motion refers to the lack of a recruitment and support strategy for foster carers. My Department, the Health and Social Care Board and the trusts continue to work together to find new ways of recruiting, supporting and retaining foster carers and to improve fostering services. We are acutely aware that we have an ageing foster carer population. We have a regional adoption and foster care service, which helps to recruit, support and provide learning and development opportunities for all foster carers and adopters. Its website helps us to recruit foster carers for specific children.

1.30 pm

The regional adoption and fostering task force, which includes representatives from the relevant voluntary organisations and the statutory services, was established to set the strategic direction for looked-after children in foster care and those children who may be or have been adopted. The task force reports to the directors of children's services in the trusts and the Health and Social Care Board. To date, its work has included developing fostering and adoption policies and procedures, agreeing a training pathway for foster carers and commissioning a number of pieces of research on foster care.

Under Transforming Your Care, there are proposals to put in place professional foster care schemes for the most difficult to place children. The HSCB is working with the trusts to review fostering services in the light of that TYC commitment, which will consider, among other things, the regional consistency of foster carer fees. Whatever we do in any future strategy, it is clear that we need an eclectic mix of carers, some of whom will view foster care as a vocation, others who will see it as a career. Recruitment needs to be balanced to allow a proportion of new entrants to grow into the role, while having targeted recruitment to attract experienced foster carers who, with the necessary supports, will be better equipped to meet the assessed needs of specific children who may require long-term placements.

The Health and Social Care Board and trusts work in partnership with others, such as the Fostering Network, which is funded to provide a dedicated helpline for foster carers and runs annual recruitment campaigns. The British Association for Adoption and Fostering receives funding to provide advice, consultancy services and training for prospective foster carers and professionals in Northern Ireland and has produced a number of publications on fostering, adoption and looked-after children issues. Crucially, because of their UK-wide coverage, those organisations help to maintain links with developments in fostering in other parts of the UK. The HSC trusts have developed partnerships with voluntary organisations to provide specific fostering schemes. For example, as referenced in the RQIA report, the Belfast Trust has a partnership with Barnardo's, for services to adolescents, and with Extern, to provide services to kinship foster carers. All the trusts can and do engage with the independent sector to purchase foster placements on a needs-led basis. A regional mentoring and advocacy service delivered by VOYPIC is accessible by all trusts.

Mr Elliott: I thank the Minister for giving way. I declare an interest as a former registered foster carer. Would the Minister acknowledge that there is a difference between the services provided in each of the health trusts, or has that gap significantly closed?

Mr Poots: I acknowledge that there are differences. The health and social care trusts have a degree of independence in how they do things, but we wish to see clear policy issues carried out across Northern Ireland in a comprehensive way. So, where we have policy gaps, we wish to close those.

I have referred to the significant growth in kinship care, which, because of the close family links between the carer and the child, requires a different kind of response. It is for that reason that we published minimum kinship care standards in May 2012, which specify the arrangements, services, support and procedures needed to ensure that the unique needs of kinship carers and the children they foster are met.

For young people leaving care, my Department continues to support the Going the Extra Mile scheme, which aims to promote continuity and stability of living arrangements in post-care life for young people aged 18 to 21 who currently reside with foster or kinship carers. That has been a particular success, with 241 young people availing themselves of that scheme. Concurrent planning has been piloted in Northern Ireland for a limited number of suitable children and has proved effective in securing early permanence in lifelong placements for those children. At an early stage, children are placed with carers who are also potential adopters for the child, that is, concurrent carers, to enable social services and the court to consider and agree a permanent placement for that child. If the court makes the decision that the child should return to their birth family, concurrent carers will facilitate the child's return. However, if adoption is deemed to be in the child's best interests, the child will be adopted by their carers. Through the concurrent planning process, permanency is achieved for children much quicker and earlier. That is known to have long-term benefits for the child.

My officials are considering a draft of the Foster Placement and Fostering Agencies Regulations (Northern Ireland) 2014. Those regulations will allow independent fostering agencies to approve foster carers once they have been assessed, and they will also bring fostering agencies within the scope of inspection and regulation by RQIA on behalf of my Department. To support the regulations, minimum fostering services standards will be developed to ensure that the welfare of children who are placed, or who are to be placed, with foster carers is safeguarded and promoted at all times. The RQIA report helpfully identifies a number of key matters that are to be addressed in those standards, including best practice support, training and allowances. Work on the standards is about to start, and, when developed, the draft standards will be subject to public consultation.

Work continues on the Adoption and Children Bill, which, among other things, will make provision for the introduction of a special guardianship order, the aim of which is to provide greater permanency for young people who, for the remainder of their childhood, are unlikely to return to their birth parents. This is an alternative to foster care, and, like adoption, it offers children and young people a permanent family under the law.

I referred to the length of time that it takes to conclude care proceedings in Northern Ireland. Following a joint DHSSPS and DOJ scoping exercise on the operation of the family justice system in Northern Ireland, we will establish a care proceedings pilot later this year to further identify the causes of delay in care proceedings and solutions for dealing with it. The aim is to ensure that the length of time that is taken to conclude decisions on care proceedings is reduced for all looked-after children, regardless of which HSC trust is responsible for their care or which court is hearing their case.

Someone asked about the investment, so I can say that investment in fostering services over the past three years has steadily increased. For example, in 2010-11, the investment was £12.5 million; it rose by half a million pounds to £13 million in 2011-12; and in 2013-14, we have invested £19 million in fostering services. Some of that is a result of more children being identified as vulnerable children, and a lot of it has to do with the media profile of media people who have been involved in paedophile activities.

Careful consideration is needed of how we can bolster current funding arrangements. That will be done through the ongoing work to develop a future strategic statement for looked-after children, the majority of whom are in foster care. We will need to consider the extent to which our new strategic priorities for looked-after children will need to be underpinned by additional investment. We also need to consider the extent to which other departmental strategies, programmes and funds to support them can be targeted at foster carers, given the value of the work that they do. For example, there may be scope for the Executive's childcare strategy to more imaginatively support foster carers. We will also need to consider the extent to which our benefits and employment systems support individuals, such as those who are in kinship care arrangements. Importantly, work with other Ministers is under way on the early intervention transformation programme as part of the Delivering Social Change programme. Supported by private philanthropy, we are investing £30 million in early intervention, the aim of which is to support families and to intervene earlier to reduce the risk of children coming into care in the first place.

I will respond to some of the issues that were raised. We were asked how we would ensure that the service changes to become a modern, highly skilled child-centred service. That work has already commenced. We are doing that through a package of measures. The RQIA review of statutory fostering services was commissioned by the Department. The HSCB and trusts are all working hard to progress its recommendations through a comprehensive action plan.

We are almost at the end of a formal consultation on the draft placement and fostering agency regulations, which will allow independent fostering agencies to approve foster carers. We are also developing the minimum fostering services standards to ensure that the welfare of children who have been placed or who are to be placed with foster carers is safeguarded at all times. We will review the kinship care standards in 2015. We are also developing a strategic statement for looked-after children that will set the strategic priorities for the next three to five years. That statement will be subject to public consultation. The HSCB review of fostering in the context of the Transforming Your

Care reforms and the introduction of an adoption and children Bill will, among other things, put fostering panels on a statutory basis and introduce a review mechanism panel for foster carers who are not approved or who are deregistered.

For the 46 recommendations, and specifically on the point of a retention strategy, there will emerge as a result of the ongoing review being undertaken as a remit of the TYC recommendation to establish a professional foster care service. I understand that it is anticipated that a recruitment and retention strategy will be developed by February 2015.

I have dealt with the finances. Mr Boylan is not present. I will raise his issue of the boiler replacement scheme with the Minister for Social Development to seek an exemption for foster carers. Case load management was raised recently. It is being considered in the context of implementing the social work strategy and the consistency of social work involvement in a child's life. We are considering establishing one or more pilots that will test how we deliver social work services. The aim in establishing the pilot is to find ways of delivering a consistently present social worker as a child goes through the system. That is considered to be very important.

In conclusion, I recognise that foster carers provide an invaluable service caring for some of the most vulnerable children and young people in Northern Ireland. Most children have better outcomes if they are brought up in a family rather than in residential care. By sharing their homes and lives, foster carers provide stability for those young people. We greatly appreciate the work of what is an undervalued service.

Mr Wells: Mr Deputy Speaker — many promoted you to Principal Deputy Speaker during the debate — I welcome the debate and the many valued contributions from across the Chamber. We need to recognise and value the range of care provision for children. There can be foster care by a non-relative, kinship care and of course residential care. There should be no hierarchy of care; no one type of care is better than another. We will continue to need a fostering service that is sufficiently robust, with a wide range of options to meet ever-increasing need among children.

The proposer of the motion, Michelle McIlveen, set the scene very well. Indeed, I often wonder whether Miss McIlveen would make a very useful addition to the Committee for Health, which, at present, is dominated by grey-haired middle-aged men, of which I am one. It might be good to have some youth come into the Committee to join Mrs Cameron and give us that particular outlook. Hopefully, some day, that will happen.

I must say that Miss McIlveen painted a very vivid picture of the importance of fostering in Northern Ireland. She made some very telling points. Like many others, she paid tribute to those who are involved in foster care. She also outlined the range of emotions and huge responsibility that they face and the strain that the system is under. She was the first of many to say that we need 200 new carers per year or four per week. That is a very demanding target. One of her most telling comments was that it is not just a health issue; it should be regarded as an Executive issue because of its importance. She also said that foster carers were a scarce resource and that a retention strategy was not evident in any trust. The RQIA report recommends

such a strategy as a priority. There must be adequate remuneration, training, support etc to deal with the very great challenges that foster carers face.

1.45 pm

Miss McIlveen was concerned that the review team had queried the lack of basic data on the age, culture and geographical distribution of carers, the spectrum of provision, such as those providing long-term and short-term care, and the training needs of carers and their areas of expertise. I think that it is somewhat unfortunate that we are in a situation where we do not have basic raw data on which to base our decisions. I suppose that fostering has done exceptionally well in Northern Ireland despite rather than because of the support that it receives.

Maeve McLaughlin, the Chair of the Health Committee, pointed out that this is the second time that this issue has been debated. She wanted to hear what progress and actions were flowing from the report, which was a common theme in many Members' speeches. Members want to see action on the 46 recommendations in the report, for which there was a clear consensus of support in the Chamber.

Ms McLaughlin was one of many Members who pointed out there are 2,800 children in care, which represents an increase of 15% since 2008. There has been an 18% increase of children in foster care in the same period. She also focused on kinship care. She pointed out that between 8,000 and 10,000 children are in kinship care arrangements in Northern Ireland at the moment. She believes that those carers get very little in the way of support, which was a recurring theme in many Members' speeches.

Fearghal McKinney welcomed the RQIA report and mentioned the six high-level outcomes. He pointed out that many trust employees did not seem to be aware of those six crucial recommendations, and he asked for a consistent approach to be shown between trusts. He also pointed out the cost faced by foster carers who are parenting young children. I think it was Sam Gardiner who gave us the figures. Anyone who is in this for money needs to question themselves, because the grant payable is between £114 and £168 a week, based on the age of the child.

I thought that Cathal Boylan brought out a very unusual but novel point when he asked why someone who gets the grant, which is in return for the expenses that they incur when fostering a child, should then be penalised when it comes to things like an application for a replacement boiler. I do not see that as an income at all; I see it simply as a repayment of expenses incurred. Therefore, I welcome the fact that the Minister is prepared to take that matter up with DSD, because it is a clear anomaly.

Mr McKinney also mentioned the need to get rid of difficult little issues such as consent for school trips and the bureaucracy associated with foster carers in such situations. He strongly supported increased resources for foster carers. He also outlined the benefits of kinship care.

Sam Gardiner pointed out that four times as many children are in kinship care than foster care. He also outlined the poverty of many of those in kinship care. He was the first to outline the range of grants or reimbursements made to foster carers.

Kieran McCarthy pointed out that a large number of young people — 2,700 — need care. He paid tribute to foster carers, as did almost every Member who spoke. We are absolutely reliant on such people. We all know of individual cases; I know a young lad in south Down very well. He lost both his parents at an exceptionally young age and was brought into a foster care relationship. He has flourished and grown up to be a very fine young citizen.

Kieran McCarthy also paid tribute — he was perhaps the only Member to do so — to those in the voluntary sector in this field and, of course, to those in state provision. He called for early implementation of the 46 recommendations. Strangely, Mr McCarthy was the only Member to mention TYC, which features in every health debate in the Chamber. He decried the fact that this issue got very little mention in TYC and said that it needed to be expanded upon.

Gordon Dunne paid tribute to carers and emphasised the great sacrifice that many of them make. Mickey Brady mentioned that children in care are one of the most vulnerable groups in Northern Ireland. Uniquely, he mentioned another very important issue, namely the complaint made by many foster carers that they see between one and three social workers. Indeed, 42% saw four or more social workers. The obvious point to be made is this: how can you ensure continuity of provision and support when such a disparate range of staff is involved in the care of that young person?

Mr Elliott: I thank the Member for giving way. As well as seeing a number of different social workers, some young people will see different foster families and will maybe even go to different care homes. The Minister highlighted one issue when he was summing up, and that was foster children being placed with potential adoptive parents, which has huge potential benefits but also some negatives. He highlighted, for example, the fact that the child may be returned to the natural parents. How does the Member view that situation? Would he say that that is a good and positive aspect?

Mr Wells: The Member for Fermanagh and South Tyrone has pointed out one of the problems for foster carers and children; that of the wide range of staff and the wide range of positions that children find themselves in. The one thing that is absolutely clear is that the best way forward is to have a sole social worker deal with the difficult issue of placing a young person in a loving and caring family on as permanent a basis as is required for their care. However, to move children around between various forms of care has to be extremely disruptive. That may be one of the reasons why kinship care works, in the sense that it tends to be a permanent and long-term placement.

I mentioned that Cathal Boylan brought up the interesting point about the boiler replacement scheme. He wanted to see the 46 recommendations implemented as soon as possible.

Dolores Kelly, again, uniquely, brought up the need for quick assessments of potential foster parents. She made it clear that she did not want any corners cut, but she said that there must be a way of speeding up this process because, as we have seen, we obviously have a lack of foster carers coming along, and something must be done to expedite this. She also made the useful point that we should listen carefully to foster carers and the children. Of course, VOYPIC has been a useful vessel in articulating

the concerns of children in care. If we were to sit down and do that more often, Northern Ireland would have a more fit-for-purpose form of fostering.

Roy Beggs highlighted the emerging concerns in the system, which is clearly under stress. It would be awfully sad if, through our not providing enough foster care for children, children would be in residential homes when they did not need to be there.

So we need to address these stresses and strains in the system. The report goes a long way towards that, and we all look forward to the Minister's commitment to implementing its recommendations.

Question put and agreed to.

Resolved:

That this Assembly welcomes the recent Regulation and Quality Improvement Authority report on statutory fostering services and its recommendations; notes with concern the lack of a retention and support strategy for foster carers and the identified need for more investment to transform foster care to a modern, highly skilled, child-centred service; further notes the continued need to fully value the role of carers in looking after the most vulnerable children; and calls on the Minister of Health, Social Services and Public Safety to outline his plans and programme of investment to meet the needs of fostering services.

Mr Deputy Speaker: The next item of business on the Order Paper is Question Time. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The sitting is, by leave, suspended.

The sitting was suspended at 1.53 pm and resumed at 2.00 pm.

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

Oral Answers to Questions

Agriculture and Rural Development

Mr Deputy Speaker: Questions 1 and 8 have been withdrawn. Judith Cochrane is not in her place.

Delivering Social Change: Rural Childcare

3. **Ms McGahan** asked the Minister of Agriculture and Rural Development how her Department will progress the rural childcare initiatives in Delivering Social Change in South Tyrone. (AQO 5831/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a LeasCheann Comhairle. The Executive's Delivering Social Change framework includes Bright Start, which is a programme for affordable and integrated childcare. Access to childcare is critical to help parents across the North into work, to move families out of poverty and to help to break the cycle of intergenerational deprivation.

Good childcare that provides positive experiences and promotes children's opportunities to develop is an essential building block for a stable and prosperous future for all. Bright Start is central in helping to grow the economy and tackle disadvantage, and it involves important actions on which my Department is taking a lead role that will benefit rural areas, such as an initiative to take forward a rural childminder start-up package creating up to 1,000 childminder places. My officials are appraising options for how this can be done in a way that delivers maximum impact and value for money for rural dwellers right across the North. Until that process has been completed, it is too early to say how Bright Start actions would be progressed in south Tyrone specifically. However, as for the previous support that we have been able to give to rural childcare in south Tyrone, in 2011, DARD's rural childcare programme supported the refurbishment of the former Eglish Primary School as a new day-care centre with facilities for breakfast and after-school clubs.

Ms McGahan: Go raibh maith agat. I thank the Minister for her response. If the childminder start-up places are not fully used up in rural areas, will she consider transferring those places to the social enterprise model? What is the timescale for the implementation of the rural childcare package?

Mrs O'Neill: Go raibh maith agat. My officials are working with OFMDFM and the Strategic Investment Board to complete the business case for the new initiative. That business case will set out and identify very clearly the relevant timescales. I am hopeful that, while all that work is ongoing, a scheme will be in place and up and running by the end of the year. If we are unable to meet the targets for some of the identified areas, I will ensure, on the back of the Member's question about looking at start-ups, that that is also part of the discussions so that we can see whether

it can be incorporated into the business case that is being developed.

Mr Deputy Speaker: I remind Members that this is a constituency-based question.

Mr P Ramsey: Does the Minister expect to go beyond south Tyrone in developing rural childcare initiatives?

Mrs O'Neill: Yes. The Bright Start programme is aimed at the whole of the Six Counties. Ms McGahan asked a question that was relevant to her constituency — she has a right to do that — but the scheme will be rolling out, and we are working our way through the process now. We hope to have something on the ground, with groups applying to it, before the end of the year. That will be relevant for the whole area, including Derry.

Rural Development Programme: North Antrim

4. **Mr McKay** asked the Minister of Agriculture and Rural Development how the rural development programme is benefiting rural areas in North Antrim. (AQO 5832/11-15)

Mrs O'Neill: Axis 1 of the rural development programme (RDP) provides funding for rural businesses, skills enhancement and competitiveness. Farmers in North Antrim have been awarded £2 million under the farm modernisation programme, and a further £479,000 has been awarded under the manure efficiency technology scheme (METS). In addition, nine companies in the North Antrim area have been awarded funding of £2.2 million from the processing and marketing grant scheme. Under the skills training element of axis 1, a total of 531 people in the North Antrim area have been trained under the collective training themes.

Under axis 2, farmers in North Antrim received significant funding in return for managing their land to benefit the environment. During the seven-year term of the RDP, farmers in the agrienvironment schemes received just over £22 million for managing their land to enhance biodiversity, protect the landscape and improve water quality. In addition, 1,540 farm businesses in the North Antrim area claimed approximately £21.7 million in support through the less-favoured area compensatory allowance, which helps to ensure continued agricultural land use and therefore contributes to the maintenance of a viable rural society. Forestry grant schemes provide support for new woodland creation and for the sustainable management of existing woodland. Forest Service has spent £814,000 on projects in the North Antrim area.

For axis 3, I will interpret your question as referring to the areas covered by North East Region, which is the local action group. To date, North East Region has invested almost £8 million in the north-east area across 317 different projects, including five strategic projects worth £2 million and farm diversification projects worth £2.6 million. Those projects are helping the rural economy, and, on a recent visit, I was particularly impressed by Moyle council's canoe trail, which was already attracting visitors from Scotland and Donegal.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer and for her Department's continued investment in the North Antrim constituency. Will she provide more detail on the collective skills training?

Mrs O'Neill: Yes. As I said in the initial answer, there has been quite a large uptake of skills training. A total of 531 people have been trained in collective skills, including, to March 2012, some 76 in the early tranches of Farm Family Options. The current breakdown is 119 on ICT training; 86 on bovine viral diarrhoea (BVD) awareness training; and 250 on FarmSafe awareness training. In addition, under the Focus Farms initiative, 3,285 people have been trained on 14 focus farms across the North Antrim area. Finally, under the mentoring programme, some 2,225 people have attended succession events.

Mr Swann: Minister, a number of villages in North Antrim have received funding for village improvement plans. Do you think that money will be available under the next rural development programme to implement some of those plans?

Mrs O'Neill: I am very aware of the work being done across the North to develop the village plans; there has been fantastic work. A natural progression would be assisting areas to deliver on some of the things that they have identified. The Member will be aware that I am going through the process of examining all the consultation responses and working towards making sure that we have a fit-for-purpose rural development programme in place for the new scheme. The ability to fund some of the work under village renewal will be part of those discussions and considerations in taking final decisions and moving forward on how we can support rural communities to grow.

Mr Byrne: What proposals does DARD have in the new rural development programme to bring forward and sustain more projects such as the North Antrim project?

Mrs O'Neill: As I said in my previous answer, I am working through the consultation responses that we have received to make sure that we have a fit-for-purpose rural development programme in place. I do not need to rehearse to the House my disappointment at not being able to transfer money to the rural development programme. That would have allowed me the opportunity to further enhance rural communities and bring a balanced approach. In the time ahead, my priorities are to make sure that I use the funding that I have from Europe to the best effect, take on board the views of stakeholders and then put on the table a balanced approach to looking to the future. That has to include agriculture and environmental considerations and provision for rural dwellers. We need a balanced approach to support all those elements of rural communities because they are equally important.

Rural Development Programme: Priority 6

5. **Mr Sheehan** asked the Minister of Agriculture and Rural Development how priority 6 in the new rural development programme 2014-2020 will be delivered. (AQO 5833/11-15)

Mrs O'Neill: The aim of priority 6 is to promote social inclusion, poverty reduction and economic development in rural areas. My Department's proposals to address the needs identified in our rural areas were set out in the public consultation document on the 2014-2020 rural development programme. The proposed schemes for priority 6 aim to assist new and existing rural businesses, including farm diversification and rural tourism businesses, to become sustainable and grow. The proposals also seek to combat poverty and isolation through improving access to basic services and supporting village renewal.

It is important that the next rural development programme builds on the successes of the current programme to strengthen the social, economic and cultural infrastructure of rural areas and create a vibrant rural community. My officials are continuing to develop the proposals for the 2014-2020 programme, including the delivery options, with the stakeholder consultation group that was established to oversee the development of the programme.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra sin. I thank the Minister for her answer. What structural changes will there be in the new rural development programme?

Mrs O'Neill: The local government reform programme will reduce the number of councils from 26 to 11 by April 2015, and DARD has proposed that the LEADER local action groups be re-formed in the next RDP, in line with the new council areas and boundaries. There would still be an option to cluster councils together in line with the new boundaries, if it was felt that having fewer than 11 local action groups would be more cost-effective and easier to administer. There might also be a greater impact from the funds in the combined areas. Aligning the local action groups to the new council structures will also mean that there will no longer be a requirement for the joint council committees, which were established in the current programme. So, there are obviously efficiencies to be made there.

Mr A Maginness: Given the importance of priority 6 to rural development, will the Minister outline the specific moneys that will be targeted to priority 6 in the programme between 2014 and 2020?

Mrs O'Neill: I cannot provide the exact figures today. We are working our way through the process of developing the programme, and then we will decide how much money will be allocated to each measure. However, I can give the Member an assurance that priority 6 is a priority for me. I want to make sure that it is well funded and meets the needs of rural communities that have obviously been identified. It will be considered in the round, along with all the other allocations of moneys to each priority. I was unable to transfer money into the programme because of the court challenge that was made. I now put it to the Executive — I have put it to the Executive — that they need to step up to the mark and support rural communities, because supporting those communities is not just the business of my Department but the business of every Department in the Executive.

Mrs Overend: Will the Minister clarify when the final budget for the 2014-2020 rural development programme will be known?

Mrs O'Neill: As I said, we are working our way through the process. We know what our European allocation is, and obviously it is a reduction in comparison with the current programme because of the overall cuts at the European level. So, I am working with my Executive colleagues to make sure that we can get as much Executive funding as possible to match the funding that we have got from Europe. That is the process that I am engaged in, and it will allow me to take final decisions on how we spend and prioritise the money across the six measures. So, the final allocations are still a work in progress. We can confirm the

European budget but not the Executive's contribution at this stage.

DARD Headquarters

6. Mr Cree asked the Minister of Agriculture and Rural Development for an update on the number of staff based in her departmental headquarters that have indicated that they would be willing to transfer to Ballykelly. (AQO 5834/11-15)

Mrs O'Neill: Following my announcement about relocating DARD headquarters to my preferred location in Ballykelly, officials surveyed the staff who are affected. The results indicate that 86% — 642 staff members — are not prepared to work in Ballykelly. However, when the wider Civil Service was surveyed, over 1,100 staff members indicated that they would like to work in that area, and a further 800 indicated that they would consider the opportunity.

I have since announced that not all the headquarter posts will relocate to Ballykelly. Some will relocate to Loughry with the Rivers Agency and some to south Down with the fisheries division. I had previously announced that Forest Service headquarters would be based in Fermanagh. More recently, as part of the development of the HR strategy for relocation, my officials have developed questionnaires that will gather even more detailed information at individual staff level. Questionnaires have issued to Rivers Agency and fisheries division, with the remaining questionnaires to be issued by 30 June 2014. I will not be in a position to provide the full number of staff until all that work is completed.

Mr Cree: I thank the Minister for her response. The move affects a number of staff members who live in my constituency. I understand that the Minister has made her decision against the better judgement of her Department and, improperly, in the absence of the business case. Minister, has an accurate forecast budget now been determined for this pet project of yours? If so, what is it?

Mrs O'Neill: The Member's information is incorrect. My officials are engaged with me and working with me on the project. We have been working very hard to bring forward a business case. This is something new; other Departments have not moved on this scale. We have been working our way through the business case, which has now been agreed and signed off in my Department. We are waiting for it to be discussed at the Executive, hopefully, over the next number of weeks. That is the process that we are working through. I am as committed to this project as ever I was. I will make sure that we have the move, but I want to discuss it around the Executive table now that we have signed off on the business case.

Mr Campbell: The Minister will be aware that there is a haemorrhaging of public sector jobs from the east Londonderry area. This commitment to move to Ballykelly has now been on the boards for several years. I know that, at the early stage, the Minister was quite reluctant to support it but now appears to be fully supportive. She has given June as the date by which some movement will occur: when can we expect to see the first civil servants from DARD located in Ballykelly?

2.15 pm

Mrs O'Neill: As I have said to the Member before — again, his information is incorrect — I have always said that Ballykelly was a preferred location, and I have worked on the business case to make sure that we have got to the position that we are in now. So, we have gone through the process. I encourage you to talk to your Executive colleagues, because the sooner I can have the discussion with the Executive, the sooner that we can move forward on the move. I want to have the staff there. We have set out very clearly a workforce plan. This is a massive move and it affects quite a number of staff, so we need to have a very clear plan in place. Staff want reassurance, so the sooner the Executive agree that we can move forward, the sooner staff will get the reassurance that they want. We have clearly set it out that we will do it on a phased basis, with 400 staff going very quickly next year. The sooner we can move the process forward, the better. I want to see that, and I am sure that you can use your influence to encourage it too.

Mr McAleer: Does the Minister believe that, with the closure of the DVA in Coleraine, the move will be of benefit to the north-west?

Mrs O'Neill: Yes, absolutely. There has been a haemorrhage of jobs not just in the north-west but in a number of other areas because of the DVA decision. I have clearly said to the Minister of the Environment that I want to work with him on how we can respond to the closure of the DVA offices and how other staff can be accommodated throughout other Departments. I know that the Executive as a whole are very keen to do that.

The positive aspect is that there will be a group of people from the north-west who will obviously be keen to stay in that area for work, so, if there is any way that we can assist those people, I am prepared to do that. I have asked my permanent secretary to consider whether there are any options or whether any of the Ballykelly posts could be moved earlier. That would help to accommodate some of those staff. So, I am actively engaged with the Minister of the Environment and with the Executive as a whole in trying to tackle those issues.

Mr Dallat: I hope that the Minister has just given some solace to the 300 workers who disgracefully lost their job last Thursday. Can the Minister assure the House — she may have already done so — that there is a lot of empty space in County Hall, Coleraine? Will she speed up the process if that is one of the viable options? Will she set an example to the other 10 Departments so that they will come to the aid of the workers who marched through Coleraine on Friday for their rights?

Mrs O'Neill: Absolutely. As I said, I want to play my role, and I have asked my permanent secretary to see whether there is any way that we can help to accommodate some of those staff. I have made it very clear to the Minister of the Environment that I want to help him to respond to the issue. Those people are devastated because of their job losses, and the onus is on us, as Executive Ministers and an Assembly, to try to accommodate them in other areas. I will not be found short in my commitment to help them to find something else.

Lough Neagh

7. Mr Agnew asked the Minister of Agriculture and Rural Development why her Department has refused to publish the report into the future of Lough Neagh eighteen months after its completion. (AQO 5835/11-15)

Mrs O'Neill: My Department has not refused to publish the report of the cross-departmental working group on the future of Lough Neagh. The report is still a working document, which has been updated, and further work has been carried out by DCAL during 2013. Until the report is finalised and brought to the Executive, it cannot be published.

I can advise that the interdepartmental working group was reconvened informally on 24 February and that officials are working towards the production of an Executive paper for the April Executive meeting. My Department will lead the way in taking forward the Executive's decision on the way forward, so I will be very happy to publish the paper after it goes to the Executive, which will be pretty much within a number of weeks.

Mr Agnew: I thank the Minister for her response and welcome the fact that we are due to see the publication of the report in, hopefully, a short time. Lough Neagh is of regional significance and of importance to many. What knowledge did the Minister have of the unauthorised quarrying at Lough Neagh, and what concerns does she have about its impact, particularly on the lough's biodiversity?

Mrs O'Neill: It was very clear from the consultation and is something that I have always known and many stakeholders in the lough will be very aware of that there is no overarching management plan. That is the key problem. A lot of these things can happen in the absence of any regulation or any plan for all the things that go on, whether it be sand extraction, the tourism potential on the lough, biodiversity or environmental concerns. In my opinion, one of the first things that have to happen is that we put in place an effective management plan that will help to bring together and marry all the interests on the lough and make sure that there is regulation where it is needed. That is where we are at the moment. The problem that you have identified occurs because there is no overarching management; no one Department has responsibility for the lough. Responsibility goes across many Departments, and that is something that I would like to see coming out of the review.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. Has the Minister met others to discuss the report?

Mrs O'Neill: Yes, I have met the Minister of Culture, Arts and Leisure to discuss the findings of the additional research that was taken forward by her Department. I have also met Gwynneth Cockcroft, the managing director from DCP Strategic Communication Ltd, along with the Earl of Shaftesbury on 3 March this year, to discuss progress and the initial findings of the report. It is important that we engage with all stakeholders in moving forward. As I have said clearly, there is a need for a proper overarching management structure, and that, at the very least, is what I want to see coming out of the report.

Mrs Dobson: I also thank the Minister for her answers. Can she confirm to the House what legal advice she has taken on the issue? I was going to ask what contact she

had had with the Shaftesbury estate, but I think that she said that she had met the Earl of Shaftesbury in March.

Mrs O'Neill: I have not sought legal advice. The work that we have been involved with has been a scoping exercise. It has looked at what potential avenues we can explore in respect of Lough Neagh, public ownership and the need for an overarching management structure. Quite a lot of homework has been done across my Department and the interdepartmental working group and in the significant work that DCAL has done. Therefore there has been no need to seek legal advice.

I have met the Shaftesbury estate on a few occasions, most recently just last month, to continue discussions about the future. As a key stakeholder on the lough, it wants to play a part in moving forward with any new management structure.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra go dtí seo. I listened with intent to hear that the Minister had met the Earl of Shaftesbury. I know that calls have been publicly made to acquire the rights to the lough and to take into public ownership the rights to the lough from the Shaftesbury estate. Has the Minister set aside funding in that regard or made any case to the Executive in respect of that acquisition?

Mrs O'Neill: No, because it would be pre-emptive to do so. As I said, we have done the scoping work, and we have looked at the potential, at the problems and at how we can improve things for the future. One of the things that was said at the start was that one of the options would be to bring the lough into public ownership. So, when we finalise the report, which, hopefully, will be at the start of next month, I intend to bring it to the Executive for discussion. I have said clearly that I am content to take the lead in moving forward with any new structure that comes into play. However, if the outcome of the Executive's discussion is around public ownership and there is a decision that that is something that the Executive want to do, I will be happy to bid for the money.

Single Farm Payments: Update

9. Mr Frew asked the Minister of Agriculture and Rural Development for an update on the payment of single farm payments based on remote sensing inspections. (AQO 5837/11-15)

Mrs O'Neill: To date, 680 businesses subject to an inspection using control with remote sensing have been processed for payment. That represents the majority of businesses subject to a remote sensing inspection. My Department is working diligently to process the results of the remaining inspections for payment. It is intended that all remaining businesses will have their inspection results processed for payment by the end of April. That means that inspected businesses will have received their single farm payments two months earlier than last year and four months earlier than the year before.

In overall terms, 97.4% of single farm payment claims have been finalised since the opening of the payment window on 1 December 2013. The Department set its highest payment target ever for December 2013 at 85% and significantly exceeded it by finalising 90% of claims. More

farmers received their single farm payment in December than ever before.

The value of single farm payments made so far is £260.24 million and is a vital element of farm incomes. The significantly improved payment performance this year is a welcome boost for the farming industry and the wider rural economy. However, if you are a farmer waiting for a payment, I understand the exceptional circumstances that you find yourself in, and I can only give an assurance that we are working to have all those people paid as quickly as possible.

Mr Frew: The Minister read in her answer that the majority of farmers — 680 — involved in remote sensing had been paid: Minister, that leaves 459 cases still to be paid. That is a very slim majority indeed, and it was a very flippant response. Does the Minister realise and recognise that, because of those 459 single farm payments that are still to be paid, she has let those people down, she has let my constituents in North Antrim down and she has, once again, failed the farmers of this country?

Mrs O'Neill: No, I do not agree. I say to anybody who has not been paid that I absolutely empathise with what you are going through. I absolutely understand. I have spoken to some of those people. However, if you put it in context, the reality is that we are paying people four months earlier than ever before. This has been the best year for payments. I will always contextualise that by saying that, if you have not been paid, I totally understand the frustration you feel. I assure anybody listening to Question Time today — I have taken the steps to assure as many people as possible — that we are working round the clock to get the rest of the payments out as quickly as possible. We have had staff in on overtime. We are working round the clock to get the rest of the payments processed. You have to recognise that it has been a better year; we are way ahead compared with the past two years. Significant improvements have been made, and even more improvements will be made next year. I will put it all in the context that, although it has been a good year on the whole, with 97.4%, if you are waiting to be paid, I understand that you are under stress.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister tell us whether the payments have been prioritised?

Mrs O'Neill: Absolutely. I have regular meetings with my officials every other day to get updates on the numbers that have been paid. I am chasing the Department all the time to make sure that we do absolutely everything we can to get the remainder of the cases paid. We have Department staff in working overtime, weekends and evenings, all with the aim of getting the payments out as soon as possible. I give the assurance to anybody waiting for their payment that we are aiming to get to their payment as soon as possible.

Mr Allister: Is 680 processed for payment the same as 680 actually paid? Have the remote-sensing inspections that have been carried out thrown up any identified failures on the part of farmers, so that we can evaluate whether there was any worth in that inspection process? Can the Minister give us the percentage figure of problems actually found?

Mrs O'Neill: The priority at the moment is making sure that we get everybody paid as soon as possible. I will keep

putting it in context: people are being paid four months faster than they were in 2011. So, 97.4% have been paid. That is a significant amount of money into the rural economy. The Member will be aware that, because of European regulations, we have to inspect 5% of cases. We moved to remote-control sensing so that we could speed things up. It is going to work. Next year, we will be in an even better position. There is no analysis at this stage of any of the issues thrown up by the inspection because we are prioritising the work and getting the payments out as quickly as possible.

As for the 680 people processed for payment, there may be some money waiting to go into bank accounts, but 680 have been processed. The button has been pressed to send the money on. It will go into their bank accounts, although, in some cases, that can take a number of days.

Rural Development Programme: Budget

10. **Mr Hussey** asked the Minister of Agriculture and Rural Development for an update on the budget for the 2014-2020 rural development programme. (AQO 5838/11-15)

Mrs O'Neill: Funding for the rural development programme is drawn from a number of sources. We know that the funding allocated to us from Europe for the next RDP is approximately €227 million. That is a 14% reduction compared with the 2013 allocation extrapolated over the seven years of the programme. As you are aware, to supplement that reduced allocation, it had been my intention to transfer 7% of the pillar 1 direct payments allocation to pillar 2 to help to fund rural development activities. My intention was that the transfer rate would have provided an additional €137.5 million approximately to the rural development programme budget. Following the legal action instigated by the Finance Minister, that option is no longer available to me. I am continuing to discuss with my officials how much money from DARD's budget can be used to fund the programme. In the absence of any transfer of funds from pillar 1 to pillar 2, the Executive obviously have a greater role to play in making the funds available to bridge the deficit.

The RDP will be a key tool for delivering on the aims and objectives of Going for Growth, including the farm business improvement scheme proposed by the Agri-Food Strategy Board. I will need to draw in additional funding from the Executive to fully deliver on the aims and objectives outlined by the Agri-Food Strategy Board. Given the increased pressure on the RDP budget, a positive response from the Executive is now more vital than ever.

The main objective is to put together a balanced package of funding for the next rural development programme to ensure that we improve the competitiveness of our agrifood industry, protect and enhance our environment and countryside, and improve the quality of life in our rural communities.

2.30 pm

Mr Deputy Speaker: That is the end of questions for oral answer. It is now time for topical questions, for which we will have 15 minutes. Questions 1 and 2 have been withdrawn.

CAFRE: Courses and Students

3. **Mr A Maginness** asked the Minister of Agriculture and Rural Development whether she would consider expanding the number and range of courses and the number of students at CAFRE, and to state the timescale in which she might do that, given that, recently, he, with colleagues associated with the Assembly and Business Trust, visited a number of plants engaged in the agrifood sector where, although they were impressed by the work, they learned that, in order to produce the food that is necessary for the food processing industry, one needs a good and skilled workforce. (AQT 913/11-15)

Mrs O'Neill: The courses that we offer at our agricultural colleges are based on discussions with the industry around identified need. The Member might be interested to know that our colleges are actually oversubscribed. We have more people applying to be part of food and agriculture than ever before. That is very positive because it shows that young people see a future in the agrifood industry. We need to support and enhance that.

As I said, in looking towards new courses, we engage with industry around its identified needs. I am very happy to do that, because there is no point in us running courses that do not provide opportunities for people when they come out with a qualification.

Mr A Maginness: I thank the Minister for her detailed answer in sympathy with what I was saying. Given the fact that there is such demand, will the Minister consider expanding the number of places available for people in CAFRE so that we have the skilled workforce that I am talking about? Will the Minister consider looking at that immediately, rather than leaving it for the long run?

Mrs O'Neill: I can assure you that it is more than sympathy. I have been working very closely with the agrifood industry. We have developed an agrifood strategic plan, which looks towards the future. It looks at educational and training needs and identifies all those areas. That is being done in conjunction with industry. It is not the Department telling industry what is needed; it is a joint piece of work that was taken forward between my Department, DETI and the industry.

So, we have a plan in place. We are making sure that our courses are targeted for industry needs. As I said, one of the areas that we looked at as part of that whole piece of work is education and training. There are no gaps. If there were gaps, those will have been flagged up as part of that process. There are areas in which we need to continue to work with the industry around its future growth up to 2020. We now have a plan in place that, hopefully, the Executive will support over the next couple of weeks.

Cattle: Payments

5. **Mr Wilson** asked the Minister of Agriculture and Rural Development whether she agrees with the proposal from abattoirs to reduce payments to cattle farmers by £150 for those cattle that have been resident at more than four farms during their lifetime. (AQT 915/11-15)

Mrs O'Neill: Absolutely not. I do not agree, and I have made that very clear to NIMEA, the exporters association, which I have had in my office in the past number of weeks. I am glad that the Committee for Agriculture and Rural Development has also made it very clear to the association

that this is not something that the industry has asked for. It was done with no consultation with the industry. It would be ridiculous to bring it in at this stage when people are in the middle of their normal process.

We have asked them to take it off the table. Obviously, it is an industry decision for them. However, I have made my views very clear. The farming sector has also made its view very clear to them. This is not something that we want brought in. If it were to come in now, what would come next? If you bring the movements down now, next year it will be even more again. It is very clear that it was just decided, "Let us put more pressure on the farmers." That is not something that I will support.

Mr Wilson: I am pleased with the answer that the Minister has given. Can she tell us what specific action she intends to take within her Department? In fact, can her Department take any action to ensure that the industry is not hit with this further penalty, which would be very detrimental to cattle farmers in Northern Ireland?

Mrs O'Neill: As I said, I have made my views strongly. I do not have any control over NIMEA, which, obviously, is outside government. I have made my views very strongly, as have all the stakeholders, so you would like to think that it will go away and take a fresh look at the decision. It indicated that it would do so, but it made no promises, and I cannot speak for it. We will see what it does. Beef prices are falling, and it is a difficult time for the farming community, and it is not acceptable to bring in this extra burden. As a former Finance Minister, the Member will be aware that the price that farmers receive for their meat is outside my control. However, on practical supports, I am keen that we ensure that we work with farmers on cooperation and on how they can work together to be a stronger voice. We can look towards improving efficiency in the chain. We can get involved with all those practical measures. Unfortunately, pricing is outside my control. I will do whatever I can to make sure that I provide a strong voice for their needs.

Rural Crime

6. **Mr Hilditch** asked the Minister of Agriculture and Rural Development for her assessment of how crime is affecting the rural community, albeit that it is a matter for the PSNI, but given that, at the weekend, I was made aware of crimes involving farm machinery and a horsebox and tack. (AQT 916/11-15)

Mrs O'Neill: Rural crime is an ongoing issue on which I regularly engage with the Justice Minister and the Chief Constable. We welcome the fact that a rural crime unit has been set up, and we sit on that. It is about collective work, but everyone has an individual role to play. Obviously, rural crime is an issue for the PSNI, but it is positive that we have a lot more collaboration in ongoing investigations, with everyone working together, which will lead to more successes.

Mr Hilditch: I thank the Minister for her answer. Setting aside collaborative working, will the Minister indicate what support the rural community is receiving on this matter directly from the Department?

Mrs O'Neill: As I said, someone from the Department has been appointed to sit on the rural steering group, and we have an enforcement unit. It depends on the issues

that are being dealt with. There is rural crime, agricultural crime, cattle theft and machinery theft, which is very much of a criminal nature. A lot of these things happen because of criminal gangs, and so on, so collaborative working is key to moving forward. There might be the involvement of the Food Standards Agency, the PSNI, the Department, environmental health and the councils, particularly when it comes to food crime.

Cattle: Meat Plant Cartel

7. Mr Allister asked the Minister of Agriculture and Rural Development whether a price-fixing cartel is in operation between the meat plants in Northern Ireland, leading to the current devastating effect on prices to farmers. (AQT 917/11-15)

Mrs O'Neill: As I said, the price that farmers receive for their produce is a commercial matter. It is nothing to do with me, but I will ensure that, when it comes to dealing with organisations such as NIMEA, which, in this instance, is trying to make these changes, I will be the voice for the farming community. I have done so in this instance. On the matter of whether there is a cartel, I suppose that that is speculation.

Mr Allister: Does the Minister not need to do a lot more than that? Is it not patently obvious that there is a cartel, and is it not the case that synchronising over the action of reducing prices for cattle with more than four movements is an indication of that collusion between the meat plants, which is all directed at driving prices down?

Mr Deputy Speaker: The Member has asked his question.

Mr Allister: As champion for the agriculture industry, what does the Minister intend to do about that?

Mrs O'Neill: I set that out in a previous answer. We need to look at how we can grow the industry into the future. Pricing is one of many factors that impact on the farming community. I have always said that we need fairness in the supply chain. A farmer cannot be the person who is continually squeezed, but in this instance again, farmers are being continually squeezed. As we move forward, we need to be a strong voice, and we need to work together in challenging the meat processors and ensuring that farmers receive a fair price. The only way that we will have a sustainable agrifood sector into the future is if farmers are treated fairly in the supply chain. If we do not have fairness in the supply chain, the industry will be under threat for the future. I am committed to playing my role, which is why we have an industry/government strategic partnership and an agrifood strategy in place. It is why we are looking at and working together on all the issues that need to be addressed.

Cattle: Illegal Slaughter

8. Mr Girvan asked the Minister of Agriculture and Rural Development, in relation to illegal slaughter, what investigations are ongoing and how are those progressing with her Department, given that there seems to be an element in our community that will follow criminality no matter what the area, including stealing farm machinery. (AQT 918/11-15)

Mrs O'Neill: I think that the Member may be referring to the recent investigation into the south Armagh slaughter plant. That was very much a multi-agency operation, and

the PSNI was in the lead as part of the ongoing efforts to tackle agricultural crime. The investigation covers public health, for which the PSNI and Newry and Mourne District Council have responsibility, and animal health, which is the responsibility of DARD. There was collaborative working in that investigation, too.

I always like to make it very clear that the reputation of our industry and the traceability of our food are second to none. However, unfortunately, as you said, every community has some element of criminality, no matter what it is. It is important that we tackle it head-on. There is an ongoing investigation, and I want to make sure that my Department plays its role in whatever shape or form. In that instance, the PSNI was in the lead, and we gave them every support. Instances like that can damage the reputation of the high-quality food that we produce.

Mr Girvan: I thank the Minister for her answer. How will we bring confidence back to the industry? How does that type of activity impact on the wider agrifood industry?

Mrs O'Neill: I have always been very keen, particularly throughout the horse meat scandal, to say that we have the highest quality of food and that we can stand over its traceability because of the farm quality assurance logo that we can put on all of it. However, instances like these, which can involve a criminal element, tarnish the reputation of our high-quality produce. We need every partner involved, whether it is the PSNI, my Department or environmental health departments, to work together to make sure that we drive it out. It causes reputational damage to the good, high-quality food that we have to offer.

Badgers: TVR Scheme

9. Mr Anderson asked the Minister of Agriculture and Rural Development what progress has been made on the catch, test and release scheme for badgers in her efforts to eradicate bovine TB. (AQT 919/11-15)

Mrs O'Neill: I am very committed to making sure that we deal with the wildlife issue. An expansive piece of work is ongoing on the modelling for the new scheme and what we can do. My officials will go before the Committee for Agriculture and Rural Development very soon to discuss that further and to give more detail. We have done a lot of scoping and modelling work and are looking at rolling the scheme out very shortly.

Mr Anderson: I thank the Minister for that response, but the issue has been around for some time. This could be a case of a bit of good talk from the Minister about what is being done, but I believe that more needs to be done. When will the Minister get a handle on this very important issue and address it with some urgency?

Mrs O'Neill: If it was an easy problem to solve, I would have solved it by now. TB is a complex, multifactorial disease, and there is no simple solution or quick fix. That has been the case right across Europe. If there was a tried and tested method for dealing with TB, I would implement it here, but, unfortunately, that is not the case.

We are looking very closely at what other areas are doing. We are working up our TVR approach, which has the support of the badger lobby. It is very important that we take on board the views of all interests. As I said, there is no simple solution or quick fix. If there was, I would have done it by now.

Reservoirs Bill

10. **Mr Milne** asked the Minister of Agriculture and Rural Development to clarify whether she is willing to be flexible with the Reservoirs Bill so that small reservoir owners and community organisations will not be unduly burdened by the proposed legislation. (AQT 920/11-15)

Mrs O'Neill: I am very open to listening to the views of individuals and Committee members. I know that that issue was raised very early on in the legislative process. The simple answer is yes: I am open to listening to views as part of the Committee's scrutiny process, and I look forward to engaging with the Committee on how best we can make the Bill fit for purpose and meet the needs of local communities.

Mr Milne: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire go dtí seo. I thank the Minister for her answers thus far. As the Minister is aware, the Bill sets the capacity of a reservoir at 10,000 cubic metres. Will she be flexible in looking at the prospect of increasing it?

Mrs O'Neill: I am aware that that is a concern, particularly for some community groups involved in social economy enterprises on some reservoirs. It is not my intention, in any shape or fashion, to introduce legislation that will unduly burden small community groups. I am very happy for the Committee to consider that further and make recommendations. I am absolutely open to looking at those and will ensure that the legislation is fit for purpose so that, as I said, we do not unduly burden small community groups.

2.45 pm

Office of the First Minister and deputy First Minister

Mr Deputy Speaker: Questions 5 and 11 have been withdrawn.

Haass Talks: Value for Money

1. **Mr McQuillan** asked the First Minister and deputy First Minister for their assessment of the value for money represented by the £243,749 cost of the Haass talks. (AQO 5814/11-15)

Mr M McGuinness (The deputy First Minister): Mr Deputy Speaker, with your permission, I request an extra minute to answer questions 4 and 6, which I propose to group.

The establishment of the panel of parties and its deliberations under the chairmanship of Richard Haass was an essential step in the search for consensus on the issues of parades, flags and dealing with the past. When we made the initial announcement about the panel of parties, we recognised that there were no easy answers, but we were and remain committed to finding long-term and sustainable solutions that are in the best interests of the community we serve. We were privileged that figures of such international standing as Richard Haass and Meghan O'Sullivan agreed to facilitate the talks and that they offered their services on a pro bono basis. Although the talks concluded without agreement between the five Executive parties, that does not negate the value of the

process so far or call into question the necessary and unavoidable costs that it entailed.

Mr McQuillan: Does the deputy First Minister think that the revelation of the letters for the on-the-runs (OTRs) has harmed the process?

Mr M McGuinness: In the past couple of weeks, it has certainly been the subject of much discussion, but I do not think it has necessarily harmed the process. On the challenges that all the parties faced about how we deal with the past, the issue of parades and the whole issue of identity, those discussions clearly showed that there was a very large measure of agreement around the type of architecture and mechanisms that would be required to move us forward. I think that still represents the big challenge for all of us.

We are very conscious that, beginning shortly, we have a judicial review of the situation around OTRs, which, people should remind themselves, was part of a solemn agreement between the British and the Irish Governments at Weston Park. What I would like to see is a scenario that, whatever happens with whatever reviews are taking place over the OTRs, does not interrupt the essential work that party leaders have to engage in if we are to bring the Haass proposals to a successful conclusion.

Mr Nesbitt: I note that the deputy First Minister now talks of parades, the past and identity, rather than parades, the past and flags and emblems. On that basis, I am sure he heard Professor O'Sullivan recently on CNN talking in a critical manner of:

"the immature way in which some engaged on the issue of identity and how that interacted with the question of sovereignty".

Does the deputy First Minister accept that criticism?

Mr M McGuinness: I think that the contribution made by the Member to the whole Haass process and all that fell out from that in the past couple of weeks has been something to marvel at. I have marvelled at how someone could, in the latter stages of the Haass discussions, describe us as being 80% to 90% there, and then, when the First Minister and I arrive in the United States, we learn that the Member, as the leader of his party, has effectively produced all sorts of other proposals, none of which contained anything of the 80% or 90% that he had articulated in the final hours of the Haass process.

As I said to some of my friends over the past couple of weeks, I wonder how the Mike Nesbitt who interviewed me many years ago on behalf of UTV would conduct an interview with the Mike Nesbitt of today. I have to say that he has turned out to be a major disappointment in the entire process and someone who has not contributed in any serious way to finding solutions to very serious problems.

Ms McGahan: Go raibh maith agat. Can the Minister give his assessment of the current situation on the party leaders' meeting to discuss the proposals that Dr Haass and Professor O'Sullivan presented?

Mr M McGuinness: I am very pleased that the party leaders are going to meet later today. I do not know whether the leader of the Ulster Unionist Party will be at those discussions. I think that it would be very foolish of him not to be, but that is his prerogative. He is quite

entitled not to attend. However, I think that he is swimming against the tide. The reality is that the vast majority of Members believe that we need a resolution to parades and the past and to the whole issue of flags, symbols, emblems and identity.

That represents a real challenge of leadership to all of us and to whether we believe that we have within us the ability to crack these difficult situations in a way that delivers for our people. Yesterday, an event took place here in the North where hundreds of young people, most of them members of the Christian Churches right across the board, engaged in what I think was a useful exercise. They described it as “Haass hope”. Through social media in past hours, they have encouraged political leaders in the House to sit down with each other to find solutions that will give them a future. I am determined to do that.

Social Investment Fund

2. **Mr Dunne** asked the First Minister and deputy First Minister for an update on the delivery of the social investment fund. (AQO 5815/11-15)

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

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): On 10 February, we announced that £33 million would be invested in 23 projects that are aimed at tackling poverty and deprivation through improved community-based services and facilities. These first 23 projects have been identified as priorities by the steering groups in each local area that is covered by the nine social investment fund zones.

Draft letters of offer have issued to the successful projects, and those offers will be finalised following completion of verification and governance checks and agreement by lead partners on the conditions of offer. Lead partners will then take forward the procurement to deliver the outcomes that are described in the projects' proposals and that have been approved.

We are keen to ensure that projects are fully established and under way as soon as possible. Officials will be providing support to the lead partners to ensure that that is the case. To this end, a conference for all lead partners was held on 10 March, and that event provided a great platform to move forward with the delivery.

Mr Dunne: I thank the junior Minister for her answer. I am sure that the junior Minister would agree with me that the social investment fund has been somewhat slow in its roll-out. However, does she recognise the need for further movement and progress to see roll-out in places such as North Down?

Ms J McCann: I can give the Member an update on the North Down zone in a written reply if he wants. This has been a slow process in a sense. It was always going to be a process that was led by people in the community, who came together in the steering groups and devised the projects and priorities for their areas. As I said, we are keen to get those letters of offer verified so that the delivery plans can go ahead and the money can be put into the projects in those communities. That is why we had the meeting on 10 March with the lead partners.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. Will the junior Minister confirm that, as the information that we all received suggests, demand has outstripped the resources that are available from the funds? Could the Minister confirm that the steering groups in each zone have prioritised all the projects?

Ms J McCann: If we had the money to provide what was needed for all the projects that came in, we would have done that. Unfortunately, we are working with a budget. I think that once the allocations were determined and sent out to the individual zones, it was up to those zones to revisit their plans and to look at their priorities. Certainly, other funding will become available.

I have said in the House before that the social investment fund will not cure everything; there will still be issues, services and projects that we need to deliver. We hope that other programmes will fit in with the priorities that the zones have identified.

Mr Deputy Speaker: I urge Members and the Minister to address the Chair so that their voice can be picked up by the microphone more clearly.

Ms D Kelly: In all sincerity, does the junior Minister really believe that, coming into the third year of delivery and not a penny spent on project and programme delivery, the social investment fund is achieving what it said it would: tackling deprivation and poverty? How many people will be lifted out of poverty as a consequence of the £80 million spend?

Ms J McCann: As I said in my answer to the previous question, the social investment fund is part of the jigsaw of tackling poverty and disadvantage. It will not lift everybody out of poverty, as the Member said; it is unrealistic even to suggest that. There has been a lot of movement in recent months to push it forward. There were problems, but, once the allocations had been identified and the letters of offer sent out, quite a bit of work was done by departmental officials and the steering groups to move projects forward.

Victims and Survivors

3. **Mr Cree** asked the First Minister and deputy First Minister what engagement they have undertaken with victims and survivors groups following the publication of the independent assessment of the Victims and Survivors Service. (AQO 5816/11-15)

9. **Mr Milne** asked the First Minister and deputy First Minister how the advice of the Victims Commissioner and the recommendations of the independent assessment into the Victims and Survivors Service will be implemented. (AQO 5822/11-15)

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

Ms J McCann: It is important that we first confirm our commitment to implementing in full the commissioner's advice and all 55 recommendations presented to us following the independent assessment. Throughout the assessment process there was extensive engagement with key stakeholders to ensure that their experience informed the final reports. We are pleased that the recommendations have been based on input received from those key stakeholders. Our intention is not to create undue delay by repeating or duplicating engagement that

has already taken place, but rather to focus on taking forward the work required to ensure that further improvements are made and recommendations implemented in full. That said, we recognise the valuable input that groups and individual victims and survivors make. As such, we will ensure that engagement with key stakeholders continues during the implementation process.

Most of the report's recommendations relate to actions that fall within the responsibility of the Victims and Survivors Service (VSS), with a smaller number to be taken forward by the Commission for Victims and Survivors and OFMDFM. Implementation will be overseen by the programme board established following initial concerns raised by individual victims, groups and the Commission for Victims and Survivors. The programme board comprises representatives from the Victims and Survivors Service, the commission, OFMDFM and the victims' forum. The programme board has agreed an overarching implementation plan, which will inform individual work plans in all three organisations. Progress will be closely monitored and action taken to address any issues or risks to delivery. We remain committed to ensuring that the necessary action is taken in a timely manner and, most important, that it is the right action to address the issues identified through the independent assessment and the commissioner's advice.

Sorry, Mr Deputy Speaker, I have answered questions 3 and 9 together. I forgot to mention that at the beginning.

Mr Cree: I thank the junior Minister. She will have no doubt noted the primary criticism of the independent assessment. The lack of a fully constituted board left the VSS without strategic leadership and oversight until December 2013. That was a serious failure. Has any apology been offered to victims and survivors for that failure?

Ms J McCann: The Member quite rightly identifies a problem that was brought to our attention. A permanent chair has been appointed to the Victims and Survivors Service, with effect from last December. That appointment is for a four-year term, and the board will strategically empower the Victims and Survivors Service to move forward with improvements in development matters.

There were other issues concerning governance, and quite a lot of concern was brought to us about the individual review assessments. Many recommendations came forward, and we will ensure that all those recommendations will be put in place quickly.

3.00 pm

Mr Milne: Gabhaim buíochas leis an Aire go dtí seo. Is the Minister satisfied that the necessary capabilities and expertise and, indeed, the will exist in the Victims and Survivors Service to ensure that all the recommendations and the advice are implemented?

Ms J McCann: As I said in my previous answer, we now have a copy of the recommendations that the review brought forward. A programme board has also been set up. Officials from OFMDFM are part of the programme board, along with people from the service and representatives from the Victims' Commission. There are also representatives from a working group within the victims forum, who are victims themselves, and Mr Alex Bunting is the proposed representative. When all those groups get together, we will be in a much better position

to make sure that the service provides for the needs and the concerns of the people who really matter out there: the victims and survivors.

Mr Eastwood: I am glad to hear the Minister say that the Department will implement the recommendations in a timely manner. How timely will that be? Is there a timeline for delivering the recommendations?

Ms J McCann: The initial programme board meeting that I have just outlined — the board that has all the sectors' interests represented — has put forward a subgroup that has been specifically tasked with looking at the recommendations. Some interim issues have been looked at and identified, particularly the form for the independent needs review. We will look at what we can implement quickly and, where we cannot implement the recommendations as quickly as we would hope, at putting in place some sort of interim service to cover the issues that we need to take a longer-term view on.

First Minister and deputy First Minister: US Visit

4. **Mr Boylan** asked the First Minister and deputy First Minister for an update on their recent trip to the USA. (AQO 5817/11-15)

6. **Mr McGlone** asked the First Minister and deputy First Minister to outline the investment they secured on their recent visit to the USA. (AQO 5819/11-15)

Mr M McGuinness: With your permission, Mr Deputy Speaker, I will answer questions 4 and 6 together.

The First Minister and I covered a wide geographical area on both the west and east coasts of the United States during our official visit earlier this month. We were very pleased with the quality of the meetings that we attended and with the existing and potential investment opportunities that we were able to support on the west coast. Our time in Washington DC was dominated by a heavy political itinerary related to the St Patrick's Day celebrations in Capitol Hill and the White House.

In Los Angeles, we met six senior executives from HBO. We were very struck by the warm reception that we received and the enthusiasm that the company has for our relationship. It is worth noting that 'Game of Thrones' has brought over £98 million into the local economy since HBO first came here. The spin-off in terms of increasing tourism and encouraging other production studios to come here on the back of that is very important to our economy. That evening, we attended an event to support Cinemagic, the locally based charity that gives children from disadvantaged areas the opportunity to make films that address social issues while allowing them to break down sectarian and racial barriers. We were very pleased that the event attracted over 200 guests from the film and TV production sector. We used the event to promote the local creative industry sector.

We also met Seagate's senior management board in San Jose. We had never been to Seagate's headquarters before, and we wanted to underscore our personal commitment to the company. Since 1993, the company has invested over £1 billion in the north-west, and it employs around 1,400 people. Again, we were very struck by the senior management's enthusiasm for our

relationship, and they were very appreciative that we took the time to visit.

We hosted an inward investment lunch in Silicon Valley for 120 executives, where we made keynote speeches about the local business opportunity and why we have been so successful in attracting foreign direct investment. That message was underscored by the president of Concentrix, who gave his personal testimony of his experience of our economic and workforce strength. That event was attended by several potential investors, whom we were able to meet privately to encourage them to make that final commitment.

In San Francisco, we officiated at the opening of Invest NI's new offices, where we were joined by the mayor of San Francisco, Mayor Lee. On the investment front, we are very confident that a number of significant new investments will be announced in the coming months, to which we were able to add our support and commitment at a crucial stage of the negotiations.

In Washington DC, we were guests of the American Ireland Fund, along with the vice president and the Taoiseach, at its gala dinner on Thursday 13 March. We attended the Speaker's lunch with the president, the vice president and the Taoiseach on Friday 14. The latter event attracts many members of Congress. We, as always, were impressed with the welcome that we received from both sides of the aisle.

We also hosted the bureau's annual St Patrick's Day business breakfast for over 300 Washington-based contacts. That annual event in the St Patrick's Day calendar is one that we have ownership of and that continues to provide an excellent vehicle for us to engage directly with a wide range of —

Mr Deputy Speaker: I ask Cathal Boylan for a supplementary question. Three minutes has been exceeded. Thank you.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. Can he give us his assessment of the importance of Seagate, particularly in the north-west?

Mr M McGuinness: As I said in my earlier answer, Seagate is a hugely important US company. It was established at Springtown in 1993. Along with the group's Normandale site in Minnesota, it manufactures the read/write heads for the Seagate group's final hard disk drive products. The company here is a subsidiary of Seagate Technology, which is the world's leading manufacturer of disk drives, magnetic disks and read/write heads. Seagate is one of the largest employers in the north-west. It currently employs over 1,300 people. It is recognised as a most advanced nanotechnology-scale manufacturing facility. The Springtown factory is an integral part of Seagate's global supply chain and continues to supply over one million read/write heads every day for Seagate disk drives. Indeed, it is estimated that 25% of the world's recording heads are produced from the Springtown plant. Seagate's importance as a major investor here — in the north-west, in particular — is widely recognised, with the company estimated to have invested over £1 billion in the local operation since opening in 1993.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an LeasChéad-Aire as ucht a fhreagra.

I know that the deputy First Minister has dwelt somewhat on the creative sectors and film industries. Can he give us any indication of which economic or business sectors are likely to benefit from the visit to the United States this year? He alluded to them earlier.

Mr M McGuinness: Given that we engaged in a very important lunch for 120 senior executives in Silicon Valley, people can draw their own conclusions about what sort of sectors we have been pitching at. Certainly, we are very encouraged by the response that we received. I think that it is safe to say that the First Minister would agree with me that it was probably the most successful economic business venture that we have been involved in with regard to foreign trips. It was well worthwhile, in our opinion. The First Minister and I feel that we can stand here today confidently predicting that there will be some very good news from several fronts over the coming weeks and months.

Mr G Robinson: Can any of those investors be encouraged to locate in East Londonderry to help to alleviate some of the DVA job losses in Coleraine recently?

Mr M McGuinness: I have every sympathy with the Member and, indeed, all Members from that constituency. There have been a number of very serious job losses. Even historically, the loss of Seagate in the Limavady area was a very sore blow. We then had the KPL announcement, and, of course, the loss of the DVA jobs represents a serious blow for the constituency. That is why we place such a major focus on the development of the Ballykelly site.

As the First Minister has clearly indicated in previous answers, what is shaping up for that location, outside of DARD's relocation, is very encouraging. We think that much more can be developed on the site, and there is a tremendous amount of interest in it at this time. The whole purpose, obviously, is to provide employment for the north-west region. I have every sympathy with what the Member said. We are doing everything in our power and Invest NI is doing everything in its power to ensure that, where there are heavy job losses, we can compensate for that by encouraging those who might be interested in investing in the North to look at those areas.

Mr Deputy Speaker: Dominic Bradley is not in his place.

4 Nations Play Symposium

8. **Mr McAleer** asked the First Minister and deputy First Minister for an update on the recent visit of the junior Minister to the 4 Nations Play Policy Symposium. (AQO 5821/11-15)

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

Ms J McCann: I was delighted to accept the invitation from Aileen Campbell, the Scottish Minister for Children and Young People, to attend the 4 Nations play symposium in Glasgow on 13 March. The symposium takes place every two years, and the aim is to have a discussion about play policies and strategies that will benefit children and young

people. When I was there, I told the audience about recent developments and future plans to enhance the opportunities for play and leisure across the North. We heard from each region, and a theme that emerged was that play rarely has an obvious lead Department. However, many Departments, agencies and voluntary and community organisations provide for play in its own right and as a medium to address issues such as physical and mental health and social needs. That highlights the importance of a joined-up approach to providing for play, and we remain committed to leading a coordinated approach to play through the play and leisure implementation plan and enhancing provision through the play and leisure signature programme, on which we have committed to spend £1.6 million over the next three years.

PlayBoard presented its community-based CAN Play project, which it delivered in Carrickfergus, Antrim and Newtownabbey with the support of Peace III funding. That project has inspired one strand of the signature programme that will build on the PlayBoard concept to help to support communities to provide for play.

I also visited a bus that is part of the Scottish Play Talk Read campaign. The campaign promotes the critical importance of play in the earliest years of a child's life and provides many resources to parents and carers. We would like to build on existing initiatives here to ensure that everyone appreciates that play is a vital ingredient in the development of our children through to adulthood.

The experience that we shared at the symposium will help us to achieve more and to increase the opportunities for children and young people to gain all the benefits of play and leisure.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister give us an update on her visit to the Castlemilk Youth Complex while at the play symposium?

Ms J McCann: When we were in Glasgow, we took the opportunity to visit the Castlemilk Youth Complex. Castlemilk is a part of Glasgow that has a high number of families who are considered to be economically and socially disadvantaged. We were glad that those at the complex let us come in to see what happens there. As I said, Castlemilk is a youth complex on one of Glasgow's largest housing estates. It has a long track record of offering programmes, projects, positive interventions and education to some of the poorest and most disaffected young people in Glasgow. It was a very good learning experience for us. We hope that we can bring back some of what we learned about the way that programmes are delivered at the complex. For me, one of the most enjoyable parts of the evening was seeing the way in which the young people, some of whom had different disabilities, came together at this warehouse-type building not only to meet each other but to work together through the forum of art and play. That was a really good experience for me. It was also about tackling sectarianism and drug and alcohol misuse. In my view, lessons on all those issues, which we in the North have as well, can be learned from the people at Castlemilk.

3.15 pm

Mr Deputy Speaker: That ends listed questions. We move to 15 minutes of topical questions, and I call Ms Anna Lo.

Mr Allister: From one nationalist to another.

Ms Lo: May I start, Mr Deputy Speaker?

Good Relations

1. **Ms Lo** asked the First Minister and deputy First Minister how the deputy First Minister's party can justify not supporting the Alliance Party's amendment from last week for good relations to be included in community planning in the Local Government Bill, given the commitments within the strategy Together: Building a United Community. (AQT 901/11-15)

Mr M McGuinness: With your permission, Mr Deputy Speaker — *[Interruption.]*

Mr Deputy Speaker: Order, Members.

Mr M McGuinness: — I will ask junior Minister McCann to answer the question.

Ms J McCann: In answer to that part of the Member's question I would say that we believed that the amendment ran contrary to the section 75 equality issues already identified and so diluted the equality agenda.

I come back to Together: Building a United Community. Our Department is and has been involved in the different themes, and a ministerial panel will meet this week or next to discuss the way forward. Specific pilots have already been identified, particularly for young people, such as the United Youth programme. When junior Minister Bell and I go to events for young people — I was at the event yesterday that the deputy First Minister mentioned — we listen to them, and we see that they want to move forward together. They want to move forward in equality, and they want to tell us in places such as this that it is their future that is important. We need to listen to what those young people say.

Ms Lo: I thank the junior Minister for her response. Of course it is very important that we listen to and work with young people; they are our future. How will the junior Minister ensure that the new councils live up to delivering good community relations programmes?

Ms J McCann: All government, whether local or central, should be committed to delivering equality for everyone. We cannot afford to dilute any equality gains that we have made. No one should be frightened about equality for everyone. Any right-thinking person will see that you need to build on legislation and on what is already there to strengthen the equality agenda. Equality is a basic human right. Everybody, no matter what their background, should enjoy the same access of opportunity to all services, whether they are provided by local councils, central government or whatever. Everyone, no matter what their economic, social or political background, should have the same rights.

Flags, Emblems, Parades and the Past

2. **Mr Boylan** asked the First Minister and deputy First Minister what prospect of success is there from the party leaders' meetings to deal with flags, emblems, parades and the past. (AQT 902/11-15)

Mr M McGuinness: I am the eternal optimist. I work on the basis that, if people are prepared to commit to serious engagement on these important issues, it is possible to find a way forward. The way forward has been pointed out to all of us as a result of the great work

done by Richard Haass and Meghan O'Sullivan, and it is critical that we all understand that we have a duty and a responsibility as leaders to lead. Leading can be a lonely post, but it can only be done from the front. That means effectively standing up to those who are determined, as some are both in my community and in the community of the representatives opposite, to drag us back. In no circumstances will I stand by and allow that to happen.

Other parties are prepared to continue with the party leaders' meetings against the backdrop of recognising that the eyes of the world are on us. We saw that in the United States in a very powerful speech by Vice President Joe Biden at the American Ireland Fund dinner and the remarks made by President Obama at the Speaker's lunch. There is a huge focus on what we are doing here, and it is critical that we engage seriously in those discussions. I am engaging in them in good faith and on the basis that the others who will attend those meetings are as serious about finding a resolution as I am.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an LeasChéad-Aire as a fhreagra.

I thank the deputy First Minister for his reply, but, in the light of what he has just said and of the upcoming elections, does he believe that some parties are more interested in grandstanding than in dealing with these serious issues?

Mr M McGuinness: I certainly believe that there are interest groups and politicians who attempt to use these situations for their own purposes. That is why I have to express my particular disappointment at the behaviour of the Ulster Unionist Party, whose contribution to the Haass stuff clearly suggests that it is certainly one of those parties that is grandstanding and adopting a position that, it believes, will get it preference votes in the upcoming European and local government elections.

I think that the people out there in the loyalist community and the people who have shown themselves to be extremists in recent times are not representative of where the vast majority of unionists and loyalists are coming from. People do not want anything to do with sectarianism or racism. Certainly, from our perspective in my community, people want absolutely nothing to do with so-called dissident groups who think that it is a good idea to go out and bomb people and shoot people.

We have seen examples in the House today of how efforts are made to bully people. I consider the comments made by the Member for North Antrim against the Member for South Belfast Anna Lo a continuation of the bullying that happened — *[Interruption.]*

Mr Deputy Speaker: Order.

Mr M McGuinness: — for example, when people in east Belfast were criticised because they were learning the Irish language. *[Interruption.]*

Mr Deputy Speaker: Order, Members.

Victims: Justice

3. **Miss M McIlveen** asked the First Minister and deputy First Minister whether the deputy First Minister agrees that any process to deal with the past must keep open the prospect of victims getting justice. (AQT 903/11-15)

Mr M McGuinness: Absolutely. In the course of the discussions, Haass came forward with very serious proposals. I am not here to answer for Sinn Féin — I am speaking on behalf of OFMDFM — but, going into those discussions, my party was prepared to compromise given that we had our own position on the three issues. The compromise involved the establishment of a historical investigation unit — a very serious project that is about delivering justice for citizens — alongside the independent information recovery mechanism and the establishment of an adjudicating body on how parades will be dealt with. The Member asked specifically about the past and whether people are entitled to justice, and I absolutely agree.

Miss M McIlveen: Further to that, would the deputy First Minister agree that the police and prosecuting authorities should pursue those who have committed criminal offences, irrespective of whether they are so-called friends of the peace process?

Mr M McGuinness: That raises a very serious question about whether efforts are being made to pursue people who were involved in activities in the past involving members of the British Army, the RUC and the UDR. There is a very clear perception —

Mr Allister: And the IRA. *[Interruption.]*

Mr Deputy Speaker: Order.

Mr M McGuinness: Members can try to interrupt all they want. The truth obviously hurts. I will not be bullied or cowed by any of the chirping from the sidelines. The reality that we are dealing with is that, if there is going to be justice, it has to be justice for all.

Job Opportunities: Silicon Valley

4. **Mr Ó hOisín** asked the First Minister and deputy First Minister, following their recent visit to Silicon Valley, whether there is a possibility of job opportunities emanating from that quarter. (AQT 904/11-15)

Mr M McGuinness: As I said in an earlier answer, the First Minister and I are very confident that very substantial job announcements will be made in the coming weeks and months. This was one of the most encouraging economic missions that we have been on, and it was clear from the turnout at the Silicon Valley event that there is tremendous interest in what is happening here in the North of Ireland. People absolutely get it when world-brand companies, such as Chicago Mercantile, the New York Stock Exchange, Allstate and many others, base their enterprises here and further develop them, increasing our employment prospects and their own revenues. It is hugely encouraging when we go there to see people who take a very clear interest in the propositions that we have to offer.

We are also very encouraged by the number of people who are out in Silicon Valley who have connections to the island of Ireland and themselves found it beneficial to turn up at that event and to outline for us the projects that they are involved in throughout the island of Ireland, including the North of Ireland. I think that the very positive reception that we received will certainly lead to very positive announcements very shortly.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an LeasChéad-Aire as a fhreagra. I thank the deputy First Minister for his answer.

Does he agree that the devolution of the maximum amount of fiscal power here is desirable and that the devolution of corporation tax will assist in bringing job opportunities here?

Mr M McGuinness: It will be no secret to anybody in the House that the First Minister and I, as well as the entire Executive, absolutely believe that it is crucial to get the devolution of these powers to our Administration. Obviously, we are impatient to do that, and we are very conscious that it has been made clear that there will be no decision on the matter until after the Scottish referendum later this year. However, it is our assessment that, even in the context of the position as it stands, we are doing a very good job in attracting foreign direct investment. We have attracted more foreign direct investment over the past couple of years than at any other time in the history of the state. I contend that doing that against the backdrop of an economic recession that has been very cruel worldwide is a major achievement. Just think what we could do if we can get the powers to reduce our corporation tax to the sort of level that exists in Dublin; it would make a huge difference and would, clearly, bring tens of thousands of new jobs.

Goods, Facilities and Services Legislation: Age Discrimination

5. **Mr G Kelly** asked the First Minister and deputy First Minister whether they are aware of legal opinion given to NICCY and the Equality Commission by Robin Allen and Dee Masters regarding age discrimination in goods, facilities and services legislation. (AQT 905/11-15)

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

Ms J McCann: I share many of the concerns that the legal opinion offers on the legislation with particular regard to the exclusion of persons under 18 and, more generally, the protection against age discrimination in goods, facilities and services legislation. The drafters of the legal opinion also said that there would likely be justification for allowing some special measures to protect the interests of vulnerable age groups.

We see that already in the likes of the immunisation programme for children and the free travel bus pass for older people. It is important that we look at the issues raised by Robin Allen QC and Dee Masters when they brought that opinion forward.

3.30 pm

Mr Deputy Speaker: That concludes Question Time.

Private Members' Business

Social Housing: Affordable Homes

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. As two amendments have been selected and published on the Marshalled List, an additional 15 minutes has been added to the time. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Before we begin, the House should note that the amendments are mutually exclusive. So, if amendment No 1 is made, the Question will not be put on amendment No 2.

Mrs D Kelly: I beg to move

That this Assembly notes with concern that, in March 2013, there were 41,356 applicants registered on the social housing waiting list, with 22,414 deemed to be in housing stress and 9,878 accepted as statutorily homeless; further notes the Programme for Government 2011-15 commitment to deliver 8,000 social and affordable homes will not match the current level of need; and calls on the Minister for Social Development to begin to tackle the housing crisis by committing to deliver an additional 4,000 social and affordable homes by the end of the current Programme for Government 2011-15 period.

I am very pleased to be here on behalf of the SDLP this afternoon to highlight the severe crisis in housing, particularly social housing. The figures in the motion speak for themselves: we are in the midst of a severe housing crisis.

(Mr Speaker in the Chair)

The SDLP has long been associated with the need for decent homes. Everyone longs to have a decent affordable home that allows them to live in their local community. It is a fundamental human right; it is also widely recognised as a key component of good health outcomes. The SDLP is putting down a marker this afternoon to the Minister for Social Development that the key objectives and principles in the allocation of social homes should be, and must remain, based on certain key principles.

Mr Wilson: Will the Member give way?

Mrs D Kelly: No, not at the moment. I will give way later.

It is vital that any system operates on the basis of objective housing need, that the most vulnerable are protected and prioritised and that housing allocations continue to be made under the principle of fairness and equity. In a recent answer to a question, Minister McCausland outlined that the top areas most in need of social housing are west Belfast, where the bulletin says that 1,428 families are in need; south and east Belfast with 1,414; and north Belfast with 789. The figures drop to 314 in Bangor Urban and 274 in Westbank 1 in the north region. Therefore, you can see the huge difference between the top areas of greatest need and the remaining areas.

Of the two amendments to the motion, the SDLP is happy to accept the Alliance proposal. When Margaret Ritchie

was Minister for Social Development, she took the lead in trying to ensure that homes were not segregated and that there were shared communities and key principles in support of that.

Mr Wilson: Will the Member give way?

Mrs D Kelly: I will give way in a couple of minutes. There are a few things that I want to get onto the record first.

Unfortunately, we are not in a position to accept the DUP amendment. It quite rightly highlights the need for additional homes and talks about working with housing associations. However, on more than one occasion, the Minister has said that, of the 29 housing associations registered in the North, only four have the capacity to deliver new homes. Therefore, we do not believe that that amendment will meet the current crisis.

The 'Northern Ireland Housing Bulletin' published on 29 January 2014 states:

"During the quarter ending 30th September 2013: The total number of new dwelling starts was 1,103, a decrease of 3% (38) on the previous quarter (April – June 2013) and 34% (1,681) on the same quarter in 2012. The total number of new dwelling completions"

— "completions" as opposed to new starts, and that, sometimes, is where the difficulty lies, in getting beyond the announcement and actually getting people the key for their new home —

"was 2,040, an increase of 2% (41) on the previous quarter, and a decrease of 12% (279) on the same quarter in 2012."

Only in the last monitoring round, the Social Development Minister returned over £10 million that his Department had set aside to try to buy back in areas of high demand, because, as I understand it, the Finance Minister would not accept the business case. At Committee, I asked whether the Finance Department would take into consideration the other outcomes of housing that are more qualitative than quantitative; that includes how housing impacts on good health outcomes and on reductions in spend on temporary accommodation.

Over the past number of months, I have had occasion to meet many families. Housing is one of the biggest concerns raised with me at constituency level, particularly in the north Lurgan area where there is high demand for housing.

There is an old saying: "One thing about land is that they are not making any more of it." One of the things that this Minister can take a lead on, with his colleagues in the Executive, is to identify land that is in public ownership. Much of that land may belong to local authorities. For example, Craigavon Borough Council owns significant tracts of land. The Minister should investigate whether there are any flexibilities in dealing with the Finance Minister and the district valuer on whether that land can be transferred for housing to housing associations at a particular cost.

Mr Humphrey: Will the Member give way?

Mrs D Kelly: I will give way to Mr Wilson, who asked first, at this stage.

Mr Wilson: I appreciate the points that the Member makes. However, let me ask her about the severe housing

crisis and the situation now. Does she accept that when SDLP Ministers were responsible for housing, the Housing Executive estimated that 3,000 new houses were required every year, and her Ministers delivered 1,800; whereas the current Minister, with the housing need running at 2,000 houses each year, is delivering 2,000 houses this year? Surely the crisis has been resolved by the DUP Minister, while it was ignored when Ministers of her own party were responsible? I do not remember any such motions coming to the Assembly then.

Mrs D Kelly: I take the Member's point, but it is widely acknowledged that the housing crisis is not something that has happened in the past year or over the past two or three years. It happened during periods of neglect under direct rule. It has been exacerbated by the austerity downturn. I will tell you one thing: my colleague Margaret Ritchie got an extra £40 million from the Executive to build new houses from the very Member, who was then the Finance Minister and agreed that there was a need for it. *[Interruption.]* Unlike the current Minister, she did not hand back money, hand over fist, for the Executive to divvy up among other projects.

Mr Humphrey: Will the Member give way? *[Interruption.]*

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

Mrs D Kelly: It is widely accepted and acknowledged that not only is there a demand for housing but the construction industry is still at a very low ebb, and we all know the multiplier effect of money spent on infrastructure. Apparently — this is not my fact, but one contained in the information helpfully supplied by the Research and Information Service — money spent on the housing infrastructure has a greater multiplier effect than money spent on any other construction project in any other Department. That needs to be acknowledged.

More than that, inequalities prevail across Northern Ireland in housing. Girdwood is one of the finest examples of where there has been abject failure —

Mr Humphrey: Will the Member give way?

Mrs D Kelly: — on behalf of the representatives in that area to represent all their citizens and colleagues.

Mr McCausland: Will the Member give way?

Mrs D Kelly: No. I am almost finished. There is only — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mrs D Kelly: There have been unaccountable delays in developing on that site. Margaret Ritchie agreed over 200 houses, and that has been filtered down to 60. That is an absolute disgrace. Not only that, but the delays in putting forward an application that will meet all planning standards is an indictment of the lack of enthusiasm —

Mr Humphrey: Will the Member give way?

Mrs D Kelly: — that the Minister and his colleagues in that constituency have for the people of North Belfast.

Mr Speaker: Order. The Member will know that the Member who has the Floor decides whether they want to give way.

Mr Humphrey: It is polite to ask.

Mr Speaker: Order. It is quite obvious that the Member has no intention of giving way. Order. Let us move on.

Mrs D Kelly: I usually give way to allow Members to have something useful to say, but I have never heard anything useful come from the Member for North Belfast in this House. I acknowledge the fact that we need to build a better shared future and the fact that segregation in our housing is something that stands as a collective failure of this Executive and the failure to bring this community forward out of conflict.

We must also acknowledge the desire among many families to live near home, beside friends and family. Although many people might aspire to living in a shared community, there are also those who, for childcare or other caring arrangements, want to live next to neighbours, friends and family. That is a reality. However, I believe that much more can be done and much more must be done. If the Assembly does not recognise that there is a housing crisis, it is blinded to the facts.

Mr Lyttle: I beg to move amendment No 1:

Leave out all after "homeless" and insert:

"and that some social housing falls below an expected quality and that this exacerbates the housing crisis; further notes the Programme for Government 11-15 commitment to deliver 8,000 social and affordable homes will not match the current level of need; believes that the segregation of housing contributes to an inflexible supply of housing and therefore to the housing crisis; calls on the Minister for Social Development to begin to tackle the housing crisis by committing to deliver an additional 4,000 social and affordable homes by the end of the current Programme for Government period; and further calls for the introduction of legislation to facilitate shared housing and the role it can play in tackling the housing crisis."

I support the motion and propose the Alliance Party amendment, which emphasises how poor housing quality and segregation are key contributing factors to the housing crisis. We agree with the proposers of the motion that access to adequate housing is absolutely a fundamental human right. As has been mentioned already, the number of applicants on the social housing waiting list is completely unacceptable and needs to be addressed with serious, concerted and urgent action. There are a number of contributing factors, but, at the most basic level, there is a need for many more new homes. The proposers of the motion call on us to set our sights higher and increase the planned provision of housing by 50%. That has Alliance Party support today.

Turning to our amendment, the first additional point that I would like to highlight —

Mr Wilson: Will the Member give way?

Mr Lyttle: I would like to make a bit of progress — is the contribution that poor-quality housing makes to the housing crisis. I am sure that many Members will agree that, week on week, we are approached by constituents for assistance with regard to maintenance issues in their homes. In my constituency of East Belfast, I have had some very serious maintenance issues to deal with, from, at the most extreme level, ceilings that have collapsed in the rooms of older people to more routine maintenance

issues not being dealt with that then become more serious issues.

My Alliance Party colleagues in North Belfast recently met the Participation and the Practice of Rights (PPR) project and the Equality Can't Wait residents' group who are working to highlight and address inequalities in social housing. They heard from residents living in social housing that falls far below an acceptable standard. A high number of children are living in houses and flats with cramped, damp and dark conditions. Indeed, the UN special rapporteur visited those same residents and was equally appalled at the living conditions that they find themselves in.

Mr McCausland: Will the Member give way?

Mr Lyttle: I would like to make some progress.

Listening to the concerns from residents living in those conditions highlights a need not only to alleviate the housing waiting list but to deal with those in social housing in conditions that are simply not adequate. The Minister has himself noted recently that there has been significant underinvestment in our social housing stock in recent years, and that is a major issue that needs to be addressed. It is not difficult to draw the connection between housing falling below an expected quality and a desire by an occupant to move to a different property.

In the time that I have, I do not want to go over the difficulties with contracts that have led to major delays in essential housing maintenance. Obviously, there have been significant problems, and I am sure that the Assembly will be keen to hear from the Minister today about the ongoing steps that are being taken to address that situation. It is clear that, if the issues around maintenance were resolved, it would help significantly in addressing the waiting list for social housing.

3.45 pm

The final part of our amendment calls for legislation to facilitate shared housing, recognising the role that that could play in tackling the housing crisis. The Alliance Party believes that all housing, streets and public spaces in every residential area must be accessible and welcoming to all. However, segregation and fear in housing continue to represent a significant barrier to the growth of a more united community and contribute to an inflexible supply of housing.

We do not believe that we will fully address problems around housing provision if we do not address the key contributing factor: our community is deeply divided. Based on the 2001 census, 91% of all Belfast Housing Executive housing areas were highly polarised, with more than 80% of one section of the community or less than 20% of one section of the community in a housing area. Issues of safety and fear continue to have a negative impact on the accessibility of social housing. There are areas that are exclusively recognised by the Housing Executive as single identity neighbourhoods, and that further reduces the availability of housing to applicants.

We are in a situation in which, despite the design of a points system to achieve fairness, people who apply from one section of the community can find themselves waiting longer because, at a particular time, there is less availability in a single identity area. There would not be that added delay if housing were provided solely on the basis of need. We must work to ensure that fear does

not become a factor. Unfortunately, however, the pattern of fear and anxiety around housing choice has never been properly confronted let alone addressed by this Government. A commitment to tackling the issues that prevent people feeling comfortable living in a certain area is not a form of social engineering — on the contrary, Mr Speaker. The unfortunate and sobering reality is that the current pattern of housing is actively engineered through intimidation and exclusion, and government has proved unwilling to meet that challenge. That reality, combined with the demonstrated preference of the majority of people in Northern Ireland to live in truly mixed neighbourhoods, should challenge us into real action to address segregation.

Changing the pattern of fear and division in housing must be a priority if we are to address fully the issues around accessibility of housing and, more widely, achieve a vision of a truly shared society. We therefore propose a shared housing review that would include recommendations on how to ensure that a commitment to promote and facilitate mixed housing can be translated into a formal duty for housing authorities, and any legislative instruments required to produce and underpin change. That review would also recommend actions over the coming years to eliminate discrimination and exclusion, and encourage the development of neighbourhoods and housing that is genuinely mixed.

We will also need to make structural and behavioural changes in public agencies that are required to manage changes in housing. That includes the removal of the de facto marketing of some housing as single identity. How to design and market housing developments to maximise the potential for sharing will also be vital, as will measures to monitor and evaluate the changes that we need to see.

We recognise that the Housing Executive has taken positive action to promote shared housing, including through its shared future programme. Some people involved in that programme have done excellent work in creating shared neighbourhoods and in promoting over 30 shared housing areas. However, the reality is that segregation remains a significant problem in many areas and continues to be a key contributing factor to the inflexibility of the supply of housing and, consequently, the housing crisis that the proposers of the motion mentioned today.

I encourage Members to support our amendment and give the Assembly the opportunity to demonstrate a willingness to meet this challenge with robust and serious action and to put it on a legislative footing. I commend the amendment to the House.

Mr Campbell: I beg to move amendment No 2:

Leave out all after the first "homes" and insert:

"which was deemed by the Northern Ireland Housing Executive to meet identified need; and calls on the Minister for Social Development to continue working with the housing association movement to increase its capacity to provide an additional 1000 social and affordable homes over the Programme for Government period whilst also providing additional services to tenants."

We acknowledge Mrs Kelly's bringing the issue to the Floor. Our amendment is fairly clear and precise on the

wider definition of the Minister's responsibility. It is not just about providing an adequate number of homes; it is about the type of accommodation. We refer to that at the end of the amendment, "additional services to tenants."

I start by drawing attention to the numbers in the SDLP motion, on which its mover elaborated, of those on the waiting list who are in housing stress. The housing stress category is not a precise tool, but it is commonly acknowledged to be as good an assessment as we have at the moment of those in acute need of housing. The demand can be tailored by an assessment of those in housing stress. The mover, quite rightly, drew attention to the fact that there are 22,400 people in housing stress, but what she did not say was that, six years ago, that number was almost exactly the same. I do not know whether that is a coincidence or whether the Member's omission was deliberate, but the numbers have not changed since an SDLP Minister happened to be in charge, when almost 22,000 people were in housing stress.

Mr Wilson: Will the Member give way?

Mr Campbell: Yes.

Mr Wilson: I am glad that the Member has raised this. At that stage, the Housing Executive estimated that 3,000 new houses were required to meet housing stress, yet the SDLP Minister delivered just over half that number. Does he not find it strange that the SDLP saw no housing crisis then? Now, with a Minister delivering every house that the Housing Executive says is required to deal with housing stress, there is suddenly a crisis.

Mr Campbell: I thank my honourable colleague for highlighting that. It is an unfortunate politicisation of the housing issue. Six or seven years ago — I checked this — we did not have a full-blown debate in the Assembly on the severity of the housing crisis, even though the number of people in housing stress was almost identical to now. As my friend quite rightly says, we are much closer to meeting the targeted need now than we were then, and yet there is a crisis now and there was not then. We shall deal with the politics of it, as I am sure that the Minister and others will do. The Member for Upper Bann appears to have a North Belfast fetish. I am not sure what it is.

Mr Humphrey: Will the Member give way?

Mr Campbell: Yes.

Mr Humphrey: Further to the point about the Member's North Belfast fetish, when she was moving the motion, she made it very clear that, in North Belfast, there was little leadership on the issue of Girdwood. The Democratic Unionist Party has not played politics with Girdwood. The former leader of the SDLP, Ms Ritchie, trying to secure the leadership of her party, announced that there would not be shared housing in Girdwood. That was totally contrary to Dunlop/Toner — I suspect that that is why the Member would not let me in. Then, in the run-up to the elections in 2011, the then Minister, Mr Attwood, had a meeting on the site and invited all the North Belfast SDLP councillors and candidates — no one else; just them. We have not played politics with Girdwood. We are determined to make Girdwood a shared site. Sadly, the SDLP was not.

Mr Campbell: I thank my honourable friend for that insight into North Belfast. It certainly puts on the record something contrary to what has been in the media in the recent past.

I wish to move on. This is not just about numbers: the number of homes being provided or the number of people in housing stress. In addition, there is the issue that the Minister has raised over the past 12 to 18 months, which is the quality of existing tenants' homes. Although all the housing surveys indicate that the quality of housing in the sector is quite good, the issue of double-glazing, for example, had to be addressed by the current Minister. It was not being addressed on previous occasions, but, hopefully, it will be systematically addressed in the next year or two as he gets to grips with that legacy.

We need to try to transcend the cheap jibes of who did what and when and, "It was a crisis then, and it is not a crisis now". What we need to try to get now, and what people out there will want to see, is all-party consensus on a number of things, including trying to provide more quality homes in the sector for all our citizens, irrespective of where they live, their politics, their religion or their background. They will also want to see us looking at whether the housing stock that we have is completely fit for purpose. Is it the best housing stock that we can provide? Hopefully, the Minister will be able to answer those questions when he responds to the debate.

I want to spend a couple of minutes dealing with the Alliance Party's amendment. Again, the Alliance Party appears to want to go down more than just a shared housing route. I think that everybody wants to go down the route of trying to get housing allocated on a shared basis, where it is not a case of people in communities feeling on a religious or political basis, "We can accept a property there, but we cannot accept one elsewhere". It appears, again, that the Alliance Party is intent on some sort of social engineering aspect and trying to force the issue. Rather than people choosing to live in a certain area, they want to take the profile of shared housing accommodation and raise it to the level of people being almost forced to go to an area that they may not want to go to. Our view is that we should be trying to ensure that society evolves in such a way as there will be a very natural allocation whereby people will want to share because they do not want to live in segregated housing estates.

In coming to a conclusion, I have number of queries for the Minister, which, hopefully, he can answer in his response to the debate. How does the level of new social housing that we are providing in Northern Ireland compare with levels of social housing in England, Scotland and Wales? Are we ahead of the game, are we just on a par, or are we behind? In my view, it always does us good if we look at how we are doing compared with others and not just say, "Here what is happening", but, "Here what is happening in comparison with other locations".

Another issue is land acquisition. Obviously, there needs to be acquisition of land to build new homes. How does land acquisition in the current year compare with that six or seven years ago, for example? Again, I use that period because that is period that I used for the housing stress comparisons. What does that land acquisition enable the housing associations to build now compared with previously when, if property were acquired to a significantly less extent, they obviously could not build to the same extent?

Mrs Kelly mentioned the issue of only four associations being in a position where they could build properties. Maybe the Minister will be able to outline the extent of

what those four associations are able to provide. If it was quite small and only 10% or 20%, for example, that would obviously be a matter for concern. However, if those associations are able to provide 70% to 75% of demand, as I understand they might well be, that is a significant contribution to meeting what we know is the demand out there that must be met.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I support the motion. Unlike some Members opposite, I do believe that the housing crisis is very real. It can be seen by the almost 20,000 people who declare themselves homeless every year or the hostels for homeless families that are packed to capacity.

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

Some of those people have been in the hostels for more than two years. They have little hope of being housed because their points level is not enough to get them one of the few social housing newbuilds that are being constructed, especially in areas of high demand.

4.00 pm

The Programme for Government promised to deliver 8,000 houses through the lifetime of this Assembly. A third of those are affordable homes, meaning co-ownership, but we should remember that the Programme for Government targets were minimum targets and that, if they were stuck to rigidly, they would not deal with the underlying problem of increasing waiting lists, which outgrow the targets that have been set under the Programme for Government. That is why we need to find the resources to urgently deal with this crisis.

Mr Wilson: Will the Member give way?

Mr Brady: No, I will not.

We need to seriously increase the level of newbuild to meet this demand. Many of us believe that the Minister is not up to this task. Does he see this as a priority? The answer must be no, it is not his priority. Over the past year or so, we have seen continual underspends in all aspects of housing, in capital and revenue, as well as in newbuild and maintenance. The housing associations have seen tens of millions of pounds of additional resources from underspend being directed to them. That money could have been better spent on building social housing to deal with waiting lists. I have no doubt that co-ownership provides a service for some people. I understand that it has a waiting list of 1,200. When you match that against the 40,000 people who are on the social housing waiting list, over half of whom are in housing stress, you can see where the Minister has got it wrong. Also, over half of those who declare themselves homeless are denied homeless status and are left to fend for themselves. The majority of those people are young singles who either drift into the private rented sector or on to a friend's settee. Many of those people may suffer from illnesses, including mental illness. Maybe the Minister can tell me how he intends to deal with those increasing waiting lists.

With your indulgence, I will now indulge my fetish for West and North Belfast. What will the Minister say to the 3,307 people who are on the waiting list in West Belfast, 2,048 of whom are in housing stress? What will he say to the 326 families who are in hostel accommodation?

Mr McCausland (The Minister for Social Development): Will the Member give way?

Mr Brady: I will.

Mr McCausland: One thing that I will say to people in West Belfast is that they should be working very closely with the political parties who represent the area to ensure that the entire Visteon site is developed for social housing, rather than trying, in some cases, to con people by suggesting that they are for it even though they are not for it. No one knows where they stand. Will both parties come out today and tell us whether they are in favour of the social housing development on the Visteon site — yes or no?

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

Mr Brady: I thank the Minister for his intervention.

There are 326 families in hostel accommodation in the same constituency — West Belfast — who have little chance of being housed because even fewer houses will be built this year. There are 1,218 families on the waiting list. In the same constituency, there are 210 elderly people on the waiting list, many of whom may never see a suitable home.

Let us look at North Belfast, and again, I am indulging in my fetish. The Minister is more interested in redrawing housing boundaries to hide the true extent of need in nationalist communities than he is in dealing with the housing problem.

Mr McCausland: Will the Member give way on that point?

Mr Brady: I think that you will get your opportunity, Minister. Maybe you can explain this at the relevant time. Can he say why money was spent to refurbish houses in the lower Oldpark, which were used to transfer people from that local or neighbouring community? Can he possibly tell us what happened to the homes that they left? While he is at it, can he say whether some allocations were made to people with no points at all? It is my understanding that at least five of those moves, three transfers and two from the waiting list, had no points at all.

That is in stark contrast to communities in North Belfast, where people are sitting with 150 points in a management transfer and still cannot get a home. This manipulation of housing need denies those in most need any chance of being housed because money is being redirected from newbuild. The Minister has serious questions to answer about that. He blames everyone for their problems except his Department. He says that housing associations are not up to building additional newbuilds, but they would tell a different story. On numerous occasions, they have asked for certain barriers to be removed so that they can deliver, but the Minister and his Department ignore that. He has thrown a smokescreen over these issues. He blames the Housing Executive, which he seems intent and on course to dismantle. He blames housing associations but can see no fault in his own Department.

In Derry and Strabane, we have seen increasing waiting lists, with newbuild provision coming nowhere near what is required. The Derry district housing plan has said that 3,000 people are on the waiting list, but it plans to build only 788 houses in the next three years when what is required is upwards of 1,500 houses a year in Derry alone. Then you have areas such as Newry and Armagh in my

constituency, where there are continuing and growing waiting lists. At the moment, the waiting list in my area of Newry is 1,965.

The Minister needs to get real in dealing with the issue. He needs to recognise that many believe that his present agenda is sectarian and manipulative and is impacting on those who are most in housing need. Rather than trying to hide from the housing crisis, he should develop a strategy that truly deals with the growing waiting lists.

Mr Swann: I have heard from both sides. They have said that it is and is not a crisis and both have tried to say what Minister was and was not responsible. I echo Mr Campbell's comments and look forward to the Minister's solution to providing houses for our constituents.

The Housing Executive's net stock model has indicated that there is a need for 1,900 homes to be built each year. However, because there have been several years since 2001 when that target was not met, it is now considered by many, not least the Northern Ireland Housing Executive, that an additional 600 need to be provided each year to make up for the previous years' shortfalls. Having too few social homes will not only precipitate problems on the waiting list but will mean that available properties are often in the private rented sector, which is often more expensive.

Housing is one of the main issues that I deal with in my constituency office, and that is the case for many in the House. Like others, I will enjoy the same fetish for putting forward the case for the North Antrim constituency. There are 2,283 people on the social housing waiting list in North Antrim and 1,250 designated as being in housing stress.

Mr Wilson: Will the Member give way on that point?

Mr Swann: Certainly.

Mr Wilson: Will the Member accept that, if Sinn Féin was to allow the welfare reform proposals to go through the Assembly, it would immediately — in the next year — release sufficient money to build 1,050 of the homes that he is talking about and which are needed in North Antrim? Will he further accept that, when we hear Sinn Féin describing a very real housing crisis, while at the same time throwing money back to the Exchequer, we can see the extent of its hypocrisy on the issue?

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

Mr Swann: I hear the former Minister's point about money. However, I also know that the Minister for Social Development handed back £8 million and put it into co-ownership. There might have been an opportunity to use that £8 million to build social housing.

Mrs D Kelly: I thank the Member for giving way. In one of the answers to the questions in our pack, the Minister stated that financial constraints were not the issue.

Mr Swann: I fully appreciate that. However, I started with a fetish for North Antrim, and I intend to get back to it. I know that other Members want to get in, and they will have time to do that.

When I listed the people in housing stress and those on the housing waiting list, the thing that struck me most about North Antrim — many consider it to be one of the most affluent rural constituencies — was that, outside Belfast and Londonderry, the Ballymena Northern Ireland

Housing Executive district office has the highest number of people registered as homeless, with 665 full-duty applicants. In this day and age, it is staggering to think that so many people in one constituency could be registered in that way.

The solution — Mr Campbell raised it — is in land becoming available. In Ballymena, we have the St Patrick's Barracks site, which has long been on the agenda for social housing. When I was elected MLA, 489 people were on the waiting list for the 47 houses that were to be built there. Those have been reinstated and reallocated. The plan for the next phase was to build another 10 homes, but that was reduced to two homes due to planning issues as they did not have enough access to public space. I have met the Minister of the Environment about that issue. The St Patrick's Barracks site has nearly 100 acres, yet they do not have enough public space to build another 10 homes, which would solve the problem.

I have pushed OFMDFM to release the rest of the St Patrick's Barracks site and was told recently that no firm decision had been taken about the timing of the transfer of the site. If that site was made available to DSD, and, as Mrs Kelly said, funds are not an issue, there is an opportunity to provide housing for those 665 full-duty applicants who are listed as homeless.

In the motion and the amendments, two phrases caught my eye: "expected quality" and "services to tenants". One of the Minister for Social Development's initiatives was the regeneration programme to build successful communities. In his words, and I quote from a press release following the launch of the lower Shankill/Brown Square project:

"In the past there was a tendency to simply bulldoze the empty properties, clear the site and walk away. But a bulldozer and some grass seed is simply not good enough."

He went on to say:

"I want to see a more radical and strategic approach."

He then said that he wanted to see an approach that truly engages with local people to create thriving and successful communities. He further said:

"this pilot programme will allow us to try out a range of initiatives to see what works best."

Finally, he said:

"These six pilot areas ... have good potential for recovery with available land or properties that can be refurbished."

The Doury Road in Ballymena was the only one of those pilot projects outside the greater Belfast area. It was with shock and complete awe that the 22 families who live in that area on the Doury Road received notices to quit last week, because the Housing Executive is moving into that area to bulldoze those homes. I ask the Minister at this stage —

Mr McCausland: Will the Member give way?

Mr Swann: If you give me a wee minute. I ask the Minister at this stage to intervene with those families because, over the weekend, I have had families in turmoil, not knowing what the direction is. I have had the community association

in turmoil, not knowing what the direction is. Minister, my time is limited, but I ask you to meet those people.

Mr McCausland: I thank the Member for giving way. I will quickly say that I have already been approached by my party colleague Paul Frew in regard to that matter, and I have given him some guidance as to what might be done in that regard, because I think that there was some awkwardness in the way that the Housing Executive handled it.

Mr Swann: I thank the Minister for that clarity. Perhaps he could provide all the elected reps for the area with that same information, because those 22 families there, homeowners and Northern Ireland Housing Executive tenants, have received notices from the Northern Ireland Housing Executive to evacuate their properties.

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

Mr Swann: Even a 70-year-old woman was in tears, not knowing what her time was going to be in her own home.

Mr Clarke: I support the amendment in the names of my party colleagues. There is a bit of an irony in the debate today in terms of the numbers. I think that the Member who spoke previously got it right when he asked who is right and who is wrong. However, the facts speak for themselves. Even the Member from Sinn Féin who spoke talked about the Programme for Government. The Programme for Government is agreed by all parties. Not only did the Minister meet the target set in the Programme for Government, which was agreed by all parties, but he exceeded that target.

I think that we have possibly failed to look at the reason for some of the homelessness and the housing stress. Some of that has been because of the failure of previous Ministers to keep houses up to a good standard so that people live in a good standard house that is fit for purpose. We were all inundated with people due to poor maintenance regimes in the past, and I think that the current Minister is still playing catch up in getting that programme up to speed to bring those houses up to a modern standard. Some of them are even without suitable heating or, as other Members have said, double glazing.

I listened to what the Member who spoke previously said about that particular barrack. I think that it is a good proposal, but, it is interesting, because, when I look around the Chamber, I think about my constituency, where there have been schemes put forward by the Housing Executive or some of the associations, and there is not one political party in the Chamber today that has not opposed some of those applications. On the one hand, we have a reasonably good scheme brought forward by a housing association or the Housing Executive, but then we have representatives from each of the parties coming out to oppose them because of Nimbyism as some of the people who live in those areas do not want new houses.

I think that we have to get real. The Minister has a challenge, and he has taken on a challenging role in what he has to do, given the legacy issues that he has taken on from previous Ministers. As representatives, we have to be real as well. When applications come forward in constituencies, we have to bear in mind the applications that we are working on in our own offices in terms of where people want to live. When those applications come

forward, we should be more supportive, as opposed to just joining the Nimbyism factor.

The other thing that gets me is when we see people who are in housing stress. In my office, people come up with different suggestions about the problems they face, but when an offer of a house comes, if it is not in the particular street that they want, they turn it down. Sometimes you have to question how accurate the statistics are. If a person was in housing stress or was lying on someone's settee night after night waiting on a house coming up but turns down their third offer, I think that you have to question the reality and what the real need for some of those individuals is. In my opinion, some of those numbers are inflated.

4.15 pm

We all could agree that there is a need for housing. However, the Minister has driven that forward over the past couple of years and did, as I said at the outset, exceed the target. I encourage the Minister to keep on that path and try to deliver more quality homes, but not to take the focus off homes that people have lived in for many years.

The Member for North Antrim referred to the Doury Road, where people have been moved out. I understand the plight of those people but we cannot forget about the people in my constituency — your constituency, Principal Deputy Speaker — who are living in prefabricated homes. Those houses were built probably 60 or 70 years ago and are not up to current standards. We have to thank the Minister for the work that he is bringing forward to bring the quality of those houses up. It would be nice to get new houses for everyone, but a lot of our elderly population have grown up in a particular area and are passionate about it. All they want is their house brought up to a good standard so that they can live in that area and not be forced to move because the Housing Executive has failed to bring that house up to current standards.

Mr Maskey: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The motion is on an issue on which all parties should be able to agree. Unfortunately, there have been attempts by some to shed responsibility or point the finger elsewhere. I do not think that is terribly helpful. It is not helpful in the debate and it certainly will not get a single person who is homeless or in housing stress a new home.

We need to look at the situation that we find ourselves in. People may want to bandy about figures for those on waiting lists, those who are homeless and those who are spending an inordinate amount of time in hostels. We may query some of the figures on housing stress, but no Member can sit here today and safely say that they are not aware of people in their constituency on whose behalf they have advocated because they are clearly in need of a home or are living in housing stress. I imagine that not one Member could do that. It would be a wonderful constituency where not one person needs a home or a transfer to a better home, a more appropriately sized home or an area where they can get family support. It is a bit foolish for Members to say that this or that figure is incorrect or exaggerated. The reality is that every MLA and all parties in the Chamber experience, on a day-to-day basis, working on behalf of constituents who need to be rehoused or given a home. As a group of parties, we should be working together to identify what the need is and, of equal importance, what the barriers are. We have

all been told what many of the barriers are, and Members have addressed them today.

Mrs D Kelly: Will the Member give way?

Mr Maskey: I would prefer not to. I know that people will want to intervene, but everybody will have the opportunity to speak. Thank you.

At the end of the day, we have all been advised about this. For example, representatives of the housing association movement have come along repeatedly to the Social Development Committee to share their belief that there are quite a number of barriers, whether land procurement, Nimbyism or planning permission. A whole range of issues have been outlined as barriers. The Minister and the Department have been asked repeatedly what is being done to tackle and remove those barriers. I am not satisfied that I have heard all the answers I need to hear to know that enough has been done to remove those barriers.

I take Sammy Wilson's earlier comment on welfare reform with a pinch of salt. The Member is not that long on the Social Development Committee, but has repeatedly criticised the Department for its failure to spend the budget available to it. He has to take that up with his party colleague the Minister for Social Development. The Member, a former Finance Minister, made it very clear at a number of Committee meetings that it would not be unusual if the Department found it difficult to get the same level of budget in future because of its repeated failure — those are the Member's words, not mine — to spend its budget. It is clear that, in the past year alone, quite a lot of criticism has been levelled at the Department due to money not being spent. That money was made available from the Executive to deliver on the Programme for Government commitments. Money from maintenance contracts and the newbuild programme was returned or redistributed elsewhere.

My colleague Mickey Brady made the point that we are not against co-ownership. However, a lot of money was redirected towards co-ownership, which is not, in effect, meeting the housing need.

Our party will support the motion, which is important. It is quite interesting that the Social Development Committee will, this Thursday, have a strategic discussion on the issues that it needs to deal with. Housing is one of the key issues that the Committee has unanimously agreed we need to get some focus and attention on.

Ultimately, as far as I am concerned and as far as Sinn Féin is concerned, the housing need is clearly not being met. We have asked the Department repeatedly to give us an example. I accept entirely that there are sometimes competing requirements and competing objectives. For example, we need to get people new houses or transfer them to other houses, and we also need to regenerate areas. However, there has to be some level of proportionality, and some criteria laid down, that allows the Department and the Minister to pursue policies, whether to regenerate an area or to build new homes in areas of need. Quite clearly, the question has never been answered as to whether there are set criteria for determining the level of budget that will be spent to regenerate an area within which there is absolutely no demand for housing. We have other areas where there is a huge demand and a huge waiting list, where people have not been given

the opportunity to have a home, never mind the luxury of moving to another home.

We support the motion, and we are against the DUP amendment because it sells the issue quite well short.

Mr Humphrey: At the 2011 election, the largest issue by far on the doorstep was housing. The provision of good and affordable housing is absolutely essential. I welcome the SDLP's motion, because it is a civil right that everyone should get a good and affordable house. I also welcome the fact that there is a Programme for Government commitment for 8,000 new homes over this term.

However, I also welcome and pay tribute to the Minister. As a result of his decision, he has introduced the housing repossession task force and the housing supply forum. He has driven down efficiencies in his Department, which has meant that more investment is going into housing and across the Department. That will ultimately deliver more and better homes. There is also the provision for double glazing in homes and the warm homes scheme, all of which have been introduced by this Minister. I am sure that when the Minister comes to speak, he will update the House on the houses delivered and the figures for houses that will be delivered during the remainder of the term.

I am confident that the newbuilds are ahead of target. As Mr Campbell said, compared to other parts of the United Kingdom, the ratio of newbuilds in Northern Ireland is an important figure. I look forward to the Minister touching on that during his contribution. Another key point is to address the issue of housing need and reallocating. I understand that some 8,000 properties are reallocated every year, and that is a major issue. All of us in our constituency offices deal with the completion of change of tenancy repairs in many properties that are reallocated. It is vital to ensure that once a property has ceased with a tenant, it is then repaired and left in a fit state to be reallocated to the new tenant as soon as possible. Any delay ultimately costs money to the Northern Ireland budget.

Another key point is the figures for need. Given what my colleague from East Antrim said during an intervention, it would be interesting to get the figures for need now as opposed to the figures for need in 2007, 2008, 2009, 2010 and 2011 — right through to the election.

As I said, very clearly housing was the biggest issue on the doorsteps in North Belfast. Mrs Kelly talked about Girdwood earlier, and there was also a contribution from Mr Lyttle in relation to PPR. Let us deal with the facts on that issue. PPR came to North Belfast and spoke to officials and dealt with figures from the North Belfast Housing Executive office. That is one office out of four. It did not look at the figures for Shankill, Newtownabbey 1 or Newtownabbey 2. In September 2013, the waiting list in North Belfast was Protestant 2,059 and Catholic 1,986, which equates to 51% and 49% respectively. For housing stress — remember, you need 30 points plus to be in housing stress — the figures were Protestant 821 and Catholic 898, which equates to 48% and 52% respectively.

What was most unhelpful about the report was that it suggested that, in north Belfast, 83% of the people on the waiting list and 80% of the people on the housing stress list were Catholic. It used those jaundiced, gerrymandered figures, which totally skewed the actual position. Sadly —

Mr McCausland: Will the Member give way?

Mr Humphrey: I will surely.

Mr McCausland: Does the Member agree that, in relation to the PPR project and the PPR publication on housing figures, there are three important issues? First, they chose a boundary for their work that excluded the vast majority of the Protestant community in north Belfast. Secondly, when they came to north Belfast with the UN rapporteur, they took that rapporteur only to one nationalist area and did not engage at all with any Protestants. Thirdly, they could not even get their sums right: the figures that they produced do not even add up. They obviously need a calculator.

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

Mr Humphrey: I am grateful to the Member for his contribution. I was about to say that constituents of mine in Woodvale, Crumlin, mid-Shankill — some of the most deprived wards in Northern Ireland and in this kingdom — Queen's Park and Rathcoole were totally ignored, and their rights were totally ignored.

The SDLP has now found a new interest in social justice. I welcome that because, for 13 years, the former housing Minister, Mr Attwood, held up Somervale and prevented 35 social bungalows being built there for old and disabled people. He agreed to put new houses in the Shankill estate, but only if 20 houses were knocked down would there be progress in that area. Of course, the lower Oldpark has been mentioned. The lower Oldpark was left like something from the Blitz. Quite frankly, it has to be remembered that the Northern Ireland Housing Executive has a duty and responsibility not just for housing but for regeneration. That area was consistently totally ignored by Governments.

When it comes to dealing with Girdwood, as I have said before, the SDLP has used it as a political football. Margaret Ritchie used it in her leadership election.

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

Mr Humphrey: Alex Attwood used it as a political tool in 2011, ignoring the Dunlop/Toner report. If the Member really wants to understand Girdwood and talk about leadership, the MLAs and the MP for North Belfast agree a way forward —

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

Mr Humphrey: It was agreed to by one Alban Maginness —

Mr Principal Deputy Speaker: Thank you.

Mr Humphrey: He signed up to it.

Mr Eastwood: I will try not to get as excited as some Members who have spoken about gerrymandering and things like that. We could talk about gerrymandering all day if you want, Mr Humphrey. In fact, it was decisions on housing made in this very Building that created the civil rights movement and the real need for it. Thank God, we ended up with a Housing Executive that would do all in its power to ensure that everybody got a house on the basis of their need, not their second name. We will not take lectures on gerrymandering from the Members opposite.

Clearly, housing is a very emotive issue in the House. It is also a very emotive issue in my constituency, for a very good reason. Never mind the historical context that we talk about around the civil rights movement, over 50% of

the people who come into my office — I am sure that it is the same for other MLAs — are there because they are in housing stress. Many of them are in housing and family crisis. Therefore, the issue is not just for politicians to beat each other up with or to have battles across the Chamber. It affects people in a very real and significant way.

The situation will only get worse if we end up with the bedroom tax and the changes to the welfare system that some Members want to happen. Is it not bad enough that there are over 3,000 people in Derry on the waiting list? In fact, there are 1,123 people in Collon Terrace, which represents an increase of 54·5% in the past five years; the waiting list in Waterloo Place is 1,220, an increase of 49·3% in the past five years; and there are 943 people on the waiting list in the Waterside, which is an increase of 8%. I know that Members do not want to hear me bandying figures about, but behind every one of those figures are real people who are suffering real stress.

Mrs D Kelly: Will the Member give way?

Mr Eastwood: I will, yes.

4.30 pm

Mrs D Kelly: Does the Member not think it ironic that, as we discuss the housing crisis here, there is an event in the Long Gallery about young people and homelessness?

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

Mr Eastwood: The Member is right: there is an event going on. That highlights the very fact that we need to talk about these issues. Perhaps these are the issues that we should get excited about rather than spending six hours talking about flags, as we did last week. *[Interruption.]*

Mr Eastwood: Sorry, do you want to come in?

Mr Campbell: You did not want to get excited. You were telling everybody to calm down.

Mr Eastwood: Do you want to get up and speak? If you do, I will sit down.

Mr Campbell: I thank the Member for giving way. The Member said that he would like people to get excited about the housing crisis, as his party has described it, even though it did not get excited enough to table anything six years ago, when the same number of people were in housing stress. At the start, he said that we should not get excited, and now he is saying that we should. Why did you not get excited enough to table a motion six years ago, when your party was in charge of the Department?

Mr Eastwood: It would have been pretty difficult for me to do so six years ago because I was in Derry City Council; I was not in here. What we did when we had the Minister was build record numbers of houses to try to tackle the problem. We did not have the luxury of having the Finance Minister or control of the Executive, but we did everything that we could. What we need to do now —

Mr Campbell: No motion.

Mr Eastwood: You had your chance, and I am sure that you will have your chance again *[Interruption.]*

Mr Principal Deputy Speaker: Order.

Mr Eastwood: Thank you very much, Mr Principal Deputy Speaker. The point is that we need to be far more ambitious about this. This is a crisis. I know that, whether it is the health service or whatever else, the Members opposite want to deny that we are in a crisis. This is a crisis for all the people who come into my office and your office every day of the week. I come from a constituency where the unemployment rate has more than doubled in the past five years. The impact of unemployment and repossessions on the housing waiting list is nothing short of a crisis. The Executive and the Minister need to act urgently to deal with this real difficulty.

It was Mr Clarke, I think, who said that all parties had agreed the Programme for Government: the SDLP did not.

Mr B McCrea: To avoid raising the temperature, I will not talk about gerrymandering and all the other issues that were raised at the start. If we are to keep the temperature low, maybe we should keep to the topic.

One of the things that I am interested in — perhaps the proposer of the motion will address this in her winding-up speech — is why we need social housing. What is the principle? People say that we do not have enough, that there is a crisis, that there is too little or whatever. However, many people come to me and ask, “Why are we giving people a free house? Why do they not go and get a job? Why do they not rent or do something else?”. It looks to them as though they get the best of all possible worlds. The people asking these questions are mainly taxpayers, ratepayers or whatever, and they ask, quite rightly, what the justification is for having social housing.

One of the interesting things raised in the debate is why the rents are currently below market value.

Mr Eastwood: Will the Member give way?

Mr B McCrea: In a moment.

Why are they below market value? Is that intended to be a long-term subsidy, or is it the case that we want to get to the stage at which there is equalisation between the public sector and the private sector? I give way.

Mr Eastwood: I am interested to hear that the Member is bemused about why we need social housing. Has he ever been on the dole or needed social housing? A lot of people have and know very well why it is essential.

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

Mr B McCrea: I suppose that I could answer that by saying that I have been on the dole and I am the lead sponsor of the event in the Long Gallery that you referred to. I spent some time sleeping rough on my own just to see what it was like, so I have an interest in the issue. What I am saying to the House is that people need to make the argument. I do not know whether the Member has had any experience of it. He had five or six minutes before me to make his case, but he was still talking about gerrymandering. I do not know why he did not take the opportunity. It comes back to this: we need to make the argument. Arguments can be made about the long-term benefits to society and to individuals and about why it is a good thing for all of us to provide. However, I can tell you that the argument is not yet made out in the wider world, and we should be looking at it.

I also wonder about that when we deal with housing, and I look to the amendment, which talks about social housing falling below the expected quality. It would be interesting to me if we were going to change building control standards for all newbuilds. That would raise the building quality of all houses to the highest possible standard so that we did not have to spend so much money heating homes with expensive oil and suchlike. This is another area where we might be interested in seeing how that might work.

I am also interested to know about refurbishing the existing stock. There was a time when we would take over a house and do everything that had to be changed. We would do the windows, the doors and the draught exclusion. We would make sure that we did it all in one go, but that, apparently, was too expensive. Now, we seem to have a series of initiatives: you do the windows in one year; the draught exclusion in the second; and you change the heating in the third. It goes round in a circle. It seems to me that some strategic vision is needed.

When I travel to the Shankill and in and around the area, crossing over to the Falls or wherever, my perception is that there seems to be some high-quality housing stock. It seems to be pretty good. I wonder where the crisis actually exists, which brings me nicely to what I saw just an hour ago when I introduced the conference on homelessness for the Council for the Homeless NI. What struck me first was that the Long Gallery was absolutely packed. All of us in the Chamber will have been to events in the Long Gallery, but seeing it absolutely full the whole way back with people from all parts of Northern Ireland — they all seemed to be fairly young — left me struck by the feeling of helplessness that they have. They are looking at this and going, “You know what? I don’t really know why I am here. Sure, none of you will do any good. Who are you anyway, and what’s this?”. That is a knock-on effect of the poverty in our society, which is getting worse as we get more stringent controls coming in through welfare reform. We have to find a way of dealing with this issue.

Without wishing to offend anybody, it strikes me that that is the homelessness that people think of when they hear the term. These are young people who are living rough. They have nowhere to go, no way of getting a job, no way of getting out of the poverty trap and no way of getting to anybody that might help them. They are sitting around; they are lost to our society. That does not seem right. I think that there would be general support for such people.

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

Mr B McCrea: Thank you, Mr Principal Deputy Speaker. The issue, when it comes to this, is that people need to make the argument for social housing. It should be part of an integrated plan, and there should be a strategic vision. I look forward to what the Minister has to say on the matter.

Mr McCausland: The motion provides an opportunity to outline the good progress being made by my Department. I also welcome and support amendment No 2. My Department’s efforts are aimed at ensuring that everyone in Northern Ireland has the opportunity to access good housing at a reasonable cost. The housing market has been through a turbulent time over the last seven or eight years. The result has been very low levels of new house building in the private sector and, at the same time, an

increased demand for rented housing, whether in the social or private rented sector.

Although the motion deals specifically with social and affordable housing, housing supply is not confined within those narrow parameters. During my period in office, I have taken significant steps to meet need across all housing tenures and have responded to the challenging economic situation with the first ever housing strategy for Northern Ireland. The strategy promotes a joined-up approach and actively strives to address the challenges that we face across all tenures.

Where private renting is concerned, I have brought forward new initiatives in an effort to improve this sector, for example, the tenancy deposit scheme and mandatory landlord registration. In the biggest housing sector — the owner-occupied sector, which makes up nearly 70% of households — I continue to support and fund the mortgage debt advice service, which has helped over 4,000 people in mortgage difficulty. Also, last month, I set up the housing repossession task force. Underpinning all the work on market housing is the recently established housing supply forum, which I have asked to identify viable ways of increasing housing supply in Northern Ireland. I look forward to hearing its proposals in due course.

Turning briefly to amendment No 1, I will say that my housing strategy recognises the high quality of most social housing stock, identifies ways of addressing poor stock and recognises the importance of long-term investment to maintain stock to a high standard. On shared housing, I have committed to extending successful work to promote shared communities and will create 10 new shared neighbourhoods over the next few years. However, legislation and social engineering are not the way to go about this: the work must be about winning hearts and minds and supporting communities that want to become or to stay shared.

I will now turn specifically to social and affordable housing. I want to nail down the facts on the motion’s muddled thinking about what is and is not possible under the Programme for Government. The Programme for Government commits me to delivering 8,000 social and affordable homes by 2015. Funding is allocated on that basis. That is my starting point, as it is for every Department. However, my intention is to go well beyond those original targets. The fact is that efficiencies have been found, and the result is that significantly more new homes will be delivered than was specified in the Programme for Government. By the end of this month, I anticipate that up to 6,800 social and affordable homes will have been delivered. At the start of the Programme for Government, the expectation was that there would be 5,500, so we have gone well beyond that target. I plan to deliver a further 2,500 new homes next year. That will give a total of over 9,000 new social and affordable homes, compared with the original target of 8,000.

Let us be clear about two things. First, delivery is already ahead of target, and, secondly, we are well on course not just for meeting the target but for going well beyond it. That has to be good news by anybody’s analysis. Affordable housing in particular has exceeded expectations, but social housing is also delivering beyond the original numbers, and we are doing much better than the rest of the United Kingdom. My colleague Gregory Campbell mentioned comparisons. The comparison is this: in

England last year, one new social house was provided for every 60 applicants on the waiting list; in Scotland, there was one for every 49; in Wales, there was one for every 44 on the waiting list; and, in Northern Ireland, the figure was one for every 30. So, in relative terms, Northern Ireland is performing twice as well as England. However I am not complacent; of course more needs to be done. The waiting list figures clearly show that, and of course we would like to deliver more. It was always the same under previous Administrations, where budgets constrained what we would ideally like to do. Those who tabled the motion say that an additional 4,000 social and affordable homes are needed next year. Those are big figures. I do not know where they come from, but I would be keen to hear the rationale for how that figure was arrived at.

The Housing Executive has the statutory responsibility for assessing need, and its evidence comes from the common waiting list and the net stock model. Excluding transfers, we now reallocate around 8,000 properties every year to new applicants. That means that well over one third of those in housing stress at any point in time can be accommodated through existing stock alone. However, it is clear from the waiting list figures that there is an ongoing need for new homes in the social sector.

The net stock model currently estimates that there is a need for 1,200 new social homes in each of the next five years. The Housing Executive has also built in an extra provision of 800 per annum to take account of the backlog that has developed over the past decade, including the four years that the SDLP had charge of the Department. It concludes that, going forward, we need to build 2,000 new social houses per year. That is not my figure; it is the Housing Executive's figure. Rather than invent figures out of thin air, those are the figures that inform my decision-making process. At this point, it might also be worth highlighting —

Mr Allister: Will the Minister give way?

Mr McCausland: No, I will press on, as I have a lot of points to answer.

4.45 pm

It might also be worth highlighting outputs in previous years to put it into perspective. In the four years before I came to office, the Housing Executive was estimating a need for 2,500 and, at one point, 3,000 homes a year. However, what was provided in that period under previous Ministers fell far short of what was needed. In one year, the shortfall was as high as almost 1,900 houses. There was never a year when output came anywhere near to matching the requirement identified by the Housing Executive, including those years under the SDLP when it never came near its target.

However, I plan to turn that around. Plans that I approved in December are predicated on delivering 2,000 new social homes in each of the next three years. For the first time in many years, the numbers are in line with the Housing Executive's recommendations. Funding is already in place for 2014-15, and I shall be making a strong case and bidding for resources to ensure that that level of output can be maintained. The House can be assured that I am committed to delivering greater numbers of social housing for Northern Ireland.

However, delivery will not be without its challenges. During the downturn, up to 25% of the social housing development programme came from buying up, at keen prices, stock that developers could not otherwise sell. Such stock is no longer available in large numbers. In the past, buying off the shelf was one of the main ways of providing homes. However, it is no longer possible, and we now need the housing association movement as a whole to step up a gear.

In recent years, 70% of the social housing programme has been delivered by just four housing associations. There are 25 in total so, clearly, many are not getting involved. They could step up but they have chosen not to. My Department is actively engaged with the Northern Ireland Federation of Housing Associations to see how the capacity of our housing associations can be improved. Rather than pluck figures out of the air, I much prefer to work with those who are involved to see how we can improve the situation.

In tandem, I am looking at other options for delivery. Land, in particular, has been a recurring problem. There is no doubt that sites have become more difficult to acquire, but, at the same time, significant progress has been made. Just a few years ago, housing associations were acquiring very little land in advance. This year, however, my Department has made it possible for associations to acquire half the land needed to start next year's programme. That will be the strongest housing association land bank ever to have been assembled. My intention is to make sufficient finance available to increase the land bank so that future delivery is put on a firmer footing.

Related to that, sadly, we see many instances where there is opposition from residents and, indeed, elected representatives, to social housing schemes proposed in areas of high housing need — I mentioned Visteon earlier — even though land is available. That is despite those same elected representatives lobbying me to deliver more social housing. I am sure that Members cannot fail to see the irony of that situation, which seriously delays, and can ultimately result in the abandonment of, schemes in areas of high housing need.

I now turn to points made in the debate. There are 25 housing associations. Apart from eight that are suspended for various governance reasons, the remainder can develop if they want to. The problem is ensuring that they have a desire to step up to deliver more; unfortunately, some have chosen not to. About 12 or 13 housing associations are actively engaged in development, and four of the biggest — Apex, Clanmil Housing, Oaklee Housing Association and Fold — deliver 70% of the programme.

I have been working with associations strenuously and in a focused way on other barriers. I have already covered the issue of land from a planning perspective, and my officials are supporting housing associations to navigate the planning system more effectively because planning, which is under the control of the SDLP, is a key issue. I have removed much of the red tape around the rules for delivery, and I am reviewing the procurement strategy, so a lot is being done. I will continue to focus on supporting housing associations to deliver.

Mrs Kelly raised a number of issues, and she spoke about Girdwood. I see that she has left us, but, when Alban Maginness bought into and agreed to master plan for the

area at that time, he was coerced by his party into walking away from it. The SDLP, in its use of Girdwood, was sectarianising the estate to make sure that it was wall-to-wall housing for nationalists. That is how it was presented to the nationalist community. The vision was for a shared site where people could work together and share.

Chris Lyttle mentioned the UN rapporteur, who I notice one English newspaper described as the mad Marxist from Brazil, and the PPR project. I have already dealt, in an intervention, with the fact that the figures do not even add up. They really do need a calculator.

Mickey Brady made points about lower Oldpark. That community was decimated during the Troubles. IRA terrorism drove people out of that area, and it ill behoves anyone from that corner of the Chamber to comment on lower Oldpark against that background. I remember the background to the removal of the Protestant community from Torrens, and, again, coercion drove those people out.

I want a situation in which people are not condemned to living in the midst of dereliction and despair, and that is why we have intervened with the Building Successful Communities programme, which is about regeneration. My Department is about more than just housing. It is also about regeneration.

Alex Maskey spoke about underspend. There is a complexity in revenue and capital that he failed to address, which is that it is not always possible to transfer money from one side to the other.

It is absolutely right that there is an issue with poor-quality stock. Chris Lyttle raised that. I have been tackling that. There are 5,000 homes in Northern Ireland that have no cavity wall and no cavity wall insulation. Throughout the years that the SDLP was in the Department, nothing — nothing — was done about that. We are now tackling it. In Springfarm in Antrim, a pilot is under way involving the best brains and the best experts that we can get from the United Kingdom. What is being done there will be at the cutting edge in Northern Ireland and, indeed, the United Kingdom.

I looked at the figures for waiting lists. The average time on the waiting list in parts of Newtownabbey such as Rathcoole, Glenvarna and Queens Park is longer than in some of the nationalist areas that were talked about. A lot of the things that are said about housing are, quite honestly, myths rather than reality.

Amendment No 2 recognises the good work, and I welcome and support it. I agree with elements of amendment No 1 but cannot support it as framed. More shared housing is needed, but legislation is not the answer. There is no point in holding out an impossible target for housing associations, but that is what is at the heart of the motion and the Alliance amendment. There is no point in raising expectations if the housing association movement in Northern Ireland would not have the capacity to deliver. Let us be realistic and be honest with people at least, because the figures that I have spoken about show that, with the housing associations, we are doing all that can be done. The evidence speaks for itself on what I have done to support the delivery of social and affordable housing together with providing support to those in the private rented sector and the owner/occupiers. My performance to date against the Programme for Government targets to

deliver 8,000 new social and affordable homes speaks for itself. We are pulling out all the stops to deliver more —

Mr Principal Deputy Speaker: Thank you, Minister.

Mr McCausland: — and with concerted effort from all involved, more will be achieved.

Mr Wilson: The DUP Benches count housing as a very important issue. The Minister outlined what the Department has achieved so far, and it is clear that he considers this a real issue. Our amendment deals with two aspects. The first one is this: is there a housing crisis? Members have talked about people who come into their constituency offices. Individuals who find themselves homeless are, of course, in crisis. However, you cannot extrapolate that and say that, because those individuals come along, the whole system is in crisis. Look at the figures.

We have already seen through the interventions that, when it comes to shortage of housing, the number of people on waiting lists, the number in housing stress and the number of houses being built, the performance was far worse during the time of SDLP Ministers, yet there were no motions about a housing crisis then. So we have to accept that part of this is the political game playing that sometimes goes on in this place.

There are housing shortages but, as has been pointed out, they are being dealt with. Some 2,000 houses are reckoned to be necessary to deal with the current waiting list. The backlog comes from the common waiting list and from the net stock model. That is an objective measurement, as opposed to picking a figure of 4,000 out of the air. That is being met by the Minister in the current situation. Indeed, as he indicated, if one looks at the performance of other parts of the United Kingdom, we see that we are providing more social housing per person on the waiting list than anywhere else. So, by any objective measurement, the issue is being dealt with comprehensively. Given the number of re-lets as well — 8,000 a year — we can see how inroads are being made into the list.

The first question is this: is there a crisis? There may be crises for individuals, but there is not a crisis, generally speaking, in provision. The second question is dealt with by our amendment, and it is this: is it possible to build 4,000 houses over the next year? There are a number of constraints. The first is that the capital budget has already been set. We are in the final year of the Programme for Government and Budget period. How do you reassess the capital budget to find over £250 million, especially when you have Sinn Féin squandering £105 million by giving it back to the Treasury? Yes, I have been critical of the performance of the Department but at least when the money was given back by the Housing Executive, it went to the Executive to be reallocated for more housing. When Sinn Féin squanders money, it gives it back to Ministers in England. That is the difference.

Mr Maskey: Will the Member give way?

Mr Wilson: No. If I give way, I will not get extra time. Otherwise, I would.

If it is not financially possible, is it physically possible to build 4,000 houses in the final year of the Budget period? There are the issues of land acquisition and getting planning permission. This morning, I was with a housing association. It has taken that association three years to get

60 houses built in south Belfast. One year of that was due to messing about by NIEA, which is part of the Department that the SDLP Minister is responsible for, in getting land contamination dealt with. There is planning, procurement of land and tendering. How does the SDLP expect to get another 2,000 houses into the programme and get them built — or even started — within a year? Physically, I do not believe that it is possible to get that done. It is a very naive view of life to think that you can just suddenly turn the tap on like that. The construction industry itself could not ramp up to that point.

In the longer term, with the new Budget, we will look at the capital requirements and the planning issues. However, this is a cross-departmental issue, not one that can be dealt with solely by the Social Development Minister.

Mr Principal Deputy Speaker: Let me just point out that, had you taken the intervention, you would have been given an extra minute. *[Laughter.]*

Mr Wilson: I will take it now. *[Laughter.]*

Mr Principal Deputy Speaker: I hesitated to interrupt you when you were in full flow.

Mr McCarthy: Let me put on record our thanks for the work of the Northern Ireland Housing Executive and the housing associations over the years. We have come a long way and we continue to make progress. Long may it continue.

The debate has shown that Members right across the Chamber all agree that developing housing and making sure that it is fit for purpose is a priority for the Northern Ireland Housing Executive. It is a pity that the debate has been so exercised, when cooler heads could have helped to take real steps forward. We all aspire to that.

5.00 pm

I welcome the Minister's commitment to build further new housing. The question is, "How many, and how fast?" We have all acknowledged that there is a need to build further social and affordable housing and the Programme for Government acknowledges that, too. However, I cannot support amendment No 2 because I believe that greater ambition in social housing is necessary and should be pursued urgently.

I encourage Members to support the amendment in the names of my colleagues Mr Dickson and Mr Lyttle. That is because I believe that a truly modern housing sector must be accessible to everyone on that housing list. If our housing is still segregated, our housing is not for all. It is simply continuing division and separation and denying the next generation the opportunity to live, work and play together.

Throughout the debate, Members have made efforts to let themselves be seen as standing up for one side or the other. I believe that we need to shake off that mindset and ensure that all in this Chamber are committed to making housing accessible and high quality, regardless of someone's background. We should show leadership in getting people to live together as soon as possible.

Northern Ireland's residential sector remains deeply divided, unfortunately, with over 90% of our public housing still segregated on religious and political grounds. Some of our most polarised developments have more than 80% of residents from the same religious or political background.

The fact that an area is perceived as belonging to one side or another of the community results in all sorts of negative economic and social consequences, such as loss of investment, paramilitary economy and people less willing to use basic public services such as libraries, cinemas, shops or even recreational facilities. Even worse, that interacts with other aspects of poverty to create pockets of multiple deprivation, which we are all trying to avoid.

The Independent Commission on the Future for Housing in Northern Ireland stated that integrated housing should be trumpeted as the key ingredient for a peaceful and prosperous future for Northern Ireland. The longer we accept the status quo, the longer our society remains entrenched in division, and we all suffer. It is also the key ingredient for tackling the housing crisis because it stops the idea that people cannot live in certain areas. That limits people's ability to have access to the full range of housing in areas right across Northern Ireland. That is why I am convinced that shared housing must be at the apex of our response to the housing crisis — Mr Wilson does not seem to think that there is a crisis, but I refer to it as a housing crisis. Legislation is essential to that because a wide range of bodies, such as the Northern Ireland Housing Executive, provide housing outside the direct control of the Department. It will also make sure that policy is consistent and will carry on for a long time.

I would also like to re-emphasise my colleague Mr Lyttle's remark about the need for a wide-ranging and expansive review, perhaps along the lines of Patten for policing, to develop a comprehensive big step forward for shared housing. That has to be done as soon as possible.

In conclusion, the amendment takes nothing away from the original motion, but it makes it clear that shared housing is an important ingredient in transforming Northern Ireland into a truly shared society and a better place to live, and can be an example to other places. At the end of the day, we in Northern Ireland need many more homes, and it is vital that that happens and that those homes are available to everyone. I urge Members to support the amendment and the motion.

Mr Principal Deputy Speaker: I call Mr Alban Maginness to conclude and make a winding-up speech on the debate. I will just point out that if you accept interventions, there will be no additional time because you have 10 minutes.

Mr A Maginness: Then I cannot accept any interventions. *[Laughter.]* I thank all Members for their contributions to this important debate. I have said before in this House that the Minister for Social Development was delusional, and I think that he still suffers from that condition. Obviously, the therapy has not worked yet.

Unfortunately, the self-delusion has spread to Mr Wilson, the former Minister of Finance. He said that it is a crisis for Mr Bradley and his family when they are homeless, for Mr Brady and his family when he is in housing stress, and for Mr Maskey and his family when they are on the waiting list, but it is not a crisis for us politically. He said that it is not a crisis for this community. After all, there are only 41,000 people on the waiting list in Northern Ireland, and, after all, there are only 22,000 —

Mr Wilson: It was no crisis for your Minister when it was worse.

Mr A Maginness: Just listen for a little while, Sammy.

There are only 22,000 in housing stress. However, the Minister assures us that he is doing all in his power to deal with it. Of course, he is dealing with it so efficiently and effectively that he hands back money to the Treasury and to the Department of Finance and Personnel because he does not know what to do with the money that he gets.

As Mr McCarthy said, it is a very important issue, and we have to tackle it collectively. I agree with Mr McCarthy, and I agree with the Alliance Party's amendment.

There is a huge need in Northern Ireland that affects all of us. It affects all our constituencies. You can have a points war if you want in North Belfast, Newtownabbey, Girdwood and all the rest, but the fact remains that almost 3,000 people in North Belfast are on the waiting list. Those people have to find some solution to their basic problem. Regardless of whether they are Catholic or Protestant, nationalist or unionist, or whether they live in Newtownabbey or Ardoyne, their needs have to be addressed. So forget about the point scoring, Minister, and forget about the nonsense that you have talked about the PPE —

Mr McCausland: The PPR.

Mr A Maginness: — PPR; sorry, I accept your correction.

It is such a petty business to come to the House and to accuse a group of people who have done considerable work, examined the issue and presented their report, and to nitpick over what they presented because, essentially, what they said to the people in Northern Ireland is what I am saying today, it is what the motion says, it is what the Alliance Party amendment says and it is what most people in the House, apart from the DUP, have said. The DUP have formed — I use the words of Mr Allister — a human shield to protect the Minister. He needs a human shield in the Committee; he needs a human shield on the Floor; he cannot stand up for himself.

Mr Campbell: He just did.

Mr A Maginness: He is wrong. He says that, if there is a problem, it is the fault of the SDLP Ministers who did not address the issue when they were in the Department for Social Development. That is where the problem —

Mr Clarke: Then Margaret ran away.

Mr Principal Deputy Speaker: Order. We know that there should not be any commentary from a sedentary position. Everyone has had their opportunity. The Member is making his winding-up speech on the debate, and we should listen to it.

Mr A Maginness: Just calm down. Gently, gently.

Mr Principal Deputy Speaker: Remarks through the Chair. That is my job.

Mr A Maginness: Of course, yes. *[Laughter.]*

Mr Wilson: I tell you, you are no David Cameron either.

Mr A Maginness: Try the therapy that the Minister has tried.

The point I make is that there is a problem here that needs to be addressed. The Minister is not quite sure whether there is a problem. He is a bit confused, like Mr Wilson. He is a bit confused about whether it is a crisis for the individual or a crisis for society. The Minister says that, if there is a problem, it is somebody else's creation, and it may have been the creation of the SDLP when its

Ministers were in office. *[Interruption.]* Hold on, if it was not the SDLP's problem, it is the housing associations' problem, because they do not have the capacity or the will to tackle the problem. The Minister has plenty of money in his pocket and is willing to spend it, but the housing associations do not want to know. They do not want to do their job.

Mr McGlone: I thank the Member for giving way. The Minister has form for blaming others, as you will see increasingly over the next few weeks with the Housing Executive. Again, his computations and figures will be seen to be grossly erroneous.

Mr A Maginness: I welcome the intervention, which is important, because we should look at the trend that the Minister has created. He evades or avoids responsibility for any decision that he makes. However, he then has a human shield in the form of the former Finance Minister, who starved the Department for Social Development of finance when it was most needed: when housing programmes had —

Mr Wilson: Will the Member give way?

Mr A Maginness: No, I will not give way. *[Interruption.]*

Mr Principal Deputy Speaker: Order.

Mr A Maginness: It is so self-evident: the former Minister knows that he acted in a Scrooge-like manner on housing, to the point of frustration and to the point of preventing the issue being properly addressed by the Executive. Of course —

Mr Wilson: Will the Member give way?

Mr A Maginness: No, I am not giving way.

Mr Principal Deputy Speaker: The Member knows not to persist.

Mr A Maginness: I have made that plain.

In response to a recent question for written answer from Mr McCallister, the Minister stated:

"The cumulative shortfall between social housing need and the social housing starts over the past 10 years is 7,732 units."

That is the cumulative effect. Of course, the Minister will blame everybody else, but the fact is that the shortage of starts here in Northern Ireland has accumulated. That has to be addressed.

Further —

Mr McCausland: Will the Member give way?

Mr Principal Deputy Speaker: Order. The Member is not giving way.

Mr A Maginness: Further to all that, the Minister says, "Well, do you know something? Despite the fact that I've underperformed over the past few years, I'm going to over-perform over the next couple of years. I'm going to build more houses than were actually programmed for or anticipated." We have Mr Wilson uttering the nonsense that building 4,000 houses cannot be done. However, the Minister is saying to the Assembly, "Don't you worry, Members, folks and society; I am going to build more houses. Whether you need the new houses or not, I'm going to build them". He kept putting forward an argument that, really, the need was being met. If the need is being

met, why is he going to build more houses? Will they be vacant? Will there be phantom estates? The Minister is ridiculous when he comes to the House and feeds us with the nonsense that he has fed us over the past half hour or so.

The reality is that there is a need that has not been addressed by the Minister, and he says, "I will try to address that need in the future". Maybe there is no need after all. Maybe there is no crisis whatsoever, as Mr Wilson said. Where is the crisis? If there is no crisis, we do not have to address it, but the Minister —

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

Mr A Maginness: — contradicts Mr Wilson by saying, "In fact, I'm going to build more houses". The reality is that the Minister has failed. This is a wake-up call for the Minister and for all on the DUP Benches.

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

Mr A Maginness: They should be cognisant of the fact that the Minister has failed —

Mr Principal Deputy Speaker: Order.

Mr A Maginness: — and that there is great need.

Mr Principal Deputy Speaker: Before I put the Question on amendment No 1, I remind Members that, if it is made, I will not put the Question on amendment No 2.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 54; Noes 34.

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dallat, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Flanagan, Mr Ford, Mr Gardiner, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, 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, Mr P Ramsey, Mr Rogers, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr McCarthy and Mr Rogers.

NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, 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.

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes with concern that, in March 2013, there were 41,356 applicants registered on the social housing waiting list, with 22,414 deemed to be in housing stress and 9,878 accepted as statutorily homeless; and that some social housing falls below an expected quality and that this exacerbates the housing crisis; further notes the Programme for Government 11-15 commitment to deliver 8,000 social and affordable homes will not match the current level of need; believes that the segregation of housing contributes to an inflexible supply of housing and therefore to the housing crisis; calls on the Minister for Social Development to begin to tackle the housing crisis by committing to deliver an additional 4,000 social and affordable homes by the end of the current Programme for Government period; and further calls for the introduction of legislation to facilitate shared housing and the role it can play in tackling the housing crisis.

Executive Committee Business

Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) Order (Northern Ireland) 2014

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

That the draft Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) Order (Northern Ireland) 2014 be approved.

Mr Principal Deputy Speaker: Will Members who are leaving do so quietly?

Mr Ford: I think that I heard the motion that I wish to move read out.

The draft order allows for the introduction of a filtering scheme in Northern Ireland that will remove some old and minor convictions and disposals, such as cautions, from standard and enhanced Access NI certificates, before they are issued to applicants and employers.

Access NI is the criminal history disclosure service in Northern Ireland. Under Part V of the Police Act 1997, which applies in England and Wales and Northern Ireland, Access NI provides information to applicants and employers, especially, although not exclusively, where an individual wishes to work closely, or volunteer, with children and/or vulnerable adults.

The introduction of a filtering scheme is necessary to comply with court judgments. The European Court of Human Rights in the case of *MM v United Kingdom* ruled that the disclosure of a caution to an employer in that case was a violation of article 8 of the European Convention on Human Rights: the right to privacy. The court recognised that there may be a need for a comprehensive record to be maintained of all cautions, convictions, warnings, reprimands, acquittals and even other police information. It was not satisfied, however, that there are sufficient safeguards in the legislation for the retention and disclosure of criminal record data to ensure that data relating to an individual's private life would not be disclosed in violation of their article 8 rights.

The Court of Appeal in England and Wales has confirmed the need for proportionality in the application of a disclosure scheme. It stated that a number of factors should be taken into account, including the seriousness of the offence; the age of the offender at the time of the offence; the sentence imposed or other manner of disposal; the time that has elapsed since the offence was committed; whether the individual has subsequently reoffended; and the nature of the work that the individual wishes to do.

The draft order seeks to comply with the judgments. It will make amendments to the definition of "relevant matter" in section 113A(6) of the Police Act 1997. The definition of "relevant matter" sets out what may be disclosed by Access NI in response to an application for a criminal record certificate or an enhanced criminal record certificate. As a safeguard to the public, the draft order specifies that certain offences will never be filtered. In essence, that means that, for a person with one conviction only, it will only be disclosed if it is on the specified list, if it involves a custodial sentence or if it is current. For anyone with more than one conviction, all convictions will be disclosed. A caution, restorative caution, diversionary youth conference

or informed warning will be disclosed if it is for a specified offence or is current. A list of specified offences and definitions of "current" are set out in the draft order.

5.30 pm

The specified offences come in one of four categories. First, they relate to the safeguarding of children and vulnerable adults; secondly, they deal with protection for children and vulnerable adults; thirdly, they relate to a risk of harm or the likelihood of harm to the public, children and vulnerable adults; or, fourthly, they meet the proposals on offences that should never be filtered as set out by Mrs Sunita Mason in her report, 'A Managed Approach', in 2011. Those were assault and violence against the person; aggravated criminal damage; arson; drink driving and motoring offences, including driving under the influence of drugs; drug offences, particularly supply; robbery; and sexual offences. The list includes a number of offences that DHSSPS has asked to be included as they relate to the safeguarding and protection of children and vulnerable adults.

The relevancy test used by the police on an enhanced criminal record certificate under section 113B(4) of the Police Act 1997 will still apply to information that has been filtered, as that will remain on the criminal record.

In conjunction with this legislation, I have also laid before the Assembly two further statutory rules under the negative resolution procedure. One makes corresponding amendments to the Rehabilitation of Offenders (Exceptions) Order 1979. The other amends the Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008 to allow for the disclosure of cautions, diversionary youth conferences and informed warnings held on the Causeway computerised system. It is planned that, with the approval of the Assembly, all three statutory rules will come into operation on 14 April.

I wish to thank the Executive and Justice Committee for their consideration of the proposals. It is with their support that I bring the draft order before the House today. I should mention that England and Wales have introduced a scheme to filter old and minor convictions and other disposals, which has been running for some nine months without adverse comment.

The draft order will help to ensure that vulnerable people in our society continue to be protected while also providing that a relatively minor mistake in the past does not impact on the rest of a person's life. I commend the draft order to the House.

Mr Givan (The Chairperson of the Committee for Justice): I am pleased to speak very briefly on behalf of the Committee, which has considered the statutory rule and the policy intent on a number of occasions. The Minister having already outlined the background to it, I do not intend to rehearse it. We have been kept informed by the Department of the implications of the rulings from the European Court of Human Rights and the Court of Appeal in England and Wales and recognise the need for changes to be made that will enable old and minor convictions and cautions to be filtered from standard and enhanced checks by Access NI. The changes will also implement recommendations made by Sunita Mason in her 2011 review of the criminal records regime in Northern Ireland.

The statutory rule being debated today is one of three required to bring forward necessary legislative changes. In October last year, when the Committee was briefed by departmental officials on plans to introduce the filtering scheme, members sought assurances from officials regarding the low-level nature of the offences that would be filtered and clarification that the filtering scheme was only for the purposes of disclosure and that such offences would remain on an individual's criminal record.

The Committee noted that the aim of the filtering scheme was to provide full disclosure relating to the safeguarding and protection of children and vulnerable adults. The Committee is content that the provisions being brought forward by the Department adequately address the requirements of the recent judgements while meeting the Committee's primary concern of maintaining suitable public safeguarding arrangements.

We considered the rule at the meeting on 13 March and agreed to recommend to the Assembly that it be approved. On behalf of the Committee, I can say that we are content to support the motion brought forward by the Minister.

Mr Principal Deputy Speaker: Before I call the Minister to respond, I apologise to Members who had difficulty hearing the motion being read out due to the disturbance of Members leaving the room — the stampede, should I say.

Mr Ford: I thank the Committee Chair for his contribution. Indeed, I wish to thank all the members who have contributed to this particular work, because, joking aside, it was something that involved some work being done by the Committee. It involved a detailed examination of the balance between the rights of individuals to privacy and the protection of children and vulnerable adults.

My officials and the Committee worked well on this, as we so often do. It is a great pity that something like this, which is of significance to a large number of people in Northern Ireland, will go unreported by the media tonight, whilst other things tend to attract media attention when, every now and then, I disagree with the Committee.

I thank the Committee Chair for his positive words and the Committee staff and my staff for their work. I commend the draft order to the House.

Question put and agreed to.

Resolved:

*That the draft Police Act 1997 (Criminal Record
Certificates: Relevant Matters) (Amendment) Order
(Northern Ireland) 2014 be approved.*

Adjourned at 5.35 pm.

Northern Ireland Assembly

Tuesday 25 March 2014

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

Members observed two minutes' silence.

Executive Committee Business

Licensing of Pavement Cafés Bill: Further Consideration Stage

Mr Speaker: I call the Minister for Social Development to move the Further Consideration Stage of the Licensing of Pavement Cafés Bill.

Moved. — [Mr McCausland (The Minister for Social Development).]

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

Private Members' Business

Sporting Facilities for People with Disabilities and Special Needs

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. All other Members who are called to speak will have five minutes.

Mr McMullan: I beg to move

That this Assembly notes the lack of sporting facilities for people with special needs and disabilities; and calls on the Minister of Culture, Arts and Leisure, the Minister of the Environment and local authorities to work with Disability Sports NI and Sport NI to carry out comprehensive research to evaluate the existence and suitability of sporting facilities in all the new local council areas.

Go raibh maith agat, a Cheann Comhairle. Today's motion is all about the lack of sporting facilities for the disabled, both indoor and outdoor. At present, approximately 360,000 of our population are considered to have a long-term illness, which is used as a working definition of disability. With those figures, you would expect sports facilities to be able to cope with the number of disabled people, but that could not be further from the truth.

At present, people with a disability exercise a lot less than those without, with just 12% participating regularly in sporting competitions. That figure indicates the problem. Although access to sporting facilities has improved because of the Disability Discrimination Act 1995, considerably less has been done to facilities to meet the actual sporting requirements of people with disabilities. For those with a disability, sport is a means of communication, a means of socialising and, most importantly, a means of improving health. However, the barriers are still there. The barriers to participation were highlighted in an academic study in 'Sport Management Review', which stated that, in a sporting context, people with a disability often faced a multitude of barriers to participation and achievement in sport. While other marginalised groups in the population have received attention in sport, those with disabilities have received very little. The authors of the study stated that people with a disability faced five common barriers when they attempted to access sport: a lack of understanding of how to include people with a disability in sport; limited opportunities and programmes for participation, training and competition; lack of accessible

facilities; limited accessibility to transportation; and limited access to information and resources.

A further barrier was identified in Sport NI's 2010 survey 'The Coaching Workforce', which found that 65% of sports coaches did not work with people with a disability, which is a shocking figure. Who is doing the coaching? Quite often, it is volunteers. When we research sports facilities for people with a disability, we find more and more barriers that make participation in sport for those people very difficult and sometimes practically impossible.

Where has it all gone wrong? Sport NI, in conjunction with Disability Sports NI, developed the access guidelines 'Access to Sports Facilities for People with Disabilities: Design and Management Guidelines'. Those guidelines provide detailed guidance and advice on design, management and sport development plans, but Disability Sports NI states that no comprehensive research has been carried out to evaluate the suitability of facilities for disability sports. How do those facilities get away with that?

Disability Sports NI runs an inclusive sports facility accreditation scheme. It is a way for Disability Sports NI to validate and recognise the achievement of sports and leisure facilities that are fully inclusive to people with disabilities participating in their chosen sport. The scheme was to be and should have been a golden chance for councils to sign up and set out their stall that they are there for people with disabilities, but, unfortunately, the majority did not even bother to register. One council is accredited with the scheme, six are under assessment, and 19 did not bother to register. That is sad, considering that council facilities are the main destination for those who participate in any sport.

When the Assembly debated my motion in November 2012, we congratulated our successful athletes in the 2012 Paralympic Games. We agreed that councils should increase the number of sporting opportunities available to people with disabilities at all levels of sport in every area. If we have called on all councils to increase their sporting opportunities for the disabled but councils have neither improved facilities nor even bothered to register — 19 did not — for a scheme to improve their facilities that would have led to improved sport, we have a major problem. It was all to have been done voluntarily, but I believe that we may now have to look at a compulsory review of facilities. If we have left it to councils to do that voluntarily and they have not bothered, we have to go down a different route. The European Convention on Human Rights states that people with disabilities have to be given the same rights and services as able-bodied people.

Our Special Olympics athletes continue to achieve greatness on the athletics field and in all the other sports related to their degree of disability. Disability Sports NI has provided an ongoing service since 1997 and represents around 20,000 adults and children each year. We admire sports groups and all the athletes involved and their achievements, but sports facilities have not kept up with the demand from those with disabilities. That is the reason for today's motion. In my area of the glens, for example, children who have the honour of being picked for the Irish Special Olympics team or the Ulster Special Olympics team have a round trip of 80 miles each day to train in the Antrim Forum. What is wrong with the buildings close by? They have just not bothered to put in place the facilities that they could have done, if they had been really

interested. We put those children on a bus for an 80-mile round trip: we should be ashamed of ourselves.

With RPA coming in about 12 weeks' time, the new councils have an opportunity to put together their facilities for the disabled. Councils have a responsibility. For example, we have beaches for outdoor sports. Inland Waterways has kept pace and been exemplary in catering for disability sports and inland fishing on waterways and rivers. However, the lack of access to beaches, piers and jetties belonging to councils denies those who are disabled the right to participate in sea fishing, which is a big sport. We cannot even do that. I do not think that these people are really interested. So, today, I call for a compulsory review of all sports facilities. That includes all council facilities, because they get subsidies and help. We are now moving to a bigger council model — we had 26; I think we are down to 11 — so surely that will be easier to manage. We need to do that and do it now.

We need a Charter Mark for councils so that anybody who is disabled and wants to know where to participate in sport can go online and check out whether the new councils are up to standard and can cater for their sport. As I said, if we do not make this compulsory, it will never happen. We will go through the debate today, but nothing will be put in place. The transition committees are going through what should be in the new councils. If today's motion is successful, it should feed back into the transition committees of all the councils. This cannot carry on any longer. The way that people with disabilities are treated is an absolute disgrace. They should get the same treatment as able-bodied people. I hope that the Assembly supports the motion. Let us take this forward. We are here to speak for those who are not able to speak for themselves. At the very least, let us give them the same facilities as we, as able-bodied people, enjoy.

Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure): As Chairperson, I welcome the opportunity to speak in today's debate.

The Committee recognises the many benefits to our health and well-being of participating in sport and physical recreation. That is why it is important that opportunities to participate in sport are readily available and accessible to all. The most important legacy from the London 2012 Olympic and Paralympic Games was the increase in the number of people wishing to participate in sport. In the immediate aftermath of the games, the Committee heard from Disability Sports NI about the increased demand from people with disabilities. However, recent statistics show that disabled people are still half as likely to get involved as someone who does not have a disability. Given that 20% of the population — one in five — is considered to have a disability, that is a worrying statistic, as highlighted by the proposer of the motion.

10.45 am

It is recognised that many barriers prevent people with special needs and disabilities from taking part in sport, including the economic, attitudinal and physical. It is incumbent on the Executive, Assembly and local authorities to do everything in their power to overcome those hurdles. The Committee is aware that much has already been done; however, there is still work to do. Research has shown that, although basic physical access to sports facilities has improved in response to the

Disability Discrimination Act 1995, less has been done to meet the sporting requirements of people with disabilities. Disability Sports NI's inclusive sports facility accreditation scheme is a mechanism to validate and recognise the achievement of sport and leisure facilities that are fully inclusive of people with disabilities participating in sport. However, as Mr McMullan said, it is disappointing that only one council is accredited and just a further six are under assessment. The reform of local government provides an opportunity to refocus our efforts and to properly address issues around barriers to participation. This requires an assessment of our current sporting facilities, and, by undertaking that evaluation, all partners can move forward and prioritise the areas most in need of attention.

In October 2012, the Committee received a briefing from Disability Sports NI on its plans to develop a six-year strategic plan to increase disabled people's participation in sport. The Committee wrote to the Northern Ireland Local Government Association (NILGA) to ascertain what measures could be taken to encourage local government to engage with Disability Sports NI and to encourage increased participation in sport among disabled people. NILGA acknowledged that, while present arrangements could be improved, it required the pooling of resources and investment partnership between central and local government and Disability Sports NI. A partnership approach is key to delivering better facilities for our sportspeople with special needs and disabilities.

The Committee recognises that our council facilities are foremost for many people in accessing sport. However, with significant public investment in the redevelopment of Ravenhill, Windsor Park and Casement Park, the Committee encouraged Disability Sports NI to liaise with the appropriate governing bodies regarding disability access at those stadiums. The Committee welcomes Disability Sports NI's inclusion on a group designed to specifically focus on inclusion and disabled access across these stadiums.

The Committee is also aware of the Minister's priority in promoting equality and tackling exclusion and poverty. Programme funding of £4.5 million over three years was distributed across the three main sport governing bodies to implement sport programmes specifically designed to promote inclusion. The Committee was impressed with the work of each of the governing bodies in this area — for example, Ulster Rugby's tag rugby programme, which is for those with learning difficulties. The Committee is keen to hear the Minister's longer-term plans for this funding, which is due to expire in 2015, including whether it will be extended to other sports.

The remit of the Department allows for opportunities of inclusion and participation, whether through sports, libraries or the arts, thus improving our mental health and well-being. Therefore, it is encouraging to know that the Arts Council proposes to establish a working group, with other DCAL arm's-length bodies, around the possibility of conducting a mapping exercise to better understand the barriers —

Mr Speaker: Can the Member bring her remarks to a close?

Miss M McIlveen: — across access and participation encountered by those with disabilities. The Committee is interested in moving forward the development and work of this group. The Committee will also adopt its

scrutiny and advisory role as DCAL moves forward with its draft disability action plan. Mr Speaker, I apologise for overrunning. I support the motion.

Mrs McKevitt: I speak in support of the motion. The debate gives us an important opportunity to identify the suitability of sporting facilities that can provide a space for people with special needs and disabilities to reach their sporting potential. For too long, people with special needs and disabilities have been placed at a disadvantage when it comes to the provision of sporting facilities in their local community. Today, it is time to rectify that inadequate state of affairs.

It is imperative that the Minister of Culture, Arts and Leisure and the Minister of the Environment work in a collaborative manner with Disability Sports NI and Sport NI to pinpoint the suitability of sporting facilities in all the new council areas. Forward planning is required so that the very best sites can be identified. We owe a great debt of gratitude to the excellent work of members of the community, voluntary and statutory organisations and the health and social care professions who support those with special needs and disabilities, as well as their families.

Mr P Ramsey: I thank the Member for giving way. Like the Chair of the Committee, I think that it is important to recognise that, with the Local Government Bill going through the House, there are opportunities to set the standards and models of good practice that all councils should share and lead on to make sure that no one in our community, irrespective of whether they have a learning disability or another disability, should be marginalised.

Mr Speaker: The Member has an added minute.

Mrs McKevitt: I thank the Member for his intervention, and I agree with his comments.

I pay special tribute to Disability Sports NI, which is the key body responsible for the development of sport and physical recreation opportunities for people with physical, sensory and learning disabilities in Northern Ireland. Disability Sports NI is committed to the principle that every person with a disability has the right to participate in all aspects of society. People with disabilities in Northern Ireland want to participate in sport for the same reasons as everyone else: to lead a fit and healthy lifestyle; to gain a sense of achievement or challenge; to develop their natural sporting talent; or simply for the fun and enjoyment of taking part. They also have the right to participate in sports.

Although basic access to sporting facilities has improved significantly in recent years as a direct response to the introduction of part 3 of the Disability Discrimination Act in 2004, many sports facilities are unable to accommodate the needs of sportspeople with disabilities. That is an indictment of our society and is why we need to rectify the situation.

The Olympic and Paralympic Games were a tremendous vehicle for shifting attitudes towards the perception of disability in sports. We must build on that progress. Work must begin immediately to identify facilities that need improving or modifying to accommodate those with particular needs. We must now focus our efforts on achieving equality of opportunity for people with disabilities so that they can take part in their sport and physical recreation at a level of their choice. We must inspire and

enable people with special needs and disabilities to live a full and active life through sport and physical recreation.

Just last month, we had the wonderful achievement of Kelly Gallagher, a County Down native, in the winter Paralympics in Sochi, and I will also mention Bethany Firth and Laurence McGivern from my constituency for their remarkable performances in the 2013 Paralympic Games and the IPC World Championships.

Mr McGimpsey: I also support the motion. Clearly, as has been stated, the principle is equality, and, irrespective of your colour, class, creed, gender or disability, you have the right to equal participation. Therefore, we need to look at the barriers to that.

A NISRA survey in 2007 found that 85% of people in Northern Ireland with disabilities never took part in any form of sport or physical recreation. That is a huge indictment of our society. Also, Disability Sports NI suggests that 30% of the entire population has a long-term limiting illness, so we have a very big need and there is clear demand. Participation can benefit people through improvement not just of their physical health but of their mental, emotional and psychological well-being. There are real health benefits to society and the individual through this type of participation in sport. It is about social inclusion and combating isolation and loneliness, which is one of the great scourges of our society and one of the reasons why, for example, 25% of our population suffers from mental illness. One of the key elements in that is social exclusion and isolation, and sport can address that, as can arts and cultural pursuits.

There are a number of reasons why we look for participation. It benefits the individual, and people can benefit from participation in clubs, societies and teams through teamwork, encouragement of positive attitudes and support. As the motion says, we must look at the need and then work out how we address it. There is a clear need here, but we also have to focus further down from the NISRA survey of 2007 and the work of Disability Sports, which does tremendous work. We must look at the need, assess it and work out how to address it.

Mr Dallat: Will the Member give way?

Mr McGimpsey: I will give way, yes.

Mr Dallat: Does the Member agree that, in assessing need, there needs to be a follow-up by the clubs or organisations that, very often, draw down millions of pounds of public money but have no programmes in place to find people with a disability and encourage them to use the facilities?

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

Mr McGimpsey: I thank Mr Dallat for that intervention, and I agree with him entirely. That is an issue about policy. The Department and the Minister must lay down a policy so that, wherever the cash flows to address need, there is follow-up and assessment to ensure that the money goes where we want it to go, according to the objectives of the plan.

We are at the beginning of another step, but we have made great progress. We have only to look at the rising demand and the achievements of our elite athletes in sports that we do not associate with Northern Ireland, such as downhill skiing. That gives us an idea of the demand. The more the elite athletes achieve, the greater the demand, because

it spurs demand. That is good and beneficial to us all, but we must look to address that need. That is why the motion gets to the point: we need to assess that need, after which we can decide, according to policy and resources, what we will do about it.

Ms Lo: I support the motion. I recall the debate in November last year on the legacy of the 2012 Olympic Games and Paralympic Games. It was said then that we needed to create a genuine, lasting legacy from the games. After the huge successes of Kelly Gallagher, our gold medallist at this year's Winter Paralympics in Sochi of whom we are all very proud, preserving this legacy is all the more important. Arthur Williams, the Paralympic cyclist and commentator, said at the close of the Paralympics:

"Our mission was to create a public that is at ease and comfortable with disability and I think we've achieved that. An able-bodied person is never going to look at a disabled person the same way ever again."

Kelly Gallagher is an inspiration to us all, particularly to young people with disabilities.

Although there are policies and strategies, such as Sport Matters, the DCAL inquiry into sport and physical activity and the Sport NI disability action plan, the question remains of whether we are doing enough. Nineteen per cent of people with disabilities participate in physical activity, compared with 37% of non-disabled adults. That means that people with a disability are only half as likely to participate in sport. How do we maximise the sporting potential of people with disabilities and special needs? I agree with Mr McGimpsey: it is important that people with disabilities be encouraged to take up sport.

One obvious way is to increase the scale of sport provision across Northern Ireland. Given modest funding, that is difficult to achieve by relying only on support from Sport NI and DCAL. The creation of the 11 new district councils provides an excellent opportunity to ensure that we do all that we can to increase participation in sport by people with disabilities. The community planning provisions in the Local Government Bill will, no doubt, help with that. However, simply evaluating current facilities does not go far enough; we must also see actions and results.

That is why Alliance tabled a number of amendments to strengthen community planning in the Local Government Bill. Alliance has successfully amended the Bill to make outcomes achieved part of the councils' two-year progress report on their community plans. Another of our amendments is that, when identifying actions, councils must specifically include actions and functions to the planning, provision and improvement of public services. We also improved the Bill to ensure that councils actively seek the engagement of consultees. We believe that all those provisions will assist in providing better sporting facilities for people with disabilities and special needs.

11.00 am

In February last year, the House debated a motion on grass-root and elite sports facilities. It was mentioned then that the Sport Matters strategy had a target of creating or upgrading 10 facilities by 2014. I would be interested to see whether that target was achieved and, where facilities were upgraded, whether provision for those with disabilities was taken into account.

Our sportspeople, especially those with special needs and disabilities, should not be disadvantaged by lack of access, but lack of funding should not be a problem either. Is enough money being invested in our sportspeople with disabilities and special needs? Conducting an audit of sports facilities would certainly help to identify what areas are delivering —

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

Ms Lo: — for those with special needs and how best to improve those facilities that fall below the desired standard.

Mr Hilditch: I support the motion. It is a motion that few, if any, in the Assembly would oppose, particularly given our recent successes at various levels of Special Olympics through to the elite sections of the Summer and Winter Paralympics.

It was not that long ago, as Ms Lo said — probably about a year ago — that we debated a similar motion about elite facilities for sportsmen and women, and the reality is that the principles and aspirations spoken of on that day could equally be supported in today's debate. The wording of the motion mentions individual Ministers, Departments, local government agencies, arm's-length bodies etc coming together to carry out evaluation work in the new local council areas. However, I think that a reference to the Education Minister or the Education Department should have been added to that. Recently, during topical questions, I asked the Minister of Education about the latest position on shared access to the schools estate, particularly sporting facilities, and was assured by the Minister that the strategy between him and the Culture, Arts and Leisure Minister, although in its early stages, was being acted upon. That type of work is crucial if we are to overcome the decades of underinvestment and underachievement under direct rule when resources were swallowed up due to the security situation in those days.

Although I commend the work of Disability Sports NI and many of the other sporting bodies and partners to date, I accept that there is much more to be done. The facilities and opportunities available to those with disabilities to participate in sport have been lagging behind for some time. The lack of facilities affects everyone, at all levels, right from those who play the very popular game of boccia even on a social basis to those who train five, six or seven days a week to participate and compete on the international stage and bring success to our small country at elite levels. Kevin O'Neill, the chief executive of Disability Sports Northern Ireland, stated that we are now seeing the results of all mainstream sports organisations having been working hard in partnership over the past 15 years. So, I now believe that it is the time and opportunity, led by the Assembly, to ensure that the support systems and physical structures are in place in our new council areas to make sure that we can develop and encourage future talent.

Today is probably a good time to again take the opportunity to try to support the future development of community sports hubs. The Committee visited those facilities last year in Scotland, and I know that the Minister is supportive of the idea moving forward. They could provide the answer in a small country such as Northern Ireland through a shared facility being developed between

different sports clubs and community groups and should suit everyone, if they are minded to, from major clubs through to those involved in minority sports. They would, of course, be disability-compliant to suit everyone's needs and abilities. Finance can be better spent that way, and investment can go further by developing the community sports hubs and targeting areas of social need in each new council area.

Those hubs could mark the beginning of a new era in sports provision, impacting on health, education and the social economy.

At this stage, I declare an interest in that I am involved in the early development of such a hub in my constituency. I am totally amazed at the support and enthusiasm shown by people who are heavily involved in the community and voluntary sector. That support ranges from football clubs and ladies' hockey clubs to healthcare providers, social services, the local older people's forum, the local regional college, the local council, the young people's disability group, and many more. Amazingly, there could be anything up to a dozen partners if the scheme is given the go-ahead, thus catering for a wide range of community needs and provision.

We need to encourage the new councils to get on board with that type of development, and I would like to turn briefly to what I believe to be an associated issue. If we are to evaluate the existence and suitability of sporting facilities in the new council areas, we should be mindful of the support structures for people with special needs and disabilities. By that, I mean the likes of coaching, equipment etc. Outside the local structures, it is worth remembering that the majority of sports clubs are run and coached by volunteers who give of their free time not only to coach but to gain qualifications. Without their valuable contribution, many sports clubs would simply not exist. It is easy to pay tribute to those people from the Floor of the Assembly but I firmly believe that, if we are to evaluate the position in each of the new council areas, they need to be taken into consideration and given all the support that we can muster. Those volunteers understand the different types of disability, the appropriate help to put in place and the correct support systems. They also do a fantastic job in changing the mindset of others. I believe that there is still in some quarters a negative perception regarding disability and sport, thus stigmatising individuals with differences.

When we consider that 85% of people with disabilities never take part in any form of sport or physical recreation —

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

Mr Hilditch: — there is no doubt that much more can be achieved. I support the motion and look forward to the Minister's response.

Ms McCorley: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún. I support the motion.

Tá ráiteas misin ag Disability NI ag rá go bhfuil sé ag obair le comhionannas deise a bhaint amach do dhaoine míchumasacha páirt a ghlacadh i spórt agus i gcaitheamh aimsire fisiciúil ag a leibhéal féin.

Disability Sports NI's mission statement is this:

"Working to achieve equality of opportunity for people with disabilities to take part in sport and physical recreation at a level of their choice."

As well as that, the equality legislation that came about as a result of the Good Friday Agreement is meant to afford protection to those with disabilities and to prevent discrimination against them, direct or indirect.

Ach is cuma cé chomh láidir ná chomh lag atá sé, ní leor é reachtaíocht.

However, legislation, however weak or strong, is not enough to guarantee that the designated groups have the same experience of life in all its aspects as the able-bodied. Therefore, we need to do more to make the necessary changes that will allow all members of society, including the disabled, to use and be part of sporting facilities in whatever way they choose. That means that we must send a message to all the agencies involved that they should work in partnership to ensure real inclusivity in the sporting environment for those with disabilities. That includes organisations with special responsibilities like Disability Sports NI, Sport NI itself, and the Ministers whose remits relate to this, namely the Minister for Culture, Arts and Leisure and the Environment Minister, who has local councils under his remit. I also include the Health Minister and the Education Minister, who have related responsibilities.

Statistically, it is clear that those with disabilities are noticeably less likely to participate in physical activity than those without. In fact, our society has a real problem in general with taking regular physical exercise, and we know that this is a major factor in the worrying increase in levels of obesity and associated illnesses. When we read that only 19% of people with disabilities take part in regular physical activity compared with 37% of the general population, we know that there is an issue and we must take action. Caithfidh gníomh a dhéanamh.

There are clearly health implications, because those with disabilities are already ill to one degree or another, and if we fail to create the enabling environment that allows them to access the services and facilities that everyone is entitled to, we are possibly guilty of contributing to the likely deterioration of their health.

Of course, at the opposite end of the spectrum, there are the success stories of those with disabilities who have achieved greatness at the top of their sport and we commend all of them. No one will mind if we make special mention of Kelly Gallagher, whose recent achievement of winning a gold medal in Russia filled everyone with pride and admiration. There have been many other examples of local disabled sportspeople from the North who competed and achieved huge success over recent years.

It is important that we have the facilities and provision in place to encourage such elite sportsmen and women to fulfil their potential in whatever way they can. It is equally important that everyone with a disability feels included in the sphere of sport and physical activity, whether that is as a participant, a sportsperson, a supporter, a spectator or just a part of the community that wants to feel part of a friendly social environment. If we are to be genuinely inclusive, we have to ensure that people with disabilities are actively encouraged to be part of sporting and physical life in whatever way they choose, so we need

to examine whether the existing recommendations of a previous Culture, Arts and Leisure Committee are being adhered to. The Committee recommended the expansion of specific programmes aimed at increasing participation among groups, including people with disabilities. It also recommended that local authorities enhance training for staff at leisure centres on how to best provide services for such groups.

It is disappointing, though, to note the poor uptake of local councils in the inclusive sports facility accreditation scheme devised by Disability Sports NI. To date, only one council has been accredited and five others are currently under assessment. That means that 20 councils have failed to take advantage of the opportunity to show what they are doing. I would just like to mention the example of one of my local constituents, who raised an issue with me. He is deaf, and he cannot go into the leisure centre on his own to use the facilities. He has to be accompanied by someone in case there is a fire and he does not hear the alarm going off. That is something that needs to be looked at. Someone who already has a disability should not be further discriminated against.

Ultimately, we would like to see all sports and physical activity providers adopting an attitude of encouraging the participation of people with special needs and disabilities —

Mr Speaker: The Member's time has gone.

Ms McCorley: — to ensure that they do not feel excluded from any leisure centre or sporting arena. The question is, are we doing all we can —

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

Mr Eastwood: I thank the proposers of the motion. It is a very important motion. We all feel that we are doing our best to ensure that people feel included and feel equal in our society, but it is not always the case. It is obviously unintentional, but we exclude people every day of the week. I had the very good fortune to be involved in a group called Foyle Sailability, which just began its work last year. We have a tremendous resource, as you know, Mr Speaker, in our city. It is called the River Foyle. Very few of us have ever used it to its full potential, but it is now being used much more. We had the Clipper Round the World Yacht Race in our city last year, and it will be back in June. We spent thousands upon thousands of pounds on a big pontoon for the clipper race, but I do not think that we really thought about the implications that that would have for people with a disability. The good work that people such as Cathal McElhatton at Foyle Sailability have done has opened our eyes to the possibilities and some of the pitfalls around public investment and council investment in these kinds of schemes.

I was lucky enough to be there last year when hundreds of young and old people with special needs and disabilities were able to access the Foyle for the first time. It was tremendous to see people being able to get out on the different sail boats. The difficulty is that it all costs money. People in a wheelchair can only get off the pontoon with a certain type of boat, which we do not have in Derry, but we were lucky enough that the people at Belfast Lough Sailability were very kind to loan the boat for that year. So, there are challenges around funding and everything else. However, it allowed me to see the possibilities and to see the faces of people when they were finally able to do something that they did not think they would ever be able

to do. That is worth whatever money it costs to try to invest properly in access for the disabled. It just shows that we think that we are doing everything that we can by putting a ramp here or a ramp there, but we really do not understand the needs of people with disabilities until we go through it, and I think that it is important that we do. The motion is very important in pointing that out.

11.15 am

We have a tremendous opportunity now, with the review of public administration. The new councils will begin their work very soon. With community planning being a core element to the new council set-ups, it is an opportunity to ensure that everybody, regardless of their background or ability, can access the tremendous facilities that our councils offer. We need to be mindful of all the volunteers, parents and everybody else who put so much work into ensuring that our communities and everybody in them can have access to those facilities. We, as a Government, and councils need to be there to play our part in ensuring that people can access those facilities.

The Disability Discrimination Act 1995 went a long way in ensuring that people would have proper access, but it was basic access. We now have to go beyond that and ensure that everybody can access all facilities, not just basic ones, and that everyone can play their full part in the sporting life of our communities.

The great news that came from Russia on Kelly Gallagher's success at the Paralympics has been mentioned; in fact, it is probably the only bit of good news that we have had in a while from Russia. That young lady is a fantastic advocate, supporter and inspiration to all those people who want to achieve their dreams, regardless of whether they are disabled. What she has done, against all the odds, is something that we should all be very proud of.

We now need to do our part. The figures for accredited facilities at councils do not make very good reading. One council has been accredited and six are under assessment, but 19 have not even gone through any process. This is the opportunity to get all our councils on board. We need to ensure that we hammer home the message that it is not good enough merely to put a ramp here or a ramp there. Everybody has to have access to all our tremendous facilities and community assets.

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Go raibh maith agat, a Cheann Comhairle. I thank everyone who has spoken and attended today's debate. In particular, I thank the Research and Information Service for its provision of a very good report, and the movers of the motion and the contributors to the debate.

I listened very carefully to the debate and the views expressed on the motion. It is no surprise that many points have been raised in some detail by most contributors. I wholeheartedly support the motion, and I believe that it is a very worthy debate, particularly when we talk about inclusion and equality issues.

Like many Ministers, I am prepared to work with our stakeholders, which include our Minister of the Environment, our local authorities, Disability Sports NI, Sport NI, the Minister of Education, the Minister of Health and, indeed, the First Minister and deputy First Minister. In short, section 75 and the full implementation of that legislation is everyone's business, and I will not shirk my

responsibility to ensure that people who need protection most are well protected.

We need to provide opportunities to support and encourage a vibrant and thriving environment in which people with special needs and disabilities can fully participate in their chosen sport, or, for that matter, physical activity. Today, through contributions and interventions, it was said that we want to offer full opportunities to develop talents and to allow people to aspire to the heights of local athletes. We also want to look at people who just want to become involved in physical activity and sport.

Everyone mentioned Kelly Gallagher's success and her ability to overcome many challenges. It is a collective pride that is shared throughout the House, not just for Kelly but for our Paralympians who competed in London 2012 and who have continued and will continue to inspire those with disabilities and special needs who are coming behind them. We need to offer full access to the best opportunities for sport and physical activity for those with disabilities and special needs who wish to have, and deserve, that access.

Everyone posed this question: how do we do that? Many contributors talked about statistics, the Sport Matters strategy and, in many instances, the shocking statistics for implementation and even participation. I want to touch on some of the points raised by the majority of, if not all, Members. Access and transport are huge issues. We have taken, and will continue to take, note of the issues to pursue them and to try to ensure that investment is made.

The Chair, the proposer of the motion, David Hilditch and Michael McGimpsey mentioned promoting equality, tackling poverty and promoting social inclusion, particularly around community hubs and sports provision. — *[Interruption.]* God bless you. It is very important, and recognition of that through the policy has driven and was instrumental in obtaining the additional funding.

It is really important, particularly when we are promoting equality, that it is equality for all, including people with special needs and disabilities. I will try to ensure that funding, particularly, but not exclusively, for the three main sports governing bodies will endure beyond 2015. I have started to work with Executive colleagues to ensure that that happens.

From as far back as 2009, Sport NI has carried out extensive research to establish the existing facilities throughout the North. That is a good body of work, but we need to build upon it. We also need to build upon not just the DCAL branches but the arm's-length bodies and what other Departments have done towards meeting their statutory obligation to have full equality of access. The database characterises facilities by 15 sports, including pitches, sports halls, bowling greens, athletics tracks and adventure sports. It has provided a lot of detail about the facilities, but I could do a lot more, and Disability Sports NI has advocated that there is much more that we could do. As Colum Eastwood, the last Member to speak said, while we have a huge opportunity, which others mentioned, through RPA, we are still falling short. None of us wants that to happen on our watch.

My Department, Sport NI, Disability Action, the Department of Education and other Departments are looking at what we can do now. We have huge opportunities with RPA, and the stadia development

presents us all, particularly me and local government, with new opportunities.

To that end, Sport NI and Disability Sports NI have prepared and jointly released 'Access to Sports Facilities for People with Disabilities: Design & Management Guidelines'. These guidelines are very important and are aimed in particular at facility owners, design professionals and other individuals involved in the provision and management of sporting facilities. The guidelines are based on available and emerging best practice to help to:

"ensure that all new, extended and altered sports facilities ... are built and managed to optimum levels of good practice in terms of access for people with disabilities."

Accessibility is also particularly important, as I said earlier, to the stadia development programme, and new and enhanced guidance on access to stadia for people with disabilities, which was published in December 2013, was specifically developed and designed for the stadia programme.

The guidance was developed by Disability Sports NI in conjunction with DCAL and the new stadia advisory group, which includes representatives of disability agencies and groups.

It is really important that, between us, we use these opportunities in a very respectful, open and honest way to look at where the gaps are and how we can bridge, if not close, them. We have only to look at the recent successes of athletes to remind us all that, with a small targeted investment, we can not only contribute to their lives and performance but help them to achieve elite status.

Also important is that, through visits, I know that the number of people with disabilities who want to access our lakes, rivers and waterways is huge. It is growing, and we need to make sure that it does not become the rule that people in Derry have to rely on the generosity of people in Belfast to get access. That should not be the case, and I know that people in the council, along with those in Sport NI and my Department, are not happy to allow that to continue. I am aware of that, and we are working with the new councils — at this stage rather than waiting for the new configurations to be in place — to make sure that we all look to see what opportunities there are to take.

The community hubs were mentioned. I am working very closely on those with my colleagues in DOE and DE. The hubs will be a huge success, and we are looking at the health benefits as well.

These partnerships, while informal, will have some respect and value added to them when we start to make investment. Investment is much smarter when we look at where we can do it collectively. Not only do you get a better return for public spend, but you get more for that public spend. It helps to cement and sustain the partnerships that are there as well as attracting new people and creating new opportunities. It is really important that we do that.

I also want to talk about the opportunities that we have for the arts, libraries, museums and the rest. It is not just about the new buildings that DCAL started in the previous mandate and completed in this mandate — some have yet to be completed — having DDA approval. We are looking

for DDA approval as a minimum standard. We are looking for standards above that.

As Oliver and others mentioned, it is not just about the physical activity. It is really important that we look at transport and how people get to these facilities. That also needs to be targeted and was part of the promoting equality and social inclusion and tackling poverty initiative, which people may not have fully understood at the start but, I think, have fully grasped now. I welcome that.

I also welcome the opportunity to work collectively where possible. I do not believe that any of my Executive colleagues would be happy knowing that there was something appropriate and reasonable that that they could do in their Department but that was not brought to their attention and that they did not know about. I believe that there is a good generosity of spirit but, more than that, an acute awareness of our obligations around section 75. This is an example of where we need that.

I am happy to support the motion. I thank everybody who has contributed to the debate. If I have left anything out in my summing up, officials and I will have a look at the report of the debate and be happy to respond to the Members who raised those points. I welcome this very worthy debate. I look forward to its conclusion and seeing where we will go for the future.

Mr Ó hOisín: Go raibh maith agat, a Cheann Comhairle. Beidh mé breá sásta bheith ag labhairt i bhfabhar an rúin. I am very pleased to speak in favour of the motion. I praise my colleague Oliver McMullan for his perseverance and stout defence of all disabled issues for many a long year. His commitment to the defence and promotion of the disabled community in the House and in the Culture, Arts and Leisure Committee has been second to none.

I must declare an interest as, for quite a number of years, I worked as a project leader with a charity providing daycare and facilities, including sports facilities, for a large group of adults with physical and learning disabilities. It was in that role that I came to realise the considerable dearth of provision, particularly sporting provision, from local authorities and sports governing bodies. Years of involvement in able-bodied sports, sports councils etc also highlighted the shortage of meaningful and effective engagement across all types of disabilities and showed that what was there was, at best, haphazard and disjointed.

The seemingly successful summer 2012 Paralympics heralded what was considered at the time to be a new dawn for disabled sports, but the reality on the ground has been less tangible. The CAL Committee met with elite disabled athletes like Jason Smyth on our visit to the Sports Institute in Jordanstown, and we saw the role played by the institute in the gold medal success of Kelly Gallagher recently.

However, elite athletes, disabled or otherwise, are the exception rather than the rule. Many more stories exist of what is lacking, even as regards an understanding of what is required for full participation in disabled sports. Disability awareness in sport, while much improved from what has gone previously, still leaves much to be desired. It must be a priority for governing bodies and local authorities from the first design and consultation to final delivery on the ground. The low rate of uptake in disabled sports stems from the non-engagement of many disabled people across all disciplines and must be addressed.

The delivery of RPA does, and must, provide an opportunity to rectify much of what is wrong in provision. A number of sports projects have come forward for delivery by the new council clusters. The new start gives us all a chance to redress the shortcomings of the past. A healthy society is one in which all members, disabled or otherwise, are given the opportunity to participate to the best of their abilities in their chosen sport or activity. The low participation figures can, and must, be improved on. The health spin-off might then be quantifiable.

11.30 am

In moving the motion, Oliver McMullan outlined that, here in the North, some 360,000 people are considered disabled. That puts into context the extent of the job in hand. He also outlined the barriers to disabled participation in sport, including the fact that 65% of sports coaches do not work with people with disabilities in their coaching capacities. He also outlined the scheme of registration of disabled sports through Disability Sports NI and the lack of uptake from current local authorities. That must be looked at seriously under RPA.

The Chair of the Committee for Culture, Arts and Leisure, Michelle McIlveen, said that disabled people are half as likely to get involved in sport as their able-bodied counterparts. She said that the Committee is aware of the work that is still required. She recognised that local council facilities are central for sporting provision but said that the GAA, Irish Rugby Football Union, IFA and other governing bodies all need to deliver, particularly on the three new stadia. She also outlined the Arts Council's role in bringing forward a mapping exercise to identify participation.

Karen McKevitt praised community, voluntary and statutory bodies for the provision that they have made to date and the role that they have played in many disabled people's active lives. She said that, although access has improved, many sports venues were still unable to accommodate people with a disability. Michael McGimpsey said that the principle was equality and that the barriers to participation must be closely examined. He also said that the need for participation was very great due to the significant numbers that are involved.

Anna Lo touched on the legacy of the 2012 Olympics and Paralympics and the fact that people are now more at ease with disabled participation. She asked whether we are doing enough to deliver a strategy to ensure that disabled people take part in sport. She also touched on the differential between disabled sport participation and special needs sporting requirements.

David Hilditch thought that the education sector should also be brought into any sports strategy as a partner and provider of facilities and coaching. He said that he believed that now was the time and opportunity to look at community facilities that could be the beginning of a new era, delivering with the input of a wide range of bodies in the community sector. He also said that 85% of people with a disability never take part in sports and that that was worrying.

Rosaleen McCorley also touched on the equality issue and the relevant legislation that was brought about through the Good Friday Agreement. She also outlined the responsibility of the four Ministries that have some input to these matters. Those include the Health and Education Departments, as well as DCAL and the Department of

the Environment. Colum Eastwood thought that much of the exclusion in sports was perhaps unintentional but not deliberate. He recognised the good work of a number of people and organisations.

I appreciate the Minister saying that she wholeheartedly supports the motion and that she declared her willingness to work with all the stakeholders. She said that we need to support a vibrant and thriving environment for all and to support full participation in all activities. She said that those with disabilities and special needs deserve the best facilities and the opportunity to participate and to promote social inclusion.

A Cheann Comhairle, I am delighted that the House has united on this very important issue, and I thank everyone for their support. I call for an urgent review of the facilities that have been provided to date and those that we need to move forward.

Question put and agreed to.

Resolved:

That this Assembly notes the lack of sporting facilities for people with special needs and disabilities; and calls on the Minister of Culture, Arts and Leisure, the Minister of the Environment and local authorities to work with Disability Sports NI and Sport NI to carry out comprehensive research to evaluate the existence and suitability of sporting facilities in all the new local council areas.

Religious Belief and Worship: Worldwide Freedom

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. All other Members who are called to speak will have five minutes.

Mr Wells: I beg to move

That this Assembly expresses concern at the persecution of Christians in many countries around the world and, in particular, the threat of execution of 33 Christians in North Korea for their beliefs; and calls on HM Government to exhaust all diplomatic options and influence to secure greater freedom of religious belief and worship throughout the world.

I am sure that we have all seen the images on our television screens of what is going on in North Korea. I accept that, for some, Kim Jong-un, the present leader and grandson of the founder of North Korea, is seen as an object of derision and, indeed, of humour. Of course, we have all heard the stories about Kim Jong-un. For instance, on his first round of golf ever, he scored four holes in one, which begs the question of why is he not playing Tiger Woods at the Masters. Of course, that was reported as fact in the North Korean media.

We have also heard recently that there was a 100% turnout in the North Korean elections and that the president achieved 100% of the vote. Not even Sammy Wilson on a good day in East Antrim could achieve that, and there is slight scepticism about those figures. However, such is the control of the media in North Korea that it is very difficult to get independent corroboration of those allegations.

Members have to understand that North Korea has featured at the top of the table in every assessment of human rights abuses for the past 15 years, often by a long distance. The basic core problem with North Korea is that there is a personality cult that requires utter obedience to the memory of the founding father of North Korea, which transferred to his son and now to his grandson. It is almost idolatry in the extreme. Every household in North Korea is required to have a portrait of the great leader and his sons, and anyone who dares to express an independent point of view is in serious trouble.

There have been ridiculous but also scary reports in the western media of people who were imprisoned because they did not applaud the great leader enthusiastically enough during one of his visits or who did not weep with sufficient sincerity when one of the dynasty passed away. Much more reliably, we know that the present leader, Kim Jong-un, ordered the execution of his uncle and his entire family as he was seen to be a subversive.

Article 68 of the North Korean constitution guarantees freedom of religion, but that freedom is on paper only. As far as can be ascertained by organisations such as Open Doors and Release International, there are only three or four churches in the capital, Pyongyang. Those seem to have been created for western viewing only and are seen to be there to try to indicate a non-existent religious freedom. There is no evidence whatsoever of any church or religious institutions anywhere else in a country with a

population of 23 million people, and those churches exist entirely to paper over the cracks.

Even more worryingly, North Korea is unique in having the equivalent of gulags or prison camps very similar to those operated by the Nazis in wartime Germany. They hold anything between 20,000 and 50,000 people, many of whom are there because of their religious persuasion. It is not just Christians but Buddhists, Seventh Day Adventists and those of any other religion that is not the worship of the leadership of North Korea. Those who have escaped the prison camps report horrendous conditions, including routine beatings, torture, starvation and general ill treatment. Those who are fortunate enough to get across the border to Laos or China tell unrepeatable stories of the treatment of prisoners, including children.

The result is that it is believed that only 0.16% of the entire population of North Korea follow any form of religious activity whatsoever. The Christian Church is almost entirely underground in the form of house churches, people who are caught with Bibles are routinely imprisoned and beaten, and those who dare to carry gospel tracts or do anything that is seen to subvert state power are immediately imprisoned.

I accept that the Assembly has relatively limited powers in the field. Foreign affairs are entirely a reserved matter at Westminster, and the Assembly has no direct input into those issues. However, I think that we can use our influence as an integral part of the United Kingdom to bring pressure on the Department of foreign affairs to do all that it can, through the UN and international diplomacy, to try to bring some relief to the torture and ill treatment of all those of a religious persuasion in that renegade state, particularly Christians. It is important to step aside from the day-to-day affairs of Northern Ireland to make our views known.

The most recent issue that has come to the fore has been the arrest of 33 Christians in North Korea and an announcement made in January by the state news agency that they face execution. What did those 33 individuals do? They are alleged to have accepted money from a South Korean Baptist organisation to further their house churches in North Korea. It was nothing more sinister than that — something about which, if it happened in Northern Ireland, no one would bat an eyelid. Now it has been announced that they face execution. Many feel that that is an attempt by Kim Jong-un to assert his authority and indicate that he is going to tolerate no dissension whatsoever.

I call on you, Mr Speaker, to consider referring the Hansard report of this debate to the Department of foreign affairs in London — assuming, as I hope, that the motion is unopposed — to show the strength of feeling amongst Christians and, indeed, non-Christians in Northern Ireland about the treatment of those individuals.

Whilst North Korea features consistently at the top of the table of the Open Doors league of infamy for human rights abuses, particularly of Christians, unfortunately, it is not on its own. Indeed, 50 countries are listed. We have to distinguish between various reasons why that is happening in other parts of the world, particularly the Arab countries.

First of all, there is tribal conflict. There is conflict between Christians and Muslims at interfaces that is more ethnic than religious persecution per se. I was in Kaduna in

northern Nigeria in November. That is the interface between the Muslim-dominated north and the Christian-dominated south. Where the two communities meet, there can be increased tension and, indeed, a lot of death and looting. Indeed, in Kaduna, there was a riot where several hundred Christians were killed.

There is that aspect, but then you get states that have completely broken down, like Somalia, where, in fact, ethnic tensions are totally uncontrolled and various groups score points off each other by terrorism and the murder of individual groups, be they Christian or otherwise. Then you have countries where militant Islamist terrorists, often controlled by organisations like Al-Qaeda, are using the murder and torture of Christians as a political weapon.

Then you have states where there is state persecution — where the state, being in most cases entirely Islamic, decides to wipe out all expressions of Christianity. Recent examples of that have been in places like Eritrea, where there are many Christians, as we speak, who are imprisoned in containers in the desert in almost intolerable conditions; or states such as Saudi Arabia, where the open practice of Christianity is totally disallowed and has been the cause of many arrests and of torture and ill-treatment. There are other countries, again, like Somalia, where, in parts of it, it seems that what little state control there is is aimed against Christians.

The result is that there is a total lack of freedom of expression in many Muslim countries. I find that highly regrettable, because what has been shown is that there are countries where the Muslim religion can be practised and where Christianity is tolerated, accepted and generally prospers. There are places like Tunisia, for instance, where there is no overt persecution of Christians, but then you go across the border to places like Algeria and, more recently, Egypt, where the situation has got extremely difficult for minority religions.

The other issue that causes us concern is the Arab spring, which was supposed to have brought freedom, tolerance and diversity in Muslim countries but has not worked. Indeed, in places like Syria and Egypt, the standing of the Christian community has dropped dramatically and many are leaving due to persecution. We must be very grateful for the toleration, openness and freedoms that we have, but it is incumbent on us as a society to make our views known. Whilst we cherish and welcome that, we must always remember the needs of others who are much less fortunate.

Ms McGahan: Go raibh maith agat. I support the motion. No one should be discriminated against on grounds of religion or conscience, and everyone should condemn behaviour, within our own communities or internationally, that discriminates against others. It is sad that this debate is so topical in the 21st century due to a considerable increase in the encroachments upon religious freedom all over the world. Article 18 of the Universal Declaration of Human Rights states that:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

11.45 am

Religious freedom is a basic human right, and no one should be prosecuted for practising his or her religion. It is concerning that, in the 21st century, people are still being persecuted for their religious beliefs. I am also concerned that many countries have passed laws banning homosexuality. Last year, Russia passed laws allowing jail sentences for offending religious feelings. In many countries, we see people imprisoned, tortured and even put to death because of their sexual or political preference. This is wrong and unlawful.

The international community has a responsibility to highlight abuses and needs to demand that the highest standards of human rights are enforced. Sinn Féin supports the international community in exposing human rights violations across the globe and believes that all citizens have the right to equality and protection in practising their religious views and for their sexual orientation.

I welcome the recent United Nations report, which exposes shocking human rights violations in the Democratic People's Republic of Korea, and I urge the DPRK authorities to respond to its contents. The report testifies that there is an almost complete denial of the right to freedom of thought, conscience and religion in North Korea. The entrenched patterns of discrimination rooted in the state-assigned class system affect every part of life. Discrimination against women is pervasive in all aspects of society. The state has used food as a means to control the population and has deliberately blocked aid for ideological reasons, causing the deaths of hundreds of thousands of people.

Hundreds of thousands of political prisoners have died in unspeakable atrocities in prison camps in the past 50 years. Security forces systematically employ violence and punishments that amount to gross human rights violations in order to create a climate of fear. In many instances, the violations of human rights found by the UN constitute crimes against humanity, according to the 'Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea'.

According to the Rev Stuart Windsor, no political deviation is tolerated. Although the language of the Government of North Korea is that of conciliation and unity, guaranteeing religious freedom, there is a parallel message and process by that Government. The state makes concerted efforts to identify Christians. Many reports show that you cannot practise freedom of religion or belief in the DPRK. Freedom of religion or belief, which should be fully respected and guaranteed, is not. Human Rights Watch's world report highlighted that people arrested in North Korea are routinely tortured by officials seeking confessions. Such torture takes the form of sleep deprivation, beatings and so on.

It has been stated that North Korea is in a league of its own when it comes to the persecution of Christians. The rule of Kim Jong-un and his Workers' Party has been described as absolute and strict. Reports from those who have defected consistently state that one would most definitely be persecuted for practising religion. Those reports testify that religion is viewed by North Korea as a means of foreign encroachment. It is believed that it would inflict harm on North Korea's social discipline. As a result of that train of thought, North Korea has a social stratification system called Songbun in which all

Christians are classified as hostile and considered even as a separate subclass. Christians whose faith is discovered are sent to political labour camps with no release date.

The findings of the UN show that North Korea has a serious case to answer regarding religious discrimination.

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

Ms McGahan: Life for Christians in North Korea remains bleak and there is a culture of fear. Although North Korea apparently has ratified a number of international treaties, it is clear from the evidence —

Mr Speaker: The Member's time is up.

Ms McGahan: — of various reports that there are still parallel processes operating.

Mr P Ramsey: On behalf of the SDLP, I support the motion. I welcome the opportunity to participate in the debate. I acknowledge the contribution of the mover of the motion. Jim Wells brought passion and knowledge to the subject matter. This is an opportunity for all in the Chamber to reflect on the many challenges facing Christians in various corners of the world.

Freedom of religion and religious expression are guaranteed in articles 18 and 19 of the International Covenant on Civil and Political Rights, as well as in articles 13 and 14 of the Convention on the Rights of the Child. Both treaties call for state parties not only to recognise those rights but to protect the associated rights to freedom of association and peaceful assembly.

The recent 'Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea' demonstrates very clearly that, despite its being a state party to those treaties, the denial of freedom of religion and religious expression is, unfortunately, alive and well in that part of the world. Vital protections under the Convention on the Rights of the Child are not afforded to citizens of North Korea, who are subsequently unable to practice the religion of their choosing. The international community cannot stand idly by and watch Christians in North Korea, or anywhere else for that matter, face the fear of execution or suppression. Civil and religious liberties should not simply be confined to a few, but to all who want to practice.

Unfortunately, the night of persecution grows darker in some parts of the world, even as we speak. Last year, my SDLP colleagues in Westminster supported an early day motion that expressed grave concern at the treatment of Christians in Sudan and urged the then Secretary of State for International Development to apply diplomatic pressure to bring about change in the policy of the Government of Sudan, which was leading to the removal of missionaries and the persecution of people who converted from Islam. We also see examples of Christians being persecuted in Palestine, Pakistan, India and Iraq.

We reject the persecution of anyone because of their faith. Governments have a big responsibility in upholding the right of their citizens to practice the faith and identity that they so desire. I request, Mr Speaker, that the Hansard report on today's debate be forwarded to the British and Irish Departments with responsibility for foreign affairs, so that they can use diplomatic missions throughout the world to advocate on those grounds. Clearly it is up to the Irish and British Governments to use whatever diplomatic

options are available to them to influence and secure religious rights across the world, where they can.

We must focus on the positive role that foreign powers have played in the peace process here. However, we must show that same resolve in helping those who are facing civil and religious oppression. Governments must send out a clear message here, in Ireland and in Britain, that it is not right to threaten the execution of Christians in North Korea, burn Coptic churches in Egypt, massacre Christians in Sudan and Pakistan or burn people out of their homes because of their religion. That is not acceptable in this day and age.

Very recently, on the weekend of 15 March, during the Crimean annexation, three Catholic priests were kidnapped and questioned and abused by pro-Russian forces. That is not acceptable. The Ukrainian Greek Catholic Church has described the situation in Crimea as total persecution of their faith. It is no longer acceptable that people who have a sense of faith about them — in this case, of Christian values — should be persecuted in such a way. I also want to mention that the Bishop of Shanghai died on St Patrick's Day, while under house arrest in that country. Those are issues across the globe that we are only getting a feel of now.

Jim Wells has left the Chamber. I welcome the motion. Even though we have no direct influence, we have an opportunity to advocate, champion and ensure that others are taking up the baton for us —

Mr Dallat: Will the Member give way?

Mr P Ramsey: Yes.

Mr Dallat: Does the Member agree that there is a challenge to us in Northern Ireland to set, by our own example, the standards for people to emulate in other parts of the world?

Mr Speaker: The Member has an added minute.

Mr P Ramsey: Thank you, Mr Speaker.

I welcome the contribution from John Dallat. I know the work that he and his wife do in helping to bring a sense of values to Third World countries. Many a year, John has visited there, not just to meet the physical needs of the people but to bring with him his own values that he has in life. We should acknowledge that, as I have acknowledged Jim Wells. However, he is right: we have been on a long journey in Northern Ireland, and there have been hurts. We have seen examples of absolute persecution in other countries. A number of people have been executed because they have a fundamental belief in God, and that is absolutely wrong.

Mr Speaker, the SDLP supports the motion and is very keen to know that you, as Keeper of the House, will send the Hansard report to the British and Irish Governments.

Mr Kennedy: I welcome the opportunity to speak to the motion. I thank and warmly commend those who brought it to the House. Freedom of religion and the ability to worship is a basic human right. Article 18 of the Universal Declaration of Human Rights has already been cited, and I restate that the Ulster Unionist Party and I believe that freedom of thought, religion, race and gender or issues of sexuality are to be cherished and protected. What is happening in other places is of huge importance, and the House would do well to reflect on that and to take

the opportunity to see how we live our own lives in this particular corner.

Some 80% of all discrimination is against Christians, and it happens in over 100 countries. The focus of the motion and that of Members who spoke previously was on North Korea. Clearly, there is widespread concern about the actions of the leadership of North Korea, and that continues. It is right that it is highlighted and that we take the opportunity to express our concern and opposition to that persecution, not just in North Korea but in other places. The situation for Christians in the Middle East is also concerning. I understand that the last church has now been destroyed in Afghanistan. Members will know that there has been an exodus of Christians from Iraq; estimates vary, but it is believed that between half a million and one million Christians have left the country over recent years. Indeed, following the fall of Saddam Hussein, that persecution has almost accelerated. That gives cause for concern as, indeed, does the situation in Syria and Egypt with the persecution of the Copts.

At the beginning of the 19th century, Christians represented 20% of the population of the Arab world; now, it is only 2%. I quote a comment in a report on Christians oppressed for their faith, which looked at the period between 2011 and 2013:

"Taken as a whole, the oppression raises grave concerns about the long-term survival of Christianity in regions where until recently the Church has been both numerous in terms of faithful, and active in terms of the part it has played in public life."

Ironically for some, Israel, despite its many criticisms, is the only state in the Middle East that has a large degree of religious freedom, including, not least, for the 2% of the population who are Christian and the 16% who are Muslim. It is interesting that we give some focus to Qatar. After all, the world governing body of soccer is to organise a future World Cup at that location. Although others are more concerned about the climate in which international teams will play, it is important to say that Christian worship in Qatar is allowed only in designated religious complexes, of which there are only two at the moment, which makes them easier to control and monitor. A Muslim who converts is considered an apostate and may face the death penalty. Foreign workers who evangelise non-Muslims are frequently deported.

12.00 noon

I welcome this opportunity. There is much to do and much persecution of Christians in other parts of the world to remind ourselves of.

Mr Lyttle: I give my full support and that of the Alliance Party to the motion and to the stand against any threat to freedom of religious belief in any part of the world. The Alliance Party I and are passionate about this and take it extremely seriously. That passion was displayed when, in April 2013, my colleague the Member of Parliament for East Belfast, Naomi Long, secured a similar debate at Westminster on the persecution of Christians. Although the focus of today's debate is on the persecution of Christians, it is important to acknowledge, as Members have, that other groups face religious persecution across the world. Christians and other groups face marginalisation and are excluded from public life in many parts of the world.

Society suffers from the loss of freedom and the undermining of the principles of fair treatment, the rule of law and access to justice. The defence of freedom of religious belief, as defined by article 18 of the Universal Declaration of Human Rights, is essential for Christians and all groups. That article clearly states:

"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

We are hearing some extremely concerning reports that this international human right is being seriously contravened in North Korea in particular. Such rights must be vigorously protected worldwide. They have been under attack in other areas that Members mentioned today, such as Africa, because of the rise of extremism. We have seen concerning attacks in Mali and other countries such as Tanzania, Kenya, Uganda, Ethiopia and Niger. It is important that, when mentioning international human rights and referring to countries such as Uganda, the House also condemns the life sentences that are being put in place for sexual orientation in that country. Religious persecution manifests itself in many ways, including violent attacks, torture, exclusion from public life by extremist groups across the world and discrimination in politics, business and the justice system.

As Jim Wells mentioned earlier, the Arab Spring of 2011 appeared to offer hope for reform in many countries, but, in many cases, appears to have failed to deliver on that promise. In many countries, the Arab Spring has had a detrimental impact on religious freedom and promoted an exodus of Christians across the Middle East. Already a reality in Iraq, the phenomenon has extended to other nations, most notably Egypt and Syria. As one of the Governments involved in Iraq and Syria, the UK Government must recognise that exodus and work with everyone in the international community to do all that they can to protect people of any religion who are suffering persecution in an already desperate situation. The Foreign Office must also engage with religious groups and national Governments to identify such trends and address their impact. It is vital that international pressure focuses on the right to access to justice for all those affected.

Our focus today is on the case in North Korea. The news that 33 Christians have been sentenced to death for working with Kim Jung-wook, a Baptist missionary from South Korea who was arrested in North Korea in 2013, is particularly concerning. I do not have time to go into it, but the so-called confession by Kim Jung-wook that was broadcast is particularly sinister and appears to have been forced under particular duress. I think that that is abhorrent, and it requires all action possible from the international community.

According to Open Doors' world watch list, for the eleventh year in a row, North Korea remains the most difficult country in the world in which to be a Christian. These rights are universal; they are not western constructs.

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

Mr Lyttle: As such, North Korea is in clear breach of them, and all pressure must be brought to bear to redress that.

Mr D McIlveen: I support the motion in the names of my colleagues. More importantly, I support the many millions of Christians around the world who, at this moment in time, find themselves under intolerable persecution for no other reason than their faith. I think that it is important that we send out a very strong message that the Assembly and Northern Ireland will not in any way support such behaviour and that we condemn it utterly.

I sought to research the 33 followers of Mr Kim Jung-wook, whom Mr Lyttle spoke of, but it was virtually impossible to find any information about them. I think that the North Korean regime deliberately attempted to remove such information, because when you remove somebody's identity, you remove their humanity. It is so easy to bandy about statistics about the 33 Christians or the other groups from around the world that are affected, and when you take away their identity, it makes it much easier to brush over that and to look at it as another statistic.

With the few moments that I have this afternoon, I want to take a few of these people and make sure that their names are not forgotten and brushed under the carpet. This is Kim Jung-wook, who has been sentenced to death for anti-state crimes, along with 33 other people. At this moment in time, they are in a prison facility, which I will speak about a little more in a few moments. I would like the Assembly to remember the name and face of Kim Jung-wook and not to allow the North Korean regime to turn him into a faceless, nameless statistic.

I also bring before you Mr John Short, a 75-year-old Australian missionary, who was held for one month in a North Korean jail for leaving one Gospel tract in a Buddhist temple. When the 75-year-old returned to Australia, he broke down on live television due to the pressure and stress that he was under.

Finally, I introduce Mr Kenneth Bae, an America citizen sentenced in April 2013 to 15 years' hard labour in a North Korean concentration camp for no other reason than he is a Christian. Mr Bae is a husband and a father of three children.

I think that we have to remember those people by name. We have to remember their faces and not allow them to be dehumanised by this evil regime that is seeking to have their names and faces faded into oblivion.

The accounts coming out of the death camps and work camps are absolutely harrowing. We have been told by many witnesses that, at 3.30 am, people are taken from their beds and made to walk 12 to 14 miles to an agricultural facility, where they are forced to plough until dark with animals, not the modern machinery that our farmers use today. So, from 3.30 am until dark, they are forced to work after walking 12 to 14 miles.

The first thing that the women who are brought to these death camps and work camps are given is a blood test. That happens for two reasons. First, to check whether they have any sexually transmitted diseases, and, secondly, to check whether they are pregnant. If they are found to be pregnant when they are taken into the work camp, they will be forced, under the work camp's regime, to have an abortion. Many independent witnesses have verified that. There is a shortage of food and starvation, and many people are dying in the camps.

In conclusion, I will ask this question: what can we learn from this? I believe that the message that we in Northern Ireland have to take away from this is how precious life is. If we in the Assembly can learn anything from what is happening in North Korea, it is that no cause, ideology or intolerance is worth a human life.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an díospóireacht seo. Thank you, Mr Speaker, and I welcome the debate. Sinn Féin is opposed to the death penalty and always has been. We are against it whether it is used against Christians in North Korea, against the Muslim Brotherhood in Egypt or against the African-American community in the United States.

I am glad that we do not have the death penalty here in Ireland. I am glad that we do not have it in England, Scotland or Wales, because, if we did, the Birmingham six and the Guildford four would probably have been executed. Many others were. I do not know how many people in the North and South were executed in our time who should not have been.

The 33 Christians in North Korea should not be executed. The 540-plus Muslim Brotherhood in Egypt should not be executed. The 3,905 people who, based on the latest statistics for 2013, were on death row in the United States should not be executed.

Bronwyn McGahan outlined our position on freedom of religious belief. I will add conscience to that. I think that it is really important that we guarantee freedom of religious belief and the freedom of those who do not have religious belief. I do not believe that people should be discriminated against on the grounds of religious belief and nor should those who have no such belief. I would like to see much more interfaith dialogue throughout the world.

We cannot escape the historical reality of the link between religion and politics. Much of colonialism, war and oppression are in the name of religion — all different types of religion. We, in this part of the world, can look at what happened, including with the crusades and Christopher Columbus "discovering" the Americas. "Discovering" the Americas? What about the natives who had their own beliefs? What guarantee of religious freedom did those natives have? Indeed, we need just look at what happened to natives in Australia and different parts of the world.

Who funded the newcomers? Christopher Columbus was funded by European Governments, which, in many cases, paved the way for marauding armies to plunder, pillage and rape.

Mr Kennedy: Will the Member give way?

Ms Ruane: We had it in Ireland through the penal laws. We had the scramble for —

Mr Kennedy: Will the Member give way?

Ms Ruane: No. I have a lot of issues to discuss here. You had your time to speak. We had the scramble to carve up Africa and the untold misery for the entire continent.

Mr Kennedy: On a point of order. The issues that Ms Ruane is outlining are not relevant to the motion, which concerns religious persecution, particularly in North Korea. We see from Ms Ruane another rant against imperialism or alleged imperialism.

Mr Speaker: The Member and all Members know that I give some latitude in debates in the House. Let us move on.

Ms Ruane: With respect to the Member who spoke, the title of the motion is "Freedom of Religious Belief". Is the Member saying that Christians are the only people who should have freedom of religious belief? I sincerely hope not.

Mr Lynch: Will the Member give way?

Ms Ruane: I will certainly give way.

Mr Kennedy: You would not give way — to me anyway.

Mr Speaker: Order.

Mr Lynch: Go raibh maith agat. Does the Member agree with me that religion and political institutions should be separate in society?

Mr Speaker: The Member has an added minute.

Ms Ruane: Gabhaim buíochas don intervention sin, agus aontaím leis an Chomhalta. I thank the Member for that intervention. I absolutely agree with him. I said at the start that Sinn Féin is opposed to the death penalty, supports the motion and is opposed to what is happening to the 33 Christians in North Korea. However, we are also saying that we need to look at the role of colonialism and at how religion has been used to discriminate, dominate and, ultimately, at how it played a role in world wars. We need to move away from that.

Before I was interrupted, I was speaking about the carve-up of Africa. Untold misery was brought to an entire continent by European colonisers. It was a shameful era of human slavery.

Although I welcome the debate, you might think that the DUP brought the motion to the House because it is opposed to the death penalty, but it is not. Jeffrey Donaldson is on record as supporting the restoration of the death penalty —

12.15 pm

Mr Speaker: Order. We are now straying from the motion, and I advise the Member to get back to the motion before the House.

Ms Ruane: As we know and I would like the House to note, 33 people will be executed unless something happens worldwide, so we are talking about the death penalty, and it is unfortunate that some parties support it.

I welcome the fact that all parties support the freedom of religious belief. Given that we want freedom for all religions and that the DUP is standing up for religious belief, I await with great anticipation its condemnation of anti-Catholicism where it occurs.

Mrs Foster: Will the Member give way?

Ms Ruane: No, I will not. Will they challenge the Orange Order when it steps out of line? Maybe they will no longer stay silent on the likes of Harryville, the Holy Cross and the more recent behaviour against Christians at St Patrick's chapel in Belfast. I welcome the fact that the loyal orders are talking to the Catholic Church — *[Interruption.]* It is a pity that the Member keeps talking; she will have her time to speak. *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: I welcome the fact that the Catholic Church and the loyal orders are speaking, but when will the DUP urge the loyal orders to speak to residents? I was in Korea —

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

Ms Ruane: I was right up at the DMZ, and the people in South and North Korea —

Mr Speaker: Order. I call Robin Newton.

Ms Ruane: — would like to see those countries working together.

Mr Newton: Simon Heffer, in his book 'Great British Speeches', highlights a speech made in 1792 by Charles James Fox in the House of Commons, when he spoke on religious liberty. He said:

"to call on man to give up his religious rights, was to call on him to do that which was impossible... no state could compel it — no state ought to require it, because it was not in the power of man to comply with that requisition."

History gives us examples of religious intolerance and the outworkings of that intolerance, and in many of those examples people are prepared to give their life rather than forsake their religious beliefs or their Christian faith. In 1555, men who became known as the Oxford martyrs were burned at the stake because they would not recant their religious beliefs. Men such as Hugh Latimer, Thomas Cranmer and Nicholas Ridley believed in religious freedom and were prepared to die for their beliefs. We also know about the evil of inquisitions and that infamous ethnic persecution known as the Holocaust, starting in 1933 under Adolf Hitler and ending only when the Allies won the war in 1945. It is estimated that, because of religious intolerance, 11 million people were murdered during the Holocaust, six million of whom were Jews — two thirds of all the Jewish people in Europe.

In supporting the motion, I want to place emphasis on the words "freedom of religion". Freedom of religion means more than the right to worship in a church or in your home; freedom of religion is a principle that supports the freedom of an individual or a community in public or in private to manifest religion or belief in a teaching, practice, worship or observance. The concept is also generally recognised to mean that you have the right to change your religion or the right not to follow a religion. Freedom of religion does not prevent there being a state church; however, individuals should not be forced to join a state church and should join only of their own free will.

The motion calls on us to express our concerns about freedom of religious belief in many countries, but especially about the threat to execute 33 Christians in North Korea. The persecution of Christians continues. A survey by Open Doors, a Christian watch organisation, has confirmed that, in eight countries, persecution has increased seriously; in 22 countries, persecution has increased; and, in 13 countries, the level of persecution has stayed more or less the same.

Mr Wells: Will the Member give way?

Mr Newton: I will give way.

Mr Wells: In my opening speech, I referred to the Open Doors table. I wish to point out a slight error: I quoted Tunisia as an example of a Muslim country where there

was tolerance, but it is number 30 on that list. The country that I should have referred to is Lebanon.

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

Mr Newton: In 13 countries, the level of persecution has stayed more or less the same. In three countries, persecution has decreased; and, in two countries, it has decreased considerably. Overwhelmingly, in those cases, it is extremism that drives the persecution of Christians. It is the refusal to countenance other religions — a rejection of others and their religion, their values and their rights.

North Korea is especially difficult for Christians. Even a cursory look at this failed state shows that it regards human life as disposable and of little worth. Mr Wells referred to the gulags, torture, state control and starvation as a weapon. All the reports coming from this state, which is run by a tyrant, despot and dictator, paint a picture of fear, revulsion and horror that confirms that human life in that state is of little value. It is a concept that they do not seem to understand. Even a quick look at North Korea will reveal what Christians in that chaotic country will suffer for their religious beliefs and freedoms. There is, undoubtedly, a desire in the country when people put themselves in a position where they know that their life is at risk yet wish to continue to observe their Christian faith. When they are prepared to do that, you know the standing of those people and their beliefs.

We should support the motion on behalf of all those who suffer for their faith at a level of pain and agony that we can only guess at.

Mr Rogers: I welcome the motion and the opportunity to reflect on the Christians facing persecution in North Korea and in other countries.

Some of the greatest vices in the world today are religious intolerance and sectarianism, which breed not only hatred and violence and the mutilation of people but the desecration of homes, families and human life. We need to see greater acceptance of cultural and religious diversity. Religious persecution of any kind must be condemned. It is noteworthy that most of the persecution is happening in the countries of the Middle East, where Christianity was born but where the number of Christians is dwindling. Eighty three per cent of countries guarantee freedom of religion, but many are not making provision for it. We must show solidarity with Christians and emphasise that the presence of Christians in that part of the world is a great mediating factor, often, for example, between different segments of Islam.

We must appreciate that civil rights and religious freedoms are inextricably linked and must be fiercely guarded. The British and Irish Governments must work with other Governments across the EU and, indeed, across the world in order to ensure that a coordinated approach is taken to eradicating all forms of religious intolerance.

Religious persecution in the Democratic People's Republic of Korea commenced before the Korean War. One estimate suggests that between 200,000 and 400,000 Christians still profess their religion secretly in Korea despite the high risks. Nobody should have to suppress and disguise their religious beliefs through fear of what the state may do. Generally, Korea's policy towards religion has been described as a dual one through which an

appearance of religious tolerance is maintained for the international audience while, in fact, religious activities are suppressed internally. This cannot be tolerated by the international community.

The Human Rights Act 1998 protects our rights to have our own thoughts and beliefs. We also have the right to put our thoughts and beliefs into action. Although the motion is primarily about North Korea, I think of the many Irish missionaries from different traditions who have lost their life in Africa and in other countries. Even today, two great friends — Father Nicky and Father Diarmuid — continue to live and preach the gospel in Africa.

This week in Enniskillen, we have the twenty-fifth Novena of Hope, which was started by our own missionary, Father Brian D'Arcy. Last night, John McAreevey gave his Christian witness. We are far away from Korea, and the world is aghast, rightly, at what has happened in Crimea. It is the responsibility of the British and Irish Governments to engage with other Governments and pursue diplomatic channels to tackle religious intolerance and, just like in Enniskillen, give Christians hope, irrespective of where they live.

Mr G Robinson: I congratulate my colleagues for bringing the debate to the House today. It is welcome that we can express solidarity with fellow Christian human beings throughout the world in their time of extreme persecution. I take the opportunity to commend my colleague David McIlveen for his very moving contribution to the debate.

Every Sunday, we all have the ability and luxury of freely going to our place of worship without fear of retribution. Recently, throughout the world, we have seen attacks on Christian churches that have claimed innocent lives. That has to be unreservedly condemned. If such atrocities were perpetrated on UK soil, there would be mayhem. More than 2,000 Christians gathered in Colombo in Sri Lanka last Sunday to protest attacks on Christian places of worship in January this year. That is the result of denying freedom of religious belief.

In a recent report, Open Doors identified the 50 most dangerous countries for Christians. North Korea is ranked first and has been every year for the past 12 years. Therefore, the threat to the 33 Christians in North Korea is very dire and real. The same Open Doors report stated that it had no figures for killings in North Korea but said that Christians there faced the highest imaginable pressure and some 50,000 to 70,000 lived in political prison camps. It is obvious that the dictator is the false god for North Korea, but that should not prevent our Government at Westminster using all the diplomatic contacts they have to have those Christians released and to bring an end to their persecution. Perhaps the leadership of North Korea is afraid that allowing freedom of religious belief will expose their dictatorial ways and lead, in the long term, to expression of personal belief and the downfall of dictatorship.

I urge all Members to support this worthwhile motion, which talks about Christians and does not, in any way, differentiate between the opinions in the Christian Churches, so that we can see the 33 people who are under threat released and support respect for Christianity around the world. I support the motion.

Mr Speaker: Order, Members. 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 the House returns will be Question Time.

The debate stood suspended.

The sitting was suspended at 12.28 pm.

On resuming (Mr Principal Deputy Speaker [Mr Mitchell McLaughlin] in the Chair) —

2.00 pm

Oral Answers to Questions

Culture, Arts and Leisure

Mr Principal Deputy Speaker: We start with listed questions. Question 1 has been withdrawn.

Sport: Female Participation

2. **Ms Fearon** asked the Minister of Culture, Arts and Leisure how her Department and Sport NI are actively promoting opportunities for greater participation in sport and physical activity for girls and women. (AQO 5845/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you very much, Principal Deputy Speaker, and I thank the Member for her question.

Females are significantly under-represented in sport in comparison with males. To help to address the problem, Sport Matters, DCAL's sport strategy, contains a specific target to deliver a 6% increase in women's participation rates by 2019. To ensure that the target is achieved, a published Sport Matters action plan contains actions embracing a range of organisations across the sport and leisure sector. They include promoting increased female participation through a series of departmental investments and encouraging other parties, such as councils and governing bodies, to do likewise. In particular, Sport NI's investment programmes, such as Active Communities, Awards for Sport and Active Clubs, to name but a few, include targets to increase girls' and women's participation in sport. The most recent progress report shows that the 2012-13 continuous household survey records that female participation in sport has increased to 41%. That is an increase of 16%, which puts the strategy on track to meet the target, but I still hold the view that we have much work to do.

Ms Fearon: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Minister mentioned some organisations and bodies. Will she outline how they help with the delivery of the Sport Matters target to increase female participation in sport?

Ms Ní Chuilín: I thank the Member for her supplementary. The bodies include district councils, which are involved in the delivery of the Active Communities programme. The Ulster Council of the GAA is also delivering programmes such as Gaelic 4 Mothers, recreational games for adults, Have a Go games and coaching development workshops. The IFA has also done excellent work, particularly on the expansion of junior girls' leagues and the growth of women's senior leagues. It has held open days to introduce girls to soccer and delivered a SCORE pilot project that provides clubs with tools to enable them to encourage more girls into the sport. Ulster Rugby, through its women's development officer, has delivered a number of programmes, including the Play Rugby Girls initiative

and the Girls Schools' Cup. Sport NI is also working with a number of governing bodies of sport to support the development of a female sports forum.

Miss M McIlveen: The Commission on the Future of Women's Sport in the UK reported last year that only one in five members of the boards of national governing bodies was a woman and a quarter of sports had no women in board positions. What role can the Minister play to encourage governing bodies in Northern Ireland to recruit more women — in some instances, a woman — to their boards? Does she agree that this would help to increase the number of women participating in sport?

Ms Ní Chuilín: I absolutely agree with the Member. I may not have seen that report, but I have certainly seen similar reports and heard a radio programme one night about this very thing. It is totally unacceptable that, in 2014, governing bodies have no women on their board. Despite some of the programmes that they offer, they need to put a bit more thought into how they will attract more women and girls to the sport. I will monitor this through the Sport Matters monitoring group, which includes representation from the governing bodies, and I will continue to question it. What some of the governing bodies have done is very good, but others need to follow their example. We must congratulate female athletes and the women who come behind them. We all have responsibility for doing more to raise awareness of women and girls in sport, and the governing bodies certainly need to do more work on that.

Mrs McKevitt: Has Sport NI any plans to increase the opportunities for young females and women in rural areas to get involved in sport?

Ms Ní Chuilín: Absolutely. We talked about promoting equality, tackling poverty and promoting social inclusion during the earlier debate. When money went to the three governing bodies, it was with a particular emphasis: to tackle not only deprivation but rural isolation. Some of the governing bodies, if not all, have branches and leagues in rural communities. They need to make sure that, if they have a certain number of young girls and women involved in sport now, they do not settle for that. They need to go out and make sure that the figure is increased. As I said to the Chair of the CAL Committee, we will raise the issue with the governing bodies and with the sports when I meet them, which I do regularly.

Mrs Overend: I will take my lead from an earlier thread. Role models are very important in encouraging more female participation in sport. Has the Minister been proactive in trying to get more television coverage for female sports? If she has, can she detail what she has been doing?

Ms Ní Chuilín: I have reminded some of the media that, when they cover some sports events, particularly events that involve women, albeit that there are so few, they need to do more of it. There are plenty of good news stories out there involving women and girls in sport. I have met television companies and media providers on a range of issues but primarily to do with broadcasting. I have raised this but not just this; I have raised the fact that there is so much good work out there involving communities, including in the arts, sports and culture, and perhaps we should look at a way of profiling that. I would be happy to assist in doing that.

Mental Health: DCAL Investment

3. **Ms Maeve McLaughlin** asked the Minister of Culture, Arts and Leisure to outline any investment towards better mental health initiatives from within her Department. (AQO 5846/11-15)

Ms Ní Chuilín: I thank the Member for her question and, indeed, for her consistent support for mental health promotion. I recognise the valuable contribution that culture, arts and leisure can make to improving health and combating the depression and anxiety that, in the worst cases, as we know, have the potential to lead to self-harm and suicide. Therefore, DCAL is supporting a number of initiatives. They include the IFA health programme, which has received over £500,000; Sport NI's Minding Your Head awareness programme, which has so far received £42,000; Libraries NI, which has done an excellent job in respect of the Health in Mind programme, which received around £1 million from the Big Lottery Fund; and the Arts Council, which has invested £200,000 in a youth arts strategy, particularly around piloting initiatives aimed at young people who are at risk of poor mental health. There was also funding for a small pilot programme of £30,000 for two projects to look at how suicide awareness can be conveyed to sports groups and community groups.

Ms Maeve McLaughlin: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her detailed response. You detailed a number of the suicide awareness prevention programmes: will they be rolled out across the North, including Foyle? Does the Minister intend to work directly with the Health Minister, particularly on suicide prevention and addiction issues in the Foyle area?

Ms Ní Chuilín: I am working with the Health Minister and other Ministers, particularly around the promotion of better mental health. It is a strapline, but it is one that we have taken very seriously: suicide is everybody's business. We are part of the ministerial subcommittee on suicide prevention and better mental health provision, and I assure the Member that DCAL is taking forward pilot programmes that seek to increase awareness of issues around poor mental health and suicide prevention, as I mentioned in the main answer, primarily in sports clubs.

For this programme, there is currently one group in Belfast, and Níamh Louise is the charity that looks after rural communities. The post-project evaluation will take place with a view to extending it. DCAL is also working with DARD to ensure that suicide prevention and better mental health promotion happens in rural communities. DARD has been very proactive, as has the Health Department, around Libraries initiatives, particularly around providing the 10 safeTALK suicide prevention programmes, which are in Shantallow in the Foyle constituency. I assure the Member that I speak on behalf of the Ministers I mentioned and those I did not when I say that I do not think that we are done yet; we are actively looking at ways in which we can provide a cross-departmental approach to a very serious issue.

Mr Campbell: It is undoubtedly the case that there will be widespread support for such a move, but has any thought has been given to ensuring that a champion for people with mental health issues can be brought forward to help promote leisure pursuits and active sports participation in that category?

Ms Ní Chuilín: I thank the Member for his question. We are actively looking for champions. At the minute, we have one for boxing, and we are looking at some for soccer, GAA, rugby and angling. A number of sports personalities have been very proactive and genuine in their support for the issue and are happy to give of their time. At the minute, we are looking at that to see how we can best use it. Already, we have Carl Frampton and Paddy Barnes in north Belfast. Those two boxers have gone with the strapline of "We've got your back; we've got your corner". They have done some very good work, and we aim to build on that and to have it not only in Belfast but rolled out across the North, where possible.

Mr Rogers: Thank you, Minister, for your answer. Will you elaborate on the programmes that aim to re-engage disaffected young people who have mental health problems?

Ms Ní Chuilín: DCAL is working with a number of sports bodies. We are also working with arts organisations and across the community, particularly in neighbourhood renewal areas. We are also working with libraries and groups across the rural communities. When we are looking at child protection and safeguarding issues, I hope to provide, through creative industries, libraries, sports or governing bodies, opportunities to build in good mental health awareness. That is because the evidence thus far is that, if and when young men in particular talk, they normally talk to peers in school or mostly to peers in sports clubs. So, we aim to help to prepare the sports providers and coaches to cope with people who are presenting, sometimes in crisis.

Mr Beggs: Can the Minister advise how she has adapted programmes in her Department following the Bamford review of mental health?

Ms Ní Chuilín: The Bamford review of mental health, particularly suicide prevention, looked at inequalities and people with disabilities, which itself is an equality issue. We are taking a cross-departmental approach. The Minister of Health, Social Services and Public Safety is leading on the ministerial subcommittee, in which most of us are actively involved. We are looking at programmes through which we can support each other's work. First of all, we are making sure that the programmes are relevant and based in government policy. If they are not, we make sure that they are based in government policy. It is a very proactive subcommittee. Although Bamford is not my sole purpose, I am aware of it and of my responsibilities to it. I am sure that the Member heard the debate that we had about facilities for people with disabilities and special needs. All that we have to do, without putting titles on it, is implement section 75.

Poetry: DCAL Promotion

4. **Mr McNarry** asked the Minister of Culture, Arts and Leisure what steps she has taken to promote poetry. (AQO 5847/11-15)

Ms Ní Chuilín: I thank the Member for his question. DCAL promotes poetry in a variety of ways through a range of our arm's-length bodies. In 2013, a number of specific projects featuring poetry and other forms of literature took place as part of the City of Culture. The Arts Council, through its annual programme, funds Poetry Ireland and the Verbal Arts Centre, poetry being part of its remit. The Brussels Platform is a collaboration between the Arts Council and

the Office of the Executive in Brussels. It involves local artists showcasing their talents in the city and, indeed, in the European Parliament. Internationally acclaimed poet Paul Muldoon is the latest home-grown talent to represent the arts as part of that initiative. The first-ever Belfast poet laureate, Dr Sinéad Morrissey, was a recipient of an Arts Council major individual award in 2012. As the Member knows, Sinéad went on to win the T S Eliot prize for poetry. This year, Nathaniel Joseph McAuley, a Belfast-based poet, and Matt Kirkham, a County Down-based poet, are in receipt of awards under the artists' career enhancement scheme. Promoting and providing access to poetry is a key component of the libraries strategy. Indeed, the Public Record Office has also hosted poetry evenings.

Mr Principal Deputy Speaker: I call Mr McNarry for a supplementary — possibly in rhyme.

Mr McNarry: I thank the Minister for her comprehensive answer.

Can I say we talk in here, sometimes in anger, sometimes in jest,

Each attempting no matter to give our very best?

Budgets, flags, parades we trot them out one by one,

And only recently, Minister, we hovered on the brink over those on the run.

So, Minister, my supplementary is quite unconditional:

Will you recognise that poetry is traditional?

Have you got the money to fund this expression?

Or will you let it float away in another depression?

Ms Ní Chuilín: And you did not rap.

Mr McNarry: If you are game, I am game.

2.15 pm

Ms Ní Chuilín: I could have done the bass drums for you at the back. Fair play to you. That is probably one of the best exchanges that you and I have ever had, and we have a long history going back to 2007, but we will say no more. *[Laughter.]* The Member is right: we need to fund poetry. We have a great history and heritage of poetry in the North. We recently marked the very sad passing of Seamus Heaney. We also have Sinéad Morrissey and the others that I mentioned. We need to support them. I have no doubt that they will be exemplars for budding poets in all places, including the House, who need to come forward.

Mr Principal Deputy Speaker: I call Seán Lynch to beat that.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Can the Minister provide details of other projects that the Arts Council supports to promote poetry?

Ms Ní Chuilín: I felt sorry for Seán having to ask a supplementary after such colour from David on the Back Benches.

The Arts Council has done a lot to promote poetry. 'Irish Pages' in New York was established for emerging poets and appears biannually. It has been awarded a grant of almost £30,000 for 2014-15. 'Abridged', a magazine of poetry and photography, periodically publishes entirely new work from established and emerging poets. 'The

Honest Ulsterman' published new poetry for over 30 years and is being revived this year by the Verbal Arts Centre with a new editor.

Poetry Ireland also receives Arts Council support for Poetry in Motion and a poetry in schools initiative. The Arts Council has done quite a lot to promote poetry. Like some of the rest of the DCAL family, the Arts Council is anxious and eager to find out what else we can do to make sure that there is a better promotion of, and investment in, poetry.

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a cuid freagraí. Is dócha go mbeidh a fhios ag an Aire go bhfoilsítear filíocht i nGaediúil san iris 'An tUltach'. Ar an drochuair, áfach, tháinig deireadh le maoiniú na hirise le déanaí ó Fhoras na Gaeilge. Ba mhaith liom fiafraí den Aire an mbeidh sí sásta an cheist seo a thógáil ag an chéad chruinniú eile den Chomhairle Aireachta.

I thank the Minister for her answers. I am sure that she will be aware that, in Ulster, one of the main vehicles for the publication of poetry in Irish is 'An tUltach', a 90-year-old magazine. Foras na Gaeilge recently ceased funding that magazine. Will the Minister challenge that decision at the next meeting of the North/South Ministerial Council (NSMC) in language format?

Ms Ní Chuilín: I thank the Member for his question. I will certainly raise the issue of 'An tUltach' at the next NSMC meeting. I would also ask Raymond, who has been on the radio and probably raised the issue with the Member, to ask for a meeting with Foras na Gaeilge. My understanding from when I last queried this is that a meeting with Foras na Gaeilge to raise objections has not even been sought. That is questionable, even for looking at new ways in which this publication can be sustained in the new core funding arrangements. I will certainly raise it, but I also advise people from 'An tUltach' to go to Foras na Gaeilge as a first stop rather than asking for support without even going to it. When people genuinely query why support in its current configuration has ceased, the question will be, "Who have you spoken to?" So, in my opinion, not speaking to anybody is leaving 'An tUltach' wide open. However, I am certainly happy to raise it.

Gaeltacht Bursary Scheme

5. **Mr Byrne** asked the Minister of Culture, Arts and Leisure what level of funding is available to applicants for the Gaeltacht bursary scheme. (AQO 5848/11-15)

Ms Ní Chuilín: Up to £580 per person is available to applicants to the Gaeltacht bursary scheme. One of the key priorities of the Gaeltacht bursary scheme is to contribute to tackling poverty and social exclusion. The Gaeltacht bursary scheme aims to give eligible applicants on low incomes an opportunity to attend intensive Irish language courses that are held in the Donegal Gaeltacht during the summer. The intensive nature of these courses helps learners to develop their speaking and listening skills. This year, at least 100 places are available on the scheme, and I encourage eligible applicants to apply before the closing date of 4 April.

Mr Byrne: I thank the Minister for her comprehensive answer. Does the Minister agree that the Irish Gaeltacht colleges provide excellent facilities for young people in the summertime? What plans are there to increase the

funding, and does she intend to have some liaison with the Education Minister to try to expand the scheme?

Ms Ní Chuilín: I agree with the Member about the value that the scheme has provided, particularly for children who come from families with very low incomes. As a person who went to the Gaeltacht recently as part of Líofo, I can see at first hand the value of an intensive Irish course to help your speaking and listening skills. I have not gone to any other Minister with this yet, because, at the end of the day, this is a language-development scheme for which DCAL is primarily responsible. I have spoken to some of the sports governing bodies and to some of the other providers about maybe extending the Gaeltacht bursary scheme to try to ensure that we get the maximum numbers possible. It is really an invaluable experience.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. An féidir leis an Aire cur síos ar na critéir incháilíochta don scéim sparántachta Gaeltachta? Can the Minister outline the eligibility criteria for the Gaeltacht bursary scheme?

Ms Ní Chuilín: I thank the Member for her supplementary question. As I mentioned, the bursary scheme is open primarily to individuals who have been signed up to Líofo but particularly those who are on low incomes. It is for applicants or their children who are in receipt of free school meals as provided and approved by the local education and library board; pension credit; income support; income-based jobseeker's allowance; income-related employment and support allowance; the guarantee element of the state pension credit; and support under the Immigration and Asylum Act. Those are examples of the criteria that are laid out for people who feel that they may be eligible to apply for the Líofo bursary scheme.

Salto Gymnastics Club

6. **Mr Craig** asked the Minister of Culture, Arts and Leisure to outline any action her Department is taking in relation to the expansion plans for Salto Gymnastics Club, Lisburn. (AQO 5849/11-15)

Ms Ní Chuilín: I thank the Member for his question. Salto has been a real success story in the field of gymnastics. Since it hosted the training camp for the Chinese artistic gymnastics Olympic teams, I understand that there is now a long waiting list of people wanting to join the club and a real need to increase capacity. I saw that myself when I visited the club. The Member is also aware that I had a useful meeting with him and the chief executive of Salto last November to discuss the expansion plans for its facilities.

I know that Salto has engaged with Sport NI and is looking to receive support from its technical unit on the feasibility of the proposed extension. Sport NI is working with Salto to develop a business case. Although Salto has not yet applied for any recent grants from Sport NI's capital programme, I understand that, probably after going through all the technical work that it needs to do, it will do so in the near future.

Mr Craig: I thank the Minister for that answer. It is not only a massive local success in the gymnastics field but a regional, if not UK-wide, success in that field. There are over 800 on the waiting list, Minister, as was discussed at the meeting. It is imperative that it gets the expansion that

it requires. Will the Minister give the House an assurance that she will do everything in her power to find the funding for that expansion?

Ms Ní Chuilín: The Member knows that I am supportive of Salto, but Salto, like any other group applying for funding, has to go through due process. So, despite my support for Salto, it would be totally inappropriate to say that I will find the money. However, the Member will appreciate that I have been very supportive of Salto. I have visited the gym on several occasions, and I have no doubt that I will be back in the future. I wish it well in its successful endeavours and its application.

Mr Principal Deputy Speaker: Before I call any further supplementary questions, I point out that this is a constituency-specific question. A number of other such questions are on the list today.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí an pointe seo. A recent Audit Office report highlighted some shortcomings in Sport NI's involvement in the funding of major capital projects. What procedures is the Minister putting in place to make sure that those are not repeated?

Ms Ní Chuilín: I thank the Member for his supplementary question. As a member of the Culture Committee, he will have had sight of the recent Audit Office report, although he may not be familiar with all its details. That report was critical of Sport NI's handling of a major capital project. My Department has been assured by Sport NI's accounting officer that it is implementing the recommendations of the report and applying the lessons learned. Sport NI has an established track record of delivering quality sporting facilities at a community level, with appropriate project management practices. Significant changes have been made in Sport NI as a result of a governance review since the St Colman's project was taken forward. I can assure the Member that that will be the rule rather than the exception from here on in.

Lough Neagh: Fish Stocks

7. **Mr Agnew** asked the Minister of Culture, Arts and Leisure for her assessment of the health of fish stocks in Lough Neagh, including Atlantic salmon, eels, Pollan and Dollaghan trout, in relation to the impact any decline may be having on the local fishing industry. (AQO 5850/11-15)

Ms Ní Chuilín: The health and long-term sustainability of the Lough Neagh fishery is a key priority for my Department. The status of fish stocks is vital, and I have commissioned the Agri-Food and Biosciences Institute (AFBI) to extend our research programme throughout the catchment area.

There is a significant body of data on Atlantic salmon as a result of our commitments to the North Atlantic Salmon Conservation Organisation. The salmon population across the North has been in decline, and I recently introduced new conservation legislation to protect salmon stocks. The European eel stock is also in decline and, to comply with EU requirements, we have developed an eel management plan for the Neagh/Bann catchment. The implementation of the plan and the associated elver restocking programme is contributing to the achievements of all those targets.

Mr Agnew: I thank the Minister for her answer. Through the various research programmes that are being carried out, have the Minister and her Department been able to ascertain any cause for the depletion in some of the fish stocks in the lough?

Ms Ní Chuilín: There are a number of factors, and I am really reluctant to point out one because the one that you point out will look like the main problem. The factors include global warming, domestic and commercial pollution and overfishing. I would also suggest that a lack of respect for the loughs and river ways and not maintaining and sustaining the riverbeds to encourage the better growth of fish stocks are further reasons. There are many more factors.

I am reliant on the AFBI report to set out not just the causes but specific recommendations. Europe has asked us to comply with its requirements, and I want to make sure that they are implemented so that the stocks are not only maintained but grow.

Mr McMullan: Will the Minister outline the rationale behind DCAL developing a fishery management plan for Lough Neagh?

Ms Ní Chuilín: As I said to the previous Member, there have been a range of pressures on Lough Neagh, and the catchment-based fisheries management plan is key to ensuring that all fish stocks and habitats are managed and developed responsibly. That will help to meet the full potential of the fishery and will benefit the local communities around the lough shore, the local economy and the ecology of the lough, which is a primary concern for many people.

The plan will also take into account and complement existing initiatives, such as the EU eel management plan, and look at other statutory and regulatory requirements, such as the water framework directive. The fishery management plan will also be underpinned by robust scientific evidence. That is why it is really important that the fishery management plan for Lough Neagh is as robust as possible. It should not just look at the fish stocks but at the lough as a growing and vital aspect of the local economy.

Mr Principal Deputy Speaker: That ends the period for oral questions. We now move to the period for topical questions. Question 1 has been withdrawn within the appropriate time frame.

Líofa: Ulster-Scots Equivalent

2. **Mr Humphrey** asked the Minister of Culture, Arts and Leisure for the level of expenditure by her Department on the Líofa project, including the current advertising campaign, and to outline an equivalent, new and additional initiative that she would consider sponsoring for Ulster Scots, given that the House will be aware of her personal commitment to Líofa. (AQT 922/11-15)

2.30 pm

Ms Ní Chuilín: Sorry, is the Member talking about Líofa?

Mr Humphrey: Yes.

Ms Ní Chuilín: OK. I will get the Member the up-to-date figures. As of this week, they will have changed. I have consistently asked the Ulster-Scots Agency and, indeed, the ministerial advisory group on Ulster Scots, to put

forward a similar programme, because I think that it would add value to what they do already. I have been waiting since September 2011 for such a programme to come forward. I ask the Member to use whatever influence and encouragement he can, because it is really important that people from the Ulster-Scots community see not only ministerial support for but ministerial investment in such initiatives.

Mr Humphrey: I thank the Minister for the reply. Can I have an assurance from her that, if a project equivalent to the Líofo project for the Irish-language community here in Northern Ireland comes forward for the Ulster-Scots community across Ulster, whether it is for language, history or culture, it will have her full support and receive financial and staffing resource?

Ms Ní Chuilín: I have already spoken to people from the Ulster-Scots community, and I appreciate that the language pressures are not the same. We are comparing spuds and apples. We need to look at culture and heritage, which are very important. So many times, I have offered my support and encouraged initiatives to come forward. The door is still open. I am still waiting for projects to come forward. I can assure the Member and other Members who have an interest that I will look at any initiatives that come forward with a view to giving them full support.

Boxing: Funding Roll-out

3. **Mr Anderson** asked the Minister of Culture, Arts and Leisure for an update on the roll-out of £3 million funding for boxing clubs across Northern Ireland. (AQT 923/11-15)

Ms Ní Chuilín: I will give the Member a written response, but the update is that there is well over £12 million worth of need because boxing has been left in such a sorry state for decades. It will take £12 million, and then some, to bring boxing facilities into the 21st century. The clubs that needed the money most got it first. Most in the boxing community understand that and are going through a process of getting themselves project-ready. I am trying to get more money into boxing. I am also trying to work with local government so that councils give some support. Thus far, Belfast City Council is the only part of local government to do so. I really support boxing, as the Member knows, and I am keen to make sure that more money is invested, because the sport needs it.

Mr Anderson: I thank the Minister for that response, and I note her comments on the sorry state that boxing was in for decades. The Minister should be aware that there are serious concerns in the boxing fraternity about how the money is being distributed. How does the Minister respond to assertions that funding targeted for boxing is being used to fund GAA clubs, much to the anger of the boxing clubs?

Ms Ní Chuilín: I am delighted that the GAA has a staunch supporter in the DUP. Fair play to you, Sydney. I understand that the Member is holding up a 'Sunday World' article, which I think is, taking care to respect parliamentary language, untrue. I do not support money earmarked for boxing going to the GAA — it has to go straight to boxing facilities — and I do not think that it happened in that case. I want to see the outcome of questions that I raised with Sport NI on that, but I can assure the Member and other Members that the money is earmarked for boxing, and boxing alone. It is not earmarked for GAA or any other sport.

Culture and Arts: DCAL Investment

4. **Mr Dallat** asked the Minister of Culture, Arts and Leisure, on a much happier note, whether she plans to invest in the obvious culture and arts that exist, not just in Derry but beyond, given that, up in the north-west, they are still revelling in the success of the City of Culture and, in recent weeks, a young girl called Rachael O'Connor from Drumsurn, Limavady has charmed millions of people across these islands. (AQT 924/11-15)

Ms Ní Chuilín: I thank the Member for his question. He will know that I am a recent and frequent visitor to Limavady, Dungiven and Coleraine, not just the city of Derry. I appreciate the rich cultural fabric of the city and surrounding communities. As part of ensuring the legacy of the City of Culture, I am investing. This year, we are looking at festivals in Limavady and sports facilities for Dungiven and Coleraine, but we are not done yet. We are looking at what we can do this year, with a view to rolling it out into next year and the years after that.

Mr Dallat: The Minister has focused on sport, but she will, of course, realise that Rachael's performances on 'The Voice' indicated that there is more than sport in the north-west. Could I press her further and ask whether the cultural aspect of it has been addressed?

Ms Ní Chuilín: The cultural aspect has been addressed and will continue to be addressed. It is about supporting young artists like Rachael. I have said it before: it is a city that sings, but it is a region that sings. And not only singing: we had the Rory Dall harp school in the Long Gallery last week. I have met other harp schools and festival providers. Young groups are coming together through pop music. I have also met piping groups, marching bands and Irish traditional groups. You have a good cultural thread out there. Apparently, it all emanates from the word "céilí-ing", which starts in most communities. I was, I think, a good advocate for the City of Culture last year. I will continue to be a strong advocate this year and in the years after, and that includes the whole of the north-west, not just the city of Derry.

Boxing: Professional and Project Management Fees

5. **Mr Campbell** asked the Minister of Culture, Arts and Leisure to outline whether the professional and project management fees for the £3 million allocated to boxing clubs are similar, greater or less than in other areas. (AQT 925/11-15)

Ms Ní Chuilín: I need to get a breakdown of exactly what the professional fees were. I expect that to come in response to the queries that I have raised as a result of an article in a paper on Sunday. We invested in making sure that there were good technical appraisals of the needs because we needed to get structural engineers in to do an independent assessment of how bad or how poor boxing clubs were. They were very busy. The conditions are well below what is fit for purpose, to my shame. It should also be to the shame not only of previous CAL Ministers but of local government. They have let the boxing community down disgracefully. If it means spending that money to stand the boxing community in good stead, I am prepared to do that.

Mr Campbell: The Minister is saying that she will examine that and the newspaper report. Will she, as she has said, stand up for boxing, try to ensure the appropriate funding to ensure that it comes into the 21st century and then take steps to correct what, she said, was the inaccurate information in the newspaper report?

Ms Ní Chuilín: Absolutely. Particularly when it comes to boxing, in the past and recent past, there have been inaccurate stories about what is happening within the boxing family and the boxing community. The Member and other Members can accept what I am saying here today. I am not using the boxing money as a way of getting money to the GAA; that is not what it is about. This is money to go to boxing to look at boxing facilities and for capital investment; it is not money for any other sport. All those other sports are entitled and have a right to come and ask like anybody else. It is money for boxing.

I will correct the story in the paper, and I assure the Member that I will give him a detailed account and breakdown of where that money was spent. However, I know that the money has paid for a good assessment of the needs of the clubs, which has already provided details to show that we need at least £12 million to correct the shoddy conditions that our boxing community — the sport that yields us most medals — now trains in. It is disgraceful.

Foyle Valley Gateway Programme

6. **Mr McCartney** asked the Minister of Culture, Arts and Leisure for an update on the legacy funding for the Foyle Valley Gateway programme. (AQT 926/11-15)

Mindful of the tone of John Dallat's question and the fact that the Minister acknowledged Derry as a city of song, I was tempted perhaps to sing my question, but I decided to spare everybody.

Ms Ní Chuilín: You are all in good form today. The Foyle Valley Gateway programme, as the Member knows, has received at least £2 million from DCAL. That is part of an overall programme that has also applied to the social investment fund and Derry City Council. That is one aspect of the Daisyfield and Showgrounds programme, which is part of an overall programme for the Brandywell. Without wanting to prompt the Member's next question, I am assuming that that is where this is going. We have put some investment in, but we are not done yet.

Mr Principal Deputy Speaker: I call Mr McCartney for his anticipated supplementary question.

Mr McCartney: I thought that you were going to say, "for an encore", but I will just ask a supplementary question.

The Minister has sort of anticipated the question. It is important that we get some sort of detail, particularly on sports development and the funding that the Minister can expect to bring to the north-west — and I mean the north-west.

Ms Ní Chuilín: I gave an answer about Daisyfields and the Showgrounds. I appreciate that that is part of a wider programme that will be available from 2015 and beyond. I have already asked Derry City Football Club, and I know that it will talk to the IFA about subregional development. As well as that, in the north-west, I am looking at a centre of sport and inclusion in Dungiven, a multisports facility in

the Coleraine area and the development of creative hubs and a language hub in Strabane. We are not done yet, but we are looking at the entire north-west.

I am absolutely delighted that the Member did not sing. The poetry, albeit that it was done beautifully, was enough for one day.

Artefacts: Appropriate Storage

7. **Mr Ross** asked the Minister of Culture, Arts and Leisure to comment on the current provision of storage facilities across Northern Ireland for valuable artefacts, given that she will be aware that, this morning, the news carried a story about a number of Northern Ireland artefacts, many of which cost millions of pounds to be dug up, being stored in bags and boxes across the Province. (AQT 927/11-15)

Ms Ní Chuilín: The Member will be aware that that falls within the Department of the Environment's remit under, I think, PPS 6. Irrespective of that, I can tell you that, during the boom years, a number of private developers had a responsibility for excavation and, as a result, discovered what they thought were artefacts. They may certainly turn out to be artefacts. The conditions in which they seem to be being stored are far from satisfactory. DCAL's role, via the museums, is advisory, but we certainly need to look at the long-term sustainability of artefacts and at how they are displayed. I believe that how they are displayed is something that this morning's story was hinting at. I am waiting for a report coming from that, but, as I said, DCAL's role is purely advisory at this stage.

Mr Ross: The Minister referred to waiting for a report. Can she give the Assembly more details of who that report is from, who it will be addressed to and what potential actions she envisages taking to ensure that, if we have artefacts that are of particular interest to Northern Ireland, they are stored and presented in a fashion that will be of interest to the public?

Ms Ní Chuilín: The report that I will ask for will be on what people think that DCAL's role is and what it should be. Let us be frank about this: I am not going out looking for work. I have enough work to deal with, with very little money to do it, so, I am happy to let Mark H Durkan do the work that he can with advice from the museums. Certainly, I will contest some of the assertions that have been made about DCAL's role in preservation, and I am happy for the museums to be used in their functionary role for advice and preservation. That is where it starts and ends.

Mr Principal Deputy Speaker: Mr Chris Hazzard is not in his place. Mr Tom Elliott is not in his place. I call Mr Alex Maskey.

Boxing: Future Funding

10. **Mr Maskey** asked the Minister of Culture, Arts and Leisure to continue to work with Sport NI and the boxing fraternity to identify any gaps and help the clubs to get the capacity that they need for the future and to secure additional funding, given the over-demand for the resources that she has available. (AQT 930/11-15)

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I commend the Minister for being the first and only Minister in these institutions over a long number of years who has become a champion on behalf of the amateur

boxing fraternity, a much-needed sport with a very strong community.

Ms Ní Chuilín: I am happy to do that. I continue to work and liaise with the boxing community. Last week, there was an event in Andersonstown Leisure Centre: Belfast versus Spain. Clubs from across the community and outside Belfast came to support that event. I spoke to a lot of the boxing clubs there, and they fully understand the process. They are not happy that their club is not there yet, but they certainly understand the process and are supportive of it. I am supportive of Sport NI's endeavour to ensure not only that the money is there but that it is well spent. However, we need to get more money in to help the boxing community.

2.45 pm

Education

Schools: Common Funding Formula

1. **Mr Swann** asked the Minister of Education what mitigation measures he is proposing for schools that are set to lose out financially under the common funding formula indicative budgets for 2014/15. (AQO 5859/11-15)

Mr O'Dowd (The Minister of Education): On 13 March, after careful consideration of all consultation responses, I announced my final decision on changes to the common funding scheme (CFS). I maintained from the outset that this was a genuine consultation. I was delighted with the level of response received and have listened to the views expressed by all who took time to respond. I have amended a number of my initial proposals, taking into account concerns raised but also ensuring that the key principle of targeting increased resources at social deprivation remains.

I confirm that no school will receive less funding this year than it would have done had I made no changes to the formula or budget. I have, therefore, made available a transition fund for schools whose budget under the new arrangements is less than they would have received had the budget and formula remained the same as in 2013-14. Schools have received notification of their delegated budget for the incoming financial year.

Mr Swann: I thank the Minister for his answer and for recognising that the first common funding formula did not work and needed changed. Does he recognise that the transition fund that he has put in place and its short-term nature make it hard for principals to budget into next year and the following years?

Mr O'Dowd: That is the nature of the budget system. I will not know the Education Department's budget for 2015-16 until the Executive agree it. Therefore, I can make no commitment to any education sector, whether schools or education and library boards, beyond the current financial year. I assure the Member that I will endeavour to secure whatever funding I can for the provision of education in the future. I will take a serious look at a transition fund going into the future for schools that may have lost funds as a result of the changes that I have made. However, it is worth noting that, with regard to the amounts that schools are losing, the maximum is £11,000, and 86% of the schools that are losing are losing less than £3,000. A

pupil at a school carries an average value of about £3,300. Therefore, if a school loses a pupil from one year to the next, it has to deal with that loss as well. I have made a commitment for this year, and I will endeavour to do everything that I can for the years that follow.

Mr Rogers: Minister, you are right that all schools got their budget. Can you explain why, in some board areas, they got a complete breakdown of their budget but, in other board areas, they did not?

Mr O'Dowd: No is the answer to that question. I have provided all the information to the boards, and I have published information on the Department of Education's website. It is the responsibility of the boards to notify each school of its funding allocation. How each board carries that function out will be a matter for each board, but I am of the view that full information from the very start is the best way forward.

Ms Maeve McLaughlin: Go raibh maith agat. Will the Minister remind Members why reform of the funding formula was necessary and how it relates to his commitments in the Programme for Government?

Mr O'Dowd: I thank the Member for her question. Members will recall that I was not satisfied that the existing common funding scheme was fit for purpose and did not believe that it matched our policy requirements or the need to tackle social deprivation and raise educational attainment for all our young people in schools. I set out with that objective, and that objective remains. As I said in response to the original question, I have taken on board responses to the consultation and concerns raised throughout the consultation, but the primary objective of directing more funds towards schools dealing with high levels of social deprivation remains. Those schools have received that money. I have also committed to putting in place tracking to ensure that that money is spent to reduce educational underattainment for all our young people, and those measures will be announced in due course.

Mr Allister: The Minister said that he could not anticipate next year's budget, but does he accept that the natural outworking of the formula that he has adopted will, in the absence of ongoing transitional aid, result in significant loss for many schools in the future?

Mr O'Dowd: I do not accept that there will be significant losses for schools going into the future. I remind the Member of my answer to the question: 84% or 322 of the 385 schools that are losing money will receive less than £3,000 in the transitional fund. They are losing less than £3,000 this year. Ninety-three per cent — 357 schools — will receive less than £5,000 in the transitional year. Therefore, no school will lose a significant amount of money as a result of the changes that I have made. I have committed to ensuring that all schools' budgets will remain the same, as if I had not made significant changes to the common funding formula. However, the Member will well know that no Minister standing at the Dispatch Box is able to predict what their budget will be for 2015-16.

Schools: Self-evaluation

2. **Mr Boylan** asked the Minister of Education what steps his Department is taking to help embed a culture of self-evaluation in schools. (AQO 5860/11-15)

Mr O'Dowd: Self-evaluation leading to sustained self-improvement is central to my school improvement policy. Self-evaluation should be an integral part of the school development planning process, with actions and targets set out in school development plans.

In 2010-12, the chief inspector reported that many schools were performing well and had a strong focus on improvement. However, I recognise the need to ensure that there is continued focus on actions to promote improvement, which includes school development planning and self-evaluation.

To support schools with that, the Department has produced and disseminated guidance on effective school development planning. The Department also provides schools with data to inform self-evaluation and to help schools identify areas where improvement is required. In addition, education and library boards provide training to schools and school governors on school development planning and effective use of data.

The Education and Training Inspectorate (ETI) continues to promote a culture of self-evaluation in schools. It has provided a resource for schools called Together Towards Improvement. This tool supports self-evaluation of the quality of the educational provision. Through inspection, the ETI assesses the effectiveness of a school's self-evaluation processes and identifies good practice or where improvement is required. Together Towards Improvement gives transparency to the inspection framework and promotes a common language for school evaluation and inspection.

Mr Boylan: Go raibh maith agat, a Príomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. I thank the Minister for his answer. How is self-evaluation reflected in the school development planning process?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. Self-evaluation is an integral part of the school development planning process, with actions and targets set out in the school development plan. There is a statutory requirement for schools to prepare and periodically revise their school development plan, and regulations set out the matters to be addressed in the plan. It is essential that school governors, the principal, the leadership team and all staff demonstrate a commitment to engagement with and involvement in the development planning process. Boards of governors should monitor and review progress against the plan. As I said, the Department has provided guidance to support schools in the preparation and implementation of school development plans, which assist in school evaluation.

Mr Kinahan: I fully appreciate the good guidance that is given on self-evaluation. However, will the Department actually help schools with some form of resources or even finance so that they can use third-party advice on self-evaluation?

Mr O'Dowd: I hesitate to state that it is not self-evaluation if a third party is brought in, although I accept the principle that the Member is trying to make. We are lucky that the vast majority of school leaders, teachers and principals are dedicated to the profession in which they are involved and see their role as more of a vocation than a job. Many schools have demonstrated how self-evaluation should take place. The ETI shares best practice when it

is observed with other schools. Therefore, the ETI also allows for assistance in a third-party role in that regard. My Department has issued information to schools to allow them to self-evaluate. Therefore, good practice is going on throughout the system. It is important that we give credence and respect to school leaders and boards of governors to allow them to develop their school development plans.

Mr Campbell: If, through school development plans and self-evaluation processes, we end up with a situation like there is in Macosquin Primary School just outside Coleraine, where a very effective and productive principal is finding difficulty with the board in trying to ensure that capital expenditure is spent by the board to develop a nursery school, what can the Minister do to assist?

Mr O'Dowd: I am reluctant to comment on an individual case that I have no details about. I suspect that the issues are not related, although it is a clever way to introduce a school in the Member's constituency to the discussion. I suspect that school evaluation, the school development plan and the provision of a nursery unit are not all connected, nor is the capital. School evaluation should continue, regardless of discussions between a school and the education board about future capital developments at that school.

Primary Schools: Computer-based Assessment

3. **Mr D Bradley** asked the Minister of Education how he will take forward the recommendations of the recent report on computer-based assessment in primary schools. (AQO 5861/11-15)

Mr O'Dowd: John Harkin and Jonathan Hudson conducted the review and presented me with their report at the end of last year. As I made clear in my statement of 11 March, I am content with the findings of the report and have accepted the recommendations. Although challenging to and, at times, critical of all the parties involved in delivery, overall the report is fair, and acceptance of the recommendations will feed constructively into the ongoing policy review. The recommendations include reviewing the technical delivery options, moving the management of computer-based assessment (CBA) to C2k, setting clear timescales for future CBA policy and procurement and clearly articulating the benefits of the policy. I have tasked my officials with taking forward that work. The independent review report is now available on the DE website.

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra.

The OECD report and the independent review mentioned by the Minister highlight the mistrust among schools and the failure by the Department and CCEA to consult meaningfully. Will the Minister now give the House an undertaking that he will listen to the views of teachers and take serious account of them?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. I assure the Member and the House that I will take and have taken into account the views of teachers and schools on the computer-based assessment policy. Indeed, it was as a result of taking on board those views that I suspended the statutory implementation of

computer-based assessment in schools for the second year running. We are now running it on a pilot basis.

Last year, around 185 schools took part in a pilot. That was very beneficial to the further development of the technical issues with computer-based assessment. This year, the pilot will be used to develop the policy position on computer-based assessment. Lessons have been learned about computer-based assessment, and the Hudson/Harkin report has further interrogated that. I have instructed my officials to implement the lessons learnt from it.

Mrs Overend: Will the Minister inform the House what measures he will put in place to ensure that schools have the necessary time to properly use computer-based assessments?

Mr O'Dowd: We introduced a centrally procured computer-based assessment on the basis that it would save schools the money and time needed to seek out and procure individual assessments. A significant number of our schools use commercially available assessments, and that is referred to in the OECD report. Indeed, it was touched on in the CBA report as well. Those assessments, though useful, do not meet the needs of our curriculum. Although they are somewhat useful to our schools, I believe that we should further interrogate centrally procured computer-based assessment. There are questions. Who will deliver that? What will it look like? How long will that procurement remain in place? We need the answers to those questions to minimise pressures on our schools either in the procurement or the delivery of computer-based assessments.

Mr McCarthy: I understand that the Minister recently said that he hoped that uptake would continue on a voluntary basis. Will he advise the House whether any schools have signed up to this?

Mr O'Dowd: The Member is correct: in my 11 March statement to the House, I said that we would run a further pilot scheme this year. Some 185 schools signed up to the pilot scheme last year. Early next month, CCEA will announce details of the pilot and will ask schools to sign up to it at that stage.

Mr McCrea: The Minister has referred to the report's recommendations. Will he outline a timescale for when, he feels, the report can be considered and recommendations brought forward so that principals and schools can introduce something that is fit for purpose in the 21st century?

3.00 pm

Mr O'Dowd: During the last procurement exercise and the delivery of this project, one of the key mistakes made was that it was rushed. People steamed ahead towards a deadline, and, at some stage in that rush, there should have been a call to stop and evaluate where things were going. I do not want to make that mistake again.

A number of lessons learned from, and recommendations in, the Hudson and Harkin report are already being implemented. We are examining the way forward on those. At this stage, I am more concerned about getting computer-based assessment right. Rather than finalising the procurement exercise or making it a statutory obligation on schools, let us get it right and then move towards procurement and making it a statutory obligation, if need be, once again.

Schools: Hollywood Newbuilds

4. **Mr Dunne** asked the Minister of Education when the newbuilds of Priory College, Hollywood Primary School and Hollywood Nursery School will commence. (AQO 5862/11-15)

Mr O'Dowd: The gross capital budget for the Department of Education for 2014-15 is £183.4 million. The majority will be used to develop and improve the schools estate through capital allocated to major works, minor works and school enhancement projects. The budget will also be used to fund youth services, transport, ICT, early years and a number of other capital requirements.

As 2014-15 is the last year of the current comprehensive spending review period, the amount available for the capital budget for subsequent years has not yet been decided. As I am committed to providing better facilities for our children and young people to learn, bids for capital funding will continue to be made through the budgetary process, to ensure an improved working environment for teachers and other school staff.

To date, I have not announced plans to deliver a newbuilds for Priory College, Hollywood Primary School or Hollywood Nursery School. A process is under way in my Department to assess options for a potential further major capital announcement. This process will not conclude until late spring or early summer 2014.

Mr Dunne: I thank the Minister for his answer and continued interest in the Hollywood schools project. Does he recognise that Hollywood Primary School is growing and that Priory College is working hard to increase its numbers, which is a difficult task considering that they are in crumbling buildings while competing with other modern schools in the wider North Down area?

Mr O'Dowd: I thank the Member for his supplementary. I accept the need for newbuilds in the Hollywood area. My difficulty is matching newbuilds, not only in Hollywood but throughout the jurisdiction, against my limited capital budget. I have also resisted, time and time again, announcing lengthy lists of capital builds that I am not convinced can be delivered within a reasonable time. It has to be said that, even when we do that, we run into unexpected capital build delivery problems. Whether the problem is planning, site purchase or Japanese hogweed, all can delay building programmes.

I am working on a new announcement to move forward the building programme. If any Member's school is not included in that list, I say this to you: we are now involved in a rolling capital builds programme. There will be no more one-off announcements and then escaping for a number of years. I am committed to a rolling programme of capital builds over the next years of this mandate and into the next. We need significant investment in our schools estate, and, even with limited resources, we can make a difference.

Mr Principal Deputy Speaker: I remind Members that this question is constituency-specific, and the supplementaries must relate to the original question.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Will the Minister give an overall

assessment of his capital budget for newbuilds over coming years?

Mr Principal Deputy Speaker: I will intervene on this occasion. That has absolutely no relation to the original question, so I will move on.

Pupils: Pupil Assessment

5. **Mr Dallat** asked the Minister of Education how he plans to make the new end of key stage assessments fit for purpose. (AQO 5863/11-15)

I hope that that question is relevant.

8. **Mr McAleer** asked the Minister of Education how he plans to build teachers' confidence in the pupil assessment process in relation to levels of progression. (AQO 5866/11-15)

Mr O'Dowd: With your permission, Mr Principal Deputy Speaker, I will answer questions 5 and 8 together.

The OECD report was extremely positive about the synergies between our evaluation and assessment policies, saying specifically that the rationale behind the development and implementation of levels of progression was:

"sound and congruent with European practice."

In building an assessment process in which we can all have confidence, the Department is continuing to reduce the pressure, real or perceived, on schools. This allows us to restate the primary purpose of the new arrangements, which is to assist teaching and learning and not simply to provide data to the system for accountability purposes.

As a result of feedback from teachers in the 2012-13 year, for example, changes were made to the arrangements for 2013-14, including slowing down the pace of change, reducing the workload for teachers and removing the March return date for pupil portfolios. Further work will be taken forward and discussions will continue as the arrangements evolve. This engagement will be fully inclusive of schools, teachers and their representatives.

Mr Dallat: I marvel at the Minister's optimism. These Key Stage assessments are going down like a lead balloon. Can he tell the House what is wrong with the current Key Stage assessments, which inform teaching for the future?

Mr O'Dowd: The new Key Stage assessments that are being introduced were returned by 75% of schools in the past year. Although they may disagree with elements of the Key Stage assessments, the vast majority of schools have returned them. The purpose of introducing new ones was to align them with our curriculum and to ensure that we were measuring the correct matters, including measuring results against our current curriculum and not against the previous one. That is why there was a need for change.

My Department and I have been involved in detailed negotiations with representatives of teachers' organisations, and we have continued to make progress. I have shown teachers a willingness to take on board their concerns, but, as with any negotiation or discussion on the way forward, you cannot have it all your own way.

Mr McAleer: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister tell us what discussions he has had with teaching unions on this matter?

Mr O'Dowd: My Department, together with CCEA, conducted a review of the end of Key Stage arrangements last year, as we committed to doing. This consisted of 10 face-to-face workshops with school leaders. That review was completed in 2013, and I considered the feedback and agreed recommended changes. I asked officials to engage with teachers' unions on the issue, and that process is ongoing. Following that engagement, I wrote to schools clarifying the way forward for 2013-14 and beyond. My Department is reducing the pressure, real or perceived, as I said, on schools in this matter.

Part of my reason for bringing in the internationally respected OECD was to have a look at our assessment arrangements from an international perspective. The OECD said that our assessment procedures are fit for purpose. Where we fell down was on the initial engagement with teachers' unions and representatives, and I have now corrected that. There is a meaningful, full engagement with teachers and teachers' unions on the way forward.

Mr Cree: The Minister appears to be in denial on this. Given the concern over the current Key Stage assessments and the fact that the Committee was less than lukewarm about them, will the Minister urgently pilot a new Key Stage assessment system to replace the discredited one?

Mr O'Dowd: If I was in denial about this matter, I would not have made any changes to the assessment procedures whatsoever, I would not have reviewed the assessment procedures after one year and I would have made no changes to the procedures. The fact that I am not in denial means that I have done all those things and engaged constructively on them. We have made changes and we are making progress on this matter.

Which assessment procedure would the Member like me to pilot? There are several opinions out there about what assessments should look like, whether there should be assessments and whether assessments should take the form of a single statutory test at the end of each year so that you work to those results and move forward. There is no universal agreement on this island or beyond. The OECD reflected on that as well. There is no universal agreement on the way forward for assessment at the end of Key Stages, but the OECD said that our assessment procedure was fit for purpose.

Schools: Attendance

6. **Mr Newton** asked the Minister of Education to outline the truancy rates in each education and library board. (AQO 5864/11-15)

10. **Mr Maskey** asked the Minister of Education what support or guidance his Department provides to schools on the need to tackle pupil absenteeism. (AQO 5868/11-15)

Mr O'Dowd: With your permission, Mr Principal Deputy Speaker, I will answer questions 6 and 10 together.

Schools record pupil attendance electronically on the C2k system. My Department's circular 2013/13 on attendance guidance and absence recording by schools, which was issued to schools in June 2013, provides guidance and strategies to manage pupil attendance. It also provides the codes that should be used for each category of absence.

The term "truancy", although familiar, is not used. However, five types of absence are categorised as unauthorised absence. Those categories are: no reason provided for absence; family holiday that was not agreed with the school; other absence, where the reason that is provided is not acceptable, such as shopping or a birthday; no reason yet provided for absence, which is a temporary code; and late, after registration closed.

The unauthorised absence rates in each education and library board area for the 2012-13 school year were 2.5% in the Belfast Board area; 2% in the Western Board area; 1.7% in the North Eastern Board area; 1.8% in the South Eastern Board area; and 1.8% in the Southern Board area.

Responsibility for ensuring that pupils attend school rests with parents and guardians. Last year, my Department issued 'Attendance Matters: A Parent's Guide' to the parents and guardians of all year 1 and year 8 pupils. This year, the leaflet will be given to the parents and guardians of all pupils. My Department has programmes to support vulnerable groups, such as school-age mothers, newcomers and Travellers. I have also asked my officials to develop a policy on looked-after children. My Department also funds the Education Welfare Service (EWS). If a pupil's absence is causing concern, or if their attendance rate is less than 85%, the school should refer to EWS for support, if appropriate.

Mr Newton: I asked the question because I was concerned about reports outlining the number of children who are being taken away from school to go on holiday outside the normal times. Is there an initiative in schools or in board areas to address that problem?

Mr O'Dowd: As I said, we have issued leaflets to all year 1 and year 8 pupils, and this year we will issue them to all pupils and parents to let them know about the need for children to be in school and unacceptable reasons for absence. A child can go on holiday with his or her parents if it is agreed with the school. Certainly, parents should not take children out without agreeing it with the school. So, initiatives are in place, and schools also have a responsibility as part of their development programmes for tackling absence and supporting attendance, as do the boards through their work with the welfare officers.

Mr Maskey: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his responses so far. Does he see, as many of us do, that there is an important role for the wider community in tackling issues such as absenteeism in schools?

Mr O'Dowd: Of course, and, as with any aspect of education, it is vital that parents, families and the broader community are involved and show themselves to be supportive of education and its benefits. Indeed, where problems persist, schools should be talking to parents and engaging with them to establish why children are absent from school and whether there are underlying reasons for that, such as bullying, problems at home or whatever it is that is keeping a child away from school. All those things should be interrogated.

I also recently announced and launched funding for community initiatives for further engagements between schools and communities, re-emphasising the importance of education. That message can be effective only if a child is in school being educated. The most important action that any parent can take is to ensure that their child is in

school and to work with the school to support the child through their education.

Mr Principal Deputy Speaker: That ends the period for questions for oral answer. We will now move to topical questions.

School Enhancement Programme

1. **Ms Boyle** asked the Minister of Education how his recently announced school enhancement programme will benefit local schools and the wider economy. (AQT 931/11-15)

Mr O'Dowd: I thank the Member for her question. During Question Time, I was asked about my capital budget and how we would use that most effectively moving forward. In recent years, we have introduced the school enhancement programme, which will allow us to invest between £500,000 and £4 million in a school to improve its facilities. It also allows us to stabilise some of the schools estate, ensure that schools can be maintained properly and ensure that teachers and pupils are working and being taught in proper facilities.

3.15 pm

I will give the Member examples of the work that will be carried out. I will be parochial and go to my own area. Ceara School in Lurgan, which is well known, will receive five new classrooms as a result of this. Millington Primary School will receive new classrooms, new parking facilities etc. Friends' School, Lisburn, will be provided with a new music and maths block, a refurbished history department and a maintenance workshop will be removed. That has a value of about £3 million, and it is £1.5 million or so for the Ceara project. That is a significant investment, but it is also a significant investment in our economy, in the construction industry and in jobs.

Ms Boyle: Go raibh maith agat. I thank the Minister for his response. Indeed, he answered my supplementary question about significant investment.

Education and Skills Authority

2. **Mr Ó hOisín** asked the Minister of Education whether he feels that the creation of the Education and Skills Authority (ESA) remains a realistic prospect, given the urgent need for the reconfiguration of the education and library boards in order to converge with RPA. (AQT 932/11-15)

Mr O'Dowd: Whether it is a realistic prospect or not, the Executive will have to make a decision about where the journey will take us. Following the lengthy debates in the Assembly last week and the approval of the Local Government Bill to move forward with the reshaping of our local councils and the reduction from 26 to 11, I am now faced with a situation in which our education and library boards are no longer configured to those board areas. Therefore, unless significant decisions and significant changes are made, our education and library boards will be acting ultra vires come May 2015. Decisions have to be made. People have resisted ESA for a variety of party political and, I suspect, personal reasons, but they need to set those things aside and come to a conclusion on what we will do with our education and library boards.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra go dtí seo. Does the Minister feel that

the ESA Bill would have been supported by the education sectors and stakeholders?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as an cheist. I can only go by the comments from the vast majority of the education sectors that they are supportive of moving forward with the ESA Bill. In my opinion, I have acted — politicians will always be challenged on these matters — responsibly. I made significant concessions to a number of sectors to ensure that the Education and Skills Authority could move forward. However, every time I made a concession, another demand was placed on the table, and that leads me to suspect that either political parties or individuals were deliberately blocking progress on the ESA Bill despite its being a Programme for Government commitment.

Education: Business of Education Survey

3. **Mr Lunn** asked the Minister of Education whether he is familiar with the survey report launched here yesterday, 'The Business of Education', which was a survey of Northern Ireland business leaders and does he have any comments to make on its findings. (AQT 933/11-15)

Mr O'Dowd: The only familiarity that I have with the report is what I read in this morning's media, and I suspect that the Member is referring to the apparent support for integrated education from the business sector. That has to be welcomed. They may already do this, but I challenge those sponsoring the report and say that the best way to support integrated education is to send your child to an integrated school.

Mr Lunn: Luckily, I have a copy of the report that I am happy to pass to the Minister. The findings are heavily in favour of what the report calls the desegregation of our education system as a means of strengthening cross-community relationships in the workplace and having a positive impact on economic growth. Coupling that with the other surveys that are regularly produced in favour of integrated education, is the Minister satisfied — I ask him this once again — that his Department is doing enough to encourage and facilitate integrated education as required by statute?

Mr O'Dowd: As I said, I have not read the report, but I do not think that anybody would argue against the desegregation of education and the breaking down of barriers in our society. Indeed, the shared education report gave us opportunities to move that debate forward and has kept it flowing.

Let me answer the question in this way: I am always looking for new opportunities to ensure that we are living up to our statutory obligations on integrated education and ensuring that we are promoting and facilitating it. I can give you recent examples of where I have approved significant enrolment: in Enniskillen Integrated Primary School and in a number of other areas. Unfortunately, for integrated education in Portadown, the primary school came forward with a proposal, and I rejected it. The only reason I did so was that the site, for which I have approved a newbuild, was not big enough for the size of school that was envisaged. That would have meant that I would have had to delay capital investment in that area, and I would have delayed the building of a new integrated school. My suggestion was that the school go away and look for a site for a second integrated school in the Portadown area. That is the best way forward for that area. It is not the case

of denying integrated education there; I am promoting a second school, and I am going to build a brand-new building for the original school. So, there is a significant investment, and we are moving ahead with it. However, as I say, there is responsibility on all Ministers to look for new ways of delivering their services.

Area Learning Communities

4. **Mrs McKevitt** asked the Minister of Education how his Department is addressing the needs of young people who are challenged by the normal school environment, while acknowledging the contribution that area learning partnerships are making to shared education and to providing educational opportunities to young people. (AQT 934/11-15)

Mr O'Dowd: I am very supportive of area learning communities and the partnership, and indeed the sharing, that goes on among schools in those areas. Recently, I received a report from my permanent secretary and his team, who had visited all the area learning communities. That report was supportive of some areas, critical of others and presented challenges to the Department of Education in others, which we will analyse and move forward on.

As to how I support children who find the school environment difficult, we support EOTAS, education other than at school. That ensures that there are facilities for children who cannot attend school, for whatever valid reason, and that they have an educational venue to go to. However, I think that every endeavour must be made to ensure that a child attends their host home school. That is the best way forward for children, but I accept that there is always an exception to the rule.

Mrs McKevitt: Given that schools are planning their curriculum for September, what assurances can the Minister give that funding for this extremely valuable project will be in place? Has he brought this to the Executive to ensure that funding is targeted so that all schools and colleges delivering the programme can get on with doing just that?

Mr O'Dowd: The Member refers to the implementation of the entitlement framework, which schools were funded for, over several years, up to the value of around £9 million per annum. That funding was due to come to an end — if my memory serves me right — in the 2013-14 financial year, or perhaps it was in the 2014-15 financial year. Despite the very restricted budget that I have, I agreed to continue that funding on a lesser basis of £4.5 million. I will examine my budget to see whether we can support that for the next number of years, or to see how best we can support schools in future. I will engage, as will all Ministers, with my Executive colleagues on the education budget for 2015-16. I will put forward a very strident argument that education needs increased investment.

Mr Principal Deputy Speaker: Question 5 was withdrawn within the appropriate time frame.

Schools: Common Funding Formula, Irish-medium Value

6. **Mr Sheehan** asked the Minister of Education to outline the reasons for the increase in the value of the Irish-medium factor in the common funding formula. (AQT 936/11-15)

Mr O'Dowd: Consultation responses led me to decide to significantly increase funding to post-primary Irish-medium education. There have been ongoing discussions and reports, particularly from our only stand-alone post-primary school, Coláiste Feirste, on the significant pressures that it faces in delivering the entitlement framework through the medium of Irish. It has no partnership schools to work with through the medium of Irish. There were responses from a variety of sources, some for an increase and some opposed. On balance, I decided that a significant increase was merited to ensure that we live up to our statutory obligations on Irish-medium education.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Having spoken to the governors of Coláiste Feirste, I know that they face difficulties. Can the Minister confirm that the consultation process clearly showed up specific needs in the Irish-medium post-primary sector that require additional support?

Mr O'Dowd: Not only did the consultation report show it up but, going back to Sir Bob Salisbury's initial report, on which I based my initial consultation on the common funding formula, he and his team suggested that it should increase to somewhere around £289. Through the consultation, Coláiste Feirste put forward a strong case. Other schools with Irish-medium units attached raised this matter, and a number of the education boards responded, in favour and opposed to the increase. On the basis of the evidence before me, I decided to increase the funding to Irish-medium education.

SEELB: Fit for Purpose

7. **Mr McGimpsey** asked the Minister of Education whether he considers the South Eastern Education and Library Board to be fit for purpose, given the controversy around its decision to amalgamate Knockbreda and Newtownbreda high schools — a decision brought forward by a board run by three commissioners, with no democratic input. (AQT 937/11-15)

Mr O'Dowd: The simple fact of the matter is that the South Eastern Education and Library Board would not be in existence if we had ESA, and there would be democratic accountability on ESA. All the sectors would have been represented on the board, and everyone would have had their voice heard during the decision-making process.

The Member's party and individuals in the party opposite have blocked ESA at every turn. So you end up with retaining the South Eastern Education and Library Board run by commissioners. As Minister, I had a Programme for Government target to establish ESA in 2013. Why would I have stood down the commissioners and put in a fully functioning board? That would not have made sense. Now, as Minister, I am faced with the reconfiguration of 26 councils into 11. I have to reconfigure the boards to fit that, so why would I stand down the commissioners ahead of that? If you are wondering why there are no elected representatives making these decisions, perhaps you should look at yourself in the mirror and say, "Decisions that I have made have stopped that."

Mr McGimpsey: That was a very convoluted answer, which appears to suggest that the Minister does not think that the board is fit for purpose, but he is quite happy to

use the situation in an effort to bring about a body that has no prospect of coming forward at the minute. ESA has no prospect at the moment. Surely it is incumbent on the Minister to get rid of the commissioners and democratise a body that evinces all the worst aspects of direct rule.

Mr O'Dowd: For the record, and to ensure that there is no doubt in your mind, I believe that the South Eastern Education and Library Board is fit for purpose. However, I also believe that the democratic way forward is to have an education body with elected representatives on it. I am a democrat; I believe in that. It is convoluted because it has been a very convoluted journey, I can assure you, as someone who has travelled the journey of ESA.

If Members had supported a Programme for Government commitment to establish ESA in 2013, I would have been legally bound, as Minister, to have worked towards that. ESA has been blocked; ESA has been stopped. I am now looking at a situation where councils are being reconfigured. Why would I stand down the commissioners of the South Eastern Education and Library Board ahead of a decision on what the boards or board will look like in the year ahead? That would not make sense and it would not be a best use of public time or resources. Indeed, I suspect that it would take me several months to reconstitute the South Eastern Education and Library Board. By the time I would have achieved that, I would be into having to change the boards to match the new council boundaries. So, let us do this in a sensible way and move on with it.

Mr Principal Deputy Speaker: Time is up. That concludes Question Time. I ask the House to take its ease for a few moments to allow those who were contributing to the earlier debate to take their place.

3.30 pm

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

Private Members' Business

Religious Belief and Worship: Worldwide Freedom

Debate resumed on motion:

That this Assembly expresses concern at the persecution of Christians in many countries around the world and, in particular, the threat of execution of 33 Christians in North Korea for their beliefs; and calls on HM Government to exhaust all diplomatic options and influence to secure greater freedom of religious belief and worship throughout the world. — [Mr Wells.]

Mr Allister: I totally support the motion and commend Mr Wells for his proposing of it and the manner in which he laid out the issues. It is certainly very clear, I would have thought, to us all that, in far too many places across the world, people of Christian belief are required to live not just in the most harrowing of circumstances but under the most dire persecution. For those of us in this part of the world who have never experienced anything like that, it is, surely, hard even to comprehend. Yes, we have had blatantly sectarian incidents — far too many of them — such as the deliberate gunning down of worshippers in the hall in Darkley, but, as a community, we generally enjoy a level of freedom, be it religious or otherwise, that people in many of these countries can only dream about. Sadly, the Assembly debating these issues is unlikely to faze at all some of the most repressive regimes, such as that in North Korea, which subjects its people to this persecution. That does not mean that it is not right to debate it, but I think that we recognise how immune from reason and even compassion such regimes are.

It was encouraging to hear the support from across the House. It was disappointing that, predictably, from Ms Ruane we had something of a divisive rant about all sorts of things. She went back to the penal laws and long before that, colonisation and everything else. She told us that Sinn Féin was very much against the death penalty. It is a pity that they did not tell that to their friends before they executed Jean McConville and many's another who was subjected to summary execution.

One of the growing concerns across the world is the intensifying intolerance and violence, emanating particularly from Muslim regimes. The level of oppression and persecution under which Christians are being required to live in many Muslim countries is quite, quite shocking. It is our bounden duty to do anything that we can to raise our voice in support of these people, not just in the likes of North Korea and the more obviously extreme Muslim countries and regions in which this is a problem but in countries such as China, where there have been far too many incidents of the denial of human rights, including that of the freedom of worship.

Of course, we, in the west, very readily do business with such countries. When I was a Member of the European Parliament, I often raised issues such as this with the commissioner who looked after foreign affairs. While there was always empathy, one always got the impression

that it was tempered by the desire not to upset trade opportunities and all of that. Indeed, in this House, we have had OFMDFM go to China. I trust that they took opportunities —

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

Mr Allister: — to raise, in a robust manner, concerns about human rights there, because, there too, there are big issues to be addressed.

Mrs Foster: I thank virtually everybody who has contributed to the debate. I thank my colleague for opening the debate. I apologise to him and the House for not being here at the start. I was going to say "unfortunately", but fortunately I was at a jobs announcement this morning so, unfortunately, I could not be here at the beginning of the debate.

On Sunday evening, I took the opportunity to attend evensong in St Macartin's Cathedral, where the Archbishop of Armagh was in attendance and gave the sermon. It was his first visit to the cathedral, and he took the opportunity to remind us of T S Eliot's play 'Murder in the Cathedral', not that there was any murder in the cathedral that evening; I just want to make sure that I say that. In that play, T S Eliot makes reference to the fact that:

"Humankind cannot bear very much reality."

What we are confronted with in North Korea and all the other places that have been mentioned in the House today is the harsh reality that persecution against Christians is taking place on a daily basis.

I want to thank Open Doors, the organisation that does so much good work in our national Parliament. It was also able to provide information to us for today's debate. I thank Open Doors for its continued work across the world in highlighting the persecution and being able to tell us about how, unfortunately, that persecution against Christians has been increasing and becoming more intense in more countries across the world. Of course, North Korea is number one on its watch list. That is a world ranking that we know of. We watch the increasingly bizarre actions of North Korea's current leader. We should be increasingly concerned about what is happening in that area.

Article 68 of the North Korean constitution provides for freedom of religion, but it is restricted and must not be used as

"a pretext for drawing in foreign forces or for harming the state and social order."

In North Korea, the only real ideology is the veneration of their leader. We are all aware of the consequences if you do not venerate that leader in the way that they see fit.

North Korea remains the most difficult country in the world in which to be a Christian. Christians, like others in that country, have had to survive under a very oppressive regime. In contemporary times, they have had to deal with corrupt officials, bad policies, natural disasters, diseases and hunger. They must also hide their decision to follow Christ. Being caught with a Bible is grounds for execution or a lifelong political prison sentence. An estimated 50,000 to 70,000 Christians live in concentration camps, and we heard from Mr McIlveen what that actually means for those people.

We tabled the motion as we wanted to highlight what is going on, particularly in North Korea with the 33 people

who were, at that time, sentenced to death. We do not know whether they have been murdered at this stage, but we wanted to highlight it. It is right that we, as an Assembly, sometimes step away from our own difficulties and reflect on what is happening in other parts of the world.

I welcome the fact that, on 5 March 2014, my colleagues at Westminster tabled an early day motion in the House of Commons on North Korea. As the motion indicates, we call on our national Government not just to note what is happening but to look at action. I was encouraged when I read the response to the question for oral answer on 4 March 2014 from Minister Hugo Swire, whom we will all be familiar with, as he used to be in Northern Ireland. He is now a Minister of State in the Foreign and Commonwealth Office, and he said in his answer that, where North Korea was concerned, our Government are:

“actively supporting a strong UN Human Rights Council resolution”.

We welcome that, but we want to see more action. We ask that, from this House today, a very strong message goes to our Government that the Assembly abhors the persecution of Christians in North Korea and right across the world.

I also welcome the fact that his colleague Hugh Robertson, who is also a Minister of State in the Foreign and Commonwealth Office, in his response to a Member asking a question said that he takes the opportunities to visit Christian communities, whether they are in Egypt or in Algeria. That is a very tangible way of showing support to Christian communities who may feel under threat or are actually being persecuted by the authorities. On occasions when I have been on trade missions, I have taken the opportunity to visit Christian communities to say to them that we support them and that we think of them and pray for them in their perilous position.

I also welcome the fact that Mr Lidington, who is Minister of State for European issues, believes that we should continue to monitor violations and that we are using our extensive range of contacts right across the world in our high commissions and embassies to continue to monitor what is happening in the various countries. Of course, the embassies are there for a variety of reasons, but I was glad to see that, on 16 April last year, Mr Lidington confirmed to the House of Commons that the embassies monitored very closely what was going on with the persecution of Christians in the territories where they are. That is a positive move, and I welcome it. We urge government to continue to take action on the persecution that continues.

We need to look at the world and not just think about what begins and ends in Northern Ireland. I thought that David McIlveen's contribution was very personal and very moving when he said that we could not dehumanise the people who have been persecuted or, indeed, have lost their life for their Christian beliefs. That is very important.

The one discordant note came from Caitríona Ruane, who, with her usual rhetoric, failed to address the issues in the motion. She did not see any irony at all in the fact that she told us all that Sinn Féin was against the death penalty, despite the fact that the IRA has meted out the death penalty on many, many occasions here in Northern Ireland without impunity in the dark of the night, shooting people in the back of the head. Apparently, that is OK,

but she can lecture us on the Floor about being against the death penalty. That is quite incredible. The fact is that her mind is so narrow and so closed that every speech has to come back to an attack on the Democratic Unionist Party. I regret that. This motion was about much, much more than that; it was about sending out a message to our Government that we wanted action taken in relation to the persecution of Christians right across the world.

Seán Rogers mentioned that there are many missionaries in the field, and I think that it is important that we mention that. As we sit here in the comfort of the Assembly, we should remember them, particularly those who are in some of the most difficult parts of Africa.

I hope that those of us here will remember that.

3.45 pm

I want to finish with a quote from the Bible: Matthew chapter 5, verse 10:

“Blessed are they which are persecuted for righteousness' sake: for theirs is the kingdom of heaven.”

We should remember in prayer those who are being persecuted, but also urge the Government to take action to let them know that they are not forgotten and that what they do in the name of Christ is respected in this part of the United Kingdom. I support the motion.

Question put and agreed to.

Resolved:

That this Assembly expresses concern at the persecution of Christians in many countries around the world and, in particular, the threat of execution of 33 Christians in North Korea for their beliefs; and calls on HM Government to exhaust all diplomatic options and influence to secure greater freedom of religious belief and worship throughout the world.

Motion made:

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

Adjournment

Creavery Primary School

Mr Deputy Speaker: The proposer of the topic will have 15 minutes. All other Members who are called to speak will have approximately six minutes.

Mr Clarke: I thank the Minister for being available today. I know that it is short notice and that this Adjournment topic had to be called off the last day. I am pleased that the Minister is here to listen to the debate.

I should declare an interest as a member of the board of governors of Creavery Primary School since 2005. I am coming at it from that perspective.

At the outset, I want to talk about Creavery Primary School to set the scene. I think that all the Members for South Antrim have visited the school during the past number of months, and probably longer, and have shown support for the school. That is a testament to the good educational standards in Creavery.

For your benefit, Mr Deputy Speaker — you are not from the area — Creavery Primary School is a small rural school between Antrim, Randalstown and Kells, with an enrolment of approximately 68 children and growing. However, the reason for the debate is that there are problems with the accommodation.

The other thing that I want to do at the outset — I know that I am not supposed to do it but I will do it anyway — is to put on record that I have noticed that the principal of the school and the chairman of the board of governors are in the Public Gallery. That is a testament to the dedication of the principal and the board of governors and their interest in the school and the education and welfare of the children who attend it.

While I am on the subject, I also want to put on record what excellent teaching staff we have in the school. One of the testaments of that is the performance of the children of the school in academic selection tests. I know that that is a bone of contention for some, particularly the Minister, but it is enshrined in law and people are entitled to do a transfer test of sorts. It is interesting to note that each and every one the children who decided to sit the test came out with very high marks and will have no problems in entering the grammar school. Although that is not entirely important, and it is not necessarily important to the Minister, it demonstrates to me, as a representative for the area, the good quality of education in that small rural school. It also suggests why some people travel a distance to get to it. I know that we are going through area planning and that the Minister will have his own thoughts on where their vision should be and where they would like to be. However, one thing is key in Creavery: parental choice has been expressed, and the results are testament to the excellent teaching in the school.

However, we are not here to talk about the results or the teaching staff. Over the past few years, the board of governors of the school has shown frustration with

the North Eastern Education and Library Board and its unwillingness to be proactive in looking to the future. As I said, we have a school with increasing enrolments — indeed, there has been a variation in the number of enrolments, and requests have been made on a number of occasions to try to increase them. Again, that is down to the parents, who have chosen an excellent school.

The problem that the teaching staff, the principal and the board of governors have is that we are bursting at the seams and some of the accommodation is not fit for purpose. In particular, we have one mobile classroom that has long since passed its sell-by date. The conversations over the past couple of years with the North Eastern Education and Library Board were the driver for this Adjournment topic. There is a frustration for many of us that the North Eastern Education and Library Board has waited until the eleventh hour to secure leases for the future viability of the school. We are all aware of a development proposal for the school to give it better accommodation so that our children are in the best-equipped classes and not in poor accommodation. It was with that frustration that I asked for today's debate, but since the Adjournment topic was requested, I know that the MP for the area has had discussions with the education board in County Hall about renewing those leases.

I have to say, through you, Mr Deputy Speaker, to the Minister, that it is sad that the North Eastern Education and Library Board waited until the eleventh hour. One of the leases is due to run out this year. I am certainly not here to attack you, Minister. We are actually using your good office to see what pressure you can apply so that we can continue to have a very good school in our constituency of South Antrim.

As I have said, it is disappointing that the board has waited so long. We have a mobile classroom that has been leaking over the past number of months, and we have had numerous temporary repairs. I do not think that any of us would want to send our children to an educational setting such as that. Although it is not the most important thing, I have noted that we had a meeting in the principal's office some weeks ago, attended by the Member of Parliament, the chairman of the board of governors, myself and the principal, and there was virtually no room. I think that we all had to stand up to let each other move. That gives you an indication of the cramped conditions that the principal and her secretary are working in while achieving very good results for the school and doing an excellent job. I do not think that that bodes very well for how her staff should deliver for the future. Also, as regards dining facilities for the staff as well as the pupils to enjoy their lunch, the accommodation is non-existent.

A few months ago, my colleagues from South Antrim, Pam Cameron and Danny Kinahan, had a meeting with Roads Service about another Creavery issue. With it being a rural school — as I said earlier, all Members have been there and have shown their support for the school — it is set on a fairly narrow road. Twice during the day, we have long queues of traffic and there is no opportunity for it to enter the school. One of the excuses from the North Eastern Education and Library Board in the past has been that, because of the leases and the fact that they have not been proactive, nothing can be done about that. What we are asking for today is an assurance from the Minister to see

what he can do in his good office so that we can continue to deliver quality education on a site that is fit for purpose.

There was another example of how the site has fallen into disrepair just before Christmas, when the school invited various Members of the Assembly, particularly the ones from the Education Committee at that time. I had occasion to go that day with another party colleague Mrs Brenda Hale, who took the opportunity to go, on the invitation of the principal, and see around the site as a member of the Education Committee. It was disappointing, because there we had someone who is not directly connected to the school and could be seen as an outsider or visitor coming to the school on its invitation to see the accommodation, and the first thing that struck Brenda that particular day was an awful smell. The reason I say that is that we even have a problem on the current site with the septic tank. Again, the problem has been there for some time. The education board is familiar with the problem and has failed to do anything about it.

As I have said, the real impetus for the discussion today is to flag up the issue. When I first proposed the topic, I had a phone call to say that some were concerned about the way I worded the topic and the fact that it was the future. I want to put it clearly on the record today — I can surely speak for myself and my party colleagues — that we want to ensure a good future for the school, the staff and the pupils and the continuation of the good educational outcomes that we have had in that school. To deliver those, we need modern facilities and accommodation so that the teachers are not expected to deliver that education in poor buildings and accommodation.

I am pleading with the Minister today to look at the issue. I know that your party colleague spoke to you about it because I had a conversation with him, and I know that we have Mitchel's support. Today, we ask you to do what you can as the Minister of Education to help us to help the children in South Antrim, particularly in Creavery. We ask you to give us a good-quality school so that we can continue. If parents choose to send their children to that school, we can increase its numbers.

I have not had permission to do this — I am sure that I will not get into too much trouble — but I extend an invitation to you, Minister, to come to Creavery and see the buildings in which our children are being educated and the standard of the facilities. I am sure that you are aware of the outcomes and results of the quality education that they receive. I invite you and Members for South Antrim to attend the school at a time that suits you to see what the North Eastern Education and Library Board has been doing — or, in this case, not been doing — so that we can continue to move Creavery forward.

Mr Mitchel McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I endorse Trevor's comments and his description of the conditions for the children who attend the school and their teachers.

I want to talk about the educational experience of the children because I think that it is remarkable. I do not think that it is just a case of people rising to the challenge of adversity; I see commitment, dedication and vocation over and above the curriculum requirements. The teachers ensure that the children are given a grounding for life. It is very difficult to quantify or measure that or build it into the criteria for sustainability. It is difficult to put that

into an area planning process even though those are the essential foundation stones of an education service across the region. This school is an exemplar, which is not, in any sense, to pass judgement on schools that I have not had the privilege of visiting. I have been at the school on a number of occasions, and that is the impression that I come away with.

I park on a narrow country road, which is what all who visit the school and parents collecting their children have to do. It is a school that has served generations in the area but is not in the ownership of the board of governors or the education and library board. The school is leased from Lord O'Neill. I attempted to talk to Lord O'Neill to see whether he could help us to resolve that anomaly. However, what I find more than contradictory in how we map out strategic development processes is that the issue of the lease on this school has yet to be formally resolved. That makes it difficult to be able to say with any confidence that there is a commitment to it.

The fact that the school falls below the thresholds, and I am sure that the Minister will take the opportunity to comment on that, does not necessarily mean, in a rural context, that it is automatically surplus to requirements. In addition to the rising numbers, the fact that parents choose to send their children to this school, and will drive the necessary distance to deliver them in the morning and collect them in the afternoon, demonstrate that it has a future.

My comments are based on a fairly realistic view of how we as an Assembly have to support our Executive, who in turn have to work with the education authorities to ensure that we deal with the fact that there are 85,000 surplus places in our schools estate. However, the quality of education has to be a criterion as well, and this school is, I think, an exemplar. Certainly, of all the campuses and schools that I have had an opportunity to visit, this one ranks significantly for me.

That is down to the quality of leadership and teaching staff in the school.

4.00 pm

The parents are responding, and I hope that the Department, and the board in particular, will respond. I am not looking to make any official's job more difficult, but I am beginning to wonder where, over time, the commitment to the school is. Have we ended up in a situation, contrived or created through neglect, where the very viability of the school is being considered? That completely overlooks the fantastic foundation that those children are being given for their further education and their life. We could not pay enough money for that type of experience.

Mr Girvan: I thank my colleague for securing the debate. It has come out very clearly that Creavery Primary School is performing well and producing excellence not because of wonderful facilities but in spite of its facilities. I reiterate that the school was established in 1827 and has a long history of delivering education in the area. I appreciate that the enrolment figures are increasing, as opposed to other schools in which they are going down. Parents are making a choice to send their children to a school that is performing.

We received a report recently through the Audit Committee that identified that it is not necessarily schools with wonderful facilities that achieve. An awful lot comes down to school

leadership from the top. Unfortunately, such leadership does not always make its way out of a school — by that I mean to the North Eastern Education and Library Board. The board has dragged its feet on essential health and safety issues that should have been dealt with and repairs that should have been undertaken. My colleague mentioned a mobile classroom that is long past its sell-by date, which probably requires more than just a sticking plaster.

Pam and Danny visited the school recently to look at the roads and the lack of on-site parking. People have to park on a small rural road, which has resulted in major problems.

It is about the education that children receive at the school, something that most parents are proud of. One teacher has excelled in bringing the school forward in science, equipping young people to move on to secondary education with a good grounding in the sciences, which is sadly lacking in a number of other areas. If that starts at primary level, it will work its way through, and you will deliver people who have an interest in and enjoy the sciences. That will maybe drive them down the engineering route, which our country was very good at and really needs to get back to.

Trevor mentioned a number of areas that we need to focus on, including the lease. I appreciate that the MP for the area, Dr William McCrea, has been working with the board of governors to ensure that the lease is at least put in place to give some continuity and security to families. Although families think that there is a possibility that the lease will not be there, people will vote with their feet because that message is being sent out by stealth. I do not believe that any of these things happen by accident. There are those behind the scenes who manipulate to achieve their own agenda. Unfortunately, it does not always work out that that agenda is for the betterment of the community.

Mr Clarke: Will the Member give way?

Mr Girvan: I will indeed.

Mr Clarke: I accept what the Member said with regard to people voting with their feet. However, you will accept that, in this case, parents have been very supportive of the school. Instead of them voting with their feet, the school is actually bursting at the seams because of its good educational outcomes. Instead of deciding to take their children out, they want to bring their children to the school, even though the conditions are bad. This is really about the North Eastern Education and Library Board getting its act together.

Mr Girvan: I thank my colleague. That is exactly the point. On many occasions, people vote with their feet. However, because of the excellence that they receive at the school, parents have a commitment and a buy-in and, as a consequence, it is full to capacity. That is something that we take great heart from. Communities are built up around schools. They are more than just centres of education; they become hubs for communities, and we hope and pray that that has some longevity to it. To ensure that that happens, it is vital that those messages go out and that there is buy-in, not just from the teaching staff and the families who send their children to it, but from the Department and the North Eastern Education and Library Board. We want to ensure that education is delivered at that location for the long term. The accommodation that is there needs to be brought up to a standard that not only meets health and safety, but is also future-proofed for

the area. I do not think that any of us in the room would say anything different. We are all united, and we have no personal agenda. We want to see the school go forward in the future.

Mr Kinahan: It is very good to have the Minister here and to have the chance to speak for Creavery Primary School, which is a real gem. Another Member said that it was remarkable. It is a truly remarkable school, and it really is a gem. I would like to spend the time that I have to speak showing you some of its wonderful achievements and what it is managing on. However, I also reiterate the invitation. If the Minister has time and can get to the school, we would love to show him the facilities and how on earth it manages such achievements with those facilities. I also call on the Minister to put a little bit of pressure on the board to get its finger out and help the school.

However, if you were to judge the school on the viability audit factors and you were to start in education standards, you would see that it has some of the very highest here in Northern Ireland for a primary school. One hundred per cent of the children who sat the transfer test received the grade that would let them go where they wanted to go and, at the same time, they all got to the school that they wanted to go to, and that is a sign of how well the school is looked at. The school has a science specialism and, from my Education Committee role, I know that the more and more that we learn about the future, the science and technology role is something that we should nurture through all our schools, not just at Creavery but probably using Creavery as the example for all the other schools. With regard to future careers, we are told that 80% of jobs are going to be technical or scientific; therefore, we need to start children off at primary school. Here you have a school that really succeeds almost more than any other.

It is in the top three with regard to parents' participation, and it is a runner-up in working with the local community. It had the UK science teacher of the year in 2011 and 2012, and I was very pleased to have the school up here after that and to share that success with them. It has great plans for the future. Its principal has been selected as an associate assessor. Again, through the Education Committee, we have heard recently how important and how excellent the associate assessor is, not just for the teachers who are doing it, but for sharing with all the other schools that they go to. Therefore, it is very much at the forefront of everything with the schools. I believe that, at the moment, it is working towards getting iPads and things for some of the pupils. It is a school at the forefront. It also shares its sports and music with all the other schools around it. It brings in other groups to visit — the local senior citizens, and everyone else. It really makes the most of being in the countryside. I do not think that you will find other schools that are doing nearly as much as it is doing. Its finances are sound; it has a small surplus, and that surplus is predicted for the next two or three years. With that, it is working its way forward. With the recent changes to the common funding formula, it looks as though it will get more in the future. I very much welcome that.

You have heard us saying that its numbers are good. I know that the Minister has said that he will not judge things by numbers, but here is a school that was at 68. It will be up to 72, and it would like to move up to 80. To be able to do that, of course, it needs the buildings. It is very likely that it will get to 78 this year.

It was noted in the viability audit that it should look forward for possible consolidation. It does not need to consolidate with other schools so much; it makes terrific use of working with them. It has worked with Carnaghts Primary School and found its way forward. It has done some work with St MacNissius' Primary School. It is also looking at doing some work with Antrim Primary School in the future. Here you have a school that really is trying to do everything that is being asked of it and is succeeding and doing it better.

However, as others said, it needs to have its lease sorted out. I have to declare an interest as a good friend of Shane O'Neill. I would not put any pressure on him other than to give him a quiet nudge and say, "Come on, let us have a good deal for this school". Many schools have leases. It should not be seen as something that works against a school. It should maybe be seen as the way forward.

Mr Clarke: Will the Member give way?

Mr Kinahan: I will certainly give way.

Mr Clarke: On that point, I understand your friendship with Shane O'Neill. The debate today is not about the person who holds the lease. It is about the inability of the North Eastern Education and Library Board to make those approaches to make sure that the lease is in place. We would not want it to be implied that we were making derogatory comments about the landowner.

Mr Kinahan: Thank you very much. That is a very good point. The lease is up shortly, and we are told that it will be done only on a year-to-year basis. We want to see a proper long-term lease. As I was saying before I took the intervention, we have plenty of examples of really successful schools, particularly in the Irish-medium sector, that pay on long-term leases. That is what we should be looking for.

I was really trying to get the point across that here you have a school that is quite excellent. Let us make sure that we use it as an example for others and build on it. I could go on: I have pages and pages of notes and details about why this school is so special. We need to get the lease sorted out quickly; get the car parking worked out; try to get the road safety sorted out; and then get the buildings. Here you have got a gem of a school.

Mrs Cameron: I also thank my party colleague for making sure that the debate happened today.

We are always conscious of the ever-present conflict in education between providing parental choice, ensuring access to the best education for children and establishing value for money for the taxpayer. I believe that Creavery Primary School exceeds those expectations and provides high-quality education, which gives taxpayers great value for money by being open and accessible to all in the community and allows parents choice, not just of where their children will attend primary school, but in post-primary education.

Creavery Primary School has been at the heart of the rural community in South Antrim since its founding days in the 1800s. In this age of falling enrolments, the school continues to grow. It has the highest level of enrolments in recent years and has had to develop a waiting list for entry. That is evidence that parents in that community value the education that is provided by that school.

Although small, the school has had a high level of achievement in recent years. It has been recognised as a specialised science school, which is an achievement that was given only to one other school in Northern Ireland and, in 2011-12, it won the UK science teacher of the year award. Aside from that wonderful achievement in its own right, it helped the school to secure over £8,000 of external funding to enhance the learning experience of those who attend the school and of those in the community.

Creavery Primary School was also placed in the top three schools for achievement in parental participation. The Department has been placing increasing media focus on that area. As we know, the more involved a parent is, the more positive the outcome for the student. The school is a prime example of a learning community, which has been a focus of the Executive in recent years. This school has embraced that cultural initiative to ensure maximum benefit for potential and existing pupils. It regularly partners with neighbouring schools, such as St MacNissius' Primary School, Carnaghts Primary School and Antrim Primary School. Additionally, it has strong links with post-primary education through partnership working with Parkhall college. I believe that that shows the school's commitment to working in a learning community for the benefit of the community and pupils.

4.15 pm

One of the school's main benefits is that it is a rural school catering for rural children; the nearest school that can provide such a service is five miles away.

Mr Clarke: Will the Member give way?

Mrs Cameron: I will indeed.

Mr Clarke: It is interesting to hear you set the context again. I apologise for rising so many times, but I was struck by what you said. Some of us have had an opportunity to go round many schools and to attend PTA events. This school's PTA events have also been recognised. On my first time at the school, I learned that it runs a barbecue. One of the things that struck me is that a school in an urban setting would not get nearly as much buy-in from the local community as Creavery gets in a rural setting. So, the school also plays an important role in providing activities outside school in a rural setting.

Mrs Cameron: I thank my colleague for those comments, and I wholeheartedly agree with them.

I was pleased to note that, in 2014, 100% of the pupils who sat the unregulated transfer test gained results that allowed them to access the post-primary school of their choice. In 2011-12, all children transferring from the primary school achieved offers of places in their first-choice post-primary school. That indicates the high level of achievement that the school constantly delivers and the regard in which the school is held by the local community in general and the educational community in particular. The educational assessment of the children's ability is shown by report to be true, fair and accurate. That allows post-primary schools to place the children in the appropriate learning environment.

Schools are not just about the children who attend them. In my view, it is important that a school is the hub of the community. Football should not be confined just to those who have children attending the school, and I believe that

this school has embraced that ideal by catering for the community's wider needs. Some of the opportunities that the school represents to the community include, to name but a few, bumps and buggies, craft and craic, and ladies and men evenings. That work was recognised by PTA NI when the school became a runner-up in the working with the local community award.

The school may be a small rural school, but it has a large heart and soul. So, rather than looking to relocate the school, it should be recognised that it is central to the rural community. Moving the school to another site, closing it or amalgamating it would risk undoing all the positive work that the staff, pupils, parents and board of governors have worked hard to achieve. It is my hope that the authorities can build on the school's success by assisting further progress and ensuring that its access roads and parking facilities are safe for children, parents and residents alike. I wish the school continued success.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. I welcome this debate, because it gives me an opportunity to make some points about local issues, statutory responsibilities and strategic issues in education.

First, I will look at responsibilities. All of us, as MLAs, must represent our constituents, and an important part of that is bringing forward concerns about our local schools. However, we must consider who does what in the education sector. Where does responsibility for particular issues lie? I mentioned that very recently when we discussed the Newtownbreda/Knockbreda amalgamation by the South Eastern Education and Library Board.

Creavey Primary School — did I pronounce that correctly? — is a controlled school, and its maintenance is the responsibility of its managing authority, the North Eastern Board. That means that neither I nor my officials has any direct role in fixing the issues that Members raised today. I will explain that further, however. In fairness, many Members mentioned this, but responsibility lies with the board. Members have brought this issue to my attention in a bid to get me to raise it with the board as well, and I have no difficulty with that.

Although the focus today has been on one school, I will take a moment to highlight the bigger picture. The sustainable schools policy has set out criteria for a network of viable, sustainable and educationally sound schools. The policy is being implemented through the area planning process. It will result in major changes in the education landscape and will affect schools across the five existing education and library board areas.

I often say that area planning is about the pupils rather than the institution. I have said that I want viable and sustainable schools, but that does not mean an automatic cull of small schools or, indeed, of small rural schools that are below the enrolment threshold. It does mean, however, that we must look critically at such schools and ask whether it is really in the pupils' interests that they remain.

As Minister, I must decide on all development proposals that are brought to me, and I will consider each on its own merits. I hope that Members will also think about that bigger picture. I hope that we will have debates about wider, strategic issues, as well as about specific cases, and that we look at the interests of our pupils collectively as well as in individual schools.

Mr Clarke covered some of the points on area planning. Members will be aware that I commissioned the process of area-based planning and asked the education boards, in conjunction with CCMS and working with the other school sectors, to produce a single strategic area plan for the boards. The primary area plans were published in March last year, and the public consultation was open until the end of June last year.

Turning specifically to Creavey Primary School, the primary area plan that was published for public consultation proposed that a:

"Local area solution ... be explored to include consideration of consolidation with another school on a site to be identified."

The reason provided for that was that there were more than two composite classes in a single classroom and only three teachers. The sustainable schools policy recommends that there be no more than two composite classes in a single classroom and that there should be a minimum of four teachers.

Mr Clarke: I thank the Minister for giving way. That cuts to the core of the issue — the fact that we have composite classes in the school and that it has the accommodation of the size that it is. Had the North Eastern Education and Library Board done what many of us would expect and let the school grow, we could have had more teachers and less possibility of classes such as you referred to. As Mr Girvan said, it is as if the board sometimes does this for other reasons and actually causes these problems. We have a school that has applied for increased enrolment over a number of years. The school could grow much more, which would address those issues. However, the fact that the North Eastern Education and Library Board is not willing to act is inhibiting the school's growth.

Mr O'Dowd: I take on board the Member's comments. A number of Members referred to Creavey Primary School's enrolment also being below the recommended sustainable schools policy threshold of 105. However, I have made my position clear on many occasions that a school's future is not in jeopardy simply because of small enrolment numbers, and many Members here have referred to the quality of education provided at the school.

Education boards are revising the primary area plans, taking account of the consultation responses. The revised area plans are due to be submitted to my Department this spring. Education boards are the statutory planning authority for schools and the managing authorities for controlled schools. If the board wishes to make a significant change to the school, such as expansion, closure or amalgamation, it must publish a development proposal. I make the final decisions on all development proposals, considering each case on its merits and taking into account all relevant information. Were such a development proposal to be published, I assure Members that I would be more than happy to engage with them in regard to it. It is not appropriate, therefore, for me to comment on the future of any individual school, as I would not want to prejudice the outcome of any future potential development proposal.

I am also aware of issues regarding accommodation at the school, and I understand that the board is considering a minor works scheme to address accommodation and

parking deficiencies at the school. I am advised that those proposals are at detailed design stage.

As you may be aware, and as was mentioned, the site of the school is leased from two parties, and I appreciate the concern regarding the expiration of those leases. For the minor works scheme to progress, it is essential that the board have assured access to the site for an acceptable period. To achieve that, the board and landlords need to reach an agreement on the terms of any new lease. The board has informed me that it is considering this matter, and, as I mentioned earlier, Creavery is a controlled school, the maintenance and lease of which are the responsibility of the North Eastern Education and Library Board. My officials and I have no direct role. However, I assure Members that I will raise the concerns raised in the debate with the North Eastern Education and Library Board and seek further clarification around all of them.

I am also more than happy, if the school wishes to write to me, to consider visiting it. I am aware that my diary is pretty hectic until the end of May, but if I am available afterwards or before, I am more than happy to facilitate a visit to the school as well. Thank you very much.

Adjourned at 4.24 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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Agriculture and Rural Development

Rivers Agency: De-agentisation

Published at 12.00 noon on Friday 21 March 2014

Mrs O'Neill (The Minister of Agriculture and Rural Development): Rivers Agency was established as a "Next Steps" Executive Agency in October 1996. Since then, much has changed and there is the opportunity to make its administration more efficient and scrutiny more consistent, without impinging on the operational autonomy of the staff carrying out its functions. Therefore, I have decided that Rivers Agency will cease to be an Executive Agency and will be subsumed within my Department, with effect from 1 April 2014.

Rivers Agency will continue to deliver the same core functions as before. This change is largely administrative and, initially, the only outward sign of de-agentisation will be that Rivers Agency will no longer be required to produce separate annual accounts. Accounting Officer responsibility will pass back to DARD's Permanent Secretary and the final set of Rivers Agency Accounts will be laid before the Assembly this Summer. Rivers Agency will retain its name for the immediate future.

Environment

Local Government Reform: Councillors' Remuneration and Final Scheme of Allowances

Published at 1.00 pm on Wednesday 19 March 2014

Mr Durkan (The Minister of the Environment): On the 1st May 2013, a Councillors' Remuneration Panel for Northern Ireland, comprising a chairperson and four members, was set up to consider allowances for councillors, from June 2014 - March 2015 (Shadow Period) and from 1st April 2015 and beyond (New Councils).

The Panel was asked to consider and make recommendations on:

- The system and level of allowances which would be available to councillors from 1 April 2015 taking into consideration the role and responsibilities of councillors post-reform, the proposed new governance arrangements (particularly in relation to SRA) and schemes of remuneration for councillors in other jurisdictions in Britain and Ireland;
- The system of remuneration /allowances which would apply for a council chairperson and vice-chairperson; and
- The allowances which would be payable to councillors during the shadow period.

The Panel submitted its report to me on the 1st November 2013, making ten recommendations on:

- (a) Basic Allowance ;
- (b) Special Responsibility Allowance for committee chairs or Cabinet members;
- (c) Productivity Allowance for Chair or Mayor;
- (d) Vice-chairs;
- (e) Indexing;
- (f) Remuneration for the shadow period in 2014;
- (g) Travel and Subsistence Allowances for "approved duties";
- (h) Caring or Dependant Carers' Allowance;
- (i) Office Support Allowance;
- (j) Training and Development (attendance) Allowance.

The Panel's Report is attached at Annex A

Departmental Response to Recommendations

I considered the recommendations made by the panel in conjunction with the views of the Political Reference Group for the Local Government Reform Programme and also representations made to me by the groups including the National Association of Councillors and a summary of the views put forward by those who attended one of the five targeted stakeholder events held by my Department. My response to the recommendations of the panel is attached at Annex B and a copy of circular setting out the resulting scheme of allowances is attached at Annex C.

Financial Implications

The allowances set are a maximum limit. From April 2015 onwards, all payments will be made by councils out of council funds. If all councils pay the maximum permitted and use all of their Special Responsibility Allowance, the overall cost would be £7,328,400 per annum, excluding travel and subsistence. This compares to £5,936,718 in 2012/13 (Figures for 2013/14 are not yet available). During the shadow period, the cost of allowances for those elected to the new councils will be partly met by the Executive who have agreed to provide £5.2 million for councils in shadow mode. Of this allocation the maximum amount made available for councillors' allowances is £4.5 million and for travel and subsistence and other expense is £700,000.

Arrangements for Review

The value of the basic allowance and SRAs will be updated in line with pay for council officers. However, as the Executive has made a commitment to review the transferring functions in 2016, I will review the basic allowance if and when further functions are transferred.

Copies of the annexes to the statement have been laid in the Assembly Library.

Health, Social Services and Public Safety

Emergency Departments in Northern Ireland

Published at 12.00 noon on Tuesday 18 March 2014

Mr Poots (The Minister of Health, Social Services and Public Safety): The purpose of this Statement is to update the Assembly on the progress being made on a number of actions across the Health and Social Care sector aimed at ensuring the safety and quality of services provided by our emergency departments. It is important that the public is aware of this work so that it can have confidence in the services being provided in our emergency departments and across health and social services more generally. I specifically want to update members on what is happening at Belfast Trust and also at Lagan Valley and Downe Emergency Departments as well as a range of wider actions being taken forward.

Members will recall that in my Statement to the House on 10 February I advised that I had commissioned the Regulatory Quality Improvement Authority (RQIA) to do two things in response to the issues identified within the Emergency Department of the Royal Victoria Hospital which would help ensure that the Belfast Trust and wider Health and Social care system could act as effectively as possible on those issues and ensure a full and open process of review.

Firstly, I instructed RQIA to carry out an inspection of the Royal Victoria Hospital Emergency Department and Acute Medical Units over the weekend of 31 January to assess the quality of care and dignity afforded to patients. Secondly I asked that RQIA conduct a wider review of the arrangements for unscheduled care within the Belfast Trust and for regional co-ordination and escalation.

Regarding the inspection which was carried out over the weekend of 31 January, members will recall that the initial feedback in relation to the issues identified within the RVH caused me to have serious concern about whether the Belfast Trust was consistently performing to the high standards that I and Assembly Members expect, whilst recognising however that some of these are wider issues that cannot necessarily be addressed by the Trust on its own.

The RQIA has advised that they will provide me with a final report of their inspection in early April. Crucially, this report will include a Quality Improvement Plan which will set out the proposed actions of the Trust to address the findings of the RQIA Inspection, and further work which may be required.

I can however inform the Assembly that the Belfast Trust is already in the process of taking forward a number of actions in immediate response to the feedback they have received. These include an urgent review of nurse and medical staffing levels in both the Emergency Department and the Acute Medical Unit which has now been completed. Additional nurses have been appointed on foot of this, 15 to the Emergency Department and 25 to Acute Medical Unit. The Trust has also appointed a dedicated clinical co-ordinator senior nurse for the Acute Medical Unit.

Exploratory action has also begun to identify any immediate opportunities to improve the flow of patients out of the

Emergency Department as well as to and from the Acute Medical Unit with the aim of reducing pressures there.

The Trust is also working to ensure the key functions of the Acute Medical Unit and specialist Units in relation to patient intake are understood with clarity; as well as reviewing the timings of key meetings to ensure that specialty triage decisions are taken as early as possible.

Further the trust is examining what immediate actions it can take to reduce the number of patient in outlying wards.

Ensuring that patients are properly tracked throughout their hospital stay is also a key area of work that the Trust is taking forward. At present all patients are tracked on the Patient Administration System however the Trust plans to implement an electronic tracking system as rapidly as possible.

This is in addition to work that had already commenced following receipt of a report from the College of Emergency Medicine in November 2013 in response to an inspection which the Trust had commissioned. Changes already introduced following that report include:

- establishment of a new Directorate of Unscheduled Care with a Director, Associate Medical Director and Medical lead tasked with leading improvement and modernisation of urgent care within the Trust. A Reference Group chaired by the Medical Director brings together senior doctors from all the relevant specialties to advise and support this process;
- two Emergency Department nurses will undertake training as Advanced Nurse Practitioners, which will mean that they will be able to provide some services in the Emergency Department which would traditionally be undertaken by middle grade doctors. It is the Trust's intention to support more;
- a Programmed Treatment Unit (PTU) is now in place on the Royal site to provide treatment for patients which would previously have required them to remain in hospital;
- establishment of an Emergency Surgical Unit (ESMU) on the Royal site to ensure the early involvement of surgeons in the management of cases presenting to the Emergency Department. I understand that this has already had an impact in reducing waiting times in Emergency Department whilst providing much more timely surgical care for surgical patients. It is worth noting that this particular development has received a Quality Award from the Institute of Healthcare Management;
- the role of the Acute Medical Unit has been expanded to include input from Acute Medicine and Geriatric Medicine consultants aimed at providing senior medical care more rapidly to medical patients;
- the Trust has also piloted a Programmed Treatment Area in the Emergency Department, which enables ambulatory diagnostic assessment of patients who might otherwise be admitted, and they are working with the Health and Social Care Board to develop a regionally agreed approach.

The actions I have outlined are in direct response to the recommendations emanating from the inspections. However, a number of other changes are currently being implemented within the Trust with a view to enhancing the

flow of patients through the system and ensuring quality and safety of services. These include:

- The establishment of an Acute Medical Assessment facility within the Acute Medical Unit to allow much earlier intervention for medical patients presenting to the Emergency Department. Patients referred by their GP for possible medical admission will be assessed here rather than in the Emergency Department. This will enhance the service already available on the Belfast City Hospital site;
- The Trust has also piloted a successful "Acute Care at Home" service headed by a consultant which can provide care at home which previously would have needed hospital admission. This is in line with developments as part of the Transforming Your Care changes.

These actions are specific to the Belfast Health and Social Care Trust but I would look to the HSCB and the PHA working with the Trust to ensure that lessons learned and best practice are shared more widely across not just the Trusts but also in primary and community care settings which are vitally important in ensuring the effective operation of our Emergency Departments.

We have seen significant improvement in the number of 12 hour breaches. Regionally there has been a significant reduction in the number of patients who have waited longer than 12 hours - from September 2013 to January 2014, 558 patients waited longer than 12 hours compared to 2,248 during the same period last year, a reduction of 75%. This is welcome but it needs to be built on and improved. Clearly there remains much to be done to ensure delivery against the 4 and 12 hour targets that I have set for EDs.

Emergency Department performance continues to be a focus of engagement by the Health and Social Care Board and PHA with Trusts and I continue to look to the HSCB to work with Trusts to ensure the necessary improvements are made.

One example of this is work being undertaken by Commissioners to improve the flow of ambulance borne patients to all acute sites. The Health and Social Care Board has worked with NIAS and BSO to develop a web-based dashboard with indicators measured against agreed baseline activity, which provides an indication of ED pressures and in turn informs patient flow decision making for Ambulance-borne patients.

Initially this development is focusing on the following six major acute Type 1 Emergency Departments: Altnagelvin, Antrim, Craigavon, the Ulster and the Mater. The dashboard is due to go live in April 2014.

The HSC Board has also provided funding to NIAS to appoint Hospital Ambulance Liaison Officers (HALOs) in Emergency Departments to help improve ambulance turnaround times. Feedback from Trusts on the effectiveness of these staff has been very positive with noticeable improvement in hospital turnaround times. The HSCB has therefore extended the funding for HALOs for a further year while a full evaluation takes place.

Regarding the wider RQIA review of the arrangements for unscheduled care within the Belfast Trust and for regional co-ordination and escalation I am pleased to inform the Assembly that the review team which will be led by Dr David Stewart, the RQIA Director of Reviews and Medical

Director, has now been appointed, and will include the following members:

- **Professor George Crooks, OBE**, the Medical Director of NHS 24. Professor Crooks will be contribute expertise in examining the links between primary care/ ambulance service and hospitals;
- **Dr Alistair Douglas**, President, Society for Acute Medicine – consultant in acute medicine in Dundee, who will offer his expertise in management of Acute Medical Units;
- **Kathy Fodey**, Director of Regulation and Nursing, RQIA who will offer expert assistance in nurse education;
- **Paul Harriman**, Assistant Director, Service Improvement, Sheffield Teaching Hospital – who has been involved in a major patient flow project in Sheffield teaching hospitals and will bring this experience to bear in looking at patient flows through the entire system;
- **Dr Taj Hassan**, Vice President, College of Emergency Medicine. Dr Hassan will bring his considerable experience as an Emergency Department consultant in Leeds;
- **Mary Monnington**, Independent Nurse Advisor – Mary is a former ED nurse who has considerable experience of several similar reviews of emergency medicine;
- **Dr Elizabeth Myers**, Nurse Consultant, Acute Medicine – will bring her expertise alongside that of Dr Douglas looking specifically at nursing issues in AMU;
- **Professor Bill Reid**, Dean of Postgraduate Medicine, South East Deanery, NHS Education for Scotland – who will assist the Review team with examination of issues in medical education;
- **Patricia Snell**, Deputy Director Quality Improvement and Patient Safety, Guy's and St. Thomas' NHS Foundation Trust –will look at governance issues across the system;
- **Mr Niall McSperrin** – an experienced RQIA lay reviewer

As regards the Lagan Valley and Downe hospitals I made it very clear that I was deeply disappointed that the South Eastern Trust had decided to close the emergency departments of those hospitals at weekends; however I accepted the Trust's difficulty in recruiting middle grade doctors or securing locum cover.

Although it has been necessary to temporarily reduce the opening hours of the emergency departments of the Lagan Valley and Downe Hospitals, I have challenged the South Eastern Trust, the HSC Board and the Department as to why this change has proved necessary, particularly during the winter period and I have asked for several key actions to be taken.

Firstly, that all appropriate and feasible steps are taken to ensure that the consequences of these changes are managed in a way that minimises the risk of unmanageable pressures on the emergency departments at the Ulster, Royal Victoria and other affected hospitals, so that patient safety and the quality of the patient experience is not compromised. The Trust and the HSC Board have assured

me that the numbers of attendances and admissions likely to arise at other sites will be manageable.

I have been advised that GP Direct admissions are working well for Lagan Valley and Downe. At Lagan Valley, to date on average three patients are being admitted at weekends from the GP Out of Hours service and a further four are being admitted directly as a result of other non-elective admissions i.e. transfers from other hospitals. With regard to the Downe Hospital, on average nine patients are now being admitted at weekends from the GP Out of Hours and a further two as a result of other non-elective admissions. A learning event was held between the Trust and Lisburn GPs on 27 February 2014 to further engage GPs and a key focus of that event was the direct admissions process. The Trust will continue to refine the process in conjunction with GPs.

In respect of the repatriation of patients from other hospitals to the Downe and Lagan Valley Hospitals, the Trust report good cooperation from the NIAS and that there is effective repatriation of patients where clinically appropriate.

The South Eastern Trust recently launched a pilot minor injuries unit in the Downe Hospital at weekends and will pursue similar provision for Lagan Valley Hospital. The Trust is currently recruiting Emergency Nurse Practitioners and a number of its own nursing staff are currently completing their specialist practice Emergency Nurse Practitioner programme through the University of Ulster. They are due to complete the programme in May 2014 following which they require a minimum of 4 months supervised practice working as nurse practitioners with minor injuries patients before they can practice autonomously.

The Northern Ireland Medical and Dental Training Agency (NIMDTA) recently met with the Trust. It had no concerns with training and deployment of junior doctors in Lagan Valley and Downe as a result of weekend ED closures. NIMDTA indicated greater levels of supervision are now in place in ED across the 5 day service.

Secondly, I asked the HSC Board and the Trust to accelerate the work to develop and implement the new model of care at the Lagan Valley Hospital which will enable many of those affected by these changes in the short term, to resume receiving services locally.

Work on the development of a Business Case for the implementation of the new model of care at Lagan Valley Hospital is ongoing.

Thirdly, I have asked that fresh efforts are made to secure medical staffing for both sites;

The Trust recently concluded a recruitment drive for Emergency Department Staff – ED Consultants, Middle Grade Doctors and Emergency Nurse Practitioners. I am pleased to advise that the Trust received a number of applications for their Consultant posts and are concluding the recruitment process. Unfortunately no applications were received for the Middle Grade posts. In terms of the Emergency Nurse Practitioner posts, these applications are also being processed with a view to appointments in the near future. The Trust continues to work with recruitment agencies and will attempt to recruit again in the open marketplace.

In addition to this, I asked the HSC Board and the Trust to bring forward a detailed plan for the future of the Downe and Lagan Valley Hospitals with an implementation plan, to secure confidence in the community that the best possible steps are being taken.

My Department will shortly be engaging with the Health and Social Care Board and South Eastern HSC Trust in respect of proposals for the future model of both the Lagan Valley and Downe Hospitals.

As I have said on a number of occasions the problems which manifest themselves in our emergency departments are not issues for consideration in the context of the emergency departments alone but need to be considered from a "whole system" perspective. Often the best solutions to the pressures in Emergency Departments are found outside the emergency room. It is vital for example to ensure that we have effective procedures in place to ensure that patients are properly and appropriately discharged. We cannot have a situation where people are discharged too early, or with inappropriate support and care packages which results in a readmission some days later. Nor can we have a situation where valuable beds are being occupied by patients who no longer need to be in hospital, but are delayed because of lack of capacity to support them in the community or their own homes.

Recognising this, and as part of the RQIA's three year programme, a review of the effectiveness of our hospital discharge arrangements has recently commenced. This will play a key role in informing the outcome of the RQIA's review of unscheduled care. The care provided to older people in acute wards be inspected across Northern Ireland as part of the three year review programme. I expect to receive the report later this year.

All of this work will need to be drawn together with other work across the HSC and my Department to develop a strategic approach to addressing the quality of care patients receive in Hospitals.

In all of this work it is vital that we share good practice and lessons to be learned not only within the Health and Social Care sector here but across the NHS and more widely. For that reason I am pleased to advise the Assembly of a major summit which the College of Emergency Medicine has agreed to hold in Northern Ireland on the 9th April. This summit will bring together policymakers, key leaders in health and social care across NI, as well as staff who work on the front line and senior colleagues from across the UK to take a whole system look at our unscheduled care systems.

This "invitation-only" summit will ask attendees to discuss examples of best practice which they have been involved in and to share their experiences, views and ideas through a number of workshops including:

- Access to Unscheduled and Emergency care: and ensuring an integrated whole-system approach;
- Improving Patient Flow and preventing Exit and Access Blocking;
- Sustainable Workforce models and the challenges of providing 7 day services

Underpinning each of the workshops is a drive to deliver safe, effective and high quality services to the people of Northern Ireland.

The College has also agreed to work with colleagues in my Department and the wider HSC to hold a follow-up event sixty days after the summit to build on the outcome of the summit and develop recommendations on how to maximise the effectiveness of urgent and unscheduled care services in Northern Ireland.

My officials will work closely with the HSCB and wider HSC as well as with the CEM and others to draw together the outcomes and recommendations of all of these strands into an action plan to improve the quality of unscheduled care services in Northern Ireland.

Effective workforce planning is fundamental to ensuring we have the right staff in the right place to deliver safe and effective services for patients and clients both now and in the future. My Department has appointed the Centre for Workforce Planning to carry out a review of the medical workforce, including undergraduate intake levels. The output of this work will provide the strategic context for how the medical workforce is expected to evolve. It will highlight the key issues for the profession and identify emerging patterns. This will better enable the Department, the Trusts and the Universities to plan future delivery and ensure the workforce aligns with the direction set in TYC.

At an operational level there are several strands of workforce planning underway: these include specific workforce planning reviews for Nursing and Midwifery, and Medical for primary and secondary care.

I recently attended an Emergency Care Summit to take the valuable opportunity to hear the views of frontline emergency care practitioners and hear firsthand how the current situations facing Emergency Departments impact on both the patient and on staff.

At The Summit I had an opportunity for both myself and the Chief Nursing Officer to engage in an interactive discussion with the audience who were frontline staff and we were able to hear their concerns in relation to emergency departments and also their views as to how these concerns might be addressed.

Their concerns primarily addressed professional issues which centred on career pathways and access to training and professional development opportunities for nurses who wished to work in Emergency departments. They also highlighted issues around staffing levels and recruitment and retention of staff with appropriate skills for an emergency care setting and the associated pressures that this caused to staff.

I am therefore happy to inform you of the following measures which will address the issues which were raised at the Emergency Care Summit.

The Chief Nursing Officer is commissioning work to develop a Framework for Emergency Care Nursing. This work will be led by the RCN Emergency Care Network, chaired by a member of the Network and supported by NIPEC.

The Chief Nursing officer will also take forward a review of the Baseline Emergency Staffing Tool (BEST) which is a workforce planning tool that has been developed by the RCN Emergency Care Association and the Faculty of Emergency Nursing, by incorporating it within the current work stream of Workforce Review and Planning which is currently ongoing.

I am under no illusion that it will take time to make a difference. I don't expect change to happen overnight - but I do expect progress to be made. It is clear that there has been progress to an extent but much more needs to be done and we need to maintain the momentum that has been built. As I have said before these are complex issues and there are no easy solutions. In addressing these issues it will be important that we support and demonstrate our confidence in, the dedicated and committed staff who continue to deliver these vital services for our citizens on a daily basis.

Pharmacy in the Community

Published at 11.00 am on Wednesday 26 March 2014

Mr Poots (The Minister of Health, Social Services and Public Safety): I wish to make a Written Statement to the Assembly to advise Members of the publication of the strategy for the provision of pharmaceutical services in the community.

The renewed strategic focus is a tangible expression of my commitment to the future of role of pharmacy in the community as a vital and fundamental part of a patient centred, locally based care system. This aligns with wider transformational change in the Health Service.

The key themes of the strategy are pharmacy helping people to:

- Gain better outcomes from Medicines;
- Live longer healthier lives;
- Safely avail of care closer to home;
- Benefit from advances in treatment and technology.

In developing these themes, existing policies and strategies which particularly bear on the planning and delivery of pharmacy services in the community have been taken into account. These include: the Quality 2020 Strategy; the Long Term Conditions Policy Framework; the new Strategic Framework for Public Health; and the ongoing programme of transformational change across the HSC.

The strategy focuses on a number of key areas for the future provision of pharmacy services in the community which will involve pharmacists working in both primary care and community pharmacy settings:

- A refreshed professional focus for pharmacists working in the community on the safe and effective use of medicines demonstrated by the routine provision of information and advice to people when medicines are supplied and access to additional services to support improved adherence;
- A recognised role for community pharmacies as accessible public health resources commissioned to provide information, advice and services aligned to and directly contributing to the key objectives of the wider public health agenda;
- A clear and defined role for pharmacy led intervention within integrated care teams providing care and support for people closer to home by promoting self care and wellbeing through the safe and effective use of medicines and healthy lifestyles;
- Increased awareness from the public, healthcare professionals and commissioners of the information, advice and services available at community pharmacies and provided by pharmacists in other community settings;
- A recognised role for pharmacists in supporting key transformational change in the HSC by supplying services within the hub and spoke model;
- Wider use of IT to integrate community pharmacy into the wider HSC including appropriate access to the Electronic Care Record;

- The development of Patient Service Obligations on manufacturers and wholesalers to maintain a robust medicines supply to Northern Ireland; and
- Increased post graduate clinical training for community pharmacists and the development of a research-ready network of pharmacies.

The strategy will be published together with a press release on 26th March 2014 and can be accessed at DHSSPS website.

Northern Health and Social Care Trust: Implementation of Improvement Programme

Published at 11.30 am on Friday 28 March 2014

Mr Poots (The Minister of Health, Social Services and Public Safety): The purpose of this Statement is to inform the Assembly of progress on the implementation of the Improvement Programme at the Northern Health and Social Care Trust; emerging issues as a result of that work; and the next steps in taking this work forward.

This is an important matter and it is worth recapping on the background. Members will recall that I previously made two Statements to the Assembly regarding the work of the Turnaround and Support Team at the Northern Trust. In a written Statement to the Assembly on 10 December 2012, I announced the appointment of a Turnaround and Support Team to the Trust in light of concerns about sustained poor performance in relation to waiting times in the Trust's emergency departments, and a request from the then Chief Executive of the Trust for further support in addressing these issues. The overall remit of the Turnaround and Support team was to work alongside the support already being provided by the Health and Social Care Board and the Public Health Agency, to provide an assessment of the changes required to improve performance and to support the management of the Trust in the delivery of services.

Under its Terms of Reference, the team was asked to take forward the work in two phases with Phase 1 focusing on the analysis of the challenges facing the Trust and its ability to deliver on services commissioned; and Phase 2 focusing on turnaround and support in light of the findings of Phase 1.

In light of the findings of the Turnaround and Support Team in Phase 1, I announced the appointment of two Senior Directors on a temporary secondment to the Trust in May 2013. Mary Hinds was appointed as senior Director of Turnaround to lead the improvement Programme at Antrim and Causeway hospitals and the related community services and Paul Cummings was appointed as Senior Director of Corporate Management to oversee the remaining service Directorates and the corporate management functions. These appointments were made as part of a programme of intensive support to the Trust to ensure the necessary turnaround was achieved.

I made a further Statement to the Assembly on 11 June 2013, following receipt of the Team's Report containing the detailed findings of Phase 1 of that work. The report identified a wide range of issues that needed to be addressed in order to deliver improvement at the Trust and made five distinct recommendations. These were to:

- (i) enhance the leadership capacity at the Trust and empower clinicians to lead change;
- (ii) ensure support to deliver an Improvement Plan in three phases;
- (iii) gain assurance that Governance and Quality systems are robust;
- (iv) gain assurance that mortality data is robust; and
- (v) put in place a performance framework that would ensure delivery of the Improvement Plan and would

contain clear consequences for non-delivery, alongside incentives for delivery.

Overall, however, the analysis identified that the Northern Health and Social Care Trust was in a poor position and required intensive support to improve. But the important conclusion was that the Trust could be turned around.

With the continued support of the external Turnaround and Support Team, the Trust, led by these two Senior Directors, began the process of implementation of Phase 1 of the Improvement Plan, covering operational delivery of services at Antrim Hospital; operational delivery of services at Causeway Hospital; and maximising Primary and Community Care and Older People's Services.

Progress with the delivery of the implementation plan has been monitored on an ongoing basis under the aegis of an Improvement Oversight Programme Board chaired by the Permanent Secretary of my Department and I note the progress to date that has been made, though many challenges remain.

Operational plans for both Antrim and Causeway hospitals which identified new ways of working to improve performance, particularly in unscheduled care were completed in June 2013. Particular concerns had included overcrowding at Antrim Hospital, poor patient flow, poor patient experience and poor staff experience. On foot of reviewed operational plans, work has focussed on: management of demand and capacity; new admission pathways; direct access by GPs; new escalation procedures; introduction of some 7 days services; use of electronic real time reporting on patients in emergency departments; and use of electronic whiteboards to track patient movements.

As I said in my Statement on 11 June last year, I recognise that turnaround will not happen overnight. Change takes time and must be carefully planned and implemented. I am very grateful for the way in which the whole organisation, and especially the clinical staff, who previously had not been sufficiently supported and engaged, have responded to the challenges and opportunities and have begun a path of progress to make the Trust a real success. There has been some very clear evidence of improvement at the Trust – for example latest available figures indicate that in January 2014 the number of 12 hour breaches of the Emergency Department waiting time target had reduced by almost 73% when compared to the same time last year i.e. from 353 in January 2013 to 96 in January 2014. I know that no-one is under any illusion that there is still very much to be done and that work is continuing to address the issues highlighted in the report and take forward the implementation of the Improvement Plan in a sustainable way.

The turnaround process has now entered the second phase of implementation, with a concentrated focus on driving forward improvement. That work has included ensuring a culture of openness and transparency and sharing of information to foster effective learning not just within the Trust but more widely across the entire HSC system, and this is being secured through new and improving relationships within the Trust and with key stakeholders such as the GPs in the Northern Area. In its report to me last June the Turnaround team had questioned the culture of reporting in the Trust. The team also questioned how learning from incident reporting was shared. It noted that although the quality and frequency of reporting had improved, more work needed to be done to

address variable performance across the Trust in terms of learning from adverse incidents in order to ensure and improve patient safety. This is an important issue and one which is crucial to enable shared learning.

The issue of reporting can be difficult to address, as it is a feature of organisational culture which can only be improved by sustained encouragement and reinforcement of the fact that an open learning culture is essential to securing the best interests of patients, as, if mistakes are hidden they can be repeated but if they are disclosed without fear of unfair blame, lessons can be learned and shared. This ethos is absolutely vital in any sector where safety is an issue. It is worth noting that the level of reporting of Serious Adverse Incidents by the Northern Trust has increased significantly in the last year. Figures indicate that 131 SAIs were reported by the Northern Trust in 2013 compared to 63 SAIs reported in 2012 – an increase of more than 100% in cases reported – though as explained below, some of these incidents related to earlier years. This is a welcome change towards a more open and transparent culture within the Trust which facilitates the opportunity for learning and improving delivery of services across all of health and social care for the benefit of all of the patients and clients who rely on those services. I believe it reflects the positive commitment with which the clinical and care staff at the Northern Trust have responded in respect of the challenges of the Turnaround process.

A further significant component of the second phase of implementation, and the focus on driving improvements, has involved the Trust reviewing the operation and quality of services. This has involved the Trust looking at a range of evidence including examining and building on existing good practice within the Trust and has also involved looking back at previous incidents in order to inform the improvements which can be made.

In the course of this work the Trust has identified a number of cases where it believes that the quality of care it provided, and/or its previous response to cases where things went wrong, fell below the standard that I, the Trust itself, and most importantly, the population served by the Northern Trust, would and should expect. Earlier this week the Trust provided my department with a summary of a number of cases which it has looked at covering the period from 2008 to 2013. A small number of these cases had already been notified to the Department previously. I was briefed on Tuesday about these cases and felt it important to share, as far as is possible, the details of these cases and the actions that have been taken or are ongoing with the Assembly.

In a number of instances these cases highlight shortcomings in the reporting, investigation and learning from serious adverse incidents which date back a number of years. These shortcomings were reflected within the Turnaround team's report published last June. This latest information from the Trust has brought some key issues to light and it is important to me that these are explained publicly in a clear and appropriate context.

I want to assure the Assembly that, in light of these findings, the Trust has now taken prompt and appropriate action such as initiating fuller investigations and making sure all affected patients and families are given the appropriate information and support. I have asked the Trust to confirm to my Department as soon as possible that

all such action has been completed to ensure that these individual cases have all been reported appropriately, properly investigated and that learning from those instances is effected within the Trust and more widely within the HSC as necessary.

Members will appreciate that it would not be appropriate for me to give details of individual cases but equally it is important that I share with you, in the spirit of openness and transparency, the substance of those findings and the actions that have been or will be taken on foot of those findings.

The Trust has identified 20 separate incidents in which the response by the Trust was below standard. These instances were across a number of areas within the Trust including: in obstetrics and gynaecology; imaging; and the Trust's emergency departments. These incidents involved deaths in 11 cases of which 5 were perinatal deaths.

I would stress that it is not clear that these were avoidable deaths but it is clear that the Trusts response should have been better.

In 8 of these incidents there were delays in them being reported as SAls - the majority of these were identified as a result of the Trust reviewing complaints and clinical negligence claims against the Trust. The investigation of some of these cases are still on-going.

I understand that the imaging follow up cases that have been identified in this process related to incidents where there may have been a failure to follow up on x-ray reports and that in some instances these were not classified as SAls, thus missing an opportunity for learning and avoiding future occurrences. Those that were raised as SAls had resulted in a learning letter issued across the HSC in November 2012. However in light of the information in relation to all of these cases the Trust has completed a review of some 35,000 x-ray reports at Causeway Hospital covering all of 2011 and 2012. Of these, 9 cases were identified which require further investigation which is continuing. As a further and additional precautionary measure the Trust extended the review to cover the remaining sites across the Trust in January this year to determine whether there has been appropriate follow up in chest x-rays taken in 2013 where this was recommended. This involves checking whether the x-ray report contained a recommendation for further follow up and whether this was appropriately dealt with by the referring clinician. So far more than 19,000 reports have been reviewed and a further 28,000 are in the process of being reviewed. Of those reviewed to date 2 cases have been identified which will require further investigation. This review is ongoing. The Trust has assured my Department that there is no concern as to the accuracy of any x-ray reporting and I would again emphasise that this review is precautionary and patients who have had an x-ray in the Northern Trust should be aware that it has only been necessary to investigate further in a tiny number of cases. I would not wish patients to be unduly alarmed and if anyone has any concern, the Trust has a helpline in place to answer any questions.

In relation to obstetrics and gynaecology, we know that the majority of patients receive a very high quality and safe level of service, however, the incidents identified raised concerns about aspects of governance including the management of incidents. Informed by these concerns

and as part of an overarching review of Trust governance arrangements the Trust has carried out a review of Obstetrics and Gynaecology Governance. Among other things the review was aimed at assessing the culture within Obstetrics and Gynaecology with respect to learning from Serious Adverse Incidents (SAIs), Incident Report Forms (IRF) and litigation cases: assessing how such learning is shared; establishing if there are areas of practice that may cause concern; and to make recommendations for improvement where concern has been raised. The Trust is currently developing an action plan to implement agreed recommendations emanating from this review.

While the identification of an incident as an SAI does not in itself have any impact on the outcome for the individual patient at the time the incident occurs it is, as I have already highlighted, crucial that it results in a prompt and timely investigation so that any learning can be shared to ensure processes and procedures or other corrective action can be applied.

In continuing the drive for higher quality services we need to learn from past experience and share that learning across the system for the benefit of patients and of the staff who serve those patients on a daily basis. In my Statement to the Assembly on 11 June I was clear that learning from the turnaround work at the Northern Trust would be shared across Northern Ireland.

I want to consider the findings of the Northern Trust team in more detail, in terms of the issues they highlight, the implications, the challenges and how these can and should be addressed across the system.

More generally I want to consider the broader issues of the quality of care, openness, transparency, learning, and how the HSC responds when things do go wrong.

There are many factors that impact on the safety of care:

- Organisational leadership;
- Systems, policies & processes;
- The work environment, team communication, task complexity;
- Patient characteristics; and
- Staff knowledge, skills and motivation.

Given the multiplicity of factors, most unintended harm and unnecessary deaths are due to a combination of circumstances within a system rather than the failings of an individual. The vast majority of patients experience care that is of a very high quality. In Northern Ireland:

- Each year there are in excess of 15 million key interactions between HSC staff and healthcare patients and social care clients (patients and clients) in the form of appointments, admissions and other interventions.
- There are over 78,000 people employed in commissioning and delivering the full range of health and social care services to Northern Ireland's population of 1.8 million.
- Attendances at hospitals each year include over 1.5 million outpatient attendances, over 700,000 treatments at Accident and Emergency departments and around 500,000 inpatient or day case admissions.
- In addition to those who receive services at a hospital, approximately 105,000 patients/clients receive a range of health and social care provision on a typical day.

- Almost 6,000 complaints per annum are raised against Trusts by those who have accessed HSC services.

We have an SAI process in place which is a key driver to openness and learning. The fact is that in such a highly complex and stressful environment, no matter how committed or dedicated staff are, things on occasions, can and will go wrong for many varied reasons. While this only applies in a tiny proportion of cases, to deliver a high quality health and social care service, it is vital that learning is achieved from all such events and applied consistently so as to minimise, and to prevent in as far as possible the risk of reoccurrence. There can never be room for complacency. Safety will always be the component of quality that needs to be guarded and continually improved and consistent and timely reporting is fundamental to that. The price of quality is eternally vigilance.

No-one wants things to go wrong in our health and social care services, but when something does go wrong we need to know about it and act upon it to ensure that as far as possible it does not happen again. In that respect I want to acknowledge the fact that the Northern Trust team has brought this information to my attention and has acted immediately and correctly to address the issues in these cases as they were identified. I believe that what we are seeing is the outworking of the Turnaround in the Northern Trust and that the necessary transformation of organisational values and behaviour is well underway within the Trust. We are now seeing a culture of openness, transparency and sharing of information to foster effective learning being embedded within the organisation.

Changing the culture of an organisation requires resolute commitment and determination from the Trust Board to the Ward. I wish to acknowledge all the staff and managers in the Trust for their commitment in bringing about that change. That work is not yet finished, phase two of the Improvement Programme is well underway and it is essential that the positive developments at the Trust are built upon and sustained into the future. It needs to be embedded into everyday practice at the Trust. As the Trust continues with the programme of improvement stable and effective leadership will be critical and for that reason I welcome the fact that the Trust has moved this week to seek to fill the Chief Executive post on a permanent basis through open competition.

Mary Hinds, Senior Executive of Turnaround at the Trust will end her period of secondment to the Trust at the end of this week. I want to extend my sincere thanks to Mary for the work that she has done and the strong leadership she has demonstrated, together with Paul Cummings, in taking the turnaround process to this stage.

I have decided in light of these findings and having previously informed Members of poor practice in procurement in the Trust together with other issues that have been the subject of consideration, concern and debate for the Assembly; that I will commission further work to examine the HSC in its entirety in respect of its:

1. Openness and Transparency;
2. Appetite for enquiry and Learning; and
3. Approach to redress & making amends.

I will update the Assembly when I have finalised details of this work.

My overriding objective for the entire health and social care system is to protect and improve the quality of services we deliver. The Health and Social Care service must be safe, effective and totally focussed on the patients and clients it serves. They are at the heart of everything we do. That is what the public expects and that is what I require.

I want to conclude this statement by expressing my appreciation to the nurses and doctors, all of the front line staff at the Trust, and to the management team who carry corporate responsibility for the governance of the Trust's services, for their professionalism and dedication and unrelenting commitment in the services they deliver to their patients and clients.

Regional Development

A31 Magherafelt Bypass

Published at 4.00 pm on Tuesday 25 March 2014

Mr Kennedy (The Minister for Regional Development):

As Members will be aware, funding for the A31 Magherafelt Bypass was approved by the Executive in July 2013. I now wish to inform Members of my decision to proceed with this £40 million strategic major works project, with the making of the necessary Vesting Order and Commencement of Procurement for the scheme.

Following the public inquiries for the scheme the decision to progress the scheme was announced in September 2010. At that time the Environmental Statement Notice to Proceed and Direction Order were published, however, it was made clear that the timing of the making of the necessary Vesting Order would be subject to the normal budgetary process.

When developing major road schemes it is important that the obligations placed on the Department, by national and EC Habitats legislation, are fully considered. Part V of the Roads (Northern Ireland) Order 1993 sets out the statutory requirements for the assessment of environmental impacts of road schemes. Having caused an Appropriate Assessment screening exercise to be carried out, and an independent review of that screening exercise, and having considered the Environmental Statement and the consultation responses to it, I am satisfied that the likely significant environmental effects of the proposed scheme have been properly assessed and have been sufficient to inform judgements on the scheme. Accordingly, in light of the assessment undertaken and information presented within the Statement to Inform the Appropriate Assessment screening exercise and the Environmental Statement, I accept the Department's conclusion (as the Competent Authority) that construction and operation of the A31 Magherafelt Bypass scheme would not by itself, or in combination with other known plans or projects, adversely affect the integrity of any Natura 2000 sites and the Lough Neagh Special Protection Area.

I have carefully considered the Department's Statement and agree with its conclusions. I have therefore decided to proceed with the scheme. In doing so, I commit my Department to carrying out the necessary works to facilitate the Inspector's recommendations and the environmental design measures, as well as the mitigation measures detailed in the A31 Departmental Statement.

Construction of the scheme will provide approximately 6 km of new carriageway between the A31 Moneymore Road at Coolshinney Road, south west of Magherafelt, and the A6 at Castledawson Roundabout, north east of Magherafelt.

The new carriageway runs to the east side of Magherafelt and will provide significant benefits to the road user, with the main objective of the scheme being to reduce congestion within Magherafelt town and to improve journey times and road safety.

As well as benefitting the economy, the scheme will also benefit the local construction sector through an increase in demand for construction materials as well as boosting commercial trade and the construction industry in the surrounding area.

I have asked my Department to make the necessary Vesting Order and to commence procurement. Subject to the successful completion of the procurement process, construction of the scheme is programmed to start late 2014 and is expected to take around 20 months to complete.

Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.

Northern Ireland Assembly

Friday 14 March 2014

Written Answers to Questions

Office of the First Minister and deputy First Minister

Richard Haass

Mr Gardiner asked the First Minister and deputy First Minister whether Dr Richard Haass is acting as a private citizen and not a representative of the United States government in his capacity as Chairman of the current talks.

(AQO 4777/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): Dr Haass is President of the Council on Foreign Relations, a US based independent think tank. He was appointed by agreement among the five Executive parties as the Independent Chair of the Panel of Parties and did not represent the United States Government.

Community Relations

Mr Copeland asked the First Minister and deputy First Minister when the review of community relations funding will begin.
(AQW 27770/11-15)

Mr P Robinson and Mr M McGuinness: Terms of Reference for the review of Community Relations Funding have been developed and the Strategic Investment Board has identified the appropriate resources to take forward this area of work. Phase One of the review has commenced and is due to be completed by 31 March 2014 with Phase Two scheduled for completion by the summer.

Private Finance Initiative Projects

Mr McKay asked the First Minister and deputy First Minister to detail (i) the thirty nine operational Private Finance Initiative projects; and (ii) how much each one is estimated to cost broken down by year between now and 2030.

(AQW 31422/11-15)

Mr P Robinson and Mr M McGuinness: Details of all Private Finance Initiative projects are collected and collated by HM Treasury annually and published on their website. OFMDFM collates information from organisations here with PFI projects for the HM Treasury exercise.

The 39 operational Private Finance Initiative projects as at 31 March 2013 are:-

Project Name	Procuring Authority
Cancer Centre (equipment, maintenance and consumables)	Belfast Health and Social Care Trust
New Renal Dialysis facilities	Belfast Health and Social Care Trust
Managed Equipment Service (MES) / ATICS	Belfast Health and Social Care Trust
Royal Victoria Hospital Car Park	Belfast Health and Social Care Trust
Belfast Metropolitan College - Millfield Campus	Department for Employment and Learning
Belfast Metropolitan College - Titanic Quarter	Department for Employment and Learning
North West Regional College - Northland Building	Department for Employment and Learning
South Eastern Regional College - Downpatrick Campuses -	Department for Employment and Learning
South Eastern Regional College - Lisburn Campus	Department for Employment and Learning
South West College - Dungannon Campus	Department for Employment and Learning
South West College - Omagh Campus	Department for Employment and Learning
Roads Service Design Build Finance Operate - Package 1	Department for Regional Development

Project Name	Procuring Authority
Roads Service Design Build Finance Operate - Package 2	Department for Regional Development
Electronic Libraries for Northern Ireland	Department of Culture, Arts and Leisure
Lisburn City Library	Department of Culture, Arts and Leisure
Invest NI HQ Accommodation Project	Department of Enterprise, Trade and Investment
Replacement of Vehicle Test Equipment and related	Driver and Vehicle Testing Agency
Bangor Academy / Nendrum College PPP Project	Department for Education
BELB Strategic Partnering PPP Project, Phase 1 - PFI Schools	Department for Education
Classroom 2000 Post Primary and Special local area network managed service - referred to as Lot 3	Department for Education
Classroom 2000 Wide Area Network managed service (all schools) - referred to as Lot 5	Department for Education
Classroom 2000 Primary Service local area network managed service - referred to as Lot 6	Department for Education
Derry Diocese St Cecilia's College / St Mary's College PPP Project	Department for Education
Down & Connor / De la Salle Schools	Department for Education
Drumglass High School PFI Project	Department for Education
Eschools Data Warehouse	Department for Education
Holy Cross College PPP Project	Department for Education
St Genevieve's High School PFI Project	Department for Education
Wellington College/Balmoral High School PFI Project	Department for Education
LANDWEB	Department of Finance and Personnel
Kinnegar Waste Water Treatment Works	Northern Ireland Water Limited
Project Alpha	Northern Ireland Water Limited
Project Omega	Northern Ireland Water Limited
New Renal Dialysis facilities	Northern Health and Social Care Trust
Services Centre (New pathology pharmacy & changing rooms)	Western Health and Social Care Trust
Enniskillen Hospital	Western Health and Social Care Trust
Lagan College/Tor Bank Special School PPP Project	Department for Education
Classroom 2000 Local Area Network services, Wide Area Services to all Schools and MIS services to all schools - referred to as EN(ni)	Department for Education
Laganside Courthouse	Department of Justice

How much each one is estimated to cost broken down by year between now and 2030 is available as an Excel spreadsheet on HM Treasury website. The website address is:

<https://www.gov.uk/government/news/government-publishes-annual-data-for-social-infrastructure-projects>

Bright Start

Mr Lyttle asked the First Minister and deputy First Minister to detail (i) the (a) type and (b) number of additional childcare places that will be created by Bright Start; (ii) when they will be created; and (iii) what work has been undertaken to establish whether they will address adequately the lack of access to affordable quality childcare for families.

(AQW 31475/11-15)

Mr P Robinson and Mr M McGuinness: The key first actions of the first phase of the Bright Start Childcare Strategy aim to sustain or create up to 8,000 registered childcare places. Up to 7,000 of these will be school age childcare places within day care settings and up to 1,000 will be childminding places in rural areas. The school age childcare places will be delivered

through a grant scheme to be launched shortly. The additional school age childcare places will be created over the lifetime of the grant scheme, which will run until 2017. School age childcare and rural childcare were highlighted during consultation as types of childcare where increased provision was needed. Childcare providers who are assisted under the proposed new school age childcare grant scheme will be required to demonstrate that they are delivering an affordable and quality childcare service.

Gender Equality Strategy

Miss M McIlveen asked the First Minister and deputy First Minister for an update on the review of the Gender Equality Strategy. (AQO 5660/11-15)

Mr P Robinson and Mr M McGuinness: The review of the Gender Equality Strategy is complete.

We have taken a decision to develop a new Gender Equality Strategy based on the findings of the review.

The current Strategy will remain in place until the new Strategy is developed and operational.

Work on the development of a new Strategy will begin immediately and will be based on the work undertaken to date on the current Review.

A new Strategy will require full public consultation and Executive approval.

Education: Lisanelly Shared Education Campus

Mr Storey asked the First Minister and deputy First Minister for an update on the Lisanelly Shared Education Campus. (AQO 5668/11-15)

Mr P Robinson and Mr M McGuinness: Work on the Lisanelly Shared Education Campus is progressing in line with Programme for Government targets. Full planning permission for Phase 1 of the project – construction of Arvalee School & Resource Centre and site wide remediation was granted in February and work has commenced on site.

Planning of future phases of development is ongoing. Exemplar designs have been developed and the Department of Education has recently reconstituted the Programme Board to focus on the delivery of facilities.

Racial Equality Strategy

Mr McCarthy asked the First Minister and deputy First Minister for an update on the Racial Equality Strategy. (AQO 5670/11-15)

Mr P Robinson and Mr M McGuinness: A copy of the draft Racial Equality Strategy consultation document was shared with our Departmental Committee on 25 February 2014. Officials are due to discuss the document with the Committee at a meeting planned for 12 March 2014. A meeting of the Racial Equality Panel will then be convened to further discuss the document following which we shall consider any comments before commencement of a full 12-week public consultation.

Goods, Facilities and Services Legislation

Mr McKay asked the First Minister and deputy First Minister when they will finalise the scope of the provision of goods, facilities and services legislation. (AQO 5671/11-15)

Mr P Robinson and Mr M McGuinness: Once consideration of the scope of the legislation and the implications of the various options available has been completed.

Sustainable Development Strategy: Implementation Plan

Mr Agnew asked the First Minister and deputy First Minister when a report will be published on the progress of the priority areas for action of the Sustainable Development Implementation Plan. (AQW 31731/11-15)

Mr P Robinson and Mr M McGuinness: The Sustainable Development Strategy and Implementation Plan articulate the Executive's strategic approach to promoting the achievement of sustainable development.

On a practical level, the pursuit of initiatives to support the delivery of progress against the priority areas for action is effectively mainstreamed into the Programme for Government, and the Corporate and Business Plans of Executive departments, as reflected in the cross-cutting Programme for Government principle of sustainability.

The primary mechanisms for reporting and accountability in relation to the implementation of measures to promote sustainable development are therefore the mainstream mechanisms established to support delivery of the Programme for Government, and of departments' Corporate and Business Plans, including the arrangements for accountability of departments to the Assembly for delivery of these measures.

In addition, Executive departments and District Councils have a statutory duty to promote the achievement of sustainable development in the exercise of their functions.

Following the publication of guidance on the implementation of the statutory duty by our Department last year, our officials are currently working across Government, and with representatives of the Local Government sector to put in place an accountability mechanism to ensure that relevant public authorities are acting in compliance with the duty, and to support learning and dissemination of good practice across the public sector.

We anticipate that this process will conclude in the coming months, and that recommendations will be brought forward thereafter.

Department of Agriculture and Rural Development

Single Farm Payments

Mrs Dobson asked the Minister of Agriculture and Rural Development how she intends to inform Single Farm Payment applicants of changes to their entitlements that will take effect in 2015.
(AQW 31254/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Since the beginning of this year, my Department has undertaken a number of communications activities to inform entitlement holders of changes in relation to entitlements.

On 29th January, a press release was issued to update entitlement holders on the definition of an 'active farmer' under the reformed CAP, including information on changes regarding the allocation of entitlements. It was supplemented by a comprehensive Question and Answer brief for farmers/landowners on changes to SFP from 2015, including information relevant to entitlements. Advertisements were placed in local papers throughout the north of Ireland to signpost current SFP claimants, landowners and farmers to this information. My officials also briefed the agrimedia on changes to entitlements and undertook media interviews relating to same. It was also promoted via a number of social media channels. We have also encouraged stakeholders to promote the forthcoming changes via their communications channels.

A further press release was issued on 25th February to make entitlement holders aware of an extension in the entitlements trading deadline.

In a follow up exercise to ensure that all entitlement holders are aware of the update on the active farmer definition and the extension in the entitlements trading deadline, a letter was issued on 28th February to each of the current 38,000 entitlement holders. This letter also directed them to the Question and Answer brief on the DARD website.

Entitlement holders will continue to be kept informed of changes to their entitlements.

Later this year, after the policy implementation decisions have been made and all the detailed EU regulations finalised, there will be further communication to entitlement holders to provide them with information on the new direct payments schemes and related payments, including information in relation to their entitlements.

In addition, comprehensive guidance will be issued in 2015 in conjunction with the 2015 application form and in the autumn of 2015, a communication will be issued to all eligible applicants to the basic payment scheme to advise them of the provisional value of their entitlements in each of the years 2015 – 2019, inclusive.

Drainage (Northern Ireland) Order 1973

Mr Dallat asked the Minister of Agriculture and Rural Development to detail (i) the number of convictions; and (ii) cautions in respect of landowners who have failed in their responsibilities under Schedule 6 of the Drainage (Northern Ireland) Order 1973.
(AQW 31281/11-15)

Mrs O'Neill: In the last five years Rivers Agency has instigated formal enforcement action under Schedule 6 to the Drainage (NI) Order 1973 on 18 occasions. 13 cases were not pursued as the issues were resolved prior to any court appearance, 1 case was pursued in court but the issue was resolved out of court prior to any court decision, 1 case was pursued in court and the person was found to be in breach of the Drainage (NI) Order 1973 and 3 cases are currently ongoing. Prior to instigating formal enforcement action, Rivers Agency always attempts to achieve a resolution informally with landowners by encouraging them to meet their responsibilities under Schedule 6 to the Drainage (NI) Order 1973.

Single Farm Payments: Farmers in East Derry

Mr Dallat asked the Minister of Agriculture and Rural Development to detail the number of farmers in East Derry that had not received their Single Farm Payments by 21 January 2014; and of these, when she expects payments to be made.
(AQW 31282/11-15)

Mrs O'Neill: The Department has delivered a record payment performance for the 2013 scheme with 96% of Single Farm Payment claims paid in February 2014.

2265 farm businesses in the constituency of East Derry had received their Single Farm Payment by 21 January 2014 and 155 had not.

The remaining land eligibility inspection cases will be paid by the end of April 2014. Non-inspected cases continue to be paid as queries are resolved however a proportion of remaining queries are connected with probate proceedings or require further information from the farm business such as bank account details.

Cattle: Imports

Mr Allister asked the Minister of Agriculture and Rural Development to detail (i) what records are retained in relation to live cattle imports; and (ii) what trends the records show over the last twelve months.

(AQW 31305/11-15)

Mrs O'Neill: Under EU legislation, herd-keepers in the north of Ireland have a duty to notify all livestock movements to my Department. Imported cattle that are notified are recorded on the Department's Animal and Public Health Information System (APHIS).

The Department records the Identification number, breed, Date of Birth and sex of each animal along with the date of importation.

Based on the information recorded September and October are the peak months for imports however overall cattle imports have decreased by 24% over the last 12 months, compared to figures for the previous year.

Meat Imports

Mr Allister asked the Minister of Agriculture and Rural Development to detail (i) what records are retained in relation to meat imports; and (ii) what trends the records show over the last twelve months.

(AQW 31306/11-15)

Mrs O'Neill: All consignments of products of animal origin from third countries imported into the EU are required to be presented at a Border Inspection Post (BIP). There are two BIPs in the north of Ireland – Belfast Port and Belfast International Airport.

- i. Records retained in line with EU legislation include:
 - original animal and public health certificate that accompanies the consignment
 - copy of the Common Entry Veterinary Document (CVED).
 - any relevant laboratory results or supplementary certification
 - copy of invoice for charges
- ii. From February 2013-2014 the following consignments have been recorded at BIPs in the north:

Country	Product	No. of consignments
Australia	Lamb	18
New Zealand	Lamb	35
	Venison	14
Brazil	Beef	3
	Chicken	10
China	Chicken	2
Thailand	Chicken	10

These figures are line with those for previous years, and there are no significant trends or variances.

Fishing: Local Fishing Industry

Mr Allister asked the Minister of Agriculture and Rural Development why she has not provided assistance, in keeping with the EU's de minimis rules, to relieve the situation in the local fishing industry.

(AQW 31321/11-15)

Mrs O'Neill: On the 27th February the Executive gave approval for a support package worth between £400,000 and £500,000 to be put in place for fishermen who have been financially disadvantaged due to the exceptionally poor weather experienced since the start of the year.

I have tasked officials in my Department to develop and implement a time bound scheme which will offer support to the owners of vessels who are active fishermen. The definition of active fishermen is those licence holders who can demonstrate that they have engaged in at least fifty days fishing activity within the past 12 months.

Those individuals unable to meet this requirement cannot be deemed to be active fishermen for the purpose of this targeted support.

I also propose to limit the support scheme to those vessels under 27 metres in length. This distinction reinforces my desire to target the support scheme towards those in our fishing industry who are most in need. This support package is being provided within the terms of Commission Regulation EC No. 875/2007 concerning the de-minimis aid in the fisheries sector.

Research Challenge Fund

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 30565/11-15, to detail where unspent moneys were reallocated.

(AQW 31329/11-15)

Mrs O'Neill: In 2010/11 the unspent moneys were transferred to DCAL and DETI for the Regional Innovation Strategy Action Plan (RISAP). RCF is one of the key actions of the RISAP.

DARD reallocated the unspent RCF moneys after 2010/11 to Student Awards, the Agri-Food and Biosciences Institute, the NI Rural Development Plan and the Loughs Agency of the Foyle, Carlingford and Irish Lights Commission in accordance with the In-Year Monitoring Guidance set by DFP.

Lough Neagh: Future of Lough Neagh Report

Mr Kinahan asked the Minister of Agriculture and Rural Development, in light of the refusal of a recent FOI (DARD/2013-0313) requesting a copy of the Future of Lough Neagh Report, to detail (i) the date the Report will be made available to the public; (ii) the date she received the draft report; (iii) the date she will be meeting with the Department of Culture, Arts and Leisure to discuss the findings of the Report; (iv) how the findings of the Report will influence the formulation of government policy; and (v) the reasons for the delay in disclosing the Report to the public.

(AQW 31338/11-15)

Mrs O'Neill:

- (i) Any publication of the report is subject to Environmental Information Regulations and Departmental procedures.
- (ii) In December 2012 I shared the Inter-Departmental Working Group report with Ministerial colleagues.
- (iii) I have met with the Minister of Culture, Arts and Leisure to discuss the findings of the additional research commissioned by her Department to complement the findings in the report.
- (iv) Any implications for Government policy will be subject to consideration by the Executive.
- (v) Any publication of the report is subject to Environmental Information Regulations and Departmental procedures

Poverty: Rural Poverty in Upper Bann

Mrs D Kelly asked the Minister of Agriculture and Rural Development to detail (i) departmental spend; and (ii) projects funded in the Upper Bann constituency to tackle rural poverty (a) 2012/13; and (b) 2013/14 financial years.

(AQW 31438/11-15)

Mrs O'Neill: The following table details programme departmental spend and available outputs for the Upper Bann constituency across the tackling rural poverty and social isolation initiatives in 2012/13 and 2013/14 to date:

Tackling Rural Poverty and Social Isolation Project / Programme	Overall Spend 2012/13	Overall Spend 2013/14 (to date)	Project Spend/Outputs in Upper Bann Constituency (where available)	
			2012/13	2013/14 (to date)
Maximising Access Rural Areas (MARA)	1,034,000	1,009,000	Regional Programme 183 household visits undertaken	Regional Programme 138 household visits undertaken to date
Farm Family Health Checks	130,000	124,000	Regional Programme- 27 people	Regional Programme 49 people
Rural Support helpline	84,775	70,830	Regional Support to Farmers and Rural Dwellers	Regional Support to Farmers and Rural Dwellers
Assisted Rural Travel Scheme (ARTS)	540,000	570,000	10,148 ARTS trips delivered	8,549 ARTS trips delivered to Dec 13
Rural Borewells Scheme	240,386	117,386	No borewells drilled in this area	No borewells drilled in this area
Connecting Elderly Rural Isolated (CERI)	250,000	150,000	Pilot Project in Western Trust Area	Pilot Project in Western Trust Area

Tackling Rural Poverty and Social Isolation Project / Programme	Overall Spend 2012/13	Overall Spend 2013/14 (to date)	Project Spend/Outputs in Upper Bann Constituency (where available)	
			2012/13	2013/14 (to date)
Youth Employability Programme (BOOST)	72,044	46,003	20 people completed programme	29 people completed programme to date
Young Entrepreneur's Project (RYE)	80,256	57,465	Nil	2 people participating in programme to date
Community Development – Rural Support Networks	1,160,000	965,928	£169,797.99 funding of TADA	£174,797.99 funding of TADA
Community Development – Faith Based Rural Enablers	N/A	59,000	Commenced in 13/14	Regional Programme 2 Project Officers working with faith based organisations
Fuel Poverty (DSD & Power NI)	450,000	465,000	18 households received energy efficiency measures	15 households received energy efficiency measures
Rural Challenge Programme	9,550	63,995	Letters of Offer issued in 13/14	Letter of Offer for £9,850 issued to Loughshore Care Partnership

Farmland Erosion: Magilligan

Mr Ó hOisín asked the Minister of Agriculture and Rural Development whether she has any plans for an investigation into the erosion of farmland adjacent to the strand at Magilligan, as it has been a cost to landowners in terms of loss of agricultural land and any subsequent Single Farm Payment.

(AQW 31442/11-15)

Mrs O'Neill: Responsibility for coastal protection falls to a variety of different bodies depending on the features at the coastline. DARD has no plans to investigate coastal erosion at Magilligan strand. Farmers affected by coastal erosion should take care when completing their 2014 claim for Single Farm Payment (SFP). They should not assume that they can claim all of Maximum Eligible Area (MEA) that has been pre-populated on their Single Application Form. If there has been coastal erosion in fields they are claiming, they may need to reduce the area they claim for SFP. They should also tell us about any changes to their maps.

Further information on what they need to do can be found in the "Guide on how to complete your 2014 Single Application (SAF) and Field Data Sheet (FDS)" available online at http://www.dardni.gov.uk/sfp_notes-for-guidance-2014.pdf

Welfare of Animals Act 2011

Mr Agnew asked the Minister of Agriculture and Rural Development for her assessment of the implementation of the Welfare of Animals Act 2011 by local councils in respect of the responsibilities conferred on them by the Act.

(AQW 31528/11-15)

Mrs O'Neill: Local Councils have been responsible for enforcement of the Welfare of Animals Act 2011 in respect of non-farmed animals, which includes domestic pets and horses, since 2 April 2012. The Councils currently employ nine Animal Welfare Officers who can act in support of Councils across the north of Ireland, in response to need. This is the first time the north has had a dedicated manpower resource to investigate animal welfare complaints in respect of non-farmed animals and one which has been made possible by the 2011 Act and funding from my Department. This has been a major step forward.

The Animal Welfare Officers have completed a rigorous training programme compiled and delivered by the RSPCA. They are supported by management, administrative and legal support, and depending on the circumstances of the case being investigated they can also seek the services of veterinarians and specialist animal care providers.

The powers in the 2011 Act allow the Animal Welfare Officers to take a range of actions to address any animal welfare case. This includes providing basic advice, giving a warning, issuing a legally binding Improvement Notice or prosecution. The circumstances of each case will determine the most appropriate action.

To date the Councils have received over 10,000 animal welfare complaints, and their Animal Welfare Officers have carried out over 12,000 visits which resulted in a range of actions being taken to resolve these cases including serving over 380

Improvement Notices. They have also taken 4 prosecutions and I understand that there are a substantial number of other cases currently being prepared for prosecution.

In my view the involvement of Councils in this work is a positive development. I am encouraged by the valuable work that they have undertaken to date and believe that it is important that they receive the recognition that they deserve for their effort in enforcing the legislation and improving the lives of animals.

Illegal Meat Plant: Newry and Mourne

Mr Irwin asked the Minister of Agriculture and Rural Development for her assessment of the discovery of an illegal meat plant in the Newry and Mourne area; and to outline the action her Department will take against the people responsible.
(AQW 31615/11-15)

Mrs O'Neill: The discovery of an illegal meat plant by the PSNI is a matter of huge disappointment to me given the personal efforts I have made to champion agri-exports globally. As Minister of Agriculture I am disappointed and concerned about the damage such activities could do to our well-earned reputation for traceable, Farm Quality Assured local beef in current and emerging international marketplaces.

Although I understand that this operation was small in scale, any production of meat outside the lawful regulated system can undermine food traceability and food safety.

I want to see this illegal practice dealt with quickly and my enforcement staff will continue to provide full assistance to the Food Standards Agency and Newry & Mourne District Council who are responsible for the investigation of those suspected of involvement.

Floods Bill

Mr Swann asked the Minister of Agriculture and Rural Development for an update on her plans to bring forward a Floods Bill.
(AQW 31695/11-15)

Mrs O'Neill: The need for a Floods Bill to update the current Drainage (NI) Order 1973, and to address known legislative gaps, is widely acknowledged. Rivers Agency is currently developing a bid for the establishment of a Bill Team to take forward this work. Given the complexities of some of the policy areas to be addressed, this Bill will not be introduced until the next mandate of the Assembly.

Single Farm Payments: Remote Sensing Inspections

Mr Frew asked the Minister of Agriculture and Rural Development, to detail, as of 7 March 2014, how many farm businesses that were subjected to a remote sensing inspection have been paid in (a) January 2014; (b) February 2014; and (c) the first week of March 2014; how many payments are outstanding; and when the outstanding payments will be made.
(AQW 31889/11-15)

Mrs O'Neill: The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims finalised in December 2013 and 96% of claims finalised in February 2014.

Payments to businesses subject to an inspection by control with remote sensing began in February 2014 when 439 businesses were processed for payment. A further 36 payments were made in the first week of March 2014. To date, 525 inspection cases have been fully processed with 614 outstanding. Payments will continue to be made during March and April 2014. It is intended that all inspected businesses will be paid by the end of April 2014. This would be two months earlier than in 2012 and four months earlier than in 2011.

Department of Culture, Arts and Leisure

Waste: Illegal Dumping at Mobuoy Road

Mr Campbell asked the Minister of Culture, Arts and Leisure what steps have been taken to protect the River Faughan following the potential environmental issues that arose from the discovery of large amounts of illegally dumped waste at Mobuoy Road, Campsie, Londonderry in 2013.
(AQW 31404/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): My Department has no direct responsibility for the River Faughan, as it is located in the Loughs Agency jurisdiction.

The Environment Agency (NIEA) is responsible for regulating landfill sites and investigating all cases of illegally dumped waste and the potential environmental damage from such sites.

Fishing: Foyle Endorsement

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure whether she will seek to redress the anomaly of having to wait to be issued with a fishing licence before being able to apply for the Foyle Catchment Endorsement.

(AQW 31443/11-15)

Ms Ní Chuilín: An appropriate rod licence is required by law to fish both in the DCAL areas of the North and the Foyle and Carlingford catchment areas covered by the Loughs Agency.

A Foyle Endorsement is an extension of the DCAL angling licence which allows anglers in to fish the Foyle and Carlingford areas. The endorsement can be purchased at the same time as a licence.

Fishing: Fish Stocks

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure for her assessment of the damage to departmental fishing stocks from predators such as cormorants.

(AQW 31444/11-15)

Ms Ní Chuilín: Cormorants consume a wide variety of fish species, usually reflecting their availability at inland fisheries. Roach and perch are the most numerous prey items while rainbow and brown trout are consumed at put and take fisheries.

Cormorants can damage and scar fish, especially larger ones which they fail to catch properly. This can increase the risk of disease, stress, mortality and behavioural changes (fish become more difficult to catch).

It is difficult to assess the precise impact of cormorants on a fish stocks as there are a number of environmental factors involved.

Líofa

Mr Weir asked the Minister of Culture, Arts and Leisure how much has been spent on the current advertising campaign for Líofa.

(AQW 31587/11-15)

Ms Ní Chuilín: The allocated spend on the current advertising campaign, approved by the Executive, for Líofa is £198,000.

Ministerial Appointments to Public Bodies: DCAL

Mrs D Kelly asked the Minister of Culture, Arts and Leisure how many ministerial appointments to public bodies have been made by her Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31626/11-15)

Ms Ní Chuilín: The Department of Culture, Arts and Leisure has made 85 Ministerial appointments to public bodies since May 2011. Of these, 58 were male and 27 female. The appointments were made to Arts Council of NI, Libraries NI, Ministerial Advisory Group for Architecture & the Built Environment, National Museums NI, NI Museums Council, NI Screen, Sport NI, WhoWhat WhereWhenWhy Ltd (W5) and World Police and Fire Games Ltd.

I have instructed my officials to urgently review reasons for the under-representation of women, and prepare a report, including specific affirmative action measures, goals and timetables.

Town and Village Regeneration

Mr McNarry asked the Minister of Culture, Arts and Leisure whether she will make funding available for the regeneration of towns and villages surrounding Royal County Down Golf Club.

(AQW 31652/11-15)

Ms Ní Chuilín: To date, the European Tour has yet to provide official confirmation of the decision to host the 2015 Irish Open at Royal County Down Golf Club.

If this venue is confirmed, responsibility for the funding of regeneration of towns and villages would rest in the first instance, with the Department of Social Development.

EU Culture Programme

Ms McGahan asked the Minister of Culture, Arts and Leisure to give details of the EU Culture Programme; and how funding from this programme can be accessed.

(AQW 31833/11-15)

Ms Ní Chuilín: The EU Culture Programme was operational from 2007-2013. Creative Europe is the new competitive EU programme to support the cultural and creative sectors. The Creative Europe programme has a budget of 1.46 billion euros over the period 2014-2020. It aims to support at least 250,000 artists, cultural and audiovisual professionals and organisations in the performing arts, fine arts, publishing, film, TV, music, interdisciplinary arts, heritage and the video games industries. Further information on the programme, including details of the funding calls, can be found at ec.europa.eu/culture/index_en.htm.

Department of Education

Fair Employment and Treatment (Northern Ireland) Order 1998

Mr Allister asked the Minister of Education, given his responsibility to the application of equality legislation, when he intends to review the Fair Employment and Treatment (NI) Order 1998 and bring forward legislation to remove the Teachers Exception under Article 71(3).

(AQW 31105/11-15)

Mr O'Dowd (The Minister of Education): OFMDFM has responsibility for this legislation, which governs the exception.

Education: Lisanelly Shared Education Campus

Mr Agnew asked the Minister of Education for his assessment of whether the exclusion of Drumragh Integrated College from the Lisanelly campus will have a detrimental effect on the promotion of shared education in the area. [R]

(AQW 31460/11-15)

Mr O'Dowd: Drumragh Integrated College (IC), having originally declined involvement in Lisanelly, benefitted from a new capital build which was completed in Spring 2009 at a cost of £22.5m.

Drumragh IC is a member of the Omagh Area Learning Community and is a participant in a range of collaborative and sharing arrangements which are in place with other schools in the area.

I believe that the Lisanelly Campus will be conducive to enhancing sharing arrangements in the town of Omagh. I would anticipate Drumragh IC will continue to participate in and indeed explore opportunities for enhancing sharing arrangements with the schools on the campus.

Youth Service

Mr Storey asked the Minister of Education how many staff have been employed at the Board Headquarters of the Youth Service in each of the last five years.

(AQW 31496/11-15)

Mr O'Dowd: The number of staff employed at the Board Headquarters of the Youth Service in each of the last five years (headcount as at 28 February 2014) is listed below:

	2010	2011	2012	2013	2014
BELB	15	14	12	12	13
WELB	8	9	9	10	12
NEELB	6	6	6	7	7
SEELB	14	13	8	12	13
SELB	6	8	7	8	11

Education and Welfare Officers

Mr Storey asked the Minister of Education how many Education Welfare Officers have been employed in each Education and Library Board, in each of the last five years.

(AQW 31497/11-15)

Mr O'Dowd: The Education and Library Boards (ELBs) have advised that the number of Education and Welfare Officers that have been employed in each of the last five years is as set out in the table below.

ELB	Number of Education and Welfare Officers Employed				
	2010	2011	2012	2013	2014
Belfast	30	26	30	29	32
Western	25 (FTE)	25 (FTE)	25 (FTE)	25 (FTE)	25 (FTE)
North-Eastern	25.6 (FTE)	25.6 (FTE)	25.6 (FTE)	26.6 (FTE)	26.6 (FTE)
South-Eastern	23	23	21	22	22
Southern	28	28	28	28	28

FTE = Full Time Equivalent

Schools: Attendance

Mr Storey asked the Minister of Education to detail the initiatives to improve school attendance rates in each Education and Library Board.

(AQW 31498/11-15)

Mr O'Dowd: The Education and Library Boards (ELBs) have advised that the Education Welfare Service (EWS) delivers initiatives to improve the attendance of all pupils and targeted interventions for more vulnerable pupils. The EWS has Service Level Agreements with all schools which outline the working arrangements. EWS receives regular feedback from schools, parents and pupils which inform service provision. Audits are undertaken in all schools to identify pupils whose attendance is below 85% and to discuss with their schools appropriate action. Across the ELBs there are a number of initiatives to improve school attendance rates. For example:

- The Primary Attendance Matters (PAM) programme in primary schools assists pupils in making the transition to post-primary schools.
- The Belfast Education and Library Board and South-Eastern Education and Library Board have a joint multi-disciplinary Looked After Team which provides support to looked-after pupils to enable them to achieve the maximum from their education. This team is engaged in capacity building in schools through work on the Attachment Project which identifies key adults to work with individual children to support them through their educational placements and keep them engaged in education.
- The School Age Mothers programme.
- Children's Early Support Service (ChESS).
- The Metamorphous (META) project.
- The North-Eastern Education and Library Board, through the Residential Study Support Project have been facilitating homework and study support in residential units in the Northern Health and Social Care Trust area during the evenings.

'A* for Autism: Make every school a good school' Report

Mr A Maginness asked the Minister of Education for his assessment of the recommendations contained in the 'A* for Autism: Make every school a good school' report.

(AQW 31559/11-15)

Mr O'Dowd: I remain committed to ensuring that every child, including those with autism, receives a high quality education that enables them to fulfil their full potential. To this end I agree with the overall aim of the A* for Autism report that not only should every child with autism have access to a high quality education but that parents should also have access to a system that works with them to help achieve this.

To this end my Department is continuing to put in place a range of policies aimed at raising standards for all pupils, including those with autism. These include the Review of Special Educational Needs and Inclusion which aims to strengthen the system and end delays in intervention and assessment for all children. I want a more equitable system in which all SEN children should be able to get the support they need through a comprehensive range of measures.

There has been significant investment by my Department in support for those with autism since publication of the Task Group Report on Autism in 2002. Education and Library Boards (ELBs) have dedicated Autistic Spectrum Disorder (ASD) Support Teams providing tailored support to match the individual needs of each child to ensure that each child reaches their full potential.

The cross-Departmental Autism Strategy and Action Plan was launched in January 2014 by the Department of Health, Social Services and Public Safety and my Department is currently working closely with the ELBs and the Middletown Centre for Autism on implementation of the education-related actions.

The Middletown Centre for Autism also continues to expand its multi-disciplinary learning support and assessment to directly support children with complex autism that have been referred to it by the Inter-Board Autism Group. In addition, the Centre continues to provide a broad range of training support to educational professionals and parents that are available free of charge.

Ministerial Appointments to Public Bodies: DE

Mrs D Kelly asked the Minister of Education how many ministerial appointments to public bodies have been made by his Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31590/11-15)

Mr O'Dowd: Since 1 May 2011, a total of 60 ministerial appointments (broken down in the table below) have been made to public bodies sponsored by my Department:

Public Body	Male	Female	Total
Belfast Education and Library Board	7	1	8
North Eastern Education and Library Board	8	3	11

Public Body	Male	Female	Total
Southern Education and Library Board	5	1	6
Western Education and Library Board	5	1	6
Staff Commission for Education and Library Boards	1	1	2
Council for Curriculum, Examinations and Assessment	10	8	18
General Teaching Council	1	2	3
Middletown Centre for Autism	1	5	6
Totals	38	22	60

Educational Psychology Services

Mr Storey asked the Minister of Education for his assessment of the performance of the Educational Psychology services in relation to the average length of time it takes for a child to be seen by a psychologist.

(AQW 31629/11-15)

Mr O'Dowd: The Education and Library Boards (ELBs) have responsibility for the provision of educational psychology services to children and young people.

I am content that the ELBs are performing well in relation to the provision of educational psychology support in the delivery of the statutory assessment process for children with special educational needs. I am, nonetheless, aware of the issue of some cases of prolonged waiting times for children to see an educational psychologist following their initial referral for an appointment. It is for this reason that each ELB has a target in their annual Resource Allocation Plan which states that educational psychology support should be provided to children at Stage Three of the Code of Practice within six months. Whilst in the majority of cases the waiting time is considerably less than six months, I have however reminded some Boards of my desire to see their waiting times reduced as far as possible and I will continue to closely monitor this situation.

Schools: Minor Works

Mr Storey asked the Minister of Education what are the staffing implications for his Department and the Education and Library Boards of the signing of the Memorandum of Agreement between the Department and Education and Library on minor works in non-controlled schools.

(AQW 31630/11-15)

Mr O'Dowd: Education and Library Boards (ELBs) have been allocated additional resources to permit recruitment of additional permanent staff and external assistance to bring forward a programme of minor works in non-controlled schools and to deal with the increased workload across the education estate caused by the expanded capital budget in FY14/15.

It is a matter for the ELBs to decide how best to make use of the additional funding. This is currently being assessed and the implications in terms of increased staff numbers will be known when ELBs have completed the process.

Balmoral High School

Mr Storey asked the Minister of Education what are the ownership arrangements which have been put in place for the former Balmoral High school.

(AQW 31631/11-15)

Mr O'Dowd: Balmoral High School was constructed under a Private Finance Initiative (PFI) contract. Following its closure, the decision was taken to relocate St Gerard's Educational Resource Centre to the site.

The PFI contract is between Belfast Education and Library Board (BELB) and the Public Private Partnership (PPP) operator and this contract will remain in place. BELB will enter into a service level agreement with the Trustees of St Gerard's, outside of the PFI contract, to enable St Gerard's to make use of the premises.

Youth Service

Mr Storey asked the Minister of Education how much funding has been allocated in support of youth service activities in each Education and Library Board, in each of the last five years.

(AQW 31632/11-15)

Mr O'Dowd: The following table provides details of the funding allocated to support youth service activities in each Education and Library Board in each of the last five years:

(£000s)

	2009/10	2010/11	2011/12	2012/13	2013/14 (forecast spend)
BELB	6,012	7,231	8,166	7,204	8,770
NEELB	5,909	5,645	5,701	5,679	6,507
SEELB	5,853	5,277	5,118	5,508	6,674
SELB	5,583	6,358	5,211	6,274	7,567
WELB	4,590	5,190	4,443	5,181	6,229
Total	27,947	29,701	28,639	29,846	35,747

The above figures include allocations for capital works in the controlled sector. Details of funding for capital works for the voluntary youth sector are not kept by the Department according to Board area. A breakdown of these by year is provided below:

Year	Total (£000s)
2009/10	3,975
2010/11	2,025
2011/12	658
2012/13	1,329
2013/14 (spend year-to-date)	38
Total	8,025

Teachers: Substitute Teachers

Mr Storey asked the Minister of Education how much was spent on substitute teachers in each of the last three years.
(AQW 31633/11-15)

Mr O'Dowd: The Teacher Workforce Statistics in Grant Aided Schools in NI, published in June 2013, provides information regarding teacher statistics. Table 16 contains Teacher Substitution Costs for the past 10 financial years.

http://www.deni.gov.uk/revised_workforce_stats_press_release_for_web.pdf

Pupils: First Language is not English

Mr Rogers asked the Minister of Education how many children started primary school in September 2014; and how many of these children do not have English as their first language.

(AQW 31634/11-15)

Mr O'Dowd: Figures collated from the 2013/14 school census indicated that there were 24,781 year one pupils enrolled in primary schools, 1,760 of these pupils did not have English recorded as their first language.

Schools: Attendance

Mr Weir asked the Minister of Education how levels of attendance at schools in (i) the South Eastern Education and Library Board; and (ii) Northern Ireland have changed over the last five years.

(AQW 31641/11-15)

Mr O'Dowd: The information requested is detailed in the table overleaf.

Attendance rate in the South Eastern Education and Library Board and Northern Ireland, 2008/09 – 2012/13

Area	Per cent of half days attended				
	2008/09	2009/10	2010/11	2011/12	2012/13
SEELB	93.8	93.6	93.9	94.3	94.1
NI	93.7	93.6	93.8	94.2	94.0

Source: School census

The five year trend in the South Eastern Education and Library Board matched that of the north of Ireland; both have experienced an overall increase of 0.3 percentage points since 2008/09.

The attendance rate in the SEELB is consistently, marginally higher than the north of Ireland rate.

Note: Percentage point differences have been calculated using unrounded figures.

Dickson Plan

Mr Moutray asked the Minister of Education, in light of the Southern Education and Library Board's rejection of Option A of Updating the Dickson Plan, what assurances he can give that he will not enforce this option on the area.

(AQW 31659/11-15)

Mr O'Dowd: I am aware that the Southern Education and Library Board (SELB), at its meeting on 12 February 2014, decided to stop the consultation on the Board's preferred option in respect of 'Updating the Dickson Plan: the SELB proposals', and to move forward with a more wide ranging consultation process.

I have written to the Board to express my concern that, despite recognition for several years that all pupils in the controlled sector in the Craigavon area do not have access to equitable educational provision and despite the Board's pronouncement in June 2013 that retaining the status quo is not an option, the Board has failed to come forward with a strategic plan to address the fundamental inequality at the heart of this matter. I have sought robust assurances aligned to a timeframe as to how they intend to eradicate education inequality for the controlled sector in the Dickson plan area.

As Minister for Education, I reserve the right to take any steps deemed necessary to ensure all the young people in the Craigavon area are provided with access to a quality education.

Dickson Plan

Mr Moutray asked the Minister of Education for his assessment of the responses to the Southern Education and Library Board's consultation on Option A of Updating the Dickson Plan; and what proportion of the responses from the controlled sector was in favour of retaining the current operation of the Dickson Plan.

(AQW 31663/11-15)

Mr O'Dowd: I am aware that a summary of consultation responses was reported to the Board at its meeting on 12 February 2014 and a copy of the report has been published on the SELB website. The report includes details of the proportion of the responses in favour of retaining the current operation of the Dickson Plan. I have not assessed the responses to the consultation; this is a matter for the SELB.

Craigavon Senior High School

Mr Moutray asked the Minister of Education what action he is taking to address the current accommodation problems at Craigavon Senior High School's Lurgan campus.

(AQW 31665/11-15)

Mr O'Dowd: As Craigavon Senior High School is a controlled school, the Southern Education and Library Board (SELB) is responsible for addressing accommodation problems at the school.

The SELB has advised that the current accommodation at the school is no longer sustainable and requires replacement. New accommodation can only be provided within the context of area planning and an area-based solution for post-primary education provision in the Lurgan area is currently being sought by the SELB. A total of £20,285.85 has been spent by the SELB in the last five years on essential maintenance schemes at the school.

St Columbanus College, Bangor

Mr Weir asked the Minister of Education for an update on a new build for St Columbanus' College, Bangor.

(AQW 31721/11-15)

Mr O'Dowd: No timescale has been set for the delivery of a new build for St Columbanus College, Bangor. Department of Education officials have been in liaison with the Trustees, the Council for Catholic Maintained Schools and representatives from the school to discuss the current accommodation needs. Full clarity is required on the final pattern of maintained provision for the Bangor and Ards Peninsula area, including how St Columbanus College would contribute to a pattern of viable and sustainable education provision in the area going forward, before any decision on a new build could be made.

I will continue to examine the case for Capital Investment across the estate and subject to the structure of maintained provision in the area being clear, any proposal for the school will be considered alongside other priorities, as part of any future capital announcement.

Department for Employment and Learning

Health and Social Care Trusts: Student Placements

Mrs Dobson asked the Minister for Employment and Learning if he is aware of any concerns from students studying for a BSc (Hons) Healthcare Science (Cardiac), University of Ulster having difficulty securing placements within local Health and Social Care Trusts due to funding reductions by the Department of Health, Social Services and Public Safety.

(AQW 31089/11-15)

Dr Farry (The Minister for Employment and Learning): The University of Ulster delivers undergraduate programmes in Healthcare Science (Cardiac Physiology). As part of the course regulations the students are required to undertake work-based training in Clinical Physiology Departments throughout the three years of the programme.

I understand that Clinical Physiology departments in Northern Ireland have reported that they are currently unable to provide student training due to limited staffing and increased workloads. As a consequence a large number of students are required to undertake their work-based training outside of Northern Ireland.

The Department of Health, Social Services and Public Safety (DHSSPS) had provided the School with funding to cover student placement costs annually of around £118,000 up until the 2012/13 academic year.

DHSSPS has advised that they are considering a business case for funding support for undergraduate training of cardiac physiologists. DHSSPS staff are currently considering if funding can be made available to support cardiac physiology training. If the business case is approved this will help address the difficulties in securing local placements.

Postgraduates

Mr Hazzard asked the Minister for Employment and Learning to detail (i) the proportion of postgraduate students enrolled at local institutions who are from the Republic of Ireland; (ii) the amount of postgraduate fees paid to local institutions by those students; and (iii) the proportion of total postgraduate fees paid to local institutions by those students.

(AQW 31249/11-15)

Dr Farry: As the information on current enrolments is not held centrally by my Department, it was necessary for departmental officials to contact each of the higher education institutions directly. The attached table outlines the responses received.

The latest enrolment figures collated show that, in 2012/13, the proportion of postgraduate students enrolled at local institutions, who were from the Republic of Ireland, was 11.5%.

	Queen's University	University of Ulster	St Mary's	Stranmilis
(i) Proportion of postgraduate students enrolled at local HEIs from ROI	8.23%	Just under 18%	11%	Just under 4%
(ii) Amount of postgraduate fees paid to local HEIs by those students	£1,143,188	Full time £622,529 Part time £915,761	£31,532	£17,665.40
(iii) Proportion of total postgraduate fees paid to local HEIs by those students	7.01%	17.37%	19%	Just under 10%

Bank Accounts: DEL

Mr Allister asked the Minister for Employment and Learning to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

(AQW 31264/11-15)

Dr Farry: The Department does not have any bank accounts that have been inactive for twelve months or more.

Committee for Employment and Learning: Cancelled Briefings

Mr Nesbitt asked the Minister for Employment and Learning on how many occasions (i) he; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to his Department's Statutory Assembly Committee, in each of the last five years.

(AQW 31288/11-15)

Dr Farry: In my term of office neither I, nor departmental officials, have cancelled any briefings to the Committee for Employment and Learning. This also applies to my predecessors within the five year window.

Research Challenge Fund

Mr Swann asked the Minister for Employment and Learning to detail any interaction he has had with the Minister of Agriculture and Rural Development regarding the Research Challenge Fund.

(AQW 31328/11-15)

Dr Farry: I have not had any interactions with my Ministerial colleague in Agriculture and Rural Development in relation to the Research Challenge Fund.

Student Debt

Mr Swann asked the Minister for Employment and Learning to detail any Universities or Colleges that prevent students from graduating or enrolling onto the next academic year should they owe non-tuition fee debts such as accommodation costs or child care services.

(AQW 31351/11-15)

Dr Farry: As my Department does not hold this information, officials contacted the Higher Education Institutions to ask if students can progress if they have outstanding debts to their respective institutions.

Queen's University, University of Ulster and Stranmillis University College advised that students can be prevented from graduating or enrolling to the next academic year should they owe non-tuition fees. St Mary's University College stated its only regulation is in relation to tuition fees.

However, following a recent report from the Office of Fair Trading on this issue both Queen's University and the University of Ulster have advised that they intend to review their policies and procedures.

Local Training Agencies

Ms McCorley asked the Minister for Employment and Learning to outline any arrangements in place to ensure that local training agencies are afforded the opportunity to provide for the training needs of the local business sector.

(AQW 31381/11-15)

Dr Farry: My Department's suite of training programmes are delivered across the whole of Northern Ireland, by a range of contracted training suppliers.

The procurement of programmes and services is subject to public tendering processes advertised through the Department of Finance and Personnel's Central Procurement Directorate.

In order to be considered suitable to deliver tendered programmes on behalf of the Department, an organisation or company has to meet specific selection criteria, for example; show that it has suitable premises for the delivery of training; hold Awarding Body approval to deliver qualifications; have staff that are appropriately qualified; and display a proven track record in delivering training programmes. Criteria are set out in the related project tender documentation.

Central Procurement Directorate publishes a range of Guidance Notes which aims to increase knowledge and understanding of public sector procurement and so support the development of capability to compete successfully for public sector contracts. These guidance notes are available through the Central Procurement Directorate website - <http://www.dfpni.gov.uk/index.htm>.

Pathways to Success Strategy

Mr B McCrea asked the Minister for Employment and Learning for an update on the progress of the tracking system for young people who are in or might enter the NEET category as outlined in the 'Pathways to Success' Strategy.

(AQW 31424/11-15)

Dr Farry: As part of its commitment to the Executive's Pathways to Success NEET Strategy, my Department is establishing a tracking system for those who are in or might enter the NEET category. To this end, the Department is taking forward a range of work to consolidate existing DEL data systems and make use of a Unique Learner Number (ULN) which should support the tracking of individuals' employment, training and educational progress.

The ULN has already been adopted across the Further Education and Training sectors here, with approximately 270,000 ULNs having been generated for Northern Ireland to date. The ULN is already well established in England and is being implemented in Wales.

The Department of Education has commenced a pilot to introduce ULN for year 11 pupils from September 2014 in a number of schools. It is anticipated that a full roll out of the ULN to all learners in Year 11 and above will be implemented from the 2015/16 Academic Year.

This will allow alignment with Awarding Organisations as they move towards its use as a replacement for the Unique Candidate Identifier (UCI) which is used currently for examination entries. ULNs will be the preferred identifier within the A2C project (the new system being put in place for the electronic distribution of examination results). UCAS will also use ULNs and they will be used along with resulting Personal Learner Record to support progression for learners to FET and Higher Education.

The Careers Service, using information available from schools, FE Colleges, Training for Success and other training programmes also case manage young people aged 16 and 17 who drop out of provision or do not have a positive destination when they leave, thus supporting and signposting young people to provision that meets their needs.

On a wider front DEL has also begun work on a formal interim evaluation of the Pathways to Success strategy and is also currently undertaking a further work on estimating the numbers of young people in the NEET category using data from the 2011 Census of Population which will provide more detail on the characteristics of young people within Northern Ireland. This census work is expected to report later this month.

Animal Experiments

Mr Newton asked the Minister for Employment and Learning to confirm the number of dogs, cats and horses that Queen's University, Belfast and the University of Ulster have experimented on over the past 3 years including a breakdown of the number of experiments carried out on each animal.

(AQW 31489/11-15)

Dr Farry: Neither Queen's University nor the University of Ulster has undertaken research using dogs, cats or horses over the last three years.

Animal Experiments

Mr Newton asked the Minister for Employment and Learning to confirm the nature and purpose of the experiments carried out on dogs, cats and horses at Queens University, Belfast and University of Ulster and the expected outcomes of the experiments.

(AQW 31490/11-15)

Dr Farry: Queens University and the University of Ulster report that they conduct research on animals only when it is absolutely essential for clinical, biomedical and environmental studies and where there are no alternatives.

All such work is carried out in full compliance with the Animals (Scientific Procedures) Act 1986 and its subsequent amendments. The research is conducted under licences issued by the Department of Health, Social Services and Public Safety (DHSSPS), which is responsible for ensuring the implementation of the legislation.

Neither university has undertaken scientific research using dogs, cats or horses in the last three years.

University of Ulster: Investment in Campuses

Mr Eastwood asked the Minister for Employment and Learning to detail (i) the capital projects that are included in the £55 million investment by University of Ulster at the (a) Magee; (b) Coleraine; and (c) Jordanstown campuses; and (ii) the expected completion date for each.

(AQW 31529/11-15)

Dr Farry: This is information that my Department does not hold. However, the University of Ulster has provided the information in the following table.

	Cost (£m)	Completion date
Magee campus		
Continued rationalisation of existing facilities and new learning and teaching block	16	2016
Magee & Coleraine campuses		
Planned maintenance and facilities up-grades	18	2018
Coleraine campus		
New Faculty of Arts Building	7	2015-16
Sports facilities	4	2018
Two additional wind turbines	3	2018
University wide		
ICT programme	6	2018

Note: The above does not include the purchase of the Foyle College site.

Water Bills: DEL

Mr Agnew asked the Minister for Employment and Learning to detail (i) who audits his Department's water bills; (ii) when his Department's water bill was last audited; (iii) when his Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills. (AQW 31567/11-15)

Dr Farry: My Department solely occupies eleven buildings. The water bills for seven of these buildings are managed by the Department of Finance and Personnel as the owning department for the buildings.

Whilst my Department pays water bills for the remaining four offices, no formal auditing takes place. Premises Officers do check bills and investigate if there is any unusual change in usage and take any required action.

Youth Training

Mr Lunn asked the Minister for Employment and Learning for an update on his review of youth training. (AQO 5717/11-15)

Dr Farry: The aim of the youth training review is the development of a youth training offer at level 2, of sufficient breadth and depth to enable young people between the ages of 16 and 18 to progress to an apprenticeship programme at level 3, a level 3 further education programme, or into sustained employment.

The review has progressed over the past few months, through both research and stakeholder engagement activities.

In terms of stakeholder engagement, I recently chaired a meeting of the review's expert panel, to discuss findings and emerging issues to be addressed as part of the review. The Department also held a series of stakeholder engagement events to hear the views of employers, young people, and training providers. These events coincided with a call for submissions, which was hosted on the Department's website.

Officials in the department have also carried out research and engaged with experts in the OECD to investigate models of best practice in the delivery of vocational education and training. Following the OECD's recommendations, I recently carried out a study visit to the Netherlands as part of the review process.

A key element of best practice observed through the visit was the flexibility of providers in the Netherlands to match training and qualifications to the needs of local employers. Also to the fore was the willingness of employers to integrate those on work placements into their wider business operations, both through adopting a project-based approach to the young person's placement, and through tying engagement in vocational training to their wider recruitment strategy.

The feedback from the call for submissions and the stakeholder events will be combined with these research findings to inform the review's interim report, which is due for publication in Summer 2014.

Youth Unemployment

Mr Wilson asked the Minister for Employment and Learning to outline any departmental initiatives to deal with youth unemployment in rural areas. (AQO 5719/11-15)

Dr Farry: Youth unemployment has been a consistent problem over the past seven years, and it is one that we are now tackling effectively.

Although the Labour Force Survey indicates that 23% of economically active 18-24 year olds are unemployed, this excludes students from the calculation. An alternative measure for the whole population of this age is the claimant count which shows that fewer than 1 in 10 of our young people is claiming unemployment related benefits.

All of my Department's programmes for addressing youth unemployment are available across Northern Ireland, irrespective of urban or rural settings.

My Department leads on the Executive's 'Pathways to Success' strategy which targets young people not in education, employment or training, known as NEET. The Local Employment Intermediary Service has been refocused with an emphasis on young people who are NEET. In total, more than £25 million to deliver these initiatives over the 2012 to 2015 period.

The Youth Employment Scheme provides help to unemployed young people aged 18 to 24 years, to obtain work experience, develop additional skills and gain employment. In order to increase participation in rural areas, the Youth Employment Scheme intends to run a pilot offering 12 free driving lessons, one theory test and one practical driving test, for those completing 8 weeks work experience or moving into full time employment during a work experience placement.

A JobClub initiative is delivered in partnership with LibrariesNI and community organisations. Travel expenses are reimbursed and this may be particularly beneficial for individuals in rural areas.

Steps to Work, the Department for Employment and Learning's main adult return to work programme, is available throughout Northern Ireland.

Through its Training for Success programme, the Department provides a guarantee of a training place to those who are unemployed and in the 16 and 17 year old age group, with extended eligibility for those aged under 22 with a disability; and

under 24 for those young people who qualify under the Children (Leaving Care) Act (NI) (2002). The programme is designed to enable young people to progress to higher level training, further education, or employment

Priority 1 of the Northern Ireland European Social Fund Programme, 2007-2013, assists unemployed and economically inactive people, including young people, by helping them to improve their employability and ultimately enter sustained employment.

The Programme supports projects with a specific focus on rural young people, and a wider range of projects available to young people across the region, including in rural areas.

All-island Skills Study

Mr Boylan asked the Minister for Employment and Learning what consideration he has given to revisiting the work undertaken which led to the publishing of the All-Island Skills Study in 2008.

(AQO 5723/11-15)

Dr Farry: My Department has no immediate plans to re-visit the All-Island Skills Study, although it does keep its research needs under constant review. My officials also engage regularly with their counterparts in the Republic of Ireland on skills issues. Examples of recent engagement include productive discussions relating to my Department's review of apprenticeships and the review of youth training. I am also meeting with Ruairi Quinn TD, Minister for Education and Skills, in April.

My Department remains keen to work with the Department of Education and Skills, regarding the delivery of further education, where there are clear benefits for learners on both sides of the border.

Improving our skill base will enable Northern Ireland firms to become more competitive in the global market place, supporting business growth and international trade. In order to improve the skill base, we must first understand the demand for skills, to ensure we promote the education and training opportunities that are required by employers now, and into the medium term. The Skills Strategy for Northern Ireland, 'Success through Skills – Transforming Futures', provides the overarching framework for doing so.

As we work to develop the skills base, we look to various other countries and regions to observe and learn from best practice internationally. As part of the reviews of apprenticeships and youth training, my officials have engaged with, and studied closely, the education and training systems across a number of countries, including Switzerland, Germany and the Netherlands.

My Department, through its Research Agenda, has sought to enhance its understanding of the Northern Ireland skills profile, and how it is developing, in an international context. This work, together with other projects such as the International Benchmarking Report Card, published last year, provide valuable outward looking evidence to support the development of skills policy in Northern Ireland.

Apprenticeships

Mr Moutray asked the Minister for Employment and Learning to outline any discussions his Department has had with the Department of Enterprise, Trade and Investment concerning apprenticeships, including the need to provide further opportunities for young people in local businesses to enhance their employability.

(AQO 5724/11-15)

Dr Farry: In January, I announced the findings of the Review of Apprenticeships, as set out in the Interim Report and Consultation document.

The work of the review was informed by a series of engagements with a wide range of stakeholders including employers, participants, young people, and providers of training. The Expert Panel, which advised the work of the review, included representatives of Invest Northern Ireland and the Department of Enterprise, Trade and Investment-led Matrix Panel. Members of the Enterprise, Trade and Investment Assembly Committee were also invited to attend the review's stakeholder forums.

In a related development, I recently wrote to my Executive colleagues, including Minister Foster, to encourage participation in the review's ongoing consultation, which concludes on 7 April 2014.

My officials will be continuing to engage with appropriate Departments, as we seek to finalise our policy proposals during the coming months.

In relation to providing opportunities for young people, the Youth Employment Scheme launched in July 2012 is designed to help job-ready young people, aged between 18 and 24 years, to develop the employability skills required to obtain and sustain employment. The Department's Steps to Work and Training for Success programmes also support young people enhance their employability.

STEM: Additional Places

Mr Spratt asked the Minister for Employment and Learning, given the importance of science, technology, engineering and mathematics subjects to the economy, to outline the response by universities and Regional Colleges to the allocation of additional places.

(AQO 5725/11-15)

Dr Farry: Under Programme for Government, my Department has committed to delivering 700 additional full-time undergraduate places in Science, Technology, Engineering and Mathematics, known as STEM, subject areas by 2014-15,

measured against 2011-12 as a baseline. Figures for 2012-13 were published last month and these show that against a target of 233 additional STEM places, a total of 358 additional first year full-time enrolments in STEM subjects were recorded by Queen's University, the University of Ulster and South West Regional College. Good progress is therefore being made. This reflects the fact that the universities are rebalancing their course provision towards the STEM subject areas. The outcome for the 2013-14 year will not be known until February 2015.

The number of full-time STEM enrolments in further education colleges, including higher education delivered in further education, has increased by almost 9% between 2010-11 and 2012-13, although there has been a decrease of over 4% in part-time enrolments. Overall, funding for further education courses in STEM subjects has increased by over £3.2 million, or 8%, to £44.4 million over the same period. STEM provision now accounts for 29% of all recurrent funding to the further education colleges.

Youth Unemployment

Mrs D Kelly asked the Minister for Employment and Learning, given one in four young people are unemployed, to outline the resources and measures he has put in place to deal with this crisis.

(AQO 5726/11-15)

Dr Farry: Youth unemployment has been a consistent problem over the past seven years, and it is one that we are now tackling effectively.

Although the Labour Force Survey indicates that 23% of economically active 18-24 year olds are unemployed, this excludes students from the calculation. An alternative measure for the whole population of this age is the claimant count which shows that fewer than 1 in 10 of our young people is claiming unemployment related benefits.

All of my Department's programmes for addressing youth unemployment are available across Northern Ireland, irrespective of urban or rural settings.

My Department leads on the Executive's 'Pathways to Success' strategy which targets young people not in education, employment or training, known as NEET. The Local Employment Intermediary Service has been refocused with an emphasis on young people who are NEET. In total, more than £25 million to deliver these initiatives over the 2012 to 2015 period.

The Youth Employment Scheme provides help to unemployed young people aged 18 to 24 years, to obtain work experience, develop additional skills and gain employment. In order to increase participation in rural areas, the Youth Employment Scheme intends to run a pilot offering 12 free driving lessons, one theory test and one practical driving test, for those completing 8 weeks work experience or moving into full time employment during a work experience placement.

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Priority 1 of the Northern Ireland European Social Fund Programme, 2007-2013, assists unemployed and economically inactive people, including young people, by helping them to improve their employability and ultimately enter sustained employment.

The Programme supports projects with a specific focus on rural young people, and a wider range of projects available to young people across the region, including in rural areas.

Department of Enterprise, Trade and Investment

AgriFood Loan Scheme

Mr Swann asked the Minister of Enterprise, Trade and Investment for an update on the £1m agri-loan scheme announced recently for the poultry industry.

(AQW 30969/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): With a number of the banks now signing legal agreements with Invest NI, the first phase of the Agri-Food Loan Scheme (AFLS), which relates to broiler production, is open for business. All six participating banks may not open for applications on the same date. Any producer wishing to make an application to the scheme should approach the banks in the usual way.

With the 'rules of engagement' clearly documented during the first phase of the scheme, it should hopefully enable the scheme to be adapted to meet the needs of other sectors in a more timely and efficient manner than would otherwise have been the case. We have already started to see evidence of a more collaborative approach from the banks in examining the potential of the scheme for other sectors.

Finally, it is important to clarify that the AFLS is established as a scheme not a fund. The scheme will be funded from the Financial Transactions Capital (FTC) provided by DFP. The AFLS will be demand led. Invest NI has already secured £10m FTC for AFLS in 2014-15 and will bid for additional FTC funding through in-year monitoring and in future budget exercises.

Broadband

Mr Flanagan asked the Minister of Enterprise, Trade and Investment to detail the postcode areas that will benefit from the recently announced broadband funding.

(AQW 31022/11-15)

Mrs Foster: Detailed planning is still ongoing and I am unable to provide a list of the full postcode areas that will benefit from this funding. Plans will be developed on a phased basis that will consider the technical feasibility of the solution for an area coupled with the objective of delivering maximum value for money as well as aiming to benefit the greatest number of premises.

Voluntary and Community Groups

Mr Campbell asked the Minister of Enterprise, Trade and Investment whether voluntary and community groups have been furnished with copies of the recently released leaflet 'Need Help Managing Your Money'.

(AQW 31077/11-15)

Mrs Foster: The money management tips leaflet entitled "Need help managing your money?" was distributed to all libraries, job centres, District Councils, Health Centres/GP surgeries, pharmacies, students' unions, further education colleges, and leisure centres throughout Northern Ireland. Leaflets were also issued to all MLAs.

We also received requests for leaflets from Mervyn Storey's DUP Constituency Office, Libraries Northern Ireland for a "Teenage Wellbeing Fair" to be held on 21 March and Bryson Energy/Cregagh Community Association for a "Money Event" to be held on 7 March 2014.

Voluntary and community groups have not been furnished with copies of the leaflet, but the Department is currently taking steps to provide every household in Northern Ireland with a copy of the money management tips leaflet.

Trade: Northern Ireland and the United Kingdom

Mr Allister asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 30603/11-15, to detail any ministerial meetings, in any forum, to discuss trade between Northern Ireland and the rest of the UK, in 2013.

(AQW 31240/11-15)

Mrs Foster: During 2013, I was involved in many meetings with stakeholders, government officials and company representatives from across the UK. Typically, these meetings covered a wide range of issues concerning economic development matters in Northern Ireland and included discussions on trade development between the UK regions.

Pop-up Shops

Mrs Dobson asked the Minister of Enterprise, Trade and Investment what support her Department is providing to owners of high street premises to facilitate new businesses setup in pop-up shops; and for her assessment of the successes of such private ventures to the local economy.

(AQW 31252/11-15)

Mrs Foster: My Department and Invest NI works regularly with the full range of businesses across NI, including owners of high street premises and those in the retail sector. There is no doubt the nature of high street retailing is changing, and the concept of temporary, or so-called 'pop up shops' is an opportunity in this changing environment. Indeed it is an approach that even some of the larger, multi-national retailers have adopted.

As these also provide a route for new entrepreneurs, I would point to the wide range of initiatives available offering support and guidance. For example, Invest NI's start up programme, the Regional Start Initiative (RSI), is free to participants and offers the services of a business advisor to support the development of a business plan. In addition, Invest NI's Business Support Team and www.nibusinessinfo.co.uk provide a valuable source of business information and signposting to specialist advice to the retail sector.

Retailers can also avail of Invest NI's wide range of workshops and seminars, including programmes developed with local councils under the EU Local Economic Development initiative which are open and accessible to the wider business base.

So I would encourage local retailers and potential entrepreneurs to avail of Invest NI advice and assistance in this area.

Bank Accounts: DETI

Mr Allister asked the Minister of Enterprise, Trade and Investment to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

(AQW 31265/11-15)

Mrs Foster:

- (i) One Departmental bank account has been inactive for over twelve months.
- (ii) The account was set-up to facilitate euro transactions. There have been no such transactions in the last twelve months.
- (iii) The balance on the account is nil.

Fibre-optic Ring

Mr Flanagan asked the Minister of Enterprise, Trade and Investment to detail the current usage of the fibre-optic ring, which her Department funded in Enniskillen.

(AQW 31370/11-15)

Mrs Foster: The member is referring to the project taken forward by H2O Ireland under my Department's Northern Ireland Broadband Fund.

H2O Ireland is seeking to maximise its assets in the fibre ring provided in Enniskillen and to that end is in discussion with several telecom providers. For commercial reasons, the details of these discussions cannot be disclosed.

Currently Enniskillen District Council has all its buildings connected using this ring at unlimited bandwidth and at a fixed price thus future proofing its spend and data transmission requirements.

North/South Interconnector

Mr Flanagan asked the Minister of Enterprise, Trade and Investment whether she will publish the information used to inform her statement to the Assembly on the 17 February 2014, "every day that we are without the North/South interconnector costs £7 million to consumers in Northern Ireland alone".

(AQW 31372/11-15)

Mrs Foster: I am on record as stating that these are annual constraint costs. The assessment of costs is based on information included in a letter dated 9 June 2009 from the then Chief Executive of the Utility Regulator, Iain Osborne, to the then Chair of the Environment Committee, Patsy McGlone, which stated: "...regarding the costs to consumers, the current inadequate interconnection to the all island market will cost an estimated €20-€25 million this year and possibly as much as €30 million....". Northern Ireland consumers will bear a share of these costs which on a pro rata basis is assessed at €7 million.

Jobs Promotion: Ballymena

Mr D McIlveen asked the Minister of Enterprise, Trade and Investment how her Department is promoting job creation in Ballymena.

(AQW 31394/11-15)

Mrs Foster: Between 1st April 2011 and 30th September 2013 Invest NI promoted 344 new jobs in the Ballymena Borough Council area. (It should be noted that detailed analysis of job promotion figures is currently only available until the end of September 2013.)

At present Invest NI is only able to report on jobs created as a result of the Jobs Fund. The number of jobs which have been created by the Jobs Fund in the Ballymena council area between its inception in November 2011 and 31st December 2013 is 79.

Invest NI has developed new systems that will allow it to begin reporting on the number of jobs created across its full range of interventions from the start of the next financial year.

Invest NI provides an extensive portfolio of support to both start-up and established businesses in Ballymena, and indeed across Northern Ireland, to support them to create new jobs. This includes:

Jobs Fund provides **employment grant** support to investment projects which will create new sustainable jobs. Grants are available between £3,000 and £7,000 per job.

Selective Financial Assistance (SFA) is available to established businesses that demonstrate annual turnover in excess of £250,000 and annual export sales of 25% or £250,000 and are seeking to grow export sales and create employment. These businesses are typically supported in areas of job creation, market development, ICT, skills and strategy and R&D.

The Regional Start Initiative is designed to support locally focused entrepreneurs into self employment by helping them develop robust business plans. Business Start Grants are available for people resident in Neighbourhood Renewal Areas (NRA - £1,000 grant) and for young people who are not in Employment, Education or Training (NEETS - £1,500 grant) who complete a business plan and go on to start a business.

'Export Starts/Global Starts' provides support to entrepreneurs who are starting an export focused business or who have an established business and are seeking to enter export markets for the first time. These businesses are typically supported in areas of job creation, marketing, ICT, skills and strategy and R&D.

Invest NI has been working closely with local councils to develop initiatives to support the needs of businesses in their areas. These initiatives are funded through the Local Economic Development (LED) Measure of the EU Sustainable Competitiveness

Programme to support innovation, research and development and entrepreneurship. To date some 14 projects have been approved across the North East region with 11 programmes available to businesses located within Ballymena District Council.

Warm Homes Discount Scheme

Mr Lyttle asked the Minister of Enterprise, Trade and Investment whether further consideration has been given to the introduction of the Warm Homes Discount Scheme in Northern Ireland; and if so, to detail (i) how many customers would benefit; (ii) whether any customers would pay more; and (iii) by how much in each case.

(AQW 31419/11-15)

Mrs Foster: As I have previously indicated, the Warm Homes Discount Scheme, which operates in England, Scotland and Wales, is a form of social tariff operating in those jurisdictions. We have differing market arrangements, scales of consumer numbers, use of fuels and proportions of the population who might qualify for assistance.

As such, I have not given recent consideration to the introduction of such a scheme in Northern Ireland.

Small and Medium-sized Enterprises: Upper Bann

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment to detail (i) the funding granted to small and medium sized enterprises in the Upper Bann constituency; and (ii) this as a total of all funding, in each of the last two years.

(AQW 31440/11-15)

Mrs Foster: Invest NI support is largely demand-led and is primarily offered in response to requests for assistance from businesses which are focused on the development of markets outside Northern Ireland.

The table below shows (i) the amount of assistance offered to small and medium sized enterprises that have requested Invest NI support in the Upper Bann constituency and (ii) this as a percentage of all assistance offered in the Upper Bann constituency, and as a percentage of all assistance offered to SMEs in Northern Ireland as a whole, in each of the last two years.

Year	Assistance Offered to SME's in Upper Bann £m	% of Total Assistance offered in Upper Bann	% of Total Assistance offered to SMEs in NI
2011-12	5.72	87%	13%
2012-13	5.23	47%	9%

KPL Contracts

Mr Ó hOisín asked the Minister of Enterprise, Trade and Investment whether she has met with any relevant companies who have expressed an interest in fulfilling the contracts previously held by KPL Contracts.

(AQW 31445/11-15)

Mrs Foster: At present, my Department, through Invest NI, is continuing to liaise with a number of stakeholders and parties with interests in the ongoing issues at KPL Contracts. A number of ongoing conversations and recent enquiries direct to Invest NI may result in meetings with relevant businesses over the coming weeks and, as I have indicated previously, I am happy to engage with any of the relevant parties should this be deemed to be beneficial to ongoing negotiations.

Job Creation

Mr D McIlveen asked the Minister of Enterprise, Trade and Investment how many jobs have been created from Foreign Direct Investment in each of the last five years.

(AQW 31452/11-15)

Mrs Foster: At present, Invest NI is only able to report the number of jobs created as a result of assistance provided through the Jobs Fund. Table 1 provides this information for those inward-investment projects supported through the Jobs Fund, since its inception in 2011-12 to 31st December 2013.

Table 1: Inward-Investment Jobs Created by Jobs Fund (2011-12 to 31st Dec. 2013)

Year	Jobs Created
2011-12	77
2012-13	172
2013-14	73

Invest NI has developed new systems that will allow it to begin reporting on all jobs created across its full range of interventions from April 2014.

In the last five full financial years (2008-09 to 2012-13) externally-owned companies promoted 11,638 new jobs across all of Invest NI's schemes – see Table 2.

Table 2: Inward Investment Jobs Promoted by Invest NI (2008-09 to 2012-13)

Year	New Jobs
2008-09	2,856
2009-10	1,706
2010-11	2,603
2011-12	1,683
2012-13	2,790

Rigney Dolphin

Ms Maeve McLaughlin asked the Minister of Enterprise, Trade and Investment to clarify the situation in regard to the future of Rigney Dolphin in Derry.
(AQW 31570/11-15)

Mrs Foster: Rigney Dolphin has confirmed that it intends to close its operations in Londonderry with all 30 of the current workforce to be made redundant over the next couple of months.

The job losses are deeply regrettable and are as a result of a commercial decision taken by the company in light of difficult trading conditions and increasing competition in the Business Process Outsourcing market. The promoters do not believe, from a commercial perspective, that they can sustain the site in Londonderry any longer.

Invest NI will continue to work proactively with other stakeholders in the area, including the Department of Employment and Learning, Council, Chamber of Commerce and the local Enterprise Agency, to assist those staff affected by the closure and also to promote the wide breadth of support available to businesses in the area to stimulate and encourage employment opportunities in the locality.

Credit Unions

Mr Campbell asked the Minister of Enterprise, Trade and Investment to detail (i) how many Credit Unions are currently operating in Northern Ireland; and (ii) how many members are affiliated to each.
(AQW 31583/11-15)

Mrs Foster: There are 167 credit unions currently operating Northern Ireland.

DETI does not hold membership information. The Prudential Regulatory Authority (PRA), which is now responsible for collecting this data, has advised that as of 30th September 2013 there were a total of 487,480 adult members and 92,742 juvenile depositors. The table below provides details of the number of members affiliated to each credit union.

Firm Name	Members adult	Members junior	Total Members
Abbey Credit Union Limited	1,987	0	1,987
A-B-C Credit Union Limited	5,180	882	6,062
Aghaloo Credit Union Limited	632	485	1,117
Annahoe Credit Union limited	1,334	501	1,835
Antrim Credit Union Limited	6,569	1,311	7,880
Ardboe Credit Union Limited	2,214	649	2,863
Armagh Credit Union Limited	7,652	1,254	8,906
Avila Credit Union Limited	1,533	0	1,533
Ballinascreen Credit Union Limited	3,987	1,237	5,224
Ballinderry Bridge Credit Union Limited	1,750	571	2,321
Ballycastle Credit Union Limited	4,130	924	5,054
Ballyhackamore Credit Union Limited	5,081	686	5,767
Ballykelly Credit Union Limited	1,780	301	2,081

Firm Name	Members adult	Members junior	Total Members
Ballymacarrett Credit Union Limited	1,199	58	1,257
Ballymacash Credit Union Limited	143	23	166
Ballymena Credit Union Limited	7,571	1,964	9,535
Ballynafeigh Credit Union Limited	246	54	300
Ballynahinch Credit Union Limited	5,341	972	6,313
Banbridge Credit Union Limited	5,297	996	6,293
Bangor Credit Union Limited	2,906	435	3,341
Bannvale Credit Union Limited	4,447	1,217	5,664
Bannview Community Credit Union Limited	74	14	88
BDS Credit Union Limited	1,235	238	1,473
Beechview Antigonish Credit Union Limited	2,650	0	2,650
Belleek-Garrison Credit Union Limited	996	172	1,168
Belvoir Credit Union Limited	164	46	210
Benburb & Killyman Districts Credit Union Limited	1,668	382	2,050
Beragh Credit Union Limited	1,677	350	2,027
Bessbrook Credit Union Limited	2,594	289	2,883
Branial Credit Union Limited	154	39	193
Britannia Credit Union Limited	227	34	261
Brownlow (Lurgan) Credit Union Limited	2,121	284	2,405
BTCU (Credit Union) Ltd	1,809	0	1,809
Camlin Credit Union Limited	3,447	1,097	4,544
Carnglen Credit Union Limited	5,005	1,158	6,163
Carrickfergus Credit Union Limited	3,077	340	3,417
Castlederg & District No 12 Credit Union Limited	599	128	727
Causeway Credit Union Limited	3,082	282	3,364
Circle Credit Union Limited	965	142	1,107
Claudy Credit Union Limited	2,210	508	2,718
Clogher Valley Credit Union Limited	2,167	550	2,717
Clonard Credit Union Limited	6,321	1,648	7,969
Cloughfern Community Credit Union Limited	3,510	499	4,009
Coagh & District Credit Union Limited	198	83	281
Coalisland Credit Union Limited	7,958	2,511	10,469
Comber Community Credit Union Limited	571	122	693
Cookstown Credit Union Limited	4,657	908	5,565
Court Credit Union Limited	6,893	821	7,714
Crossmaglen Credit Union Limited	3,938	1,151	5,089
Dalriada Credit Union Limited	340	44	384
Derry Credit Union Limited	28,878	5,421	34,299
Derrygonnelly Credit Union Limited	2,240	501	2,741
Desertmartin Credit Union Limited	1,011	329	1,340

Firm Name	Members adult	Members junior	Total Members
Divisview Antigonish Credit Union Limited	1,683	137	1,820
Downpatrick Credit Union Limited	8,020	1,197	9,217
Dromara & Drumgooland Credit Union Limited	10,142	1,865	12,007
Dromore (Tyrone) Credit Union Limited	1,906	528	2,434
Dundonald Credit Union Limited	1,567	387	1,954
Dungannon Credit Union Limited	7,807	1,490	9,297
Dungiven Credit Union Limited	4,588	1,020	5,608
Dunmurry Credit Union Limited	513	40	553
Ederney Credit Union Limited	1,240	321	1,561
Enniskillen Credit Union Limited	4,216	446	4,662
Erne Credit Union Limited	297	67	364
Fairhill & District Credit Union Limited	3,701	930	4,631
Fairywater Credit Union Limited	972	239	1,211
Faughanvale Credit Union Limited	3,507	827	4,334
Fintona Credit Union Limited	2,887	580	3,467
Frontier Credit Union Limited	1,107	203	1,310
Glenard Credit Union Limited	N/A	N/A	N/A
Glenelly Credit Union Limited	589	216	805
Greencastle Credit Union Limited	2,269	297	2,566
Greyabbey Credit Union Limited	N/A	N/A	N/A
Hamilton Road Credit Union Limited	753	133	886
Hannahstown Credit Union Limited	2,962	799	3,761
Harp and Crown Credit Union Limited	7,153	0	7,153
Hollywood Credit Union Limited	1,649	193	1,842
Irvinestown Credit Union Limited	2,973	731	3,704
Keady Credit Union Limited	5,932	1,245	7,177
Kildress Credit Union Limited	2,242	455	2,697
Kilkeel Credit Union Limited	3,593	560	4,153
Kilrea and District No 5 Credit Union Limited	N/A	N/A	N/A
Kilrea Rasharkin & Dunloy Credit Union Limited	N/A	N/A	N/A
Kinawley Credit Union Limited	875	266	1,141
Kingdom of Mourne Credit Union Limited	907	206	1,113
Knockninny Credit Union Limited	953	130	1,083
Lagan Valley Credit Union Limited	591	90	681
Lakeland Credit Union Limited	194	33	227
Larne Credit Union Limited	5,465	977	6,442
Lecale Credit Union Limited	221	28	249
Limavady Credit Union Limited	2,668	557	3,225
Link Credit Union Limited	2,919	0	2,919
Lisbellaw Credit Union Limited	1,121	292	1,413

Firm Name	Members adult	Members junior	Total Members
Lisburn Credit Union Limited	8,141	550	8,691
Lisnaskea Credit Union Limited	2,813	613	3,426
Loughguile Credit Union Limited	1,290	238	1,528
Loughill Credit Union Limited	106	23	129
Loughside Credit Union Limited	1,271	380	1,651
Lower Iveagh Credit Union Limited	453	92	545
Lurgan Credit Union Limited	22,957	3,485	26,442
Macnean Credit Union Limited	616	122	738
Maghera Credit Union Limited	383	85	468
Magherafelt & District No 3 Credit Union Limited	1,994	537	2,531
Magherafelt Credit Union Limited	2,419	0	2,419
Magilligan Credit Union Limited	469	0	469
Maine Credit Union Limited	272	54	326
Mallard Credit Union Limited	163	65	228
Mid-Tyrone Credit Union Limited	347	67	414
Money more Credit Union Limited	439	72	511
Mourne Valley Credit Union Limited	570	115	685
Mournderg Credit Union Limited	2,205	270	2,475
Moy Credit Union Limited	1,587	399	1,986
Moyenir Credit Union Limited	1,833	493	2,326
Moyola & Toome Credit Union Limited	3,750	782	4,532
Muckamore Credit Union Limited	474	166	640
Mutual Credit Union Limited	1,377	331	1,708
New Horizons Credit Union Limited	352	52	404
Newington Credit Union Limited	10,653	2,495	13,148
Newmount Credit Union Limited	2,260	819	3,079
Newry Credit Union Limited	18,450	3,208	21,658
Newtownards Credit Union Limited	1,186	254	1,440
Newtownbutler Credit Union Limited	1,147	257	1,404
Newtownhamilton Credit Union Limited	2,327	533	2,860
Newtownstewart Credit Union Limited	1,343	212	1,555
No 5 Credit Union Limited	490	85	575
North Belfast Credit Union Limited	N/A	N/A	N/A
North Tyrone Credit Union Limited	1,642	199	1,841
Oldpark Credit Union Limited	3,899	790	4,689
Omagh Credit Union Limited	9,708	2,249	11,957
Orchard Credit Union Limited	2,942	715	3,657
Ormeau Credit Union Limited	6,535	1,108	7,643
Owenkilnew Credit Union Limited	1,197	240	1,437
Pennyburn Credit Union Limited	14,649	3,325	17,974

Firm Name	Members adult	Members junior	Total Members
Poleglass Credit Union Limited	3,281	126	3,407
Pomeroy Credit Union Limited	1,905	569	2,474
Portadown Credit Union Limited	8,946	1,367	10,313
Portaferry Credit Union Limited	3,829	1,394	5,223
Rathfriland Credit Union Limited	288	37	325
Riada Credit Union Limited	1,104	97	1,201
Roe Valley Credit Union Limited	742	107	849
Roslea Credit Union Limited	988	164	1,152
Rowallane Credit Union Limited	315	101	416
S.A.G. Credit Union Limited	9,532	569	10,101
Shaftesbury Credit Union Limited	365	104	469
Sion Mills Credit Union Limited	2,028	451	2,479
Sixmilecross & District Credit Union Limited	198	181	379
Skea Credit Union Limited	820	411	1,231
Slemish n tha Braid Credit Union Limited	1,851	551	2,402
Slieve Gullion Credit Union Limited	3,663	959	4,622
Society Credit Union Limited	1,524	260	1,784
South Fermanagh Credit Union Limited	363	41	404
Star Credit Union Limited	102	6	108
Stewartstown and District Credit Union Limited	275	98	373
Strabane Credit Union Limited	10,705	1,986	12,691
Stramore Community Credit Union Limited	346	130	476
Templemore Credit Union Limited	N/A	N/A	N/A
Termonmaguirk Credit Union Limited	3,518	844	4,362
Third Tree Branch Credit Union Limited	N/A	N/A	N/A
Torrent Credit Union Limited	2,579	995	3,574
TPM Credit Union Limited	2,400	657	3,057
Tullycarnet Credit Union Limited	207	45	252
Tullylish Credit Union Limited	818	0	818
Victoria Credit Union Limited	326	0	326
Waterside Credit Union Limited	7,494	1,294	8,788
WBR Credit Union Limited	6,958	1,335	8,293
West Tyrone Credit Union Limited	205	80	285
Willowfield Credit Union Limited	1,499	207	1,706
Total	487,480	92,742	580,222

Notes: N/A indicates no return received by PRA

Broadband: South Derry

Mr Milne asked the Minister of Enterprise, Trade and Investment what improvements will be made to broadband coverage in the rural South Derry area as a result of the recent funding award.

(AQW 31679/11-15)

Mrs Foster: The Northern Ireland Broadband Improvement Project announced on 7th February, aims to provide improvements in access to a basic fixed line broadband service of 2Megabits per second and to increase the availability of superfast broadband of 24Megabits per second, or more. It is anticipated that the project will deliver more choice and improved broadband speeds to some 45,000 premises across Northern Ireland.

Detailed planning is still ongoing and I am unable at this time to provide information on the exact nature of the improvements or the full postcodes areas that will benefit from this funding. Plans will be developed on a phased basis that will consider the technical feasibility of the solution for an area coupled with the objective of delivering maximum value for money as well as aiming to benefit the greatest number of premises.

Jobs Displacement

Mr McMullan asked the Minister of Enterprise, Trade and Investment, pursuant AQW 31079/11-15, how financial intervention from Invest NI will lead to displacement of jobs and by what companies.
(AQW 31864/11-15)

Mrs Foster: Under both national and EU rules, Invest NI cannot assist any proposal where there is a likelihood of job displacement. While displacement can be caused in any sector or by any company, it is most likely to occur in locally-focused and cost-competitive businesses and sectors, such as the haulage industry or in the provision of local services.

Department of the Environment

European Programme FP7

Mr Attwood asked the Minister of the Environment to detail the funds provided under the European Programme FP7 to (i) his Department; (ii) arm's-length bodies; and (iii) any third party in (a) 2010/11; (b) 2011/12; and (c) 2012/13 financial years.
(AQW 31046/11-15)

Mr Durkan (The Minister of the Environment): No funds were provided directly to my Department or its arm's-length bodies under the European Programme FP7. However, my Department is providing match funding in the region of c£80k over 4 years for the BIOFECTOR project that is being taken forward by the Agri-Food and Biosciences Institute (AFBI) in relation to research into sustainable crop production. This match funding leverages approximately £250k of EU funding under FP7, £186k of which is attributed to DOE under monitoring arrangements agreed by all departments as part of the Barroso Task Force Working Group initiative.

Arc21 Waste Management Group

Mr Kinahan asked the Minister of the Environment for an up to date figure on the amount of public money which has been allocated to the Arc21 waste management group since its inception; and how this represents value for ratepayers.
(AQW 31128/11-15)

Mr Durkan: The core activities of each of the Waste Management Groups are funded by their constituent councils. The amounts allocated are not held by the Department.

Since 2008, the Department has provided around £3.9 million pre-procurement financial support to arc21 for its major Waste Infrastructure Project. Prior to initiating its procurement arc21 was required to complete and have approved by DOE and DFP an Outline Business Case to DFP and Treasury 'Green Book' standards, demonstrating the affordability and value for money of its identified Reference Project.

In 2011/12, arc21 was also awarded a grant of £68,000 under the Rethink Waste (Revenue) fund to undertake an advertising campaign to encourage the recovery and recycling of metal packaging.

Bank Accounts: DOE

Mr Allister asked the Minister of the Environment to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.
(AQW 31266/11-15)

Mr Durkan: The Department currently has two bank accounts which has been inactive for more than 12 months, the Graduated Fixed Penalty Account and NIEA Petty Cash Account.

Graduated Fixed Penalty Account

This account has a zero balance and is inactive until the introduction of the new Graduated Fixed Penalty enforcement scheme expected to be operational later this year.

NIEA Petty Cash Account

This account has a zero balance and is in the process of being formally closed.

Waste: North West Region Waste Management Group

Mr Dallat asked the Minister of the Environment, in light of the disclosure in the recent BBC Spotlight programme, whether BrickKiln is still the preferred bidder in the North West Waste Management Group; and whether he plans to review funding for the North West Waste Management Group.

(AQW 31279/11-15)

Mr Durkan: My Department is not a party to the procurements being taken forward the Waste Management Groups. Decisions in respect of those procurements are a matter for each Waste Management Group and its constituent councils. The procurements are subject to procurement law and therefore bound to comply with rules governing commercial confidentiality.

BrickKiln is part of the consortium appointed Preferred Bidder by the councils of the North West Region Waste Management Group (NWRWMG) for their long-term waste infrastructure project on 23 May 2013. NWRWMG is working with the Preferred Bidder to reach Contract Award and as part of that process will carry out due diligence checks which will include assessment of any matter likely to impact on its councils' ability to award a contract.

My Department provided pre-procurement financial support for each of the major waste infrastructure procurements taken forward by the Waste Management Groups on behalf of their constituent councils up until 31 March 2013. No further funding has been provided for any expenditure incurred beyond that date. The release of any residual funding in respect of expenditure committed before that date is conditional upon compliance with the terms of the associated letters of offer.

Ravenhill Rugby Ground: Taxi Provision

Lord Morrow asked the Minister of the Environment, pursuant to AQW 30747/11-15, whether he will ensure that the Committee for the Environment are informed of this distinction.

(AQW 31283/11-15)

Mr Durkan: Further to the Committee meeting on 6 February, the Department has written to the Committee for the Environment to formally provide members with a copy of the guidance on the legal position as regards taxi provision at Ravenhill Rugby Ground. This was previously provided in response to my answer to AQW 27856/11-15.

Road Safety

Mr Girvan asked the Minister of the Environment whether his Department plans to introduce an educational campaign aimed at drivers to promote shared use of the road and the obvious dangers of overtaking when it is unsafe to do so.

(AQW 31285/11-15)

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. These include a number of ongoing activities to highlight the need for all road users to share the road.

In May 2012, a campaign was launched to encourage road users to 'respect everyone's journey' and to have consideration for others with whom they share the road. This campaign encourages the audience to appreciate the other road users' point of view and see things differently as mutual awareness of hazards can reduce collisions where people are killed and seriously injured. The important safety messages conveyed in this advert to drivers and pedestrians will benefit all vulnerable road user groups.

In DOE's advertisement, 'Excuses', launched in September 2012, the need for wider road user responsibility is highlighted, urging all road users to take personal responsibility for their actions on the road, towards themselves and other road users. The key message is that over 95% of crashes where someone is killed or seriously injured are due to human error. The ad depicts several tragic scenarios along with common excuses used by drivers and riders. This campaign is underpinned by the strap line "Kill the Excuses. It's no Accident!"

In April last year, my predecessor announced DOE's ambition of 'Vision Zero', whereby we acknowledge that no-one should ever die on our roads; and that every road death is one too many. The launch of the 'Share the Road to Zero' campaign was a pronounced step change for the Department and a natural progression from the recent steps made with the core messages of 'Respect Everyone's Journey' and 'Kill the Excuses. It's No Accident!'

The campaign encourages everyone to 'Share the Road to Zero', which is aimed at all road user groups to specifically promote shared use of the road – drivers, pedestrians, passengers, cyclists, motorcyclists, and horse-riders. The aim is to get every road user to take personal responsibility for helping to prevent deaths on Northern Ireland's roads. The underlying message is "If we all share the road, shouldn't we all share the responsibility."

The online element of this campaign allows road users to pledge a commitment by acting in the safest possible way on the roads in Northern Ireland, on every journey, every day. All road users can sign up to a pledge supporting this at www.sharetheroadtozero.com

Those who pledge to Share the Road to Zero receive a weekly email with road safety advice. Likewise, advice and Highway Code Rules are also posted on the Facebook and Twitter pages on a daily basis.

The email which issued on 21st February 2014 was entitled 'Overtaking rules everyone should follow' and communicated the key overtaking rules from The Highway Code for Northern Ireland. The email sent on 7th February 2014, entitled 'Expect

the Unexpected', contained an important educational section about overtaking. The Facebook and Twitter advice which was posted on the 27th February addressed what to do when you are being overtaken by another vehicle.

Driver Careless Inattention accounts for the majority of road casualties here and this is made of many different behaviours. 268 KSIs and 13 fatalities are attributed to 'overtaking without care' as the principal factor for 2008-2012. Overtaking without care is ranked fourth under the Driver Careless Inattention behaviours responsible for people killed and seriously injured (2008-2012).

DOE has recently produced and aired a new TV commercial, "Attentive Driver 2014", to address the top six careless driving causation factors of road fatalities and KSIs in Northern Ireland. Accordingly, 'overtaking without care' was addressed by this campaign.

Overtaking is also addressed in the "Unexpected" DOE Road Safety ad. Both "Attentive Driver 2014" and "Unexpected" have been on air during the month of February.

Overtaking is also addressed in the recently developed Road Safety Education leaflets:

- Horse sense for riders and motorists.
- Motorways
- Dual Carriageways

These leaflets can be found on NI Direct in the Road Safety section.

I recognise the continuing challenges of sharing the road and the dangers of overtaking and as such my Department will continue to address the issue through various activities.

Planning Applications

Mr Weir asked the Minister of the Environment what plans he has to put in place enforceable time limits on statutory bodies to respond to consultations on planning applications.

(AQW 31315/11-15)

Mr Durkan: The Planning (Northern Ireland) Act 2011 (the Planning Act) includes provisions that will require statutory bodies to provide a substantive response to consultation requests within specified time limits. These time limits will be delivered through subordinate legislation that will be the subject of public consultation in April. This legislation will also set out the criteria for a substantive response which will include the option for a consultee to confirm that it has no comment to make.

These proposals will provide greater clarity on the responsibilities of statutory consultees and greater certainty on the timescales involved in managing applications.

I believe that the best way of achieving compliance with the new time limits is for planning authorities to work proactively with consultees. In addition, the legislation will also require statutory consultees to report on their performance and provide explanations for those cases where consultation responses are not provided in time. This will make consultee performance a matter of record and will help identify difficulties or bottlenecks in the system which can then be effectively addressed.

The legislation does not prevent councils from determining applications for planning permissions when a consultee has not responded within the specified time limit. A decision to proceed to determination in such instances would require a council to exercise its judgement and consider the potential impact of proceeding without the views of a consultee.

Compensation provisions in the Planning Act are also relevant should a council choose to grant planning permission in the absence of a late consultee response. It could be that the response, when finally received, convinces the council to revoke or modify the planning permission and the council could be required to compensate the applicant. In such circumstances the amount of compensation payable can be recovered by the council from the consultee's sponsoring department (if any).

Planning Applications

Mr Weir asked the Minister of the Environment whether target time limits for planning application determinations begin at the initial submission of the application or at the pre-application discussion.

(AQW 31316/11-15)

Mr Durkan: The calculation of the time taken to process a planning application begins on the date the Department deems an application to be valid. Pre application discussions (PAD) are a separate and distinct advisory process and are not counted as part of the application processing time. However the PAD process provides a degree of certainty in terms of both the planning application process and the time frame for decision making. Generally applications that have been subject to and taken into account pre application advice have shorter processing times as the key issues have been addressed prior to the submission of the application.

Planning Applications

Mr Weir asked the Minister of the Environment whether there are any departmental time targets for the duration of pre-application discussions.

(AQW 31317/11-15)

Mr Durkan: There are no Departmental time targets within which pre-application discussions must be carried out.

The pre-application process relies on a constructive approach from both applicants and the Department. Spending time exchanging information or discussing plans during the critical period when proposals are being developed and are capable of change allows for a collaborative way of working to solve problems, enhance sustainability and quality and better ensure financial viability.

Pre-application discussions will not be relevant in every instance; instead a proportionate approach is taken in light of the nature, scale and benefits of the proposed development.

I intend to launch revised pre-application discussion guidance shortly. The launch of this guidance will ensure that opportunities to work collaboratively with applicants to improve the quality of developments are maximised.

Planning Applications

Mr Weir asked the Minister of the Environment what consideration has been given to introducing time limit deadlines for consultation responses to planning applications from statutory bodies, that when such deadlines pass it can be assumed that these bodies have no comment to make.

(AQW 31319/11-15)

Mr Durkan: The Planning (Northern Ireland) Act 2011 (the Planning Act) includes provisions that will require statutory bodies to provide a substantive response to consultation requests within specified time limits. These time limits will be delivered through subordinate legislation that will be the subject of public consultation in April. This legislation will also set out the criteria for a substantive response which will include the option for a consultee to confirm that it has no comment to make.

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Hamlets

Mr B McCrea asked the Minister of the Environment to detail the criteria and process used to identify hamlets for development. **(AQW 31333/11-15)**

Mr Durkan: The Regional Development Strategy 2035 contains a definition of settlements, including hamlets, which is based upon the "Report of the Inter-Departmental Urban-Rural Definition Group on Statistical Classification and Delineation of Settlements" published by NISRA, Feb 2005. Hamlets fall into Band H which includes all settlements of less than a 1000 people and open countryside.

Planning Policy Statement 12: Housing in Settlements states that development plans will identify the settlement hierarchy in the plan area. It clarifies that "...the definition, of which level in the hierarchy each settlement falls into, will be part of the development plan process for each locality".

'Planning Policy Statement 1: General Principles' identifies that countryside assessments are integral to the development plan-making process and provide the basis for identification of limits of development and where appropriate land use zonings. Settlement limits are designated in order to protect the individual character of each settlement and to prevent ribbon development and urban sprawl in the surrounding countryside, whilst creating suitably located opportunities to accommodate future development needs.

Whilst there are no set criteria for the identification of 'hamlets', these smaller settlements usually have a sense of community focussing around a church or hall or other facility normally with a shop, pub or other service. A hamlet is more than a cluster of rural houses but does not have the services or facilities and infrastructure of a village. A hamlet can accommodate limited growth i.e. single houses or a small group of houses or rural enterprises. However it does not have an important role in accommodating growth compared to other higher tier of settlements (i.e. cities and district towns, small towns and villages).

Hope Street/Wellwood Street, Belfast

Mr McGimpsey asked the Minister of the Environment what proposals are under consideration for the use of the lands between Hope Street and Wellwood Street in Belfast.

(AQW 31379/11-15)

Mr Durkan: There are no planning proposals presently under consideration for the use of the land.

Wind Turbines

Mr McAleer asked the Minister of the Environment to detail (i) the number of individual wind turbine applications approved; and (ii) the number and size of wind farms approved, in each district council area over the last ten years; and to detail (a) the number of individual wind turbine applications; and (b) the number and size of wind farm applications, in each district council area currently in the planning system.

(AQW 31382/11-15)

Mr Durkan: The Department can provide figures for approved applications for wind turbines and wind farms for the last 10 years, and those applications for wind turbines and wind farms which are currently pending, as outlined in the four tables included below. However, to establish the size of each wind farm would require a manual trawl through all individual wind farm applications. Such information, however, is available for public access at the following link:

http://www.doeni.gov.uk/index/information/asb/statistics/planning_statistics.htm

Table 1 Single Wind Turbine Applications Approved¹ from 2002/03 to 31st January 2014² by Local Government District

	2002/ 03	2003/ 04	2004/ 05	2005/ 06	2006/ 07	2007/ 08	2008/ 09	2009/ 10	2010/ 11	2011/ 12	2012/ 13	2013/14 (up to 31/01/14 ²)	Total
Antrim		4		4	8	7	7	4	2	16	1	6	59
Ards			1	1	3	6	11	5	2	1	9	10	49
Armagh			1	5	6	15	11	5	3	12	28	15	101
Ballymena	1	3	1	3	4	3	9	3	2	27	18	18	92
Ballymoney			2	2	5	1	8	5	12	11	24	20	90
Banbridge				1	6	4	20	5	10	12	15	7	80
Belfast		1	1	1	3			2		1	1		10
Carrickfergus			2		1	3	5	2	1		4		18
Castlereagh		1			5	4	8	2		5	1	1	27
Coleraine	1		1	2	5	8	14	4	3	14	24	13	89
Cookstown				3	2	3	1	3	2	13	39	12	78
Craigavon	1			3	1	1	4	1		4	2	4	21
Derry	1	2	1	1	3		3	4		2	16	15	48
Down	2		1	2	3	16	23	6	5	5	24	15	102
Dungannon and South Tyrone		2	2	7	3	7	5	3	9	14	32	23	107
Fermanagh		3	3	6	1	4	9	4	7	23	85	40	185
Larne		1	1		4	4	5	2	1	9	19	8	54
Limavady		1	2	3	3	2	3	2		3	12	6	37
Lisburn	1	3	3	6	4	2	10	7	3	2	10	5	56
Magherafelt			1	4	4	8	2	8	5	13	18	17	80
Moyle			2	1	2	1	3	2	2	2	8	8	31
Newry and Mourne			1		11	30	40	4	5	4	18	5	118
Newtownabbey		1			2	5	5	5	3	3	4	3	31
North Down		1			2	2	1	2	1	1		1	11

	2002/ 03	2003/ 04	2004/ 05	2005/ 06	2006/ 07	2007/ 08	2008/ 09	2009/ 10	2010/ 11	2011/ 12	2012/ 13	2013/14 (up to 31/01/14 ²)	Total
Omagh		2	2	8	10	8	7	5	15	25	70	55	207
Strabane	1		2	2	2	3	10	7	24	44	17	25	137
Total	8	25	30	65	103	147	224	102	117	266	499	332	1,918

Notes:

- 1 Approved applications may not have been received in the same time period. Therefore direct comparisons cannot be made with received applications.
- 2 Latest available, provisional, renewable energy information.

Table 2 Wind Farm Applications Approved¹ from 2002/03 to 31st January 2014² by Local Government District

	2002/ 03	2003/ 04	2004/ 05	2005/ 06	2006/ 07	2007/ 08	2008/ 09	2009/ 10	2010/ 11	2011/ 12	2012/ 13	2013/14 (up to 31/01/14 ²)	Total
Antrim								1	1	1	1		4
Ards					1								1
Armagh						2		1					3
Ballymena				1	1			1	1			1	5
Ballymoney					1	2	1	2		1	2	2	11
Banbridge													0
Belfast													0
Carrickfergus													0
Castlereagh										1			1
Coleraine										1	1	1	3
Cookstown											1		1
Craigavon													0
Derry							2				1	1	4
Down													0
Dungannon and South Tyrone				1				1	1	2		1	6
Fermanagh		1			1		2	1	1		1		7
Larne							1						1
Limavady					1			2	1	1	1		6
Lisburn							1		1				2
Magherafelt		1			1				1	1	1		5
Moyle											1		1
Newry and Mourne													0
Newtownabbey								1					1
North Down													0
Omagh			1	1		6	2	3	3	2	1	2	21
Strabane				2		2	1	1	3			2	11
Total	0	2	1	5	6	12	10	14	13	10	11	10	94

Notes:

- 1 Approved applications may not have been received in the same time period. Therefore direct comparisons cannot be made with received applications.
- 2 Latest available, provisional, renewable energy information.

Table 3 Pending Single Wind Turbine Applications as at 31st January 2014¹, by Local Government District and Financial Year Received

	2007/08	2009/10	2010/11	2011/12	2012/13	2013/14 (up to 31/01/ 14)	Total
Antrim					7	4	11
Ards				1	2	13	16
Armagh				2	5	27	34
Ballymena			2	5	8	20	35
Ballymoney			3			15	18
Banbridge				4	10	14	28
Belfast							0
Carrickfergus		1	2	2	3	4	12
Castlereagh					3	1	4
Coleraine			1	2	4	16	23
Cookstown			3	5	12	20	40
Craigavon						1	1
Derry			1	1	8	7	17
Down			7	8	13	9	37
Dungannon & South Tyrone				3	7	18	28
Fermanagh			1	3	11	40	55
Larne				1	1	12	14
Limavady			2	1	6	14	23
Lisburn			1	12	7	11	31
Magherafelt	1		2	2	9	15	29
Moyle				1	3	13	17
Newry and Mourne			4	8	17	22	51
Newtownabbey					2	4	6
North Down							0
Omagh				8	29	52	89
Strabane				6	23	24	53
Total	1	1	29	75	190	376	672

Notes:

- 1 Latest available, provisional, renewable energy information.

Table 4 Pending Wind Farm Applications as at 31st January 2014¹, by Local Government District and Financial Year Received

	2007/08	2008/09	2010/11	2011/12	2012/13	2013/14 (up to 31/01/14)	Total
Antrim							0
Ards							0
Armagh						1	1
Ballymena			3	2			5
Ballymoney							0
Banbridge							0
Belfast							0
Carrickfergus						1	1
Castlereagh							0
Coleraine				3		1	4
Cookstown						1	1
Craigavon							0
Derry				1	1		2
Down				1	1		2
Dungannon & South Tyrone							0
Fermanagh	1					4	5
Larne						3	3
Limavady					1	3	4
Lisburn							0
Magherafelt						1	1
Moyle				1			1
Newry and Mourne					1		1
Newtownabbey							0
North Down							0
Omagh	2		1	2	3	1	9
Strabane	3	1	4	2	1	3	14
Total	6	1	8	12	8	19	54

Notes:

1 Latest available, provisional, renewable energy information.

Challenge Fund 2014

Mr McKay asked the Minister of the Environment to list the organisations that have benefitted from the carrier bag levy Challenge Fund; and how much they received in each case.
(AQW 31393/11-15)

Mr Durkan: The current list of organisations, and the funding amounts awarded to each is set out in a table attached. For additional context, the number of projects that organisations currently have underway is also included.

As the 2014 Challenge Fund is ongoing, with projects scheduled for completion by the end of March 2014, a definitive final list along with final amounts will be available upon program closure.

Appendix A**List of organisations that have benefited from the Challenge Fund 2014**

Organisation	No. of Projects	Total Grant Awarded
Academy Primary and Nursery School	1	£3,500.00
Alliance Youth Works	2	£29,865.90
An Gaelchas	1	£10,000.00
Antrim Grammar School	1	£2,200.00
Ardaluin Regeneration Trust	1	£30,000.00
ARENA Network, BITC NI	1	£13,500.00
ArtsEkta	1	£10,000.00
Ballycarrickmaddy PS	1	£5,000.00
Ballyclare HS Eco Club	1	£4,986.80
Ballyhornan & District Community Association (BDCA)	2	£28,730.00
Ballymaconnelly Renewal Group	1	£19,964.00
Ballynure and District Community Association	1	£12,593.23
Balycastle Integrated PS and Nursery Unit	1	£5,000.00
Bann Valley Community Group	1	£10,000.00
Beech Hill US Navy & Marine Corps Friendship Association	1	£9,975.00
Belfast Buildings Trust	1	£8,900.00
Belfast High School	1	£5,000.00
Belfast Hills Partnership	2	£30,240.00
Belfast Royal Academy, Duke of Edinburgh's Award (DofE)	1	£1,970.00
Belmont House Special School	1	£5,000.00
Blackhead Angling Club	1	£5,375.00
British Trust for Ornithology	2	£38,420.00
Broughshane Improvement Committee	1	£20,000.00
Bunscoil Bheanna Boircha	1	£4,992.00
Burrenbridge Community Group	1	£9,100.00
Business in the Community	1	£10,000.00
Camphill Community Glencraig	1	£6,900.00
Carntogher Community Association (CCA)	1	£27,000.00
Carrickfergus Gasworks Preservation Society Ltd	2	£4,460.00
Causeway Coast and Glens Heritage Trust	6	£61,557.00
Chartered Institute of Environmental Health	1	£9,700.00
Cinemagic	1	£9,150.00
Clanrye Group	1	£9,500.00
Climate Northern Ireland (CNI)	2	£7,408.00
Cloughey and District Community Association	1	£1,000.00
Cloughmills Community Action Team	2	£8,162.00
Cloughoge Nursery Unit, Cloughoge PS	1	£3,000.00
Colin Glen Trust	1	£21,500.00

List of organisations that have benefited from the Challenge Fund 2014

Organisation	No. of Projects	Total Grant Awarded
Conservation Volunteers	3	£23,951.00
Cooley PS	1	£4,055.00
Copeland Bird Observatory	1	£30,000.00
COSY Club	1	£4,045.00
Creavery PS	1	£4,575.00
Creggan Country Park Enterprises Ltd	2	£19,550.00
Drapers' Towns Partnership Ltd - Sperrins Gateway Landscape Partnership	3	£20,681.00
Dromore Beekeepers' Association (DBKA)	1	£9,600.00
Dromore PS	1	£5,000.00
ECO-UNESCO	1	£5,000.00
Enagh Youth Forum	1	£8,000.00
Enniskillen Angling Club	1	£5,000.00
Erganagh PS	1	£2,200.00
Erne & Melvin Enhancement company (EMEC)	1	£5,700.00
Fabb (For a Better Bangor)	1	£2,750.00
Fairview Primary PS	1	£3,000.00
Federation of City Farms and Community Gardens	3	£11,797.00
Field Studies Council	2	£34,165.00
Forthspring	1	£2,582.00
Forum for Alternative Belfast cic	1	£12,300.00
Foyle View Special School	1	£5,000.00
Friends of Derrymore	1	£9,950.00
Friends of Grove Park	1	£2,150.00
Gaelscoil an Chaistil, Ballycastle	1	£5,000.00
Gaelscoil Eoghain	1	£3,500.00
Glebe House Harmony Community Trust	1	£7,824.00
Glenravel & District Community and Residents Association	1	£18,700.00
Glens Angling Club	1	£23,250.00
Glens Red Squirrel Group	2	£12,450.00
Gorran Primary School	1	£2,770.00
Gracehill Old School Trust	1	£27,000.00
Gracehill Primary School	1	£2,033.00
Groundwork Northern Ireland (GWNl)	4	£57,235.00
Hearth Housing Association	4	£50,140.00
Hillsborough and District Cttee	1	£9,500.00
Holy Child PS	1	£5,000.00
Holywell Trust	1	£6,500.00

List of organisations that have benefited from the Challenge Fund 2014

Organisation	No. of Projects	Total Grant Awarded
Hollywood PS	1	£3,500.00
Inland Waterways Association of Ireland: Newry & Portadown branch	1	£1,765.00
Keep Northern Ireland Beautiful	8	£128,001.00
Kells Connor & Glenwherry Angling Club	1	£2,000.00
Kilkeel Primary School	1	£7,000.00
Killeter & District Development Trust	1	£9,350.00
Killyhommon PS, Boho	1	£4,000.00
Knocknagoney Primary School	1	£5,000.00
Kylemore Nursery School	1	£2,500.00
Lagan Canal Trust	1	£10,000.00
Lagan Valley Regional Park	1	£2,250.00
Lagan Valley Regional Park (LVRP) in partnership with National Trust (NT)	1	£19,900.00
Langfield PS	1	£480.00
Larne Grammar School	1	£914.50
LCDI	1	£27,500.00
Ligoniel Improvement Association	1	£17,600.00
Lough Fea Grouse Conservation Trust	1	£10,000.00
Lough Neagh Partnership	4	£57,390.00
Lough View Integrated PS Nursery Unit	1	£5,000.00
Loughash PS	1	£5,000.00
Loughmacrory Community Development Association (LCDA)	1	£14,200.00
Marine Conservation Northern Ireland	1	£18,518.00
Megargy and District Game and Conservation Society	1	£10,000.00
Mid Ulster Enterprises (Creggan) Ltd. (MUE)	1	£10,000.00
Mill Strand Integrated PS	1	£4,400.00
Millisle Youth Forum	1	£10,000.00
Mossley PS	1	£5,000.00
Mountaineering Ireland	1	£8,300.00
Mourne Heritage Trust	3	£47,000.00
Moyle PS	1	£4,999.00
Mullavilly PS	1	£5,000.00
National Trust	11	£122,288.00
Natural Copeland	1	£6,600.00
Newbuildings PS	1	£5,700.00
Newtownabbey Educational Guidance Centre	1	£5,000.00
North Coast Integrated College	1	£5,000.00

List of organisations that have benefited from the Challenge Fund 2014

Organisation	No. of Projects	Total Grant Awarded
Northern Ireland Freshwater Taskforce	1	£4,307.00
Northern Ireland Raptor Study Group (NIRSG)	2	£12,900.00
NOW	1	£4,990.00
One Million Trees in One Day	1	£30,000.00
Outdoor Recreation NI	5	£83,445.00
Owenkillew Development company ltd	2	£30,050.00
Parkgate and District Community Group	1	£10,000.00
Parkhall PS	1	£4,630.00
Pettigo and District Angling Association	1	£1,304.00
PLACE	4	£27,401.00
Playtime, Day Nursery, Playgroup and Out of School Club	1	£4,282.00
Pond Park PS	1	£5,000.00
Portglenone Enterprise Group (Portglenone Green Gym Project)	1	£1,570.00
Positive Futures	1	£9,395.00
Queen's University	3	£14,763.00
Rainey Endowed School	1	£4,000.00
RAPID	2	£11,890.00
Rathenraw Integrated PS	1	£2,184.00
Rathlin Development & Community Association (RDCA)	1	£8,500.00
Resource Centre Derry	1	£15,000.00
Richmount Rural Community Association	1	£9,750.00
Riding For the Disabled Association (Coleraine and District Group) Ltd	1	£12,180.00
River Blackwater Catchment Trust (RBCT)	1	£27,410.00
River Valley Development Association Ltd (RVDA)	1	£15,828.00
Roddensvale School	1	£800.00
Roe Angling Limited	1	£9,999.00
Roe Valley Community Property Ltd	1	£10,000.00
RSPB	3	£10,597.60
Saintfield Development Association	1	£8,500.00
Share Discovery Village	1	£9,330.00
Sion Mills Buildings Preservation Trust	1	£8,750.00
Six Mile Water Trust	2	£3,128.00
South Eastern Regional College	1	£5,000.00
Speedwell Trust	1	£4,620.00
St Colm's High School	1	£5,000.00
St Columbas PS	1	£5,000.00

List of organisations that have benefited from the Challenge Fund 2014

Organisation	No. of Projects	Total Grant Awarded
St Columbs College, Derry	1	£5,000.00
St Elizabeth's Parish Church	1	£20,750.00
St Joseph's Primary School	1	£5,000.00
St Joseph's PS, Glenmornan	1	£4,000.00
St Malachy's PS	1	£5,000.00
St Mary's PS, Bellanaleck	1	£5,000.00
St Mary's PS, Claudy	1	£2,295.00
St Mary's PS, Lurgan	1	£2,650.00
St Mary's PS, Strabane	1	£4,800.00
St Patrick's and St Joseph's PS	1	£1,830.00
St. Patrick's Primary School	1	£5,000.00
Strangford Lough and Lecale Partnership	3	£52,300.00
Suffolk Community Forum	1	TBC
Sustainable Northern Ireland	2	£10,100.00
Templepatrick PS	1	£4,000.00
The Boys' Brigade (Belfast)	1	£6,780.00
The Conservation Volunteers	3	£14,025.00
The Holywood Rudolf Steiner School	1	£4,996.00
The Woodland Trust	1	£17,057.00
Traad Wildlife and Conservation Club	1	£9,995.00
Transition Town Whitehead (TTW)	1	£8,490.00
Ulster Architectural Heritage Society	3	£25,920.00
Ulster Wildlife	4	£35,415.00
Ulster Workhouse and Famine Trust Lisnaskea	1	£13,356.00
University of Ulster	2	£8,539.00
Upper Andersonstown Community Forum	1	£5,800.00
West Belfast Partnership Board	1	£7,997.00
Windsor Hill Primary School, Newry	1	£5,000.00
	Total	£2,289,356.03

Taxis: Taximeters

Mr Weir asked the Minister of the Environment whether taxis that meet the EU Measuring Instruments Directive also meet departmental taxi metering regulatory standards.

(AQW 31435/11-15)

Mr Durkan: The Measuring Instruments Directive does not apply to taxis or vehicles per se, but rather devices or systems therein with a measuring function (like a taximeter), as defined in the Directive.

In Northern Ireland, only Belfast Public Hire taxis are required to fit and use taximeters, which must be of a make and model approved by the Driver and Vehicle Agency. This approval is granted where a taximeter type has been approved by the Public Carriage Office (PCO) in London, who have a comprehensive system for assessing whether or not taximeters meet their published standards. These standards are based on the Measuring Instruments Directive.

When the Measuring Instruments (Taximeters) Regulations 2006 implemented the Measuring Instruments Directive in the UK, a transitional provision permitted the use of some existing taximeter types up until 2016: the PCO have therefore approved a small range of legacy taximeters which are not fully compliant with the Directive. The Department also accepts these taximeters for use in Northern Ireland.

Where a taximeter has not been approved by the PCO, the Driver and Vehicle Agency will instead accept proof that it has been type approved as fully compliant with the relevant annexes to the Measuring Instruments Directive, as implemented in the Measuring Instruments (Taximeters) Regulations 2006.

Waterfoot Beach, Glenariff

Mr McMullan asked the Minister of the Environment how he plans to conserve the sand dunes at Waterfoot Beach, Glenariff, following damage during the recent coastal storms.

(AQW 31483/11-15)

Mr Durkan: The sand dunes at Waterfoot Beach are not designated or protected under any environmental legislation and there are no plans to do so in the near future. Therefore NIEA has no regulatory or legislative powers to conserve the sand dunes at Waterfoot Beach.

Planning Applications

Mr McMullan asked the Minister of the Environment whether the medical profession is consulted when a domestic planning application is made on medical grounds.

(AQW 31484/11-15)

Mr Durkan: Normally applications submitted on medical grounds will be accompanied by supporting evidence provided by experts in the medical profession therefore it is not necessary to carry out further consultations in this regard.

Taxis

Mr Weir asked the Minister of the Environment to detail the taxi companies or organisations he has met since taking office.

(AQW 31486/11-15)

Mr Durkan: I previously advised details of the taxi companies and bodies which I have met since taking up office in my answer to question AQW 26998/11-15.

Since then I have met with representatives of North West Taxi Proprietors Ltd, a cross community umbrella group based in Derry, set up to co-ordinate the organisation of the taxi industry in that area.

Taxis: Taximeters

Mr Weir asked the Minister of the Environment for his assessment of the suitability of data terminal/embedded meters protection against tampering.

(AQW 31487/11-15)

Mr Durkan: The Driver & Vehicle Agency (DVA) has yet to assess the suitability of a taximeter that incorporates an embedded data terminal. However, any such taximeter will be required to comply with the Measuring Instruments Directive 2004/22/EC, and the taximeter manufacturer must satisfy DVA that the taximeter is capable of being appropriately sealed to protect against tampering.

Taxis: Taximeters

Mr Weir asked the Minister of the Environment how changes to taxi metering will comply with European standards.

(AQW 31488/11-15)

Mr Durkan: The only mandatory European standard relevant to taxi metering is Annex MI-007 of the Measuring Instruments Directive, 2004/22/EC, which sets out technical standards for taximeters. These standards were implemented throughout the United Kingdom by the Measuring Instruments (Taximeters) Regulations 2006, which made it an offence to sell or use a taximeter which had not been type-approved as compliant with the Directive.

The Department currently approves taximeters for use in Northern Ireland, and this will continue when the proposed taxi reform legislation is implemented. Manufacturers seeking to have their meters approved will be able to apply to the Driver and Vehicle Agency. Approval will be granted when the Agency is satisfied that the meter has been formally type approved in compliance with the Directive.

Taxis: Taximeters

Mr Weir asked the Minister of the Environment what liaison, with regards to technical specifications, has taken place to ensure that taxi metering requirements are compliant with the EU Measuring Instruments Directive.

(AQW 31491/11-15)

Mr Durkan: The Driver & Vehicle Agency (DVA) approve taximeters in compliance with regulation 46 of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995. As an integral part of the approval process DVA contacts the taximeter manufacturer to obtain formal documentary evidence verifying the taximeter's certified

compliance with the Measuring Instruments Directive 2004/22/EC. This documentation, including the mandatory certification markings displayed on the taximeter, is checked by DVA before the taximeter is accepted for use in NI.

Taxis: Wheelchair Accessibility

Mr Frew asked the Minister of the Environment, pursuant to AQW 29975/11-15, to detail (i) why there is not a legislative requirement for a taxi to be wheelchair accessible unless it is to be licensed as Belfast Public Hire; (ii) why there is a difference in geographical areas; and (iii) how this sits with the Disability Discrimination Act 1995.

(AQW 31525/11-15)

Mr Durkan: The requirement for all Belfast Public Hire vehicles to be wheelchair accessible first appeared in legislation in the Public Service Vehicles (Construction) (Amendment) Regulations (NI) 1994 and subsequently consolidated in the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (NI) 1995, the latter currently in force today. The legislative difference between the requirements placed on Belfast Public Hire and other operators has been a historical one, with the former group also being required to have and use a taximeter and display a regulated fare.

Recent research undertaken on the Department's behalf indicated that only 5% of overall demand for taxis was for Wheelchair Accessible Vehicles (WAVs) so I believe that it would be inappropriate to require all taxis to be wheelchair accessible.

The Taxis Act (NI) 2008 seeks better to regulate the industry throughout the North. A single tier system, one which distinguishes only between standard taxis and WAVs, irrespective of geography, will better reflect the needs of those wheelchair users who want to use a WAV. You may wish to note that the Department has recently published the conclusions of research undertaken into the taxi industry in Northern Ireland, including the provision of wheelchair accessible vehicles and is currently undertaking a consultation on a new specification for Wheelchair Accessible Taxis; the relevant link is below.

http://www.doeni.gov.uk/index/road_users/taxi_reform_2012/taxi_accessibility_regulations.htm

In terms of the Disability Discrimination Act 1995 (DDA), the provision of taxi vehicles by operators is a matter for each individual operator to determine according to the needs of the particular consumer as not all wheelchair users will wish to travel in a WAV, but some prefer to travel in a saloon car with the wheelchair stowed in the boot.

Section 19(1)(a) of the DDA makes it unlawful for organisations such as transport service providers, including taxi operators, to discriminate against disabled people in the way in which they provide or do not provide their services. If consumers or operators are in any doubt about their rights or duties under the DDA, they may wish to consult the Equality Commission's Code of Practice on the provision and use of transport vehicles.

Taxis: Wheelchair Accessibility

Mr Frew asked the Minister of the Environment, pursuant to AQW 29977/11-15, to detail (i) how his Department monitors and reviews the minimum number of wheelchair accessible vehicles in a taxi fleet; and (ii) how it is determined that market activities are achieving a balance of supply and demand or whether there is market failure; and (iii) how many times powers under section 2(5) of the Taxi Act (NI) 2008 to specify a minimum percentage of taxis of a different class of use on an operator licence have been used.

(AQW 31526/11-15)

Mr Durkan: My Department currently does not, and is not required to, monitor or expressly determine the size or makeup of taxi fleets, although the power is provided in section 2(5) of the Taxis Act (NI) 2008 should the Department need to do so at a future date.

The power in 2(5) is designed to be used within the context of a new licensing regime, made under the Taxis Act. This regime is due to come into operation from September 2014. Any decision to impose a minimum number of wheelchair accessible vehicles in a taxi fleet would follow a review of the implementation of the new taxi licensing regime and would be based on evidence of the supply of and demand for Wheelchair Accessible Taxis.

You may wish to note that the Department has recently published the conclusions of research undertaken into the taxi industry in Northern Ireland, including the provision of wheelchair accessible vehicles and is currently undertaking a consultation on a new specification for Wheelchair Accessible Taxis; the relevant link is below.

http://www.doeni.gov.uk/index/road_users/taxi_reform_2012/taxi_accessibility_regulations.htm

The report identifies an undersupply of wheelchair accessible taxis in rural areas and questions whether the policy to extend, beyond Belfast, the requirement for all taxis using ranks to be wheelchair accessible would address this issue. Instead, the report recommends a range of other policy options, including introducing mandatory disability awareness training for all taxi drivers. This recommendation is being implemented by the Department and the other recommendations, including introducing a maximum vehicle age and a scrappage scheme, will be considered once the current implementation programme for the Taxis Act is completed and evaluated for its effectiveness.

My officials will continue to liaise with the Integrated Mobility Transport Advisory Committee (IMTAC) on these issues in order to ensure that the needs of disabled consumers are being met.

Planning Policy Statement 2

Mr Agnew asked the Minister of the Environment, in applying PPS2 where it states “damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature”, to detail (i) how benefits and values are calculated and what objective criteria are used to measure these against; and (ii) where damage to habitats is permitted, how compensation measures can be provided if the habitat is mature.

(AQW 31530/11-15)

Mr Durkan: Policy NH 5 of Planning Policy Statement (PPS) 2 Natural Heritage states that a development proposal which is likely to result in an unacceptable adverse impact on, or damage to, habitats, species or features may only be permitted where the benefits of the proposed development outweigh the value of the habitat, species or feature. In such cases, appropriate mitigation and/or compensatory measures will be required.

These measures will be assessed on a case by case basis in consultation with the appropriate environmental bodies. Where proposed development impacts on a protected species, NIEA will be the competent authority for carrying out an Appropriate Assessment under the Habitat Regulations.

The benefits and values of a planning application are assessed having regard to the individual merits of a planning proposal within the relevant planning policy framework for the area. This includes consideration of a range of factors such as: the site location; the characteristics of the site; the category of habitat; the species and or features present; expert advice from consultees; the scale and type of potential benefits, and all other material considerations. The amount of work and consideration should be proportionate to the location, type and scale of development. This will also influence whether the benefits and values calculated will have short, medium or long term effects. Ultimately, this is a matter of professional planning judgement.

In relation to mitigation and/or compensation measures the planning process allows amendments to be negotiated and made to design out any potential harmful impacts of a proposal. Appropriate mitigation measures can be secured by way of planning condition.

Compensation of mature habitat is not always achievable. Any decision relies on a number of ecological factors such as habitat type, quality and area. There may be occasions where newly created or recreated habitats would become of sufficient quality to ensure the coherence of any network of sites of which they are part. Where damage to habitats is permitted compensation measures may, for example, involve:-

- creating a habitat on a new or bigger site which is linked with other sites in a network;
- enhancing an existing site to make sure that its value is retained or, if it is designated, that its conservation objectives continue to be met; or
- improving remaining habitat on a site, in proportion to the loss caused by the development, where the damage is temporary.

Newly created sites or recreated habitats may need long term management.

Hydrocarbon Exploration: Ballinlea

Mr Agnew asked the Minister of the Environment what consideration has been given to the health of residents in the vicinity of the proposed on-shore oil well in Ballinlea (E/2013/0093/F); and whether he is aware of best practice regulations in other locations which require a buffer zone around the vicinity of such developments.

(AQW 31531/11-15)

Mr Durkan: To clarify, application E/2013/0093/F relates to temporary works for the drilling of an exploratory borehole to approx 2700m depth to investigate underground strata for hydrocarbon exploration under DETI licence PL3/10 issued to Rathlin Energy Ltd. The application is not for the commercial exploitation of oil.

In relation to the health and safety of the local residents the Department consults with a range of statutory consultees when assessing the impact the proposed development will pose to the local area.

In relation to this application the Department has consulted with environmental agencies within NIEA such as Water Management Unit, Industrial Pollution and Radiochemical Inspectorate and Land and Resource Management who assess the potential impact the development will have to the local land, air and water environment.

The local Councils Environmental Health Department (EHD) has been consulted and has the remit to assess and comment on noise and air quality impacts. The Health and Safety Executive (HSENI) has also been consulted to ensure that on-site operations are conducted in line with health and safety regulations.

The Department also intends to consult with the Public Health Agency upon receipt of information to be submitted in March from the applicant.

In terms of best practice, DOE Planning Officials work closely with colleagues in NIEA and in other regulatory agencies to ensure that the development is comprehensively assessed and safeguards are in place to protect the safety and amenity of the public.

Planning Applications

Mr Hazzard asked the Minister of the Environment where a planning application which was submitted prior to the enactment of The Planning Act 2011, and deemed and recorded as an enforcement case under prevailing legislation, whether that application can become immune from enforcement action upon the introduction of the 2011 Act.

(AQW 31558/11-15)

Mr Durkan: The Planning (NI) Order 1991 provides that in relation to a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land no enforcement action may be taken after the end of the period of five years beginning with the date on which the operations were substantially complete. Similarly, in relation to a breach of planning control consisting in the change of use of any building to use as a single dwelling house or any other breach of planning control no enforcement action may be taken after the end of the period of five years beginning with the date of the breach. Similar provision is made under the 2011 Act. These timeframes are not impacted by the change in the prevailing legislation and therefore unauthorised development will not become immune from enforcement action.

Ministerial Appointments to Public Bodies: DOE

Mrs D Kelly asked the Minister of the Environment how many ministerial appointments to public bodies have been made by his Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31593/11-15)

Mr Durkan: Since May 2011, my Department has made 68 Ministerial appointments to eight different organisations. Of these appointments, which include first time appointments and reappointments, 46 were male and 22 were female. The attached table provides a breakdown per organisation.

Ministerial Appointments made by DOE between May 2011 and March 2014

Organisation	No. of Males	No. of Females
Northern Ireland Local Government Officers' Superannuation Committee	10	4
Local Government Staff Commission	2	1
Councillors Remuneration Panel	3	2
Council for Nature Conservation and the Countryside	10	4
Historic Monuments Council	10	5
Historic Buildings Council	10	5
NI Coastal & Marine Forum	1	-
NI Biodiversity Group	-	1
Total	46	22

Legal Professional Privilege: DOE

Lord Morrow asked the Minister of the Environment, pursuant to AQW 30881/11-15, under what circumstances his Department would waive legal professional privilege.

(AQW 31610/11-15)

Mr Durkan: My Department will continue to consider each case, and the circumstances surrounding it, on its merits.

Waste: River Faughan Special Area of Conservation

Mr Agnew asked the Minister of the Environment, in relation to his Department's recommendation on 4 February 2014 to approve the retention of deposited waste (application A/2008/0670/F) in the flood plain adjacent to a tributary of the River Faughan Special Area of Conservation, whether tests were carried out by his Department to establish if the waste is inert.

(AQW 31618/11-15)

Mr Durkan: A valid planning application for the retention of deposit of inert waste materials on agricultural land and restoration to agricultural use was received on 11th September 2008.

After consulting widely and requesting additional information the application was initially presented to Derry City Council on 2nd February 2008 with a recommendation to refuse due to the lack of sufficient information. The application was deferred.

Further information was subsequently received and following further consultations the application was referred back to Derry City Council on 4th February 2014 with a changed opinion to approve.

Prior to recommending approval, the Department formally sought clarification on the nature of the infill material previously deposited on the site in letters dated 11th March 2009 and 10th August 2009. In response to the issues raised in the Department's letter, the agent submitted a number of documents including the following:-

- (i) Additional Information for: Site Characterisation Report and Restoration Plan, received 10th February 2010;
- (ii) Appropriate (Article 6) Assessment, received 10th February 2010.

Both of these documents contain results of a Trial Pit Site Investigation carried out in April 2008. These reports indicated the infill was inert.

Waste: River Faughan Special Area of Conservation

Mr Agnew asked the Minister of the Environment, pursuant to AQW 30250/11-15, whether a review of extant permission A/1980/0782 was necessary to comply with his Department's Habitats Regulations; and was such a review undertaken prior to the Department determining that no enforcement action would be taken and that dumping could continue as approved within 10 metres of the River Faughan Special Area of Conservation.

(AQW 31620/11-15)

Mr Durkan: Operations on this site are substantively complete and estimated to be finalised by the end of March 2014. The Department will continue its monitoring to ensure compliance with all conditions.

If any unauthorised activity comes to light I will ensure my officials investigate the matter without delay and decide on the appropriate course of action.

Aarhus Convention

Ms Lo asked the Minister of the Environment for his assessment of the ruling on 13 February 2014 by the Court of Justice of the European Communities against the UK Member State's continued breaching of the Aarhus Convention; and in light of this judgement, whether it is appropriate for his Department to be pursuing costs against applicants who have been unsuccessful in challenging environmental decisions, where that challenge was in the public interest.

(AQW 31647/11-15)

Mr Durkan: The lead UK Departments, including my Department, are currently considering the implications of the ruling of the Court of Justice of the European Communities on UK implementation of the Aarhus Convention. However, no firm conclusions have yet been reached. I will consider further this Department's position once the overall UK position is established.

Ravenhill Rugby Ground: Taxi Provision

Lord Morrow asked the Minister of the Environment, pursuant AQW 30881/11-15, for his assessment of the impact on public confidence of withholding this advice.

(AQW 31658/11-15)

Mr Durkan: My Department has published its determination on taxi provision at Ravenhill Rugby Ground, thereby giving clarity as to the issues involved. In doing so, it took into account a range of inputs including legal advice and site visits to observe the relevant operations. The publication of this determination will have helped explain the Department's rationale in making its decisions and given guidance to taxi operators and to the public.

Doravil Area of Outstanding Natural Beauty

Mr McAleer asked the Minister of the Environment (i) whether his Department is aware of the deforestation and road construction taking place in the Doravil Area of Outstanding Natural Beauty; (ii) whether these actions are connected to the proposals to construct wind farms in the area; and (iii) whether he will issue a stop notice to the works until a full Environmental Impact Assessment and an assessment of the traffic impact are conducted.

(AQW 31667/11-15)

Mr Durkan:

- (i) My Department received a complaint on 3rd March 2014 that development including roads construction and extraction was being carried out. An enforcement investigation is currently ongoing and being dealt with by Strategic Planning Division.
- (ii) The site will be inspected to confirm if a breach exists and determine if the activities are in connection with a wind farm development.
- (iii) Should a breach be identified, the Department may invoke several powers, including the issuance of a Temporary Stop Notice in accordance with Article 67E of The Planning (NI) Order 1991.

Planning Officers

Mr Frew asked the Minister of the Environment to detail how many Planning Officers there are in each Planning Office; and the areas each Planning Office serves.

(AQW 31678/11-15)

Mr Durkan: The number of Planning Officers in each Planning Office and the areas served by each Planning Office is listed below.

Planning Office and Council areas served	No of Planning Officers
Belfast Area Planning Office – Belfast City Council area	47
Western Area Planning Office – Omagh, Fermanagh, Dungannon, Magherafelt, Cookstown Council areas	40
Northern Area Planning Office – Derry, Strabane, Limavady, Coleraine, Ballymoney, Moyle Council areas	48
South Antrim Area Planning Office - Ballymena, Carrickfergus, Larne, Antrim and Newtownabbey Council areas	32
Southern Area Planning Office - Armagh, Banbridge, Craigavon, Down and Newry & Mourne Council areas	55
Downpatrick Area Planning Office - Castlereagh, Lisburn , Ards and North Down Council areas	54
Headquarters – Strategic Planning Applications across all of Northern Ireland	48

- Please note these figures do not include Planning Officers working within the Planning Policy Division in DoE or any staff seconded or on loan to other Business areas within DoE or other Departments.
- The Western Office has a sub office located in Enniskillen, and the Northern Office is split across two sites in Derry and Coleraine.
- Figures for the Northern Office include the Director of the Local Planning Division and the Business Support Team (4 Planning staff) which provides support to all of the Area Planning Offices.
- The Headquarters figure includes the Chief Planner.

Speed Limits

Mr P Ramsey asked the Minister of the Environment whether councils have the power to create by-laws to alter the speed limit on a street; and if so, to detail the councils that have utilised this power.

(AQW 31772/11-15)

Mr Durkan: Councils do not have the power to change speed limits. The Department for Regional Development, as the road authority for all public roads in Northern Ireland, is responsible for introducing local speed limits where the national limits are not appropriate.

Department of Finance and Personnel

Northern Ireland Dormant Accounts Scheme

Mr McAleer asked the Minister of Finance and Personnel for an update on the £3.2 million dormant accounts funding.
(AQW 30938/11-15)

Mr Hamilton (The Minister of Finance and Personnel): As you will be aware, my Department is currently considering possible spending priorities for the NI Dormant Accounts Scheme. Having reviewed the proposals to date, it is my intention that the Scheme will focus on social finance.

My officials are currently working across a number of issues in relation to the proposals. This work includes the development of a business case, undertaking a competitive tendering exercise and completing the legislative and Assembly process. In addition, my officials are in discussion with the Departmental Solicitor's Office (DSO) as to whether further public consultation is required.

Bank Accounts: DFP

Mr Allister asked the Minister of Finance and Personnel to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

(AQW 30978/11-15)

Mr Hamilton: My Department has one bank account which has been inactive for twelve months or more. This bank account was opened in connection with the Deferment Scheme for Ratepayers, which ceased on 31 March 2012. The account has been kept open in case any further moneys were required to be paid out.

Craigavon Town Centre

Mrs Dobson asked the Minister of Finance and Personnel what support Land and Property Services is giving to Craigavon Town Centre in light of the “town centres first” approach being adopted by the Minister for the Environment, (AQW 31353/11-15)

Mr Hamilton: In terms of rating support, while this is provided to businesses in town centres, the rating system does not recognise ‘town centres’ and the Department has no authority to target support in this way.

Net Fiscal Balance Report

Mr Flanagan asked the Minister of Finance and Personnel to detail the (i) methodologies which are used or have been considered in the process of the net fiscal balance report, including why some methodologies are favoured over others; (ii) data sources used in the production of the report; and (iii) calculations employed in the report which includes data, functions and processes and which provides enough information for the calculations to be repeated. (AQW 31464/11-15)

Mr Hamilton: In developing the Net Fiscal Balance report, DFP has sought to broadly apply the same approach, using where available the same sources of information as used to produce the “Government Expenditure and Revenue in Scotland” (GERS) publication. Where there are minor differences, these have typically been as a consequence of differences in the availability of information in each region.

As described in the Net Fiscal Balance report, it draws on a wide range of statistical sources. Details of these, and the methodology used, are outlined in the Annexes of the report. The statistical releases and publications associated with each of these individual sources will provide further information on the data applied in the calculation of the net fiscal balance position.

National Asset Management Agency

Mr McKay asked the Minister of Finance and Personnel for an estimate of the number of jobs that are presently supported by the National Asset Management Agency. (AQW 31473/11-15)

Mr Hamilton: The Department for Finance and Personnel is not responsible for the National Asset Management Agency and is therefore unable to estimate the number of jobs NAMA currently supports.

NEETs: East Londonderry

Mr Campbell asked the Minister of Finance and Personnel to detail the number of people who are not in education, employment or training in East Londonderry, broken down by year, from 2008 until 2013. (AQW 31517/11-15)

Mr Hamilton: Estimates of young people not in employment, education or training (NEETs) are sourced to the Labour Force Survey (LFS). However, these estimates are not available at parliamentary constituency level, as the LFS sample size and design does not support the production of sufficiently reliable estimates of this type at constituency level.

Suicide: West Belfast

Ms Maeve McLaughlin asked the Minister of Finance and Personnel how many people in west Belfast have died by suicide, in each year since 2004. (AQW 31538/11-15)

Mr Hamilton: The attached table details the number of deaths registered as suicide¹ in Belfast West Assembly Constituency in each year between 2004 and 2012.

Table 1: Number of Deaths Registered as Suicide¹ in Belfast West Assembly Constituency, 2004-2012

Year of Registration	Belfast West
2004	9
2005	11

1 International Classification of Diseases, Tenth Revision codes:
X60-X84 and Y87.0 - Suicide and self-inflicted injury.
Y10-Y34 and Y87.2 - Undetermined injury.

Year of Registration	Belfast West
2006	22
2007	22
2008	30
2009	27
2010	20
2011	29
2012	30

- 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 intent'. 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 intent' are Y10-Y34 and Y87.2

Small and Medium-sized Enterprises

Mr McMullan asked the Minister of Finance and Personnel to detail the (a) number; and (b) names of registered small and medium sized enterprises in the (i) Moyle District Council; and (ii) Larne Borough Council areas.

(AQW 31650/11-15)

Mr Hamilton: The numbers of registered small and medium sized businesses in Moyle District Council and Larne Borough Council areas are provided in the attached table. The names of these businesses cannot be released due to statutory disclosure controls.

Number of registered small and medium sized businesses in the Moyle District Council and Larne Borough Council areas.

District/Borough Council area	Small sized enterprise (0-49 employees)	Medium sized enterprise (50-249 employees)
Moyle	795	35
Larne	1030	90

Source: Inter-Departmental Business Register, February 2014

Notes:

- The Inter Departmental Business Register contains information on all businesses in the United Kingdom which are either VAT registered or operating a PAYE scheme. Very small businesses which are not VAT registered and which do not have employees will therefore be excluded.
- Figures have been rounded to the nearest 5.

Procurement: Local Government

Mr McMullan asked the Minister of Finance and Personnel, pursuant to AQW 30263/11-15, to detail what steps the Minister will take to ensure (i) local councils advertise tender opportunities in the local press; and (ii) an up to date register is kept regarding tender opportunities within councils.

(AQW 31654/11-15)

Mr Hamilton: The local government sector is not subject to the Executive's Northern Ireland Public Procurement Policy and I therefore have no remit with regard to their procurement procedures.

Fiscal Powers

Ms McCorley asked the Minister of Finance and Personnel for an update on the Executive Review of Fiscal Powers.
(AQO 5732/11-15)

Mr Hamilton: The June 2013 Building a Prosperous and United Community document includes a commitment by the Government and the Northern Ireland Executive to examine the potential for devolving specific additional fiscal powers, over and above the Programme for Government commitment to seek responsibility for corporation tax.

Following the completion of an initial scoping exercise, this is currently being taken forward by my officials who will consult with other relevant departments and external stakeholders as required.

The recommendations from this analysis should be put to Northern Ireland Executive and Government ministers by autumn 2014.

European Investment Bank: Borrowing

Mr Eastwood asked the Minister of Finance and Personnel what restrictions or requirements under HM Treasury rules are currently placed on European Investment Bank borrowing by (i) public bodies; and (ii) government departments.

(AQW 31776/11-15)

Mr Hamilton: The rules in relation to borrowing by Northern Ireland Executive departments are set out in the Statement of Funding Policy.

Borrowing counts towards the Public Sector Net Cash Requirement and any increases in borrowing by Northern Ireland Executive departments must be offset by reductions in other spending. This effectively nullifies any benefit of borrowing from institutions such as the European Investment Bank.

European Investment Bank: Borrowing

Mr Eastwood asked the Minister of Finance and Personnel to detail what changes have been made to restrictions or requirements under HM Treasury rules placed on European Investment Bank borrowing by (i) public bodies; and (ii) Departments since 1998.

(AQW 31777/11-15)

Mr Hamilton: The rules surrounding Northern Ireland Executive department borrowing are set out in the Statement of Funding Policy and have not changed since 1998.

European Investment Bank: Borrowing

Mr Eastwood asked the Minister of Finance and Personnel to detail (i) projects funded through the European Investment Bank in the last ten years; (ii) whether any of the borrowing was underwritten by government departments; and (iii) funded projects.

(AQW 31778/11-15)

Mr Hamilton: A list of projects funded through the European Investment Bank can be found on the Bank's website.

Due to the commercial sensitivities involved all questions in relation to European Investment Bank funding arrangements should be directed to the Bank itself, or the body in receipt of the European Investment Bank finance.

My department has no projects which involve European Investment Bank borrowing.

Rates: Advance Payment

Mrs Dobson asked the Minister of Finance and Personnel whether he will make provision to enable Land and Property Services to accept advance payment for domestic and commercial rates.

(AQO 5734/11-15)

Mr Hamilton: I have no plans to make provision to enable LPS to accept advance payments for domestic and commercial rates. I have previously advised the member in response to AQW 30143/11-15 and AQW 30144/11-15 why LPS is unable to accept advance payments.

Budget 2014: March Statement

Mr Brady asked the Minister of Finance and Personnel to outline any communication he has had with the Chancellor of the Exchequer in advance of the March 2014 Budget statement.

(AQO 5735/11-15)

Mr Hamilton: I have not had any direct communication with the Chancellor of the Exchequer. However, I am planning to talk to Danny Alexander, the Chief Secretary to the Treasury, in advance of the March 2014 UK Budget announcement. My officials are also in ongoing contact with their HM Treasury colleagues.

Housing: Housing Market

Mr McQuillan asked the Minister of Finance and Personnel for his assessment of the local housing market.

(AQO 5736/11-15)

Mr Hamilton:

- (i) I am pleased that confidence is again returning to the local housing market, with the number of residential property sales at levels not seen for six years. The latest quarterly Residential Property Price Index produced by Land & Property Services provides the most reliable, and by far the most comprehensive, picture of our local property market. Over 4,800 residential properties were sold during the fourth quarter of 2013, demonstrating buyers' growing confidence in the housing market. This represents a 28% increase on the number of properties sold in the same quarter of 2012 and is the highest number of quarterly sales recorded since 2007.

- (ii) Increased activity in the market is good news, and it's particularly good news for first time purchasers and those wishing to move up in a now more affordable and stable Northern Ireland housing market. Whereas no one wants to see the housing price bubble inflated again, the 4% increase in house prices from the final quarter of 2012 to the final quarter of 2013 tells us that, slowly but surely, the Northern Ireland property market is moving in the right direction. This is the highest positive annual change since the fourth quarter of 2007, and is another sign of confidence in the market.

This is all very encouraging, but I am not naive and I do recognise that many challenges remain.

Northern Ireland Civil Service: Flexible Working

Mr F McCann asked the Minister of Finance and Personnel what plans he has to increase the availability of flexible working options for civil servants.

(AQO 5737/11-15)

Mr Hamilton: The Northern Ireland Civil Service has a wide range of terms and conditions to support staff in the balance between their work commitments and life responsibilities. There is, however, a guiding and over-riding principle that this flexibility should be achieved without adverse effect on the overall efficiency of departments or on service to the public.

Various types of agile working have been successfully implemented throughout the NICS both in terms of the wide range of flexible working patterns available (flexitime, term and part time working, job sharing) and the technology to support other flexible working options.

Excellent progress has been made with the NICS IS Strategy, including the introduction of a new IP Telephone system to allow staff to be contacted on the one number regardless of their location, development of a range of options for remote access to NICS systems, videoconferencing and teleconferencing to reduce the need for travel, Blackberry devices for secure email access and the provision of satellite hubs to enable remote working.

Banks

Mr Storey asked the Minister of Finance and Personnel to outline any recent discussions he has held with the banking sector.

(AQO 5738/11-15)

Mr Hamilton: In December 2013, the DETI Minister and I began a new round of meetings with each of the seven largest banks operating in Northern Ireland. The last of these meetings took place on 20 February.

During these meetings we discussed a range of topics including trends in lending to SMEs, participation in national initiatives to encourage greater lending, and the work of the Access to Finance Implementation Panel established to take forward the recommendations of the Economic Advisory Group.

Separately on 11 February I, along with the First Minister and deputy First Minister, met with RBS Chief Executive, Ross McEwan, to discuss the implications of the RBS review for the future of the Ulster Bank.

The Enterprise Minister and I have also met bank representatives on the Agri – Food Loan fund initiative.

Procurement

Mr A Maginness asked the Minister of Finance and Personnel for his assessment of bi-nation and tri-nation procurement arrangements.

(AQO 5739/11-15)

Mr Hamilton: Opportunities to participate in procurement with the other devolved administrations exist within agreements established by the Crown Commercial Service (CCS).

Central Procurement Directorate (CPD) collaborates with CCS and their partnering organisations on a range of common goods and services including liquid fuels, gas, commercial vehicles, office supplies and purchasing cards. These arrangements promote and support collaborative procurement allowing the benefits of economies of scale resulting in value for money for taxpayers.

In reviewing the scope for enhancing joint arrangements with other jurisdictions the potential impact on local business and in particular SMEs is a key consideration.

CPD continues to engage with colleagues in the Republic of Ireland and in Wales and Scotland on matters of policy and procedure.

Banks

Ms Maeve McLaughlin asked the Minister of Finance and Personnel to outline any discussions he has had with banks in relation to resolving cross border banking issues.

(AQO 5740/11-15)

Mr Hamilton: I meet regularly with our local banks, with the most recent series of meetings concluding last month. My key focus in these discussions has been on current trends in lending to SMEs and exploring the steps that can be taken to improve this situation. From a cross border perspective, the greatest issue we face is that our local banks, which operate

both in Northern Ireland and the Republic of Ireland, are heavily constrained by impaired property loans incurred in both jurisdictions. This has impacted on bank lending, and has meant that significant restructuring has been, and continues to be, required to put the banks on to a sustainable footing. In that regard my objective is to ensure that our banks make sufficient finance available locally, and that any restructuring does not disproportionately impact on Northern Ireland operations.

Department of Health, Social Services and Public Safety

A&E Departments

Mr Beggs asked the Minister of Health, Social Services and Public Safety to detail the current allocation of (i) doctors; and (ii) nurses for (a) day; and (b) night shifts, broken down by day, in each hospital Accident and Emergency Department; and whether all these posts are filled.[R]

(AQW 30941/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): The current shift patterns and allocations of staff, by day, in each Type 1 and Type 2 Emergency Department are shown in the tables below. This information has been obtained directly from HSC Trusts and has not been validated by the Department.

Belfast HSC Trust

Mater Hospital

Table 1 – Shifts and Coverage by Day in the Mater Hospital

Grade	Time period	Coverage						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	08.00-17.00	2	2	2	2	2		
	13.00-18.00	1	1	1	1	1		
	09.00-17.00						1	1
	On-call out of hours	1	1	1	1	1	1	1
Associate Specialist / Specialty Doctor / Staff Grade	Schedule variable dependent on requirements	1	1	1	1	1	1	1
Registrar Level	Participate in RVH on-call rota. Day time roster variable depending on on-call commitment.							
Foundation Doctor	08.00-16.00	3	3	3	3	3	1	1
	15.00-23.00	3	3	3	3	3	3	3
	20.00-05.00	2	2	2	2	2	2	2
	12.00-20.00	3	3	3	3	3	3	3
	23.30-08.30	2	2	2	2	2	2	2
	10.00-18.00	3	3	3	3	3	3	3
Qualified Nurse*	Early 08.00-14.00	7	7	7	7	7	6	6
	Late 14.00-21.00	8	8	8	8	8	7	7
	Night	5	5	5	5	5	5	5

* The Belfast Trust notes that it has one unfunded Band 5 Nursing post 24 hours a day Monday-Thursday, and 8.5 hours on Friday.

Table 2 – Filled and Unfilled Posts in the Mater Hospital

Grade	Staff In Post		Unfilled posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	5	5.0	1	1.0	0	0.0

Grade	Staff In Post		Unfilled posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Specialty Doctor / Associate Specialist / Staff Grade	3	3.0	0	0.0	0	0.0
Registrar Level (incl. Core Trainee)	6	6.0	0	0.0	0	0.0
Foundation Doctor	5	5.0	0	0.0	0	0.0
Qualified Nurse	52	47.81	0	0.0	0	0.0

Royal Victoria Hospital

Table 3 – Shifts and Coverage by Day in the Royal Victoria Hospital

Grade	Time Period	Coverage						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	08.00-18.00	3	3	3	3	3		
	18.00-00.00	1	1	1	1	1		
	09.00-13.00						1	1
	09.00-18.00						1	1
	On call out of hours	1	1	1	1	1	1	1
Associate Specialist / Specialty Doctor / Staff Grade AND Registrar level	08.00-17.00	2	2	2	2	2	1	1
	10.00-18.00	2	2	2	2	2		
	12.00-21.00	2	2	2	2	2		
	15.00-00.00	2	2	2	2	2	1	1
	22.00-08.00	1	1	1	1	2	2	2
	13.00-21.00						1	1
	10.00-22.00						1	1
	12.00-00.00						2	2
Foundation Doctor	08.00-17.00	1	1	1	1	1	1	1
	09.00-18.00	1	1	1	1	1	0	1
	10.00-19.00	1	1	0	1	1	1	1
	12.00-21.00	1	1	1	1	1	0	0
	13.00-22.00	1	1	1	1	1	1	1
	15.00-00.00	1	1	0	0	1	0	0
	18.00-02.00	1	1	1	1	1	1	1
	20.00-05.00	1	1	1	1	1	1	1
	23.00-08.00	1	1	1	1	1	1	1
Qualified Nurse	Early 08.00-14.00	16	16	16	16	16	15	15
	Late 14.00-21.00	18	18	18	18	18	17	17
	Twilight 18.00-00.00	1	1	1	1	1	1	1
	Night	10	10	10	10	10	10	10

Table 4 – Filled and Unfilled Posts in the Royal Victoria Hospital

Grade	Staff in Post		Unfilled posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant*	10	10.0	0	0.0	0	0.0
Associate Specialist / Staff Grade / Specialty Doctor*	5	5.0	0	0.0	0	0.0
Registrar Level (incl Core Trainee)	10	10.0	0	0.0	0	0.0
Foundation Year 1&2	8	8.0	0	0.0	0	0.0
Qualified Nurse	93	86.9				

* Belfast Trust advises that although posts are substantively filled, 3.0 WTE Consultant posts and 2.0 WTE Associate Specialist/Specialty Doctor/Staff Grade posts are currently being covered by locums due to maternity leave, long-term sickness absence, or career breaks.

Royal Belfast Hospital for Sick Children**Table 5 – Shifts and Coverage by Day in the Royal Belfast Hospital for Sick Children**

Grade	Time Period	Coverage						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	09.00-14.00	1	2	2	2	2	0	0
Consultant on call out of hours	14.00-18.00	3	2	3	1.5	2	0	0
	18.00-23.00 (17.00 at weekend)	1	1	1	1	0	1	1
	23.00-09.00	1	1	1	1	1	1	1
Associate Specialist / Specialty Doctor / Staff Grade AND 1 Registrar	09.00-14.00	1	1	1.5	1	1.5	0	0
	14.00-18.00	2	2	2	1.5	2	1	1
	18.00-24.00	1.5	1	1	0.5	1	1	1
	24.00-09.00	0	0	0	0	0	0	0
Registrar (ST1 / 2, GP, Emergency medicine, Paediatric medicine trainees)	09.00-17.00	1	1	1	1	0	1	1
	11.00-20.00 (annual leave week)	0	0	0	0	0	1	1
	13.00-22.00	1	1	1	1	1	1	1
	17.00-01.00	1	1	1	1	1	0	0
	21.00-09.00	1	1	1	1	1	1	1
Nursing Complement (includes Healthcare Support workers)	07.45-20.00 (Emergency Dept)	6	6	6	6	6	6	6
	Night shift 19.45-08.00 (Emergency Dept)	4	4	4	4	4	4	4
	Twilight 19.45-23.45 (Emergency Dept)	1	1	1	1	1	1	1
	07.45-20.00 (SSPAU*)	2	2	2	2	2	2	2
	19.45-08.00 (SSPAU*)	2	2	2	2	2	2	2

* Short-Stay Paediatric Unit

Table 6 – Filled and Unfilled Posts in the Royal Belfast Hospital for Sick Children

Grade	Staff in Post		Unfilled posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	4	4.0	0	0.0	0	0.0

Grade	Staff in Post		Unfilled posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Associate Specialist / Specialty Doctor / Staff Grade	2	2.0	0	0.0	1	1.0
Registrar Level	1	1.0	0	0.0	0	0.0
Foundation Doctor	6	6.0	0	0.0	0	0.0
Qualified Nurse	43	38.02	0	0.0	0	0.0

Northern HSC Trust

Northern HSC Trust noted that shift patterns take account of staff annual leave/professional leave/support to professional bodies.

Antrim Area Hospital**Table 7 – Shifts and Coverage by Day in Antrim Area Emergency Department**

Grade	Time period	Coverage (Headcount)						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	08.00 – 17.00	1	1	1	1	1	0	0
	09.00 – 18.00	1	1	1	1	1	0	0
	17.00 – 22.00	1	1	1	1	1	0	0
	09.00 – 13.00	0	0	0	0	0	1	1
Specialty Doctor / Associate Specialist / Staff Grade	09.00 – 17.00	1	2	2	1	1	0	0
	11.00 – 19.00	1	0	0	1	0	0	0
	08.30 – 16.30	1	0	1	0	1	0	0
	07.00 – 22.00	0	0	1	0	0	0	0
	09.00 – 15.00	0	0	0	0	1	1	1
Registrar	08.00 – 18.00	1	1	1	1	2	2	2
	12.00 – 22.00	1	1	1	1	1	1	1
	09.00 - 20.15	1	1	1	1	0	0	0
Foundation Doctor / Core Trainee Doctor	08.00 – 18.00	1	1	1	1	1	1	1
	10.00 – 22.00	1	1	1	1	2	0	0
	10.00 – 21.00	0	0	0	0	0	2	2
	14.00 – 00.00	1	1	1	1	1	1	1
	22.00 – 08.00	2	2	2	2	2	2	2
Qualified Nurse	07.30 - 20.30	11	11	11	11	11	11	11
	18.00 – 02.00	1	1	0		1	1	0
	20.15 – 07.45	10	10	10	10	10	10	10
	09.00 – 17.00	2	2	2	2	2	2	2
	16.00 – 00.00	3	3	3	3	3	3	3

Table 8 – Filled and unfilled posts in Antrim Area Emergency Department

Grade	Staff in Post		Posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	7	7.00	1	1.0	0	0.00

Grade	Staff in Post		Posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Specialty Doctor / Associate Specialist / Staff Grade	4	3.56	1	1.0	2	1.43
Registrar	11	11.00	2	2.0	0	0.00
Foundation Doctor	3	3.00	0.0	0.0	0	0.00
Qualified Nurse	71	60.95	n/a	n/a	4*	3.64

* The Northern Trust advises that 3 of these posts have been recruited to, with staff commencing in March 2014.

Causeway Hospital

Table 9 – Shifts and Coverage by Day in the Causeway Hospital Emergency Department

Grade	Time period	Coverage (Headcount)						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	09.00 – 17.00	2	2	2	2	2	0	0
	09.00 – 12.00	0	0	0	0	0	1	1
Specialty Doctor/ Associate Specialist / Staff Grade	09.00 -17.00	2	2	1	0	0	0	0
	13.00 – 22.00 (2 weekends in 4)	0	0	0	1	1	1	1
Foundation Doctor	08.00 – 16.00	1	1	1	1	1	1	1
	11.00- 21.00	1	1	1	1	1	0	0
	16.00 – 23.00 (2 weeks in 4)	1	0	0	1	1	0	0
	08.00 - 18.00	0	0	0	0	0	1	1
	11.00 - 22.00	0	0	0	0	0	1	1
	15.00 - 01.00	0	0	0	0	0	1	1
	22.00 – 08.00	1	1	1	1	1	1	1
Qualified Nurse	07.30 - 20.00	5	5	5	5	5	5	5
	12.00 - 20.00	2	2	2	2		2	2
	19.30 - 01.00	1	2	2	2	2	1	1
	19.30 - 08.00	5	4	4	4	4	5	5

Table 10 – Filled and Unfilled Posts in the Causeway Hospital Emergency Department

Grade	Staff in Post		Posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	3	3.0	0	0.0	0	0.0
Specialty Doctor / Associate Specialist / Staff Grade	3	3.0	0	0.0	0	0.0
Foundation Doctor	4	4.0	3	3.0	0	0.0
Qualified Nurse	37	30.6	n/a	n/a	0	0.0

South Eastern HSC Trust

South Eastern HSC Trust noted that figures relate to the week commencing 17th January and take account of annual leave/ professional leave and also that registrars normally work on integrated rota with two specialty doctors.

Ulster Hospital**Table 11 – Shifts and Coverage by Day in the Ulster Hospital Emergency Department**

Grade	Time period	Coverage (Headcount)						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	08.00 – 17.00	4	4	4	4	4	0	0
	15.00 – 11.30	1	2	2	1	1	0	0
	08.00-14.00	0	0	0	0	0	1	0
	08.00-15.00	0	0	0	0	0		1
Specialty Doctor / Associate Specialist / Staff Grade	09.00-17.00	3	5	5	4	5	1	1
	10.00-19.00	1	1	1	1	1	1	1
	13.00-22.00	1	1	1	1	1	1	0
Registrar	08.00-17.30	2	1	2	1	1	0	0
	19.00 – 00.00	1	1	1	1	1	0	0
	23.00 – 08.30	0	0	0	0	1	1	1
Foundation Doctor / Core Trainee Doctor	08.00- 17.30	1	2	3	3	3	1	1
	11.00 – 09.00	1	1	2	1	1	1	1
	14.00 – 00.00	2	1	1	1	1	1	1
	21.00- 08.00	2	2	2	2	2	2	2
Qualified Nurse	07.30 – 20.30	14	14	14	14	14	14	14
	20.30 – 08.00	11	11	11	11	11	11	11

Table 12 – Filled and Unfilled Posts in the Ulster Hospital Emergency Department

Grade	Staff in Post		Posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	10	10.0	0	0.0	0	0.0
Specialty Doctor / Associate Specialist / Staff Grade	7	7.0	3	3.0	0	0.0
Registrar	3	3.0	0	0.0	0	0.0
Foundation Doctor / Core Trainee Doctor	11	11.0	0	0.0	0	0.0
Qualified Nurse	93	82.87			8	8.0

Lagan Valley Hospital**Table 13 – Shifts and Coverage by Day in the Lagan Valley Hospital Emergency Department**

Grade	Time period	Coverage (Headcount)				
		Mon	Tue	Wed	Thur	Fri
Consultant	09.00 – 17.00	1	2	2	2	2
	15.00 – 22.00	1		0	0	0
Specialty Doctor / Associate Specialist / Staff Grade	08.00 – 17.00	1	1	1	1	1
	15.00 – 22.00	1	1	1	1	1

Grade	Time period	Coverage (Headcount)				
		Mon	Tue	Wed	Thur	Fri
LAT Locum Appointment for Training / Foundation Doctor	08.00 – 16.00	1	1	1	1	1
	12.00 – 21.00	1	1	1	1	1
	14.00 – 22.00	1	1	1	1	1
Qualified Nurse	Morning	5	5	5	5	5
	Afternoon	6	6	6	6	6
	Evening	7	7	7	7	7
	Twilight	3	3	3	3	3

- closed at weekends

Table 14 – Filled and Unfilled Posts in the Lagan Valley Hospital Emergency Department

Grade	Staff in Post		Posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	1	0.75	1	1.0	0	0.0
Specialty Doctor	2	2.0	0	0.0	1	1.0
LAT / Foundation Doctor	3	3.0	0	0.0	3	3.0
Qualified Nurse	25	22.79	0	0.0	0	0.0

Downe Hospital

Table 15 – Shifts and Coverage by Day in the Downe Hospital Emergency Department

Grade	Time period	Coverage						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	09.00-17.00	1	1	0	1	1	0	0
Specialty Doctor / Associate Specialist / Staff Grade	08.00-18.00	1	1	1	1	1	0	0
	11.00-21.00	1	1	1	1	1	0	0
	15.00-22.00	1	1	1	1	1	0	0
Qualified Nursing	08:00 – 14:00	5	4	4	4	4	2	2
	13:00 – 21:00	5	5	5	5	5	2	2
	20:45 – 08:00	2	2	2	2	2	2	2

Table 16 – Filled and Unfilled Posts in the Downe Hospital Emergency Department

Grade	Staff in Post		Posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	Consultants rotate from other sites					
Specialty Doctor / Associate Specialist / Staff Grade	4	4.0	0	0.0	2	2.0
Qualified Nurse	23	20.71	0	0.0	0	0.0

Southern HSC Trust**Craigavon Area Hospital****Table 17 – Shifts and Coverage by Day in the Craigavon Area Hospital Emergency Department**

Grade	Time period	Coverage (Headcount)						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	08.00 – 17.00	2	2	2	2	2	1	1
	17.00 – 22.00	1	1	1	1	1	On Call	On Call
	22.00 – 08.00	On Call	On Call	On Call	On Call	On Call	On Call	On Call
Specialty Doctor / Associate Specialist / Staff Grade	08.00 – 17.00	2	2	2	2	2	1	1
	17.00 – 22.00	2	2	2	2	2	1	1
	22.00 – 08.00	1 (to mid-night then on call)	1 (to mid-night then on call)	1 (to mid-night then on call)	1 (to mid-night then on call)	1 (to mid-night then on call)	0	0
Registrar	08.00 – 17.00	1	1	1	1	1	1 (to mid-night then on call)	1 (to mid-night then on call)
	17.00 – 22.00	0	0	0	0	0	1	1
Foundation Doctor	08.00 – 17.00	3	3	3	3	3	2	2
	17.00 – 22.00	3	3	3	3	3	3	3
	22.00 – 08.00	3 (until 1am, then 2 on duty)	3 (until 1am, then 2 on duty)	3 (until 1am, then 2 on duty)	3 (until 1am, then 2 on duty)	3 (until 1am, then 2 on duty)	3 (until 1am, then 2 on duty)	3 (until 1am, then 2 on duty)
Qualified Nurse	07.30 – 17.00	12	12	12	12	12	10	10
	17.00 – 21.00	16	16	16	16	16	12	12
	20.30 – 08.00	7	7	7	7	7	7	7

Table 18 – Filled and Unfilled Posts in the Craigavon Area Hospital Emergency Department

Grade	Staff in Post		Unfilled posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant *	8	8.0	0	0.0	0	0.0
Specialty Doctor / Associate Specialist / Staff Grade	5	4.0	0	0.0	0	0.0
Registrar	2	2.0	0	0.0	0	0.0
Foundation Doctor	10	10.0	0	0.0	0	0.0
Qualified Nurse	62	53.78	0	0.0		2.0

* Southern Trust advises that although substantively filled, one (1.0 WTE) consultant post is being covered by a long-term locum due to sickness or maternity absence.

Daisy Hill Hospital**Table 19 – Shifts and Coverage by Day in the Daisy Hill Hospital Emergency Department**

Grade	Time period	Coverage (Headcount)						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	09.00 – 17.00	2	2	2	2	2	1	1
	17.00 – 22.00	1	1	1	1	1	On Call	On Call
	22.00 – 08.00	On Call	On Call	On Call	On Call	On Call	On Call	On Call
Specialty Doctor/ Associate Specialist/ Staff Grade	08.00 – 17.00	0	1	1	1	1	0	0
	17.00 – 22.00	1	0	0	0	0	0	0
Registrar level*	08.00 – 17.00	2	2	2	2	2	1	1
	17.00 – 22.00	2	2	2	2	2	1	1
Foundation Doctor	08.00 – 17.00	3	3	3	3	3	2	2
	17.00 – 22.00	2	2	2	2	2	2	2
	22.00 – 08.00	1	1	1	1	1	2	2
Qualified Nurse	08.00 – 17.00	8	8	8	8	8	6	6
	17.00 – 22.00	7	7	7	7	7	6	6
	22.00 – 08.00	3	3	3	3	3	3	3

* Registrar level shifts in Daisy Hill are filled by a combination of sessional GP shifts and middle grade locums.

Table 20 – Filled and Unfilled Posts in the Daisy Hill Hospital Emergency Department

Grade	Staff in Post		Unfilled posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	1	1.0	1	1.0	0	0.0
Specialty Doctor / Associate Specialist / Staff Grade	1	1.0	0	0.0	0	0.0
Registrar Level*	See note					
Foundation Doctor	6	6.0	2	2.0	2	2.0
Qualified Nurse	28	25.41	0	0.0	0	0.0

* Registrar level shifts in Daisy Hill are filled by a combination of sessional GP shifts and middle grade locums - a total headcount of 4 (or 1 WTE).

Southern Trust has noted the figures given for Daisy Hill for both medical and nursing staff are above the funded staffing level.

Western HSC Trust
Altnagelvin Hospital
Table 21 – Shifts and Coverage by Day in the Altnagelvin Hospital Emergency Department

Western Trust have noted that the shift pattern in Altnagelvin below is illustrative and does not take into account annual leave or sick leave, therefore numbers on duty can change.

Grade	Time period	Coverage (Headcount)						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	09.00-17.00	3/4	3/4	3/4	3/4	3/4	0	0
	10.00-18.00 or 11.00-19.00	1	1	1	1	1	0	0
		0	0	0	0	0	On call	On call

Grade	Time period	Coverage (Headcount)						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Specialty Doctor / Associate Specialist / Staff Grade – Each doctor works 1 weekend in 4	09.00-17.00	1	1	1	1	2	0	0
	10.00-18.00	1	2	1	1	1	0	0
	13.00-21.00	2	1	1	2	0	0	0
	16.00-00.00	1	1	1	0	1	0	0
	09.00-17.00 weekend	0	0	0	0	0	1	1
	15.00-23.00 weekend	0	0	0	0	0	1	1
Registrar Each Registrar works 1 weekend in 4	09.00-17.00	1	1			1		1
	10.00-18.00	1		1	0	0	0	0
	13.00-21.00	0	1	1		1	0	0
	16.00-00.00	0	0	0	1	0	0	0
	15.00-23.00	0	0	0	0	0	1	0
Foundation Doctor / GP Trainee / Core Trainee	08.30-16.30	1	1	1		1	1	1
	11.00-19.00	0	0	0	1	0	0	0
	11.00-21.00	0	0	0	0	0	1	1
	14.00-22.00	1	1	1	1	0	0	0
	15.00-01.00	0	0	0	0	1	1	1
	20.00-05.00	1	1	1	1	1	1	1
	21.00-09.00	1	1	1	1	1	1	1
Qualified Nurse	07.50-20.00	8	8	8	8	8	8	8
	19.45-08.00	6	6	6	6	6	6	6
	09.00-21.00	1	1	1	1	1	1	1
	09.00-17.00 or 08.00-14.00 or 14.00-20.00	1	1	1	1	1	1	1

Table 22 – Filled and Unfilled Posts in the Altnagelvin Hospital Emergency Department

Western Trust noted that there is temporary funding for 5.0 WTE qualified nurses for additional cubicles which have opened. This currently allows for 8 qualified staff on day duty each day. There are 3.0 WTE qualified nurses on long term sick leave or secondment, with no backfill at present.

Grade	Staff in Post		Posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	3	3.0	2*	2.0	0	0.0
Specialty Doctor / Associate Specialist / Staff Grade	3	3.0	3	3.0	2	2.0
Registrar	2	2.0				
Foundation Doctor / GP Trainee and Core Trainee	8	8.0	2	2.0	2	2.0
Qualified Nurse**	38	35.94				0.46

* Funding is anticipated for these 2.0 WTE consultant posts, hence the current cover by locums.

** Western Trust has noted there is temporary funding for 5.0 WTE qualified nurses for additional cubicles which have opened.

South West Acute Hospital

Table 23 – Shifts and Coverage by Day in the South West Acute Hospital Emergency Department

Western Trust have noted that South West Acute Hospital medical rota represents a typical week, but will change subtly over a 12 week period.

Grade	Time period	Coverage (Headcount)						
		Mon	Tue	Wed	Thur	Fri	Sat	Sun
Consultant	09.00 - 17.00	0		1	1	1	0	0
	09.00 - 19.00	0	1	0	0	0	0	0
	12.00 - 22.00	0	0	1	1	0	0	0
	13.00 - 22.00	1	1	1	0	0	0	0
Specialty Doctor / Associate Specialist / Staff Grade	09.00 - 17.00	1	1	1	0	0	0	0
	09.00 - 19.00	1	0	0	1	1	1	1
	10.00 - 19.00	1	1	0	0	0	0	0
	11.00 - 21.00	0	0	0	0	0	0	0
	12.00 - 22.00	1	1	0	0	0	0	0
	14.00 - 22.00	0	0	0	1	1	0	0
	16.00 - 00.00	1	1	1	1	1	1	1
	17.00 - 21.00	0	0	0	0	1	0	0
	21.00 - 09.00	1	1	1	1	1	1	1
GP Trainee	11.00 - 19.00	0	0	1	1	0	0	0
	11.00 - 21.00	0	0	0	0	0	1	1
	14.00 - 22.00	0	0	0	0	1	0	0
Qualified Nurses	08.00 - 20.00	6	6	6	6	6	6	6
	20.00 - 08.00	3	3	3	3	3	3	3
	18.00 - 00.00	1	1	1	1	1	1	1

Table 24 – Filled and Unfilled Posts in the South West Acute Hospital Emergency Department

Grade	Staff in Post		Posts covered by locums		Unfilled & unoccupied posts	
	HC	WTE	HC	WTE	HC	WTE
Consultant	3	3.0	0	0.0	0	0.0
Specialty Doctor / Associate Specialist / Staff Grade*	1	1.0	6	6.0	0	0.0
GP trainee	1	1.0	0	0.0	0	0.0
Qualified Nurse**		20.08	0	0.0		0.26

* Western Trust are currently utilising the equivalent of an additional 4 wte substantive specialty doctor posts over and above the funded medical establishment. These posts are also currently filled using locums.

** Western Trust are currently utilising the equivalent of an additional 9 WTE qualified nurses over and above funded establishment. This is achieved using a combination of bank and agency nurses. These figures are not included. Western Trust has also noted that one of the qualified nurses from 08.00-20.00 is an Emergency Nurse Practitioner who works in a clinical decision maker role in support of both the nursing and medical workforce.

Health and Social Care Trusts: Student Placement

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of the concerns of BSc (Hons) Healthcare Science (Cardiac) students at the University of Ulster over the difficulty securing a placement with Health and Social Care Trusts due to funding reductions.

(AQW 31082/11-15)

Mr Poots: While there are a number of University of Ulster Cardiac students currently undertaking placements with local HSC Trusts, I am aware of the difficulties in securing local placements and my officials are working with relevant stakeholders, including colleagues from the University of Ulster and the HSC Trusts, to resolve these issues.

Healthcare scientists play an important role within our health services and I acknowledge the importance of securing local placements for students to help develop our own sustainable workforce.

Hospital Admissions: Binge Drinking

Mr Craig asked the Minister of Health, Social Services and Public Safety how many people have been admitted to hospitals with illnesses caused by binge drinking in each of the last three years; and how many of these people were under 18 years old. (AQW 31253/11-15)

Mr Poots: Information is not collected on the number of people admitted to hospital with illnesses caused by binge drinking.

The table below shows the number of people admitted to hospital with an alcohol related condition in each of the last three years, and the number of those people aged under 18 years old.

Year	All ages	<18 years
2010/11	2,147	84
2011/12	2,153	83
2012/13	2,196	75

Source: Hospital Inpatient System

Note: Alcohol-related conditions have been searched for in the primary diagnosis position only.

Hospitals: Dental Appointments

Mr Weir asked the Minister of Health, Social Services and Public Safety what action is being taken to improve waiting times for dental appointments in hospitals. (AQW 31268/11-15)

Mr Poots: I am advised that the Health and Social Care (HSC) Board funded additional one-off activity during 2013/14 across all hospital dental services; this provided additional access for 3450 patients and focused on the longest waiting patients. This resulted in the number of patients waiting more than 22 weeks for an appointment reducing from 705 (position at 1 April 2013) to 302 (position at 22 February 2014).

Oral surgery in Belfast will be at a level sufficient to provide additional services to other HSC Trusts during 2014/15. It is planned that 1000 additional patients can be seen through the Belfast consultants in order to assist services in the Southern, Northern and South Eastern Trust areas. This assistance commenced from December 2013 and will continue.

In addition, the HSC Board will invest £265,000 to commission an additional oral medicine consultant to address demand; and an investment is planned in 2014/15 for oral surgery/maxillo facial surgery in the South Eastern Trust of around £500,000 and, although focusing on head and neck cancer, it is linked to the provision of oral surgery.

Carers

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety, in relation to carers of people with serious mental illnesses, how his Department is addressing the procedural shortcomings of confidentiality barriers, pre-crisis intervention services and liaison with the PSNI. (AQW 31274/11-15)

Mr Poots: The Department published a 'Code of Practice on Protecting the Confidentiality of Service User Information' in January 2012. The three core principles are:

- Individuals have a fundamental right to the confidentiality and privacy of information related to their health and social care
- Individuals have a right to control access to, and disclosure of, their own health and social care information by giving, withholding or withdrawing consent
- When considering whether to disclose confidential information, health and social care staff should have regard to whether the disclosure is necessary, proportionate and accompanied by any undue risks.

Intervention services should be initiated by a mental health professional following assessment of the patient's condition. Where possible, such assessment will take account of information provided by those close to the patient. However, such intervention must take a holistic view of the patient and not be initiated solely at the carer's behest.

Ambulance Service: Voluntary Drivers

Lord Morrow asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 29527/11-15, whether this matter is under review or has he any plans to order a review.

(AQW 31296/11-15)

Mr Poots: The rate per mile paid to voluntary drivers providing services for the Northern Ireland Ambulance Service (NIAS) is a matter for NIAS to consider.

I am advised that there are no plans to conduct a review at present.

Child Protection Register: Upper Bann

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety (i) how many children and babies in Upper Bann are on the at risk register; (ii) how many have been allocated a social worker; and (iii) how long it takes to be assigned to a social worker.

(AQW 31297/11-15)

Mr Poots: Figures are unavailable by Assembly Constituency level and have therefore been provided for the whole of the Southern Health and Social Care (HSC) Trust area.

At 24th February 2014 there were 327 children and babies on the Child Protection Register in the Southern HSC Trust area. All of these children had been allocated a social worker. All children are allocated immediately to a social worker following a child protection referral. This information has been provided by the Southern HSC Trust.

The Department publishes information, on a quarterly basis, on children on the Child Protection Register in 'Children Order Child Protection and Referral Statistics'. This can be found at the following link:

http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/statistics_and_research-cib-pub/children_statistics/children_order_quarterly.htm

Social Workers: Upper Bann

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety what is the average case load for a social worker in the Upper Bann constituency.

(AQW 31298/11-15)

Mr Poots: This information is not held centrally and has been sourced from the Southern Health and Social Care Trust. It was not possible to give the information by constituency area; the following is therefore a Trust wide perspective.

It is not possible to provide an average case load for all Social Workers across the operational Directorates as Social Work caseloads vary depending on the service. The Southern Trust has therefore provided the following information broken down into caseload in Children's, Adults and Acute settings. Caseload for part time staff are pro-rata to their hours of employment.

Adult – Hospital Services

A formal caseload weighting system is not used in the Hospital Social Work Departments of Craigavon Area Hospital, Daisy Hill Hospital and Lurgan Hospital because of the short term nature of social work involvement. Ward allocation is based on the experience of staff. Each hospital social worker will have more than one acute hospital ward to cover. The number of referrals on the ward changes on a daily basis. Staff will provide additional cover when team members are on annual leave, working part-time or are on training.

Ward allocation is reviewed by senior management on a regular basis, based on information received in formal monthly supervision and through statistical analysis. Staff who are on the Assessed Year of Employment have a reduced caseload, as do staff who are on part-time hours in comparison to those who work full-time.

Adult – Community Services

A recent exercise looked at average caseloads across the Trust for all Band 6 Social Workers by whole time equivalent.

Social Workers are employed across a range of teams in four Directorates. Caseload sizes vary across these teams. However, the average Social Worker caseload size equates to approximately 70 cases per Whole Time Equivalent staff member when taking into consideration all the Band 6 Social Workers (encompassing Older People Integrated Care Teams, Older People Memory Service Teams, Learning Disability Teams, Physical Disability Teams, Sensory Disability Teams and Brain Injury Team)

Children's Services

The average case load for a Social Worker within the Family Support & Safeguarding Division is 14 – 15 children, and this includes children who require Child Protection, Looked After and Family Support.

The average caseload for a social worker in Children with Disability services is 33 – 34 children, and this includes children who require Family Support, Looked After status and Children in Educational Transition.

From the Child and Adolescent Mental Health Service (CAMHS) / Autistic Spectrum Disorder (ASD) service perspective a number of Social Workers are employed as Practitioners/Clinicians within both services. Within CAMHS, the average caseload for these Practitioners is 22 children and young people per Practitioner. Within our Autism services the average ratio is 40 – 45 children and young people per Clinician. Both services have a Trust wide remit.

Caseloads per Social Worker within the Corporate Parenting Division ranges from 12 – 19 children with an average of 15 children for full time social workers and this includes children who require Child Protection, Looked After, and Leaving and After Care Services.

Caseloads for Family Placement staff reflect work in recruiting, assessing, training and supporting foster carers and adopters, both non kinship and kinship cases, alongside a range of post adoption cases such as origins work and support to adoptive families. Full time staff therefore usually have around 2 – 4 assessment cases alongside approximately 18 link support/other cases. Staff also undertake office duty and may have involvement in training work which is not recorded as a case. On this basis full time staff within Family Placement would carry between 20 – 30 cases.

Serious Adverse Incidents: Guidance

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30944/11-15, why the guidance was not followed in three of the five Serious Adverse Incidents; and what consequences have followed for those responsible. (AQW 31307/11-15)

Mr Poots: The Belfast Health and Social Care Trust advises that it is undertaking an investigation, in line with internal protocols, into these three cases. It is not possible, therefore, to provide an answer at this stage.

The Department is not in a position to comment on what consequences may follow as any issues regarding staff performance are matters between the individual and their employer.

The RQIA has been asked to undertake a Review of Arrangements for the Management and Co-ordination of Unscheduled Care in BHSCT and across the wider HSC. This wider review aims to identify learning points and make recommendations for improvements across Northern Ireland.

The HSCB will also be reviewing the arrangements for recording service user/family involvement in any Serious Adverse Incidents.

Urology Appointments: Belfast Health and Social Care Trust

Mr A Maginness asked the Minister of Health, Social Services and Public Safety how long patients in the Belfast Health and Social Care Trust have to wait for an appointment for the urology day procedure clinic; and, excluding cancer cases, what differentiation is made between routine and urgent urological cases. (AQW 31320/11-15)

Mr Poots: The waiting times for day case admission in the Urology specialty in the Belfast Health and Social Care (HSC) Trust, at 31st December 2013, the most recent quarter for which official statistics are available, is outlined in the table below.

Patients waiting for day case admission in the Urology specialty, at 31st December 2013, by weeks waiting

	Length of Time Waiting (weeks)						Total Waiting
	0-6	>6-13	>13-21	>21-26	>26-30	>30	
Belfast HSC Trust	1,106	291	274	130	81	379	2,261

Source: DHSSPS Inpatient Waiting Times Dataset

The Belfast HSC Trust has advised that all patients are triaged by their consultant on the basis of their clinical need, with urgent and routine patients treated chronologically within their respective category of triage. Waiting time standards differ markedly between the two categories and maximum waiting times would be monitored closely for both groups of patients, with all available resources utilised to achieve the required waiting time standards as far as reasonably practicable.

Serious Adverse Incidents: Royal Victoria Hospital

Mr McKinney asked the Minister of Health, Social Services and Public Safety to list the meetings that he has had with health stakeholders such as staff, representative bodies and unions since the major incident at the Royal Victoria Hospital on 8 January 2014. (AQW 31331/11-15)

Mr Poots: On Thursday 9 January I visited the Accident and Emergency Department at the Royal Victoria Hospital, where I met with a consultant and senior sister who had been on duty the previous night. I also met with the senior management team.

On Wednesday 15 January I met with the Royal College General Practitioners Northern Ireland (RCGPNI), to discuss issues relating to funding, training and retention of GPs.

On Monday 20 January I met with the Chair and Chief Executive of the South Eastern Health and Social Care Trust to request an update on the situation within South Eastern HSC Trust Accident and Emergency Departments.

On Wednesday 22 January I attended a catch-up meeting with Chief Executives and Chairs of the HSC Trusts and the HSC Board.

On Tuesday 4 February I met with the College of Emergency Medicine.

On Wednesday 19 February I attended a Northern Ireland emergency care summit hosted by the Royal College of Nursing. The same day I met with the Chair, Chief Executive and Non-Executive Directors of the HSC Board; the Chair, Chief Executive and senior executive team within the Belfast HSC Trust; and union representatives to discuss the RQIA's inspection of Unscheduled Care in the Royal Victoria Hospital over the weekend of 31 January 2014.

Serious Adverse Incidents: Royal Victoria Hospital

Mr McKinney asked the Minister of Health, Social Services and Public Safety how many scheduled meetings he has planned with health stakeholders, unions and staff regarding the implications of the major incident at the Royal Victoria Hospital on 8 January 2014.

(AQW 31332/11-15)

Mr Poots: I have had a very useful discussion with the College of Emergency Medicine concerning the staffing and operational issues facing the Emergency Departments in our hospitals. I have invited the College to work with my Department, the Royal College of Nursing (following their event on Emergency Care on 19 February) and other key stakeholders to organise a summit meeting to further discuss and develop potential solutions to the current problems experienced by Unscheduled Care Services. The summit will aim to capture the views of a wide spectrum of participants and I expect the date to be announced in the near future.

Further meetings will be arranged as required, as the RQIA review progresses.

Serious Adverse Incidents

Mr Beggs asked the Minister of Health, Social Services and Public Safety how many Serious Adverse Incidents were reported by each hospital in each Health and Social Care Trust, in each quarter of each of the last three years.

(AQW 31345/11-15)

Mr Poots: SAI's can occur in a hospital, community or primary care setting. In some cases an SAI will involve services from more than one of these areas. Information on the number of Serious Adverse Incidents cannot be provided by quarter or by hospital because in some cases the numbers are so small (i.e. less than five). The Department will not publish numbers less than 5 in order to protect patient confidentiality.

Information on the total number of SAI's reported by Trusts in the last three years is outlined below.

Figures for 2013 are not completely comparable with previous years as the definition of an SAI and the associated guidance was changed in October 2013 to encompass a wider range of incidents.

No of SAI's	2011	2012	2013	Total
BHSCT	79	77	85	241
NHSCT	49	63	131	243
SEHSCT	37	47	57	141
SHSCT	49	41	57	147
WHSCT	28	37	53	118
Total	242	265	383	890

Paediatric Congenital Heart Surgery

Mr Mitchel McLaughlin asked the Minister of Health, Social Services and Public Safety to clarify the situation for planned or elective care in paediatric congenital heart surgery following his written statement of 24 February 2014.

(AQW 31357/11-15)

Mr Poots: In my written statement on 24 February 2014 I informed the Assembly that the arrangements for the interim service for elective paediatric congenital cardiac surgery in the Belfast Health and Social Care Trust to be provided by Dublin-based surgeons have been finalised; an SLA (Service Level Agreement) has been signed off by all parties and the first surgical session took place on 17 February 2014. It is an operational matter for the Belfast Trust and Our Lady's Children's Hospital Crumlin to schedule surgical sessions.

In line with risk management arrangements currently in place, the Belfast Trust does not perform elective open heart surgery for children under 1 year and children whose procedure is considered to be more complex; those children will continue to be transferred to centres in England for surgery.

Perinatal Hospice Care

Mr Givan asked the Minister of Health, Social Services and Public Safety what assessment has been made of international best practice for the provision of perinatal hospice care for expectant parents with terminally-ill unborn children.

(AQW 31359/11-15)

Mr Poots: The current Departmental Careplan for Women Who Experience a Miscarriage, Stillbirth or Neonatal Death (2006) summarises principles of best practice in caring for mothers in such a situation. The Department is also currently reviewing this careplan. As part of this work, a literature review of relevant international evidence and best practice has been undertaken, including that associated with perinatal hospice care.

Phase Three of my Department's Review of Paediatric Services on palliative and end-of-life care for children with complex and life-limiting conditions is currently out for public consultation. The document Palliative Care for Children and Families - Policy and Practice Context: A Review of literature, policy and practice to inform the development of a Children's Palliative Care Strategy for Northern Ireland (2012) has been used as a key source of best practice in the development of Phase Three as it sets out two models of children's palliative care in England and that used in the Republic of Ireland. Research has also been undertaken into other international practices, and the definitions of categories used in the Review are internationally agreed and recognised. Furthermore, one of the professional contributors to the Review works closely with the European Association of Palliative Care and the International Children's Palliative Care Network.

Perinatal Hospice Care

Mr Givan asked the Minister of Health, Social Services and Public Safety to outline the provision of perinatal hospice care for expectant parents with terminally-ill unborn children.

(AQW 31363/11-15)

Mr Poots: All midwives are trained to help care for mothers who experience miscarriage, stillbirth or neonatal death. In addition, the South Eastern Health and Social Care Trust has a dedicated Bereavement Midwife who supports parents who have suffered such a loss. As I have stated before, I am keen to see each Trust introduce a similar Bereavement Midwife post, and the Health and Social Care in Northern Ireland is currently working towards this provision.

My Department is currently reviewing the 2006 care plan for women who experience a miscarriage, stillbirth or neonatal death, including the provision of perinatal end-of-life care. The aim is to produce a regional guidance document which will support staff to deliver a high-quality, consistent approach to care of women and their families at this very difficult time. Through a multi-disciplinary approach, this guidance will focus on working closely with parents to incorporate specific requests for care, support and memory-making.

The resultant strategy from Phase Three of the Paediatric Review in relation to palliative and end-of-life care, which is currently out for public consultation, will also aim to provide the best possible quality of life and care for children with a life-limiting condition. My Department is aiming to publish this strategy by summer 2014.

Intensive Care Provision

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of the changes in Intensive Care provision, including the number of Intensive Care beds as a percentage of the population, in each of the last five years.

(AQW 31365/11-15)

Mr Poots: There are currently 54 Intensive Care (ICU) beds (Level 3) and 32 High Dependency (HDU) beds (Level 2), giving a total of 86 general adult critical care beds. All units are combined (Level 2/3) and can be flexed between the two levels in response to clinical demands. There has been minimal variation in the number of ICU beds over the past five years. The table below details the ICU bed provision over the last five years and the number per 100,000 head of population:

Number of Available Intensive Care Beds (Level 3) 2008/09 - 2012/13

Year	Number of ICU beds	Available ICU beds per 100,000 population
2008/09	56	3.1
2009/10	56	3.1
2010/11	54	3.0
2011/12	54	3.0
2012/13	531	2.9

Note: Number of ICU (Level 3) beds is the position as at 31st March each year.

- 1 In the Northern Trust one ICU bed was temporarily closed due to staffing levels during 2012/13. This bed was reopened in 2013.

There is also designated specialty specific Intensive Care/High Dependency capacity for regional cardiac surgery provision (18 beds) and regional paediatric intensive care (12 beds).

Post-traumatic Stress Disorder: Paramilitary-style Attacks

Mr McKinney asked the Minister of Health, Social Services and Public Safety, for each of the last three years, how many people, presenting themselves with post-traumatic stress or mental health conditions in a medical care facility, have been victims of paramilitary-style attacks.

(AQW 31366/11-15)

Mr Poots: This information is not available centrally and was therefore requested from each Health and Social Care (HSC) Trust.

Each of the five HSC Trusts stated that they could not provide the information requested.

Organ Donation

Mr Weir asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30715/11-15, and in the 12 per cent of cases where consent was refused, whether this reflected the wishes of the deceased person in each case.

(AQW 31369/11-15)

Mr Poots: Where a patient is known to have expressed a wish to donate, for example they were registered on the Organ Donor Register, or expressed a wish to donate verbally or in writing and the patient's wish was known at the time of potential donation, the consent rate is 88% compared with 46%.

If the family, or those closest to the person who has died, object to the donation when the person who has died has given their explicit permission (as in the 12% of cases referred to in this question), healthcare professionals will discuss the matter sensitively with them. They will be encouraged to accept the deceased person's wishes and it will be made clear that they do not have the legal right to veto or overrule those wishes; however, in practice, donation is unlikely to proceed without family support.

A&E Departments: Royal Victoria Hospital

Mr McGimpsey asked the Minister of Health, Social Services and Public Safety to detail the increase in the number of patients at the Royal Victoria Hospital's Emergency Department since the weekend closure of the Emergency Departments at the Downe and Lagan Valley Hospitals.

(AQW 31378/11-15)

Mr Poots: The South Eastern HSC Trust introduced new arrangements for the provision of emergency care services at the Downe and Lagan Valley Hospitals on 4th January 2014 due to the shortage of emergency medicine doctors. The new arrangements resulted in the reduction of consultant-led emergency care services, from a daily service (8am - 10pm at Downe and 8am - 8pm at Lagan Valley), to a weekday service from 8am - 8pm and no consultant led emergency care services at the weekend.

My Department collects information on the number new and unplanned review attendances at emergency care departments. This data is collected on a monthly basis from Health and Social Care Trusts within Northern Ireland and is available to view or download from:

http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm

Serious Adverse Incidents

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30888/11-15, (i) whether any of the five serious adverse incidents, relating to deaths in which delays in emergency departments may have contributed, are included in the statistics quoted; (ii) on what date did each of the five incidents occur; (iii) on what date was each reported to his Department; and (iv) to whom were they reported.

(AQW 31391/11-15)

Mr Poots:

- i. I can confirm that the five Serious Adverse Incidents, relating to death, in which delays in Emergency Departments may have contributed, have been included in the statistics quoted.
- ii. Information on what date each of the incidents occurred cannot be provided in order to protect patient confidentiality.
- iii. The five cases referred to were not reported to the Department under the Early Alert System.
- iv. HSC organisations report SAIs to the HSCB/PHA in line with the guidance contained in the "Procedure for the Reporting and Follow up of Serious Adverse Incidents". A copy can be accessed at - http://www.hscboard.hscni.net/publications/Policies/102%20Procedure_for_the_reporting_and_followup_of_Serious_Adverse_Incidents-Oct2013.pdf

The arrangements for reporting Early Alerts to the Department are set out in guidance. A copy of the guidance can be accessed at: http://www.dhsspsni.gov.uk/hsc_sqsd__10-10.pdf

Step-down Beds: Cookstown and Magherafelt

Mr McGlone asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30925/11-15, what steps his Department is planning to address the lack of step down beds in the Cookstown and Magherafelt areas as compared to other locations within the Northern Health and Social Care Trust.

(AQW 31400/11-15)

Mr Poots: Every effort is made to place clients who require “step-down” services as close to their home address as possible, however it should be noted that the period of care in a “step-down” bed is usually time limited.

The Northern HSC Trust has confirmed that over periods of high demand it explores the option of increasing the number of core beds in the Mid Ulster area available to facilitate “step down” admissions, and that the Trust retains the ability to temporarily purchase from the private sector on occasions when all core bed stock has been utilised.

The core number of beds available specifically in the Mid Ulster area equates to 5.9% of the total bed stock across the Northern Trust. An analysis of bed based activity over the 12 month period January 2013 – December 2013 showed that 6% of total admissions to Intermediate Care beds originated from Mid Ulster Residents. The Trust has indicated that, given the ability to increase bed stock on occasions when necessary, the capacity in the Mid Ulster area largely meets the demand for intermediate care admissions.

Paediatric Congenital Cardiac Services

Mr Campbell asked the Minister of Health, Social Services and Public Safety, following his recent statement on Paediatric Congenital Cardiac Services how long does he estimate the assessment team from the USA and Scotland will spend in Northern Ireland.

(AQW 31402/11-15)

Mr Poots: The three experts appointed to carry out this assessment are currently considering the length of time they will need to spend in Northern Ireland. My Department expects that the itinerary for this visit will be finalised in the near future.

Belfast Health and Social Care Trust: Mental Health Services

Mr Agnew asked the Minister of Health, Social Services and Public Safety what is the net funding, funding minus efficiency savings, on mental health services in the Belfast Health and Social Care Trust over the last two year period.

(AQW 31413/11-15)

Mr Poots: The total spend by the Belfast Health and Social Care Trust on the Mental Health Programme of Care in 2011/12 and 2012/13, the most recent years available, is set out in the table below:

2011/12 £m	2012/13 £m
66.8	71.1

Belfast Health and Social Care Trust: Financial Performance

Mr Agnew asked the Minister of Health, Social Services and Public Safety which directorates in the Belfast Health and Social Care Trust are in deficit; and by how much.

(AQW 31415/11-15)

Mr Poots: The Department monitors the financial performance of its arms length bodies on a monthly basis at organisational level and not at individual directorate level. In that context, the Belfast Health and Social Care Trust has advised that it is anticipating an overall balanced financial position in 2013/14.

Belfast Health and Social Care Trust: Psychological Therapies Strategy

Mr Agnew asked the Minister of Health, Social Services and Public Safety whether the Belfast Health and Social Care Trust has implemented a psychological therapies strategy; and, if not, why this is the case.

(AQW 31416/11-15)

Mr Poots: The Belfast Health and Social Care Trust has advised that implementation of the Psychological Therapies Strategy is an ongoing process and it is anticipated that this will continue to be a fluid and dynamic objective, continually being expanded and reviewed.

The Trust has made significant investment in providing psychological approaches and training such as Cognitive Behavioural Therapy (CBT), Mindfulness, Interpersonal Therapy (IPT) and Psychotherapy.

Belfast City Hospital: Chronic Fatigue Syndrome/ME Clinic

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30551/11-15, when a new consultant will be appointed to the Chronic Fatigue Syndrome/ME clinic at Belfast City Hospital.

(AQW 31418/11-15)

Mr Poots: I have been advised by the Belfast Health and Social Care Trust that discussions with the Health and Social Care Board on the future provision of services for patients with Chronic Fatigue Syndrome / ME are ongoing. In the interim, patients already referred to the Belfast Health and Care Trust will be seen by other consultants at the Trust.

Royal Victoria Hospital: Patients on Trolleys

Mr McKinney asked the Minister of Health, Social Services and Public Safety how many patients were waiting on a trolley at the Royal Victoria Hospital on Sunday 23 February 2014.

(AQW 31436/11-15)

Mr Poots: It is assumed that this question refers to the number of delayed admissions at the Royal Victoria emergency care department, historically these were termed as trolley waits.

A delayed admission is defined as any patient who continued to wait in an emergency care department following a decision to admit, for admission to hospital for inpatient care.

Information on the number of delayed admissions at the Royal Victoria Hospital, is detailed in the table below for Sunday 23rd February 2014, by the length of time waited, from the decision to admit until the patient leaves the emergency care department.

Length of Wait	Sunday 23rd February 2014
2 hours or Less	28
More than 2 Hours	60
Total	88

Endometriosis Service

Mr Beggs asked the Minister of Health, Social Services and Public Safety for an update to create a dedicated endometriosis service, as agreed by the Assembly on 17 June 2013.

(AQW 31451/11-15)

Mr Poots: On 17 June 2013, the Assembly asked me to initiate and expedite an inquiry into the urgent need for an integrated endometriosis service in Northern Ireland. During that Debate, I committed to ask the Health and Social Care Board to ensure that the services provided for sufferers are given appropriate priority to ensure that people are not waiting a long time for diagnosis and appropriate treatment in each individual case.

The Health and Social Care Board, along with the Public Health Agency, is currently taking forward this work and has made a commitment to making the management of severe endometriosis a priority in 2014/15. Discussions have already taken place between the Board and clinicians, including a representative of the British Society for Gynaecological Endoscopy, and there are plans for a scoping exercise to identify opportunities to further integrate and streamline the care pathway for women living with severe endometriosis.

I have discussed the issue of endometriosis during a recent meeting with the Scottish and Welsh Health Ministers.

Urology Appointments: Waiting Times

Mr Beggs asked the Minister of Health, Social Services and Public Safety how many people are currently on the waiting list for a day procedure in urology departments in each Health and Social Care Trust.

(AQW 31453/11-15)

Mr Poots: Waiting times for day case admission in the Urology specialty each Health and Social Care Trust, at the 31st December 2013, the most recent quarter for which official statistics are available, can be found at the link below:

http://www.dhsspsni.gov.uk/northern_ireland_waiting_times_qe_december_2013.xls

Urology Appointments: Waiting Times

Mr Beggs asked the Minister of Health, Social Services and Public Safety to detail the number of people waiting over (i) nine; and (ii) eighteen weeks for a first consultant led outpatient appointment in the urology departments, broken down by Health and Social Care Trust.

(AQW 31454/11-15)

Mr Poots: Waiting times for a first consultant-led appointment in the Urology specialty in each Health and Social Care Trust, at 31st December 2013, the most recent quarter for which official statistics are available, can be found at the link below:

http://www.dhsspsni.gov.uk/northern_ireland_waiting_times_qe_december_2013.xls

Urology Appointments: Waiting Times

Mr Beggs asked the Minister of Health, Social Services and Public Safety to detail (i) the reasons for long waiting times for a urology day procedure within each Health and Social Care Trust; and (ii) the action he is undertaking to reduce lengthy waiting times.

(AQW 31455/11-15)

Mr Poots: Health and Social Care Trusts have been experiencing difficulty in meeting demand for urological services due to the inability to fill vacancies and long term sick leave. In recent weeks the position has improved though full capacity has not yet been achieved. The Health and Social Care Board and the Trusts are working closely together to resolve any difficulties in ensuring prompt access to regional urology services.

Dental Foundation Training Schemes

Mr Beggs asked the Minister of Health, Social Services and Public Safety to detail the number of practice based trainers recruited to Dental Foundation Training Schemes commencing in August or September 2014; and how this compares with (i) 2013; and (ii) 2012.

(AQW 31457/11-15)

Mr Poots: The Northern Ireland Medical and Dental Training Agency (NIMDTA) has recruited 36 practice based trainers to the dental foundation training scheme commencing in August 2014. NIMDTA has advised that it recruited 34 trainers for the August 2013 scheme, and 31 trainers for the August 2012 scheme.

Daisy Hill Hospital: Throat Unit

Mr McKinney asked the Minister of Health, Social Services and Public Safety to outline any future plans for the Throat Unit at Daisy Hill Hospital.

(AQW 31468/11-15)

Mr Poots: The commissioning of healthcare services in Northern Ireland is a matter for the Health and Social Care Board.

The Board has recently committed over £500,000 to the Southern Health and Social Care Trust to enhance the southern ENT (ear nose and throat) service and enable it to continue to meet the demand on both the Craigavon Area Hospital and Daisy Hill Hospital sites.

Diabetes: Moyle

Mr McMullan asked the Minister of Health, Social Services and Public Safety whether he will carry out an investigation into the rise in the number of people in Moyle diagnosed with diabetes over the last five years.

(AQW 31480/11-15)

Mr Poots: I currently have no plans to carry out an investigation into the rise in the number of people in Moyle Local Government District (LGD) diagnosed with diabetes over the last five years.

The number of adults (age 17+) with diabetes registered with General Practitioners (GPs) in Moyle LGD increased from 757 in 2007 to 1,087 in 2012, an increase of 43.6%. This increase is mainly attributable to the rise in the number of cases of Type 2 Diabetes and the reasons for this increase are well documented. The observed increase in cases is largely due to improved detection and recording of people with diabetes in primary care, increases in the total GP registered list population (especially in the 65+ age group), the overall ageing of the population (in 2012 17.5% of people in Moyle LGD were aged over 65, compared to 15% in Northern Ireland as a whole) and rising levels of obesity.

My Department continues to invest in a range of public health strategies which have a significant bearing on the prevention of Type 2 Diabetes and the levels of related complications. These strategies include 'A Fitter Future for All' and the new Public Health Strategic Framework which seek to encourage healthier lifestyles through better nutrition, smoking cessation and responsible alcohol consumption.

Rathmoyle Centre, Ballycastle

Mr McMullan asked the Minister of Health, Social Services and Public Safety when the day care service users of the Rathmoyle Centre, Ballycastle, and people who are awaiting admittance, will be informed of the future plans for the facility.

(AQW 31482/11-15)

Mr Poots: The Northern Health and Social Care Trust met with Rathmoyle clients and carers last September and gave a clear commitment on continuing to meet the daycare needs of clients attending Rathmoyle. This would be in either the current Rathmoyle building or an alternative equally suitable premises.

Plans for the development of the site are currently being finalised and the Trust will confirm the position with clients and their families when this information is available.

There is currently no one on a waiting list for placement in the Rathmoyle unit.

Supported Housing Development for Older People

Mr Beggs asked the Minister of Health, Social Services and Public Safety, for each Health and Social Care Trust, to detail any supportive housing development for older people (i) that is financially supported by his Department; (ii) the funding provided to each development; (iii) the number of homes at each development; (iv) the number of homes supported by the Independent Living Fund; (v) the number of vacancies at each development; and (vi) the number of applicants on a waiting list for each development, including how this list is prioritised.

(AQW 31500/11-15)

Mr Poots: I have attached the information you, as provided by the HSC Board at TAB A.

The Independent Living Fund provide additional direct financial, support to some disabled people with complex needs, helping them to live independently and supplement the existing Health and Social Care Trust care provision. It is funded by the UK Government's DWP through DHSSPS and not funded directly by the HSC Board or Trusts in Northern Ireland.

TAB A

Health & Social Care Trusts	(i) Names of Supported Housing Developments for older people (jointly commissioned under Supporting People arrangements)	(ii) Annual financial cost of the domiciliary care input (ie client care packages) into each development)	(iii) Number of places at each development	(v) Number of vacancies at each development	(vi) Number on waiting list at each development	Other information
BHSCT	Mullan Mews (Dementia)	£499, 864	30	1	3	
	Sydenham Court (Dementia)	£504, 628	25	0	6	
	Hemsworth Court (Dementia)	N/A	35	18	N/A	New development 17 people have taken up tenancy since July 2013, 11 in process
	Fairholme	£615,054	40	8	No waiting list	
NHSCT	Barn Halt (Carrickfergus)	£163,850	26 (is the number of tenancies which can accommodate up to 40 people	0	6	Mixture of Trust and independent provider services
	The Brook (Dementia) Coleraine(Fold)	NHSCT funded - £602,892	55	4	5	
WHSCT	Sevenoaks Londonderry	Residential Care - £437 per week per client Supported Living -£221.09 per person per week	Residential - 16 Supported Living - 14	0	Residential 30+ Supported Living 10	Residential - The cost is jointly funded by the Trust and the client. Supported living funding -Trusts, Supporting People, and Client

Health & Social Care Trusts	(i) Names of Supported Housing Developments for older people (jointly commissioned under Supporting People arrangements)	(ii) Annual financial cost of the domiciliary care input (ie client care packages) into each development)	(iii) Number of places at each development	(v) Number of vacancies at each development	(vi) Number on waiting list at each development	Other information
	Gnangara Enniskillen	Residential Care - £437 per week per client Supported Living -£221.09 per person per week	Residential - 15 Supported Living - 15	Residential- 0 Supported Living -10	0	
	Daleview Londonderry	£8,812	18	Occupancy Levels= 55% as at Quarter 4 2012/13	Not available	
	Various Apex Housing Association Facilities	£7,128	Abbey = 30 Beechwood =37 Mulvey Park = 29 Glenbrook = 39 Mulvey House = 31	Occupancy Levels = Abbey = 100% Beechwood = 99% Mulvey Park = 99% Glenbrook = 100% Mulvey House = 98% As at Quarter 4 2012/	Not available	
	St Julians House, Omagh	£433.11 per week per case (2012/13 figures)	44	100% Occupancy Level as at Quarter 4 2012/13*	Not available	
SEHSCT	Accommodation Based - St Paul's Court, Lisburn (Trinity Housing Association)	£272k	Phase 1-15 Phase 2-8	Full Occupancy	3	Phase 1 opened in 2004. Phase 2 opened in 2009. Personal Care/ Housing Related Support provider is Praxis.
	Accommodation Based - Cedar Court, Downpatrick (Trinity Housing Association)	£231k(not at full occupancy)	24	24 admissions since opening	2	Opened in 2012. Personal Care/ Housing Related Support Provider is South Eastern Trust.

Health & Social Care Trusts	(i) Names of Supported Housing Developments for older people (jointly commissioned under Supporting People arrangements)	(ii) Annual financial cost of the domiciliary care input (ie client care packages) into each development)	(iii) Number of places at each development	(v) Number of vacancies at each development	(vi) Number on waiting list at each development	Other information
SHSCT	Fold - Spelga Mews in Banbridge	143K	24 (12 dementia clients in Mews, 12 in Spelga bungalows)	0	There is a waiting list currently for Spelga Mews development. Exact numbers are not available.	In partnership with SHSCT.
	Two Abbeyfield UK (NI) Developments in Banbridge and Lurgan	56K (approx.)	Craigavon - 10 Banbridge - 7	Lurgan - 3 Banbridge - 1	No waiting list currently in Abbeyfield developments.	Are not jointly commissioned under Supporting People.

Adult Safeguarding Policy

Mr Campbell asked the Minister of Health, Social Services and Public Safety, following his Written Statement on Ralphs Close on 26 February 2014, when he expects the Adult Safeguarding Policy to be finalised and announced.

(AQW 31511/11-15)

Mr Poots: My department, in partnership with the Department of Justice, is taking forward the development of an Adult Safeguarding Policy. Following public consultation on a draft policy and subsequent consideration of responses, it is our intention to publish the policy by the end of 2014.

People with Depression

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety how many people in each Health and Social Care Trust have been diagnosed with depression in each year since 2003; and how the total figures for each year compare with (i) England; (ii) Scotland; and (iii) Wales.

(AQW 31536/11-15)

Mr Poots: The number of GP registered patients aged 18 and over diagnosed with depression has been recorded under the Quality & Outcomes Framework (QOF) of the General Medical Services contract since 2007; comparable information is not available prior to 2007.

The QOF is a system to remunerate general practices for providing good quality care to patients, and prevalence data is used within the QOF to calculate points and payments within the clinical domain areas.

For QOF payment purposes, the QOF prevalence rates use as their denominator the total number of patients, of all ages, registered at January of the relevant year. These unadjusted prevalence rates are published by all four UK countries.

For conditions such as depression where the register only includes patients aged 18 and over, the QOF-reported prevalence will appear lower than would be the case if the age restriction was also applied to the population denominator. For those indicators that have a specific age range, Northern Ireland and England also publish adjusted prevalence rates, which are calculated using the appropriate subset of the registered lists, so the denominator used to calculate depression prevalence is the number of registered patients aged 18 and over.

The QOF prevalence figures presented here are raw prevalence rates. This means that they take no account of differences between populations in terms of their age or gender profiles, or other factors that influence the prevalence of health conditions.

Care should be taken when looking at trends in prevalence over time as, particularly in the first year of reporting for a new indicator, changes in the size of QOF registers can be affected by improvements in recording and case finding by practices.

Table 1: Number of patients aged 18 and over diagnosed with depression in each HSC Trust area, 2007 – 2012.

HSC Trust	2007	2008	2009	2010	2011	2012
Belfast HSC Trust	25,771	31,810	35,517	38,520	40,698	42,655
South Eastern HSC Trust	22,699	26,315	28,546	30,146	32,073	33,067
Northern HSC Trust	29,807	35,754	39,170	42,183	43,144	43,596
Southern HSC Trust	22,800	24,609	27,202	30,376	32,580	34,288
Western HSC Trust	17,560	20,482	22,466	24,305	27,573	28,919
Northern Ireland	118,637	138,970	152,901	165,530	176,068	182,525

Data Source: NI register sizes were taken from the Payment Calculation and Analysis System (PCAS) as at National Prevalence Day. National Prevalence Day was changed from 14 February to 31 March from 2009 onwards to bring it into line with National QOF Achievement Day.

The number of patients on the depression register in each Health Trust has been determined based on the HSC Trust area in which the GP practices are located. It should be noted that patients may not reside in the HSC Trust in which their practice is located.

Table 2: Patients aged 18 and over diagnosed with depression, expressed as a percentage of total registered patients (all ages), 2007 – 2012.

	2007	2008	2009	2010	2011	2012
Northern Ireland	6.5%	7.6%	8.3%	8.9%	9.4%	9.6%
England	-	7.6%	8.1%	8.5%	8.8%	9.2%
Scotland	6.2%	6.9%	7.7%	8.6%	9.0%	9.0%
Wales	7.3%	7.6%	8.2%	8.7%	9.0%	9.5%

Data Source: QOF data published by DHSSPS(NI); NHS Information Centre, England; ISD Scotland; and NHS Wales.

Note: England did not include depression in their published prevalence data for 2007.

Table 3: Patients aged 18 and over diagnosed with depression, expressed as a percentage of registered patients aged 18 and over, 2007 – 2012, for Northern Ireland and England.

	2007	2008	2009	2010	2011	2012
Northern Ireland	8.6%	9.9%	10.8%	11.5%	12.1%	12.5%
England	-	-	-	10.7%	11.2%	11.7%

Data Source: NI register sizes were taken from the Payment Calculation and Analysis System (PCAS) as at National Prevalence Day. National Prevalence Day was changed from 14 February to 31 March from 2009 onwards to bring it into line with National QOF Achievement Day. Denominator populations were taken from the combined registered lists for patients aged 18 and over of all Northern Ireland practices as at January of the relevant year.

Figures for England are published by the NHS Information Centre and use the QOF register obtained from the QMAS system and age-banded list sizes obtained from the Prescription Pricing Division (PPD), NHS Business Services Authority

Note: England did not publish age-adjusted prevalence data for depression prior to 2010.

The definition of the QOF depression indicator was changed for 2013, so the current year's data has not been included as it is not comparable with previous years.

People with Depression: West Belfast

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety how many people in West Belfast have been diagnosed with depression in each year since 2004; and how many people in the area are currently prescribed anti-depressants.

(AQW 31537/11-15)

Mr Poots: The number of GP registered patients aged 18 and over diagnosed with depression has been recorded under the Quality & Outcomes Framework (QOF) of the General Medical Services contract since 2007; comparable information is not available prior to 2007. The definition of the QOF depression indicator was changed for 2013, so the current year's data has not been included as it is not comparable with previous years.

The number of patients aged 18 years and over diagnosed with depression in Belfast West Assembly area is shown in Table 1 below.

Table 1: Number of patients aged 18 and over diagnosed with depression in Belfast West Assembly area, 2007 – 2012.

Assembly Area (AA2008)	2007	2008	2009	2010	2011	2012
Belfast West	7,914	10,461	11,666	12,481	13,057	13,879

Data Source: NI register sizes were taken from the Payment Calculation and Analysis System (PCAS) as at National Prevalence Day. National Prevalence Day was changed from 14 February to 31 March from 2009 onwards to bring it into line with National QOF Achievement Day.

The number of patients on the depression register in Belfast West Assembly area has been determined based on the Assembly area in which the GP practices are located. It should be noted that patients may not reside in the Assembly area in which their practice is located.

Care should be taken when looking at trends in prevalence over time as, particularly in the first year of reporting for a new indicator, changes in the size of QOF registers can be affected by improvements in recording and case finding by practices.

Information on the number of people currently prescribed antidepressants is not available centrally; however there were 19,297 people resident in Belfast West Assembly area who had one or more prescriptions for antidepressants at any time during the calendar year January – December 2013. It should be noted that patients will not necessarily have been prescribed the medication for the full year.

Figures relate to prescriptions which were dispensed by a community pharmacist or dispensing doctor, and presented for payment during the period. Not all prescriptions issued are subsequently dispensed and presented for payment, so the number of prescriptions issued is not known centrally.

The figures are determined for the year in which the prescription was paid to the pharmacist; it should be noted that there may be a time lag where prescriptions have been dispensed by the community pharmacist in a particular year but paid the following year. The data provided only covers drugs dispensed in primary care, as drugs prescribed and dispensed in hospital cannot be captured centrally due to the use of different hospital IT systems.

When comparing current prescribing levels with the prevalence figures from QOF, a number of factors affecting the comparability of the data should be noted: The data covers different time periods, the latest QOF figure being as at 31 March 2012, whereas the prescribing figures are for the full calendar year 2013; The prescribing figure relates to residents of Belfast West AA, whereas the QOF figures relate to patients registered with a GP located in the area; and it should also be noted that anti-depressants can be prescribed for conditions other than depression, such as other mental health conditions and treatment of long term pain. Information on the number of people prescribed anti-depressants specifically for depression is not available centrally.

Skeagh House

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30878/11-15, to detail the professional and legal fees paid for since the evacuation of Skeagh House, Dromore.
(AQW 31543/11-15)

Mr Poots: The Southern Health and Social Care Trust has provided the following detail of professional and legal fees paid since the evacuation of Skeagh House, Dromore, on 27 March 2013.

Professional fees to date	£15,397.90
Legal fees to date	No fees incurred

Urology: Causeway Hospital

Mr McMullan asked the Minister of Health, Social Services and Public Safety when the vacant urology consultant post will be filled, and the specialist urology nursing shortage addressed, at the Causeway Hospital.
(AQW 31545/11-15)

Mr Poots: The Consultant vacancy has been filled on a temporary basis. Advertising for the post of Urology Nurse Specialist closed on 5th March, however the post has been temporarily filled and the service continues. In addition the Trust is working with Macmillan to secure a cancer nurse specialist for the service.

Health: Local Commissioning Groups

Mr Weir asked the Minister of Health, Social Services and Public Safety what plans his Department has to increase the weight given to age factors when determining the level of funding allocated to local health commissioning groups.
(AQW 31551/11-15)

Mr Poots: The relative weights of all of the factors included in the regional capitation formula, including age, are reached via an extensive statistical modelling process which is well established, and uses accepted methodology. The formula is kept under constant review and my Department has no plans to change the relative weights of any factors outside of this process.

Health: Local Commissioning Groups

Mr Weir asked the Minister of Health, Social Services and Public Safety, in relation to the determination of funding levels to be allocated to local health commissioning groups, what weight is given to deprivation factors compared to age related factors.

(AQW 31552/11-15)

Mr Poots: The regional allocation formula for 2013/14 is used to calculate target fair shares for the Local Commissioning Groups. These shares are used to distribute approximately £3.2 Billion. In this formula the factors attributed to deprivation or additional needs are estimated to distribute 15% of the target shares while the adjustments for age and gender redistribute approximately 12% of the target fair share.

Altnagelvin Hospital: Operating Theatre Facilities

Mr Hussey asked the Minister of Health, Social Services and Public Safety for his assessment of (i) the Chief Executive of the Western Health and Social Care Trust's claim that there is inadequate operating theatre facilities in Altnagelvin Hospital; and (ii) the utilisation of the additional capacity available in the Tyrone County Hospital in Omagh.

(AQW 31553/11-15)

Mr Poots: I am advised by the Western Health and Social Care Trust that additional operating theatre capacity at Altnagelvin Area Hospital is required to enable the Trust to fully meet its elective care and core capacity requirements. An outline business case has been submitted to my Department for the provision of additional theatre capacity at the hospital to meet immediate pressures.

The Western Trust is committed to ensuring that best use is made of all its operating theatres, including those in Tyrone County Hospital. There are no resident surgical or anaesthetic medical staff in Tyrone County Hospital which limits the type of day case surgery which can be safely carried out at the hospital. The Western Trust is working through a theatre productivity workstream to assess what further day case surgery could transfer to Tyrone County Hospital.

General Practitioners: Strangford Constituency

Mr McNarry asked the Minister of Health, Social Services and Public Safety to detail the extent of the cutbacks on the range of services provided by GPs in the Strangford constituency.

(AQW 31555/11-15)

Mr Poots: The 20 General Practices in the Strangford constituency provide a range of essential, additional and enhanced services under their GMS Contract with the Health and Social Care Board (HSCB). All practices provide essential and additional services and in addition, all Practices can opt to provide a range of enhanced services which are the most appropriate to the needs of their patient population.

The HSCB currently invites GP Practices across NI to provide separate enhanced regional and local clinical services for patients. Together the 20 GP Practices within the Strangford constituency contract with the HSCB to provide 382 individual services to patients from within the range of enhanced clinical services. This means that there is a wide range of services available within each Practice within the constituency.

A review of enhanced services currently delivered compared to those provided in 2012/13 indicates that only three Practices within the constituency have ceased to provide a total of 5 enhanced services out of the 382 on offer. The HSCB has not reduced the funding available for the provision of enhanced services to patients. This indicates that there is generally consistent delivery of services to patients in the Strangford constituency.

General Practitioners: Services

Mr McNarry asked the Minister of Health, Social Services and Public Safety for his assessment of the campaign led by the Royal College of GPs and the National Association of Patient Participation which contends that a recent UK wide poll has revealed that 47 per cent of GPs have cut back on services, that 70 per cent are concerned that waiting times will be longer in two years' time and that 49 per cent feel they can no longer guarantee safe patient care; and how relevant this poll is to local GP practices.

(AQW 31556/11-15)

Mr Poots: I am fully aware of the RCGP campaign and recently met with Dr O'Kelly, Chair of RCGP NI, to discuss the issues it highlights.

I fully appreciate the commitment and contribution of General Practice in the delivery of healthcare here in NI, however, this is a UK wide poll and there is no data specifically relating to GPs here in NI.

We need to have safe, sustainable and resilient health and social care services to meet the needs of the population and to continue to improve the quality of patient care; the core aim of Transforming Your Care. General Practice has an invaluable contribution to make to this essential reform of healthcare services and NI GPC has given its support to TYC. I know GPs will play a full and active role in helping to deliver its effective implementation and achieving the best possible outcomes for patients.

Hospitals: IR1 Forms

Mr A Maginness asked the Minister of Health, Social Services and Public Safety how many IR1 forms have been submitted with regard to (i) Emergency Departments; and (ii) Acute Medical Units in the (a) Royal Victoria Hospital; and (b) Mater Hospital, in each of the last twelve months.

(AQW 31557/11-15)

Mr Poots: The below table identifies the number of IR1 forms submitted with regard to Emergency Departments and Acute Medical Units within the Royal Victoria Hospital and Mater Hospital.

Month to which the IR1 form relates	Royal Victoria		Mater	
	Emergency Department	Acute Medical Unit	Emergency Department	Acute Medical Unit
Mar-13	52	28	24	22
Apr-13	25	12	9	11
May-13	17	32	17	8
Jun-13	30	25	36	9
Jul-13	20	33	35	12
Aug-13	14	27	22	17
Sep-13	19	35	28	15
Oct-13	44	47	18	9
Nov-13	27	59	13	11
Dec-13	15	13	14	12
Jan-14	41	15	30	15
Feb-14	16	15	18	3

Source: Belfast Health and Social Care Trust

Note: Figures supplied have been collated as at 2nd March 2014 and, as such, may be subject to change after the Trust has carried out further quality assurance.

Organ Donation

Mr Weir asked the Minister of Health, Social Services and Public Safety how much is being spent on the advertising campaign for organ donation.

(AQW 31574/11-15)

Mr Poots: Approximately £294K has been spent on the Public Health Agency's information campaign for organ donation; these costs include the development and production of two TV advertisements, two radio advertisements, outdoor poster advertisements, online advertisements, Northern Ireland branded organ donation leaflets and posters and the organdonationni.info website.

Home Care Visits

Mr Swann asked the Minister of Health, Social Services and Public Safety to detail the price range that each Health and Social Care Trust pays private providers for a (i) 15; and (ii) 30 minute home care visit.

(AQW 31576/11-15)

Mr Poots: The rate paid for domiciliary care can vary regionally because market conditions themselves vary across Northern Ireland. For example, the price of a domiciliary hour in city area may vary from that provided in a rural area because of different market pressures and variations in competition, wages etc. It should be noted that all domiciliary care agencies, regardless of tariff are subject to the same level of regulation and monitoring by the Regulation and Quality Improvement Authority.

The Health and Social Care Board has indicated that procurement exercises for domiciliary care in some Trust areas are imminent, and that price is one of a range of factors taken into account in such exercises, it would not be appropriate to detail the range of rates at this time

A&E Departments: Waiting Times

Mr Campbell asked the Minister of Health, Social Services and Public Safety how many people receiving treatment at Emergency Departments in each acute hospital during 2013 had to wait more than four hours to receive treatment; and what this figure represents as a percentage of the total number of people receiving treatment.

(AQW 31588/11-15)

Mr Poots: It is assumed that this question refers to the number of attendances (new and unplanned reviews) waiting longer than 4 hours to be either treated and discharged home, or admitted to hospital.

Information on waiting times at emergency care departments for new and unplanned review attendances is published on a monthly basis, and is available view or download from:

http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm

Ministerial Appointments to Public Bodies: DHSSPS

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety how many ministerial appointments to public bodies have been made by his Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31591/11-15)

Mr Poots: Since May 2011 96 Ministerial appointments have been made to public bodies by my Department. Of which, 51 were first appointments and 45 were reappointments. A total of 51 males and 45 females were appointed.

The table below outlines the bodies to which these appointments were made, broken down by gender:

Name of Body	No. of First Appointments		No. of Reappointments	
	Male	Female	Male	Female
Belfast HSCT	1	-	-	-
South Eastern HSCT	-	-	1	-
Northern HSCT	1	-	-	-
Southern HSCT	1	1	-	-
Health and Social Care Board	-	1	6	1
Patient Client Council	3	3	2	6
Public Health Agency	3	-	2	3
Business Services Organisation	-	-	7	2
Northern Ireland Guardian Ad Litem Agency	3	1	-	-
Northern Ireland Blood Transfusion Service	1	-	1	-
Northern Ireland Ambulance Service	2	-	2	1
Northern Ireland Practice and Education Council for Nursing & Midwifery	2	9	1	4
Northern Ireland Medical & Dental Training Agency	6	-	3	-
Regulation & Quality Improvement Authority	3	4	-	-
Northern Ireland Social Care Council	2	-	-	3
Safeguarding Board Northern Ireland	3	1	-	-
Total	31	20	25	20

Ambulance Response Times

Mr Frew asked the Minister of Health, Social Services and Public Safety to detail the ambulance response times for (i) Broughshane; (ii) Slemish; (iii) Kells; and (iv) Glenravel electoral wards, broken down by call-out type; and the target response times, broken down by type of call out.

(AQW 31601/11-15)

Mr Poots: My Department's current performance indicator for ambulance response times is that 72.5% of all Category A (life-threatening) calls are responded to within eight minutes, with no less than 67.5% in any Local Commissioning Group (LCG). Provisional information on the performance against this indicator is detailed in the table below for each month since April 2013.

Percentage of Category A (Life threatening) Calls Responded to Within Eight Minutes, by Local Commissioning Group (April – January 2014)¹

LCG	Apr 2013	May 2013	Jun 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Jan 2014
Belfast	75.7%	83.0%	85.0%	83.9%	83.4%	85.9%	84.9%	83.3%	76.9%	78.8%
Northern	58.0%	58.8%	61.5%	56.6%	62.1%	62.6%	65.0%	61.4%	59.3%	58.2%
South Eastern	57.2%	66.3%	68.4%	64.1%	65.1%	61.4%	68.2%	62.4%	59.6%	58.6%
Southern	60.3%	62.6%	63.3%	65.7%	64.4%	63.9%	65.7%	65.7%	60.1%	60.8%
Western	64.0%	66.8%	66.4%	65.9%	66.1%	72.1%	71.5%	69.0%	62.9%	66.1%
Northern Ireland	63.8%	68.7%	69.8%	68.4%	69.3%	70.8%	72.1%	69.6%	64.7%	65.7%

1 Provisional and may be subject to change

First Responder Scheme

Mr Frew asked the Minister of Health, Social Services and Public Safety to outline the training available for members of the public in (i) first aid; and (ii) the use of defibrillators; and whether this training qualifies members of the public to become part of a First Responder Defibrillator scheme.

(AQW 31604/11-15)

Mr Poots: Training in first aid and the use of defibrillators in Northern Ireland is provided to the public by some HSC staff and a range of voluntary and private organisations. My Department recognised the importance of people being trained in CPR skills and included a standard, standard 9, in the Service Framework for Cardiovascular Health and Wellbeing, which was published in June 2009. The standard states:

“Health and Social Care professionals should work with schools, workplaces and communities to raise awareness of and access to emergency life support (ELS) skills.”

My Department is developing a Community Resuscitation Strategy for Northern Ireland. The draft strategy has been out for public consultation and my Department is now considering the responses received. I intend to launch the strategy later this year. It should help to focus the drive to increase the numbers of people who have been trained in CPR skills.

To be part of a First Responder Scheme previous experience of first aid training or medical knowledge is not essential, as standardised training is undertaken prior to any group of First Responders being utilised by the Northern Ireland Ambulance Service.

Ulster Hospital: Ophthalmology Clinic

Mr McGimpsey asked the Minister of Health, Social Services and Public Safety how many people have been discharged from the ophthalmology clinic in the Ulster Hospital in the last twelve months.

(AQW 31606/11-15)

Mr Poots: South Eastern Health and Social Care Trust has stated that 540 patients were discharged from consultant-led Ophthalmology clinics in the Ulster Hospital during the period 1st March 2013 to 28th February 2014.

Wheelchair Users

Lord Morrow asked the Minister of Health, Social Services and Public Safety how many (i) adults; and (ii) children in each Health and Social Care Trust use a larger than standard wheelchair.

(AQW 31607/11-15)

Mr Poots: The information is not collected centrally and was requested from the Regional Wheelchair Service.

The Regional Wheelchair Service stated that all models of wheelchair are prescribed to patients on an individual basis following assessment. Each client receives a wheelchair which is made to meet their specific needs and the wheelchair size is determined by the patient's measurements. There is no standard size.

Information on the individual size of each wheelchair prescribed could only be provided at disproportionate cost.

Smoking

Mr Weir asked the Minister of Health, Social Services and Public Safety how much has been spent on smoking cessation and prevention in each of the last five years.

(AQW 31638/11-15)

Mr Poots: Spend on the provision of smoking cessation services over the last five years is provided in Table 1. These figures include the provision of Nicotine Replacement Therapy (NRT) through community pharmacy cessation services.

Table 1

Year	Spend
2008/09	£1.48m
2009/10	Information not available
2010/11	£3.4m
2011/12	£4.8m
2012/13	£4.5m

Information for 2009/10 is not available as the financial systems were in transition during this period in tandem with the establishment of the Public Health Agency (PHA). In 2009/10, the PHA received £2.35m from the Department towards the overall tobacco control programme and NRT provision.

Information on total spend on smoking prevention initiatives over the past five years is not readily available as, at local level, this activity is often combined with other health promotion interventions. The PHA has, however, advised that public information campaigns account for the largest proportion of spend in relation to tobacco control prevention. Table 2 provides information on spend in this area.

Table 2

Year	Spend
2008/09	£300,000*
2009/10	£74,225
2010/11	£546,355
2011/12	£439,909
2012/13	£256,484

* Funding provided by the Department to the legacy Health Promotion Agency for the development and roll out of public information campaigns.

Smoking

Mr Weir asked the Minister of Health, Social Services and Public Safety what new initiatives are planned to help people stop smoking.

(AQW 31639/11-15)

Mr Poots: My Department's ten-year tobacco control strategy includes supporting smokers to quit as one of its main objectives. In line with this, comprehensive smoking cessation services are delivered across Northern Ireland. During the past three years, over 100,000 people have set a quit date through these services. New public information campaigns have been developed to encourage uptake of these services and greater numbers of healthcare professionals have been trained to offer advice on stopping smoking.

In addition, an extensive programme of tobacco control legislation is underway, mainly to prevent young people from taking up smoking, but also to support smokers in their quit attempts by reducing their exposure to tobacco products and advertising. Future legislative measures, including the introduction of standardised packaging for tobacco products and transposition of the revised EU Tobacco Products Directive, will also provide a supportive environment for smokers wanting to quit.

In November 2013, the PHA hosted a tobacco control conference which focused on successful approaches to reducing smoking prevalence and highlighting good practice in the UK and Ireland. This provided a valuable opportunity to share and learn from effective practice in the area of smoking cessation.

Family Fund

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety whether the funding for the Family Fund has decreased; and if so, how will any decrease in funding be addressed.

(AQW 31653/11-15)

Mr Poots: My Department provides funding of approximately £1.57m per year to the Family Fund. In the current financial year, this funding allowed the Family Fund to help 2870 families in Northern Ireland with disabled children. Despite the challenging financial situation, I am hopeful of being able to continue this commitment again next year.

Previously, this contribution was £1.77m. Unfortunately, due to budgetary constraints, this funding was reduced to £1.57m in 2011/12 from £1.77m.

My officials met with representatives from the Family Fund very recently to discuss the current funding position and they are actively considering how best the Fund can help support families in NI.

Antrim Area Hospital: Patient Diversion

Mr Allister asked the Minister of Health, Social Services and Public Safety why a patient diversion was introduced at Antrim Area Hospital on 2 March 2014; and how many patients were affected.

(AQW 31673/11-15)

Mr Poots: The Northern Health and Social Care Trust has advised my Department that as part of the Trust escalation plans an internal divert from Antrim Area Hospital to Causeway Hospital for non-emergency patients was in place from 10.00am to 6.00pm on Sunday 2nd March 2014. This was specifically for those patients living in localities of similar distance to Antrim Area and Causeway Hospitals. The Trust advises that this measure was designed to maintain patient flow through the emergency department. During the diversion no patients were diverted to Causeway Hospital.

General Practitioners: Waiting Times

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety what is the maximum amount of time a patient has to wait for an appointment with their GP; and what plans he has to reduce the waiting times.

(AQW 31690/11-15)

Mr Poots: As independent contractors, GPs are responsible for the day to day management of their Practice, including patient appointment arrangements. There is no maximum amount of time that a patient has to wait for an appointment with a GP.

Most GP Practices operate an appointment system as it is generally regarded as an efficient method of managing patient consultations compared to the previous system of patients having to queue to see a GP. Patients may from time to time experience difficulty getting an appointment with a particular GP; however in these types of cases the Practice will normally offer an appointment with an alternative doctor. Patients who believe that they require an urgent appointment will normally be fitted in at the end of surgery or will receive a telephone call from the GP.

Ultimately, it is responsibility of GP Practices to ensure they can manage the needs of their patients and the HSCB has been working closely with GPs via a Local Enhanced Service to allow GP Practices to review their current demand and working practices and in turn identify and implement changes which should improve management of workload and ultimately improve the service to patients.

Children in Care: Health Service Provision

Mr Agnew asked the Minister of Health, Social Services and Public Safety what consideration has he given to following the example set by Scotland in the Children & Young People Bill to provide all children in care with aftercare services until the age of 21 years and for those in full time education until the age of 26 years.

(AQW 31733/11-15)

Mr Poots: My Department continues to support the Going the Extra Mile (GEM) Scheme in Northern Ireland. This Scheme provides foster carers with practical and financial support so that young people in employment, education or training can continue to live with their foster carers after they become 18. Support through GEM can continue beyond age 21 to those who are completing courses of education and training. At the end of December 2013 there were 241 young people availing of the Scheme.

In addition, my Department is in the process of developing an Adoption and Children Bill, which we intend to consult on in the near future. As part of the consultation process, reference will be made to past and present legislative developments in other parts of the UK, including Scotland, and to see seek views on whether those developments are transferable to Northern Ireland.

Finally, work is ongoing to develop a strategic response to the needs of looked-after children in Northern Ireland and those responsible for their care. As part of that exercise, my officials have been engaging with key stakeholders. This extends to stakeholders in other parts of the UK. A meeting with Scottish officials has been scheduled for late March 2014, which will seek to clarify some of the proposals contained in the Children & Young People Bill, including the proposal to extend, for all children in care, aftercare services for those in full time education until age 26.

Children in Care: Health Service Provision

Mr Agnew asked the Minister of Health, Social Services and Public Safety what action is being taken to ensure there are equal standards of service provision across health and social care trusts for children in care, including the measures that have been taken by trusts that have been underperforming in this area.

(AQW 31734/11-15)

Mr Poots: There are already a number of mechanisms in place aimed at ensuring equal standards of service provision across Health and Social Care Trusts for children. These include the publication of minimum standards by my Department and the introduction of systems of regulation. In relation to children in care or leaving care, we have published minimum standards in the following areas: Kinship Care; Leaving Care Services; and Young Adult Supported Accommodation.

In addition, a Standards Framework for Supported Lodgings for Young Adults aged 16-21 is being developed and Minimum Standards for Children's Homes are being finalised. We are currently consulting on draft Fostering Services Regulations and it is intended to begin the process of developing Fostering Services Standards to support the Regulations.

In addition, following a joint (DHSSPS/DOJ) scoping exercise on the operation of the Family Justice System in Northern Ireland, we will establish a care proceedings pilot later this year to further identify the causes of delay in care proceedings and solutions for dealing with it. The aim is to ensure that the length of time taken to conclude care proceedings is reduced for all looked after children, regardless of which HSC Trust is responsible for their care or which court is hearing their case.

Finally, my Department has a framework of accountability in place led by the Permanent Secretary. Mid-year and end-year accountability meetings are conducted at which performance issues are both considered and challenged. The Health and Social Care (HSC) Board and HSC Trust performance in connection with their delegated statutory functions, including their corporate parenting responsibilities, are addressed at each accountability meeting.

Medical and Hospital Records

Mr Copeland asked the Minister of Health, Social Services and Public Safety what assurances he can give that no patients' medical or hospital records have been sold, or issued to third parties, over the last seven years.

(AQW 31736/11-15)

Mr Poots: There is no provision in Northern Ireland to sell patient's medical or hospital records.

The sharing of patients' medical or hospital records is governed by the Data Protection Act, Human Rights Act and the common law duty of confidentiality. Any sharing of patient identifiable information other than for direct care would only take place where there is a legal basis on which to do so, or the individual has provided their consent. In circumstances where consent is not possible or practical, the use of information which no longer identifies an individual may be used.

Gastric Band Surgery

Mr Weir asked the Minister of Health, Social Services and Public Safety to detail the number of people who have had gastric band surgery which was funded by the NHS, in each of the last five years.

(AQW 31757/11-15)

Mr Poots: Over the last 5 years there have been 10 people funded for gastric band surgery by the Health and Social Care Board (HSCB). The HSCB are unable to break this down per year due to the very small numbers involved per year and the right of those individuals to privacy and our obligations under Data Protection Act.

Car Parking: Antrim and Causeway Hospitals

Mr McGlone asked the Minister of Health, Social Services and Public Safety in relation to his Department's current proposals for car parking charges at the Antrim and Causeway Hospitals, what exemptions will be in place for staff working at the hospital sites.

(AQW 31773/11-15)

Mr Poots: The Northern Health and Social Care Trust has recently consulted on its proposals to charge staff on both Antrim Area Hospital and Causeway Hospital sites. This consultation closed on 7 March 2014.

Although no exemptions were proposed within the consultation paper, these may emerge out of the consultation process.

Dental Care: Oasis Dental Care

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of the additional dental services provided by Oasis Dental Care, including its impact on existing dental surgeries.

(AQW 31775/11-15)

Mr Poots: Following an open and competitive tender process, Oasis Dental Care was awarded the contract to provide additional dental services in 2009. Since then Oasis has opened 14 modern and fully equipped dental practices in locations where access to Health Service dentistry had been problematic and provided dental treatment to around 57,000 patients. The HSC Board has regular monitoring meetings with Oasis and carries out post treatment checks, alongside patient satisfaction surveys to assess the quality of treatment provided.

My Department carried out a review of the additional dental services provided by Oasis in 2013. In light of the success of the scheme in meeting the needs of patients it was extended, in accordance with the contract, beyond the initial 3 year period. At the same time the HSC Board renegotiated the terms of the contract with Oasis to release efficiency savings of 5.3%, in line with the need to realise savings across the wider HSC sector.

The locations of the Oasis practices were targeted at areas where patients were experiencing difficulty in registering for Health Service dental treatment. Therefore, I do not believe that Oasis practices have had a negative impact on any existing committed Health Service dental surgeries.

Obesity: Childhood Obesity

Mr Campbell asked the Minister of Health, Social Services and Public Safety what steps are being taken to combat chronic childhood obesity.

(AQW 31780/11-15)

Mr Poots: My Department launched the ten year 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.

Outcomes specific to childhood obesity include:

- Health and Social Care Professionals identify, and provide appropriate interventions or signposting, for young children who are, or are at-risk of, overweight/obesity.
- Food and nutrition initiatives increase nutritional knowledge, practical nutrition and food skills in a variety of voluntary, community and private Early Years settings, including parent/carer and toddler groups. This should include healthy weaning and the use of non-sweet based reward systems.
- Every child in Northern Ireland over the age of 8 provided with the opportunity to participate in at least 2 hours per week of extra-curricular sport, physical recreation or play.
- Youth sector settings have healthy food policies in place.

This framework also makes links to existing strategies and policies that can have a beneficial impact on childhood obesity including:

- Start Active, Stay Active – Guidelines promoting physical activity from the four home countries’ Chief Medical Officers – DHSSPS
- Breastfeeding: A Great Start – A Strategy for Northern Ireland 2013-2033 DHSSPS
- A new Food in Schools Policy – Sport Matters – The Northern Ireland Strategy for Sport and Physical Recreation 2009-2019 – Department of Culture, Arts and Leisure.
- Play and Leisure Policy – Office of the First Minister and the deputy First Minister.

The Public Health Agency is also working across a range of settings on the specific issue of childhood obesity. The key areas of work are:

- Breastfeeding;
- Early Years nutrition and physical activity;
- Food in Schools;
- Physical activity in schools; and
- Weight management programmes.

The PHA 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.

Adult Safeguarding Policy: Ralph’s Close Report

Mr McCartney asked the Minister of Health, Social Services and Public Safety, given the public concern over the Ralph’s Close report, what measures are now in place to prevent similar occurrences.

(AQW 31874/11-15)

Mr Poots: A number of measures are in place at Ralph’s Close to prevent occurrences of abuse or neglect of residents. These include actions required following RQIA inspections and other improvements to address identified deficiencies at the home and have helped transform delivery of care at Ralph’s Close, with more person-centred approaches; improvements in leadership and governance; staff training and development; and enhanced adult safeguarding practice.

I have met with the Chair of the Trust Board and the Chief Executive of the Western Trust to seek their assurance that individuals will be held to account for identified failings and that every effort has been made to ensure, as far as possible, that poor or abusive practice is not happening elsewhere in any setting within the Trust.

More widely, I have also sought assurance from the Chairs of all five Trusts that facilities caring for vulnerable adults, have robust safeguarding arrangements in place, that they are confident these are being adhered to; and that a culture is promoted within those settings, and throughout the organisation, that has a zero-tolerance of poor practice, negligence or deliberate harm of any kind.

Jointly with the Department of Justice, my Department is developing a new adult safeguarding policy to apply to all settings. The policy will place a renewed emphasis on preventing harm to adults who are vulnerable and provide effective protections where harm has occurred or is suspected. It will also make it clear that effective safeguarding is the responsibility of us all. My Department is also in the process of implementing new safeguarding legislation, the majority of which is already in operation. The aim of the legislation will be to ensure that individuals found to have harmed adults who are vulnerable will be removed from the workforce, added to barred lists where this is appropriate and, consequently be prevented from obtaining work with

vulnerable adults while they remain on barred list. The legislation will make it a requirement for employers and volunteer managers to check against the barred list prior to permitting an individual to work or volunteer with vulnerable adults.

A&E Departments: Royal Victoria Hospital

Mr McGimpsey asked the Minister of Health, Social Services and Public Safety for his assessment of the impact that the closure of the Emergency Department at the Belfast City Hospital has had on the Royal Victoria Hospital, Belfast.
(AQO 5746/11-15)

Mr Poots: Following the temporary closure of the Belfast City Hospital's emergency department, attendances at the Royal Victoria Hospital have increased. However, services at the RVH and other hospitals were enhanced to accommodate the expected increase in activity. This included extension of the RVH emergency department to include a nine-bed short stay unit; an acute medical admissions unit to support the emergency department; and additional medical, nursing and other staff. Additional staff and beds were also introduced in the Ulster and Antrim Hospitals, as well as additional ambulance provision.

Belfast Health and Social Care Trust: Chief Executive

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the circumstances and reasons for the resignation of the Chief Executive of the Belfast Health and Social Care Trust.
(AQW 31934/11-15)

Mr Poots: Mr Donaghy has stated publicly that he is leaving his current job to take up the post of Chief Executive of the Sussex Partnership NHS Foundation Trust. He has stated that he welcomes the new challenges this appointment will bring.

Dementia

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety what measures he intends to take in order to make local communities more welcoming and inclusive of people diagnosed with dementia.
(AQO 5748/11-15)

Mr Poots: The Dementia Strategy, launched in November 2011, recognises the importance of key elements of dementia friendly communities including challenging the stigma surrounding dementia, supporting people to live well with dementia in their community and increasing the awareness of how to best communicate, relate and support people with dementia and their carers.

To that end, the Dementia Strategy Implementation Group continues to work collaboratively with the range of key agencies and organisations in the promotion of dementia friendly communities.

Alongside this work the Alzheimer's Society has embarked on four year programme to develop dementia friendly communities. The initiative has been well received in all local council areas and training is being delivered across the province to staff in councils, PSNI, Fire and Rescue and Translink.

Hospitals: Omagh Local Hospital

Mr McAleer asked the Minister of Health, Social Services and Public Safety whether the Omagh Enhanced Local hospital is still part of his Department's plans.
(AQO 5749/11-15)

Mr Poots: I have allocated significant funding to deliver the Omagh Local Hospital which is still very much part of my Department's plans. Work has been progressing on site with enabling works now complete. It is anticipated that Phase 1 will be completed in 2016 and following a handover and period of commissioning the new hospital is expected to open shortly thereafter.

Domestic and Sexual Abuse

Mr I McCrea asked the Minister of Health, Social Services and Public Safety to outline the improvements being made in the provision of services for people who are the victims of domestic and sexual abuse.
(AQO 5750/11-15)

Mr Poots: In recent years, my Department has played a key role in developing a number of initiatives aimed at improving the provision of services to victims of domestic and sexual violence and abuse.

Northern Ireland's first Sexual Assault Referral Centre, the Rowan, opened in May 2013. This facility raises the standards of care for all victims of sexual assault in Northern Ireland (regardless of age or gender) by offering a range of services, including a comprehensive assessment of their needs, a forensic medical examination, screening and treatment for sexually-transmitted infections and treatment to help prevent HIV.

In 2010, a Regional Directory of Services for victims of sexual violence and abuse was published. The Directory, commissioned by my Department and compiled by the Nexus Institute, has recently been updated to coincide with the opening of The Rowan.

Last year, the 24 Hour Domestic Violence Helpline was expanded to incorporate a service for victims of sexual violence. The Helpline, now known as the 24 Hour Domestic and Sexual Violence Helpline, provides a confidential telephone, email and text service which is available to all women and men affected by domestic and sexual violence. Helpline workers and volunteers managed over 47,000 calls during 2012/13.

In 2010, Multi-Agency Risk Assessment Conferences (MARACs) were set up in Northern Ireland. MARACs manage and reduce risk to victims of domestic violence and abuse through partner agencies sharing relevant information and providing actions to support the victims of domestic abuse and their families. In total, MARACs have reviewed over 6,300 cases.

In January of this year, my Department and the Department of Justice launched a consultation on a draft Joint Domestic and Sexual Violence Strategy. The new Strategy aims to further improve services and support for all victims and witnesses, and ensure perpetrators are called to account for their actions.

Paramedics

Mr Gardiner asked the Minister of Health, Social Services and Public Safety whether he will take action to reduce pressures on Emergency Departments by following the example of London and Wales in introducing the grade of super paramedics or ambulance clinicians.

(AQO 5751/11-15)

Mr Poots: The Northern Ireland Ambulance Service (NIAS) has no plans at this time to introduce advanced paramedic roles. However, NIAS has introduced revised "treat and leave" and "treat and refer" protocols for specific conditions. This means that paramedics can where clinically appropriate provide patients with alternatives to attendance at emergency departments. NIAS intends to continue to develop these protocols thereby further easing pressures on the whole healthcare system by supporting and enabling patients to manage their healthcare needs closer to home where this represents the most clinically appropriate care pathway.

Cancer: Ovarian Cancer

Ms McCorley asked the Minister of Health, Social Services and Public Safety, following the Committee for Health, Social Services and Public Safety's recent discussions on ovarian cancer, whether he has any plans to introduce an awareness campaign specific to this disease.

(AQO 5752/11-15)

Mr Poots: The Public Health Agency is planning to run a general awareness campaign about identifying the symptoms of cancer which will prioritise ovarian cancer within the campaign.

I have asked the PHA to convene a workshop with all those stakeholders involved in cancer awareness, including ovarian cancer, to ensure that key people are fully engaged in the process of planning the campaign.

I restate the commitment that I gave on Monday, at the launch of Ovarian Cancer Awareness Month, that I am committed to raising awareness about ovarian cancer in order to improve the outcomes for patients and their families.

Cancer: Cancer Research

Mrs Cameron asked the Minister of Health, Social Services and Public Safety to outline the local contribution to cancer research.

(AQO 5753/11-15)

Mr Poots: Northern Ireland contributes significantly to cancer research. Currently my Department provides some £1.8 million annually so that local people and patients can participate in research on cancer prevention, diagnosis, treatment and care. Our funding supports clinical research career development, clinical trials and a range of projects. One annual target is to enable clinical trials in which at least 10% of patients with cancer can participate; rising to 90% for children.

Many of our investments are in partnership with other UK and EU public research funders, cancer charities and industry. Research teams include university and HSC based researchers, frequently with national and international partners.

A&E Departments: Ulster Hospital

Mr Copeland asked the Minister of Health, Social Services and Public Safety for his assessment of Emergency Department waiting times at the Ulster Hospital.

(AQO 5754/11-15)

Mr Poots: The Ulster Hospital's Emergency Department is a very busy facility providing a vital service to its catchment area. In January 2014 alone there were 6,774 attendances at the ED. In January 2014, 20 patients waited more than 12 hours compared to 223 patients in January 2013. In January 2014, 69.2% of patients were treated and discharged home, or admitted to a ward, within 4 hours, compared to 72.2% in January 2013. While the South Eastern Trust has made significant progress in reducing the number of patients waiting longer than 12 hours I am disappointed at the slight reduction in the 4 hours waiting time and I look to the Health and Social Care Board to continue working with the Trust to make further progress on meeting my targets for emergency care.

Department of Justice

Courts: Family Law Cases

Mr Weir asked the Minister of Justice whether his Department intends to review the way in which allegations of domestic and/or sexual violence are dealt with in family law proceedings in court.

(AQW 31167/11-15)

Mr Ford (The Minister of Justice): The legal framework governing the determination of family law cases by courts is the responsibility of the Department of Finance and Personnel (private law matters) and the Department of Health, Social Services and Public Safety (public law matters) rather than my Department. In accordance with the principle of judicial independence, the application of the legislation in individual cases and how cases are managed are matters for the judiciary.

Prisoners: Drug Tests

Mr A Maginness asked the Minister of Justice to detail the drug tests on prisoners that the current service provider is required to provide the Northern Ireland Prison Service under the original tender as contracted in 2009; and whether the provider has commissioned or carried out additional drugs tests beyond those included in the tender.

(AQW 31286/11-15)

Mr Ford: The current service provider is required to supply the Northern Ireland Prison Service with testing for the following drugs of abuse: Cannabis, Opiates, Methadone, MDMD (Ecstasy), Benzodiazepines, Buprenorphine (Heroin substitute), Cocaine, Barbiturates and Amphetamines.

On a small number of occasions laboratory analysis has been requested from the supplier for steroids and alcohol.

Prisoners: Deaths in Custody

Mr McGlone asked the Minister of Justice to detail (i) the number of deaths in custody reports published by the Prisoner Ombudsman for Northern Ireland that cited therapeutic or prescription drugs as a concern; and (ii) what this represents as a proportion of overall deaths in custody, in each of the last five years.

(AQW 31289/11-15)

Mr Ford: Since 1 April 2009, there have been 27 deaths recorded by the Northern Ireland Prison Service. The Prison Service has received 18 Prisoner Ombudsman investigation reports into these deaths of which eight reports have cited recommendations or issues of concern in relation to therapeutic or prescription medication.

The table below reflects this information for each of the last five years:

	Deaths recorded by NIPS	Prisoner Ombudsman reports citing recommendations/issues of concerns in relation to therapeutic/prescription drugs
March 09 – February 10	5	2
March 10 – February 11	4	1
March 11 – February 12	6	5
March 12 – February 13	9	0
March 13 – February 14	3	0

Five of the deaths recorded occurred outside of prison custody but are recorded by NIPS due to the circumstances of the death and are subject to investigation.

Prisoners: Released on Licence

Mr Allister asked the Minister of Justice to detail the number of prisoners convicted of a terrorist offence who have been released on licence and the length of licence in each case, broken down per month from January 2012.

(AQW 31304/11-15)

Mr Ford: The tables below provide the information sought.

2012

Month	Number licensed	Length of licence
January	0	

Month	Number licensed	Length of licence
February	0	
March	0	
April	0	
May	0	
June	0	
July	0	
August	0	
September	1	Life
October	0	
November	0	
December	0	

2013

Month	Number licensed	Length of licence
January	2	30 months 8 yrs
February	2	36 months Life
March	1	Life
April	0	
May	1	Life
June	0	
July	0	
August	2	27 months Life
September	1	7 months
October	0	
November	0	
December	0	

2014

Month	Number licensed	Length of licence
January	1	Life
February	1	60 months

As at 7 February 2014

Prisoners: Drug Tests

Lord Morrow asked the Minister of Justice to detail the timescale, from testing, for the publication of results following analysis of prisoner drugs tests.

(AQW 31310/11-15)

Mr Ford: If a test is negative then the prisoner will be informed immediately. Positive tests for detected banned substances and prescription drugs are sent to the testing facility. This facility aims to return the result with a detailed analysis within seven

days. Enquiries as to whether or not the prisoner was prescribed detected medication are made from South Eastern Health and Social Care Trust. This requirement will add several days to the process.

Justice: Sentencing Policy

Mr Campbell asked the Minister of Justice, following the recent court appearance and conviction of Liam Averill on a drink driving charge which resulted in a reduced total fine of £30, having previously been convicted for his part in a double killing, whether he will review general sentencing policy.

(AQW 31340/11-15)

Mr Ford: Sentencing in the individual case is entirely a matter for the judiciary. In making these decisions, the judiciary are guided by sentencing guidelines. Development of guidelines for the offences of Driving with Excess Alcohol and Driving While Unfit, heard in the Magistrates' Courts, has been overseen by the Lord Chief Justice's Sentencing Group. These are published on the Judicial Studies Board website www.jsbni.com.

Consideration of the penalties available for these offences is a matter for the Department of the Environment.

Prisoners: Released on Licence

Mr Allister asked the Minister of Justice how many prisoners convicted of a terrorist offence, were on licence on 31 December 2011; and of these, to detail when the licence expired, broken down by month.

(AQW 31388/11-15)

Mr Ford: Prisoners have been released on licence under the Life Sentences (Northern Ireland) Order 2001, the now repealed Section 23 of the Prison Act (Northern Ireland) 1953, the Sentences (Northern Ireland) Act 1998, the Remission of Sentences Act 1995 and the Criminal Justice (Northern Ireland) Order 2008.

Northern Ireland Prison Service records do not categorise those prisoners released under the Life Sentences (Northern Ireland) Order 2001 or the Prison Act (Northern Ireland) 1953 as terrorist or non-terrorist. It is therefore not possible to provide a definitive answer for those released under either piece of legislation.

All those released under the Northern Ireland (Sentences) Act 1998 were deemed terrorist related offenders. Of these, records indicate that 148 were living in the community on a life licence on 31 December 2011. No others released under this legislation were subject to determinate licences on this date.

Likewise, those released under the provisions of the Northern Ireland (Remission of Sentences) Act 1995 were deemed to be terrorist related offenders. One individual was on licence on the date in question. This licence is due to expire in June 2014.

No-one released on a licence under the provisions of the Criminal Justice (NI) Order 2008, and which was current on the date in question, was convicted of a terrorist offence.

On-the-runs: Administrative Scheme

Mr Allister asked the Minister of Justice how many requests have been made under the administrative scheme, as referred to in the judgement in R-v-Downey, since policing and justice was devolved; and to detail the outcome of each request.

(AQW 31425/11-15)

Mr Ford: My Department has not been involved in the so-called administrative scheme and therefore does not hold the information requested. The handling of requests under the scheme is a matter for the Secretary of State.

On-the-runs: Administrative Scheme

Mr Allister asked the Minister of Justice what steps they are taking, in respect of applications made under the administrative scheme since policing and justice was devolved, as exposed by the judgement of R-v-Downey.

(AQW 31426/11-15)

Mr Ford: I have commissioned legal advice, which, along with the reports of the judge-led inquiry and the Police Ombudsman, will inform my next steps.

On-the-runs: Letters

Mr Allister asked the Minister of Justice what steps have been taken to inform the families of victims that people suspected of involvement in the crimes causing them to be victims have been given "comfort letters"; and that they are no longer being sought for prosecution.

(AQW 31427/11-15)

Mr Ford: My Department has not been involved in these arrangements and I am therefore unaware of any steps taken.

Policing and Community Safety Partnerships

Mr McMullan asked the Minister of Justice to detail the total paid in Members' expenses in each Policing and Community Safety Partnership, in each of the last five years.

(AQW 31447/11-15)

Mr Ford: Policing and Community Safety Partnerships came into effect on 1 April 2012 and are co-funded by the Department of Justice and the Northern Ireland Policing Board. Payments made by the Department of Justice and the Northern Ireland Policing Board to each PCSP in respect of Members' expenses since their establishment are set out below.

	2012-13		2013-14 (to date)	
	Meeting Expense Payments	Travel Expense Payments	Meeting Expense Payments	Travel Expense Payments
Antrim	11,346.99	1,565.68	8,959.23	716.29
Ards	11,340.81	865.00	7,534.85	-
Armagh	11,099.83	1,931.17	4,967.86	938.93
Ballymena	12,660.00	3,126.12	8,160.00	2,415.48
Ballymoney	17,635.99	2,523.09	10,620.00	1,627.60
Banbridge	13,373.73	1,158.11	3,940.22	1,500.00
Belfast	43,161.71	-	19,749.74	-
Carrickfergus	14,045.22	283.88	7,680.00	72.00
Castlereagh	12,940.80	1,026.41	11,156.18	654.86
Coleraine	16,896.71	3,245.32	8,162.40	1,430.19
Cookstown	7,680.00	-	6,000.00	1,806.76
Craigavon	20,066.10	1,322.01	11,209.91	2,567.36
Derry	12,180.00	737.75	7,620.00	239.04
Down	12,726.06	8,776.51	8,983.39	4,385.16
Dungannon	14,262.62	2,112.63	6,913.10	-
Fermanagh	13,130.34	5,449.73	11,336.65	808.61
Larne	9,236.10	1,529.39	-	-
Limavady	13,910.40	1,830.73	8,144.84	2,225.70
Lisburn	13,355.40	2,143.48	9,180.00	1,762.69
Magherafelt	7,826.78	1,428.16	1,411.80	816.78
Moyle	9,669.56	2,073.30	4,709.12	-
Newry	12,332.32	2,198.88	10,491.94	1,275.68
Newtownabbey	16,203.08	586.00	10,482.94	-
North Down	10,260.00	471.74	5,700.00	256.01
Omagh	14,317.94	1,619.36	8,369.85	3,062.92
Strabane	15,606.74	3,175.00	12,305.16	2,414.32
Total	367,265.23	51,179.45	213,789.18	30,976.38

On-the-runs: Letters

Mr Givan asked the Minister of Justice what actions can be taken to withdraw letters sent to on-the-run republicans as part of the 'administrative scheme' advising of no prosecution that were issued prior to his ministerial appointment and the devolution of policing and justice powers.

(AQW 31470/11-15)

Mr Ford: It is not clear at this stage what actions can be taken to withdraw letters issued under the 'administrative scheme'. I am currently awaiting legal advice on a range of issues and the judge-led inquiry will report in due course.

On-the-runs: Letters

Mr Givan asked the Minister of Justice, in light of the recent judgement in R.v.Downey, to detail the implications for arresting, charging and prosecuting on-the-run republicans, in possession of letters received through the 'administrative scheme', for historical terrorist related offences prior to the 1998 Belfast Agreement.

(AQW 31471/11-15)

Mr Ford: My Department has not been involved in the 'administrative scheme' so I have no knowledge of the detail of the letters. Arrests, charges and prosecutions are matters for the PSNI and PPS.

On-the-runs: Procedures

Mr Givan asked the Minister of Justice to detail the procedures followed to advise individuals that no prosecutions will be taken against them; and whether the 'administrative scheme' for on-the-run republicans conforms with these procedures.

(AQW 31472/11-15)

Mr Ford: My Department has not been involved in the 'administrative scheme', and therefore does not have any details on the procedures followed.

Human Trafficking and Prostitution

Mr Givan asked the Minister of Justice what steps his Department will take to review its opposition of the Nordic Model for tackling human trafficking and prostitution following the resolution passed by the European Parliament calling on Member States to implement such a model, as proposed in the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill.

(AQW 31474/11-15)

Mr Ford: My Department has not reached a firm view yet on issues of criminality of the purchaser relating to prostitution. I have concerns about the unintended consequences such legislation might have on those vulnerable people involved in prostitution.

The non-binding resolution, while pointing to the Nordic model, also made recommendations on wider issues such as exit schemes for women who want to get out of prostitution and measures to address the reasons that force women into prostitution. I have commissioned independent research to consider these wider issues. The research will provide a proper evidence base from which to make informed policy decisions on the future of prostitution regulation in Northern Ireland.

Justice: Serious Case Review of Thomas Ward

Lord Morrow asked the Minister of Justice, in relation to the Serious Case Review on the management of Thomas Ward and the subsequent definition of him being categorised as dangerous, to detail whether (i) there were failings in how he was monitored by agencies; (ii) signs of imminent offending were missed; (iii) the repeated breaches of Sexual Offences Prevention Orders were inadequately addressed and not treated as an indicator of non-compliance, and (iv) better management could have prevented a second victim.

(AQW 31501/11-15)

Mr Ford: The serious case review reviewed the monitoring of the offender and whether any failings were evident in the management of the case. The findings and recommendations for future practice are detailed in the published executive summary together with an action plan for addressing the recommendations.

The identified breaches of a Sexual Offences Prevention Order were addressed robustly resulting initially in different sentencing disposals being imposed by the court and ultimately in Thomas Ward being remanded into custody.

The review did not identify any causal link between the actions of agencies and Thomas Ward's subsequent reoffending.

Justice: Serious Case Review of Thomas Ward

Lord Morrow asked the Minister of Justice why the serious case review into the management of Thomas Ward makes no reference to (i) timetables of the monitoring visits by Designated Risk Managers; (ii) the relevant risk scoring during these visits; and (iii) if they were being carried out with appropriate regularity.

(AQW 31502/11-15)

Mr Ford: All aspects of the management of Thomas Ward were considered in the review including the frequency and scope of monitoring visits and risk assessments which were deemed to have met practice standards. However the executive summary identified areas to further enhance existing practice standards and these have been addressed, as highlighted in the published action plan, by the agencies tasked with risk management within the PPANI arrangements.

Justice: Serious Case Review of Thomas Ward

Lord Morrow asked the Minister of Justice, in relation to the Serious Case Review on the management of Thomas Ward, to detail what is meant by 'causal' where the report states 'The review did not identify a causal link between the actions of the agencies and Thomas Ward reoffending'; and what other definition of a link exists in these circumstances.

(AQW 31503/11-15)

Mr Ford: The term causal, as utilised within the executive summary, is intended to indicate that the case review did not find a link between the actions of the agencies involved in his risk management and his commission of a further offence on 1st February 2011.

Justice: Serious Case Review of Thomas Ward

Lord Morrow asked the Minister of Justice why the Serious Case Review refers to Thomas Ward (i) committing a Sexual Offences Prevention Order breach when there were multiple breaches; and (ii) why these breaches were not taken more seriously given the nature of previous offences.

(AQW 31504/11-15)

Mr Ford: The review states that it deals primarily with the period from December 2010, when the Crown Court released Thomas Ward from custody on bail, to the point of his arrest for commission of a further offence in February 2011.

It does make reference to a number of breaches of a Sexual Offences Prevention Order (SOPO) between 2009 and 2010 in the context of the background to the case. These breaches resulted in robust action being taken by the court firstly to convert the initial community sentencing disposal to a period of imprisonment, subsequently to impose a Probation Order for a further SOPO breach and finally to revoke bail on another matter following a SOPO breach resulting in Thomas Ward being remanded into custody in October 2010.

Schools: Attendance

Mr Beggs asked the Minister of Justice to detail, by court district, (i) the number of cases where parents or carers have been fined as result of children not attending school regularly; (ii) the number of cases fines awarded; and (iii) the percentage of cases fines awarded, in each of the last three years.

(AQW 31505/11-15)

Mr Ford: The number of defendants found guilty, in each of the last three years, of not sending a child to school, together with the number and percentage of these defendants that received a monetary penalty, are presented by Court Division in the tables below.

Number and percentage of defendants found guilty of not sending a child to school, 2011

Court Division	Number of defendants found guilty of not sending a child to school	Number of defendants that received a monetary penalty	Percentage of defendants that received a monetary penalty
Belfast	11	6	54.5%
Londonderry	1	0	0.0%
Antrim	0	0	0.0%
Fermanagh and Tyrone	21	12	57.1%
Armagh and South Down	6	6	100.0%
Ards	3	3	100.0%
Craigavon	29	22	75.9%
Total Northern Ireland	71	49	69.0%

Number and percentage of defendants found guilty of not sending a child to school, 2012

Court Division	Number of defendants found guilty of not sending a child to school	Number of defendants that received a monetary penalty	Percentage of defendants that received a monetary penalty
Belfast	3	3	100.0%
Londonderry	8	6	75.0%
Antrim	3	3	100.0%

Court Division	Number of defendants found guilty of not sending a child to school	Number of defendants that received a monetary penalty	Percentage of defendants that received a monetary penalty
Fermanagh and Tyrone	14	12	85.7%
Armagh and South Down	12	5	41.7%
Ards	2	2	100.0%
Craigavon	15	13	86.7%
Total Northern Ireland	57	44	77.2%

Number and percentage of defendants found guilty of not sending a child to school, 2013P

Court Division	Number of defendants found guilty of not sending a child to school	Number of defendants that received a monetary penalty	Percentage of defendants that received a monetary penalty
Belfast	2	2	100.0%
Londonderry	2	1	50.0%
Antrim	19	13	68.4%
Fermanagh and Tyrone	6	4	66.7%
Armagh and South Down	12	9	75.0%
Ards	3	2	66.7%
Craigavon	21	20	95.2%
Total Northern Ireland	65	51	78.5%

Source: Integrated Court Operations System (ICOS)

P Data are currently provisional and may be subject to change

On-the-runs: Letters

Mr Allister asked the Minister of Justice, upon the devolution of policing and justice powers, whether the authority to issue “comfort letters” in respect of on-the-runs became a transferred matter.

(AQW 31520/11-15)

Mr Ford: If such authority exists, it did not become a transferred matter. My Department has not been involved in the issuing of “comfort letters”.

Royal Prerogative of Mercy

Mr Allister asked the Minister of Justice what role, consultative or otherwise, his Department has in respect of a granting of the Royal Prerogative of Mercy; and to detail whether his Department has been involved in any such cases since policing and justice powers were devolved.

(AQW 31521/11-15)

Mr Ford: The Northern Ireland Act 1998 (Amendment of Schedule 3) Order 2010, states that, in relation to terrorism, the exercise of the Royal Prerogative of mercy remains a reserved matter for the Secretary of State for Northern Ireland. Non-terrorist related applications, however, are dealt with by my Department.

The Department has been asked to consider several requests to exercise the prerogative of mercy. These generally come from those who believe they have been wrongly convicted. However, the prerogative has not been granted by my Department since devolution.

Operation Rapid

Mr Allister asked the Minister of Justice, upon the devolution of policing and justice powers, who had departmental oversight of Operation Rapid; and what contact there has been between his Department and the PSNI concerning it.

(AQW 31522/11-15)

Mr Ford: My Department has not been involved in Operation Rapid.

On-the-runs: Letters

Mr Allister asked the Minister of Justice whether there are any departmental officials who were involved in, and had knowledge of, the issuing of "comfort letters" to on-the-runs before their transfer from the Northern Ireland Office.

(AQW 31523/11-15)

Mr Ford: My Department's Permanent Secretary knew of the so-called administrative scheme when an NIO Official, but was not involved in it. In accordance with the Executive's Ministerial Code and Procedural Guidance on Access to papers of a former Minister, civil service guidance and longstanding constitutional convention, he was unable to take this information from the NIO and relate it to me.

For the same reasons, it would be inappropriate to ask any other officials who previously worked at the NIO what they knew about these matters.

Courts: Facilities

Mr Hussey asked the Minister of Justice to outline the steps taken to ensure that facilities in courts, which are being used by the Courts and Tribunal Service to hear appeals, are accessible to people with a disability.

(AQW 31546/11-15)

Mr Ford: The Northern Ireland Courts and Tribunals Service (NICTS) completed Disability Discrimination Act (DDA) audits in 2009/10. As a result a rolling programme of work has been taken forward to upgrade the NICTS estate to implement, as far as reasonably practicable, the audit recommendations.

This programme of work has resulted in DDA improvements to facilities at court houses in Antrim, Ballymena, Craigavon, Coleraine, Dungannon, Newry and Newtownards. DDA improvements are being carried out in Armagh, Omagh, Downpatrick and the Royal Courts of Justice, with a completion date of 31 March 2014. During 2014/15 DDA improvements are planned for court houses in Enniskillen and the Old Townhall Building, Belfast. The DDA improvements ensure improved accessibility for all court and tribunal users.

On-the-runs: DOJ Guidance

Mr Beggs asked the Minister of Justice what guidance he has issued to the PSNI and the Public Prosecution Service regarding requests from the NI Office, or others, attempting to establish whether individuals on-the-run have questions to answer from the justice system.

(AQW 31554/11-15)

Mr Ford: My Department has no responsibility for this matter and I have not issued any guidance to the PSNI or PPS about it.

Justice: Serious Case Review of Thomas Ward

Lord Morrow asked the Minister of Justice, in relation to the Serious Case Review on the management of Thomas Ward, to detail (i) why he was originally deemed to be a Category 3 offender, which was then reduced on his release from custody to a Category 2 on 13 October 2010, given he refused to engage in counselling or programmes whilst in custody and on his release; (ii) who was responsible for making this decision; and (iii) why he was not returned to Category 3 status after the incident in the hostel which occurred the same month as he was re-categorised and given the reported "more settled circumstances" of residence had ended.

(AQW 31562/11-15)

Mr Ford: Multi-agency Local Area Public Protection Panels (LAPPP) are responsible for the decision making regarding the categorisation of risk management for those offenders who are managed in the community within the public protection arrangements.

Thomas Ward was originally assessed on 29th December 2008 as meeting the criteria of Category 3 risk management and this continued to be kept under review. At a LAPPP meeting on 13th October 2010 it was assessed that he no longer met the threshold criteria for maintaining him at Category 3 and he was assessed as now meeting the Category 2 threshold.

Thomas Ward was subject to a Sexual Offences Prevention Order (SOPO) with a requirement to reside in accommodation approved by PBNI. When his hostel placement was withdrawn, following an alleged incident of verbal abuse, he was in breach of the SOPO and the court reviewed his case and immediately remanded him into custody. As he was now detained in prison, a community LAPPP meeting would not have been convened to review his risk management category.

Water Bills: DOJ

Mr Agnew asked the Minister of Justice to detail (i) who audits his Department's water bills; (ii) when his Department's water bill was last audited; (iii) when his Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills.

(AQW 31565/11-15)

Mr Ford: The Department of Justice does not pay water bills for any buildings occupied by the Department.

For Government owned buildings, the Department of Finance and Personnel has management responsibility for water bills. This forms part of the Maintenance Budget transferable to Department of Finance and Personnel annually.

For any leased buildings occupied by the Department of Justice, it is the landlord's responsibility to manage and pay water bills. This forms part of the service charge payable to the landlord.

On-the-runs: Letters

Mr Allister asked the Minister of Justice what steps he will take to ensure any comfort letters issued by the Northern Ireland Office under the administrative scheme, since the date of the devolution of policing and justice powers, are quashed.

(AQW 31573/11-15)

Mr Ford: I am not clear yet as to the legal basis for the letters or if the letters can be quashed and am awaiting legal advice on a range of issues, which will inform my next steps, if any, as my Department has had no involvement in issuing the "comfort letters".

On-the-runs: Attorney General

Mr Campbell asked the Minister of Justice whether he has held discussions with the Attorney General regarding the "administrative scheme" for on-the-runs; and to detail which Department, under devolution, should have been (a) responsible for such a scheme, and (b) passed information to interested parties about the existence of such a scheme.

(AQW 31585/11-15)

Mr Ford: I held an informal discussion with Attorney General on 28 February 2014.

The operation of such a scheme by a devolved Department would only have been put in place had there been agreement by the Executive and Assembly and assurances that it had a sound basis in terms of legislation and conformity with all appropriate legal and human rights conventions.

Police Officers: Pensions

Mr Hussey asked the Minister of Justice for his assessment of the High Court Order in relation to the withdrawal of the Home Office Pensions Guidance which has been used to reduce pensions of injured former police officers; and to detail whether he plans to issue similar instructions to the Northern Ireland Policing Board.

(AQW 31594/11-15)

Mr Ford: My officials are considering the High Court Order relating to the Home Office guidance on reviews at compulsory retirement age. Instructions will be issued to the Northern Ireland Policing Board when this process has concluded.

Forensic Science Service of Northern Ireland

Mr Kinahan asked the Minister of Justice how many investigations by internal audit, or other processes, have been conducted by his Department or any other body into the private business activities of an employee of the Forensic Science Service of Northern Ireland (FSNI), since their employment with FSNI.

(AQW 31613/11-15)

Mr Ford: The Department was notified of a potential conflict of interest in September 2012 for a member of staff within Forensic Science Northern Ireland and the Department's Internal Audit carried out an investigation. A follow-up investigation is ongoing.

Ministerial Appointments to Public Bodies: DOJ

Mrs D Kelly asked the Minister of Justice how many ministerial appointments to public bodies have been made by his Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31624/11-15)

Mr Ford: There were a total of 52 Ministerial appointments made by the Department of Justice to public bodies since May 2011, thirty males and twenty two females. A breakdown by year and organisation is detailed on the table below:

Year	Number of Males Appointed	Number of Females Appointed	Names of Organisation to which appointments were made
2011	4	3	Northern Ireland Policing Board
2012	1	0	Northern Ireland Policing Board
2012	5	0	RUC George Cross Foundation
2012	1	0	Criminal Justice Inspection Northern Ireland (CJINI)

Year	Number of Males Appointed	Number of Females Appointed	Names of Organisation to which appointments were made
2012	4	3	Probation Board for Northern Ireland
2013	6	7	Parole Commissioners for Northern Ireland
2013	1	0	Probation Board for Northern Ireland
2013	6	9	Independent Monitoring Boards
2013	1	0	Prisoner Ombudsman for Northern Ireland
2013	1	0	RUC George Cross Foundation
Total	30	22	

Prisoners: Storage of Prescribed Medicines

Lord Morrow asked the Minister of Justice, pursuant to AQW 30933/11-15, to detail (i) the total cost of installing the cabinets, including fitting and any subsequent repairs; and (ii) the number of cabinets the total cost relates to, broken down by year since the first installation.

(AQW 31664/11-15)

Mr Ford:

- (i) The total cost for providing and fitting all cabinets is £137,450, repairs to date have cost £54,390.
- (ii) From 2005 a total of 1914 cabinets have been installed for use by individual prisoners. A breakdown is not readily available in the form requested.

Hydebank Wood: Governor

Lord Morrow asked the Minister of Justice, pursuant to AQW 31405/11-15, if this post was advertised; and if so, to detail (i) whether the individual applied for the role; and (ii) the total number of applicants.

(AQW 31666/11-15)

Mr Ford: This post was not advertised.

On-the-runs: Names

Mr Allister asked the Minister of Justice whether he is aware of the names of all the on-the-runs who were issued with comfort letters under the administrative scheme; and if so, when will he publish the names; and if he is not aware, what steps is he taking to obtain and publish this information.

(AQW 31670/11-15)

Mr Ford: My Department has not been involved with the 'administrative scheme' and therefore does not have the names of those issued with "comfort letters". I am awaiting legal advice and the reports of the judge-led inquiry and Police Ombudsman to inform my next steps.

DOJ: Funding Support Groups

Ms McCorley asked the Minister of Justice whether his Department or its arm's-length bodies provide funding or resources for groups dealing with ethnic minorities, as well as women who have suffered domestic violence from partners, who are in the criminal justice system.

(AQW 31684/11-15)

Mr Ford: The Department of Justice has provided the following funding and resources to groups dealing with ethnic minorities, as well as women who have suffered domestic violence from partners who are in the criminal justice system:

Groups	Funding
Women's Aid	PBNI currently fund Women's Aid in respect of the delivery of a PBNI domestic violence programme. YJA funded a script writer to develop a DVD and manual to raise awareness of the experiences of individual victims of domestic violence.
Policing and Community Safety Partnerships	Funding provided to address community safety needs identified through consultation and strategic assessment.
Groups	Resources

Groups	Funding
Victim Support NI NSPCC Women's Aid Federation NI Housing Rights Service	Facilities in Court Houses provided to groups, whose work includes support to ethnic minorities and women in the criminal justice system who have suffered domestic violence from partners.

Irish Language: DOJ Publications in Irish

Ms McCorley asked the Minister of Justice to detail any requests to his Department to make publications available in Irish in the last four years; and to outline the action he has taken in relation to this.

(AQW 31685/11-15)

Mr Ford: There have been two requests in the last four years to make publications available in Irish. Both of these publications, The Northern Ireland Court Service Jury Booklet; and the Code of Practice for the Appointment of Independent Members to Policing and Community Safety Partnerships (PCSPs) and District Policing and Community Safety Partnerships (DPCSPs), were translated into Irish.

On-the-runs: Letters

Mr Allister asked the Minister of Justice to detail the enquiries, including the result of each, that have been made from the Northern Ireland Prison Service on requests relating to on-the-run letters referred to in the judgement of R-v-Downey.

(AQW 31689/11-15)

Mr Ford: Northern Ireland Prison Service has not received any enquiries relating to on-the-run letters referred to in the judgement of R-v-Downey.

Prisoners: Storage of Prescribed Medicines

Lord Morrow asked the Minister of Justice, pursuant to AQW 30933/11-15, whether landing staff in this instance are prison officers; and if so, and given medicine is a health care issue in prisons, why they have this responsibility.

(AQW 31708/11-15)

Mr Ford: Landing staff referred to in the previous response are Prison Officers. Officers are responsible for examining the structural integrity of cells each day and reporting any issues; this includes assessing if lockable medication cabinets are damaged.

Hydebank Wood: Governor

Lord Morrow asked the Minister of Justice, pursuant to AQW 31405/11-15, why part (i) has not been answered.

(AQW 31710/11-15)

Mr Ford: In respect of part (i) and consistent with the previous response; succession planning within the Northern Ireland Prison Service has been, and continues to be, an ongoing process. It is informed by regular Succession Planning meetings and the most recent of these was held in December.

Prisoner Assessment Unit

Mr D McIlveen asked the Minister of Justice for an update on the reopening of the Prisoner Assessment Unit.

(AQW 31718/11-15)

Mr Ford: A business case has been drafted for the opening of a Working Out Unit to support and test long sentence prisoners in the transition from prison to the community.

Pending Business Case approval, the former Prisoner Assessment Unit facilities on the Crumlin Road in Belfast will undergo minimal refurbishment to provide accommodation for the new unit.

Following Business Case approval, officials will brief local representatives on plans to open the unit.

Immunity from Prosecution

Mr McGlone asked the Minister of Justice whether he, or any employee of his Department, is aware of any undertakings of (a) amnesty; (b) immunity; or (c) implied immunity from prosecution given to (i) any former or serving members of the security forces; (ii) any person who has acted as an agent of the security forces or British Government intelligence services; and (iii) any member of a paramilitary organisation.

(AQW 31730/11-15)

Mr Ford: I am not aware of any such undertakings being made.

On-the-runs: Administrative Scheme

Mrs D Kelly asked the Minister of Justice if he has had any discussions with the Attorney General on whether he had any knowledge of the administrative scheme, including the letters to on-the runs.

(AQW 31744/11-15)

Mr Ford: It is convention that Ministers do not disclose details of any discussions with the Attorney General. Furthermore, it would not be appropriate for me to answer on the Attorney General's behalf; this would be a matter for the Attorney himself.

Hydebank Wood: Governor

Lord Morrow asked the Minister of Justice, in relation to the former governor of Hydebank Wood and his secondment to England, whether he has been, or is he due to be, afforded travel, accommodation or any other expenses resulting from the secondment and/or imminent return to his new post; and if so, to detail (i) a breakdown of all expenses; and (ii) who is meeting the costs.

(AQW 31745/11-15)

Mr Ford: It would not be appropriate to provide a breakdown of costs in relation to an individual as this would be in breach of the Data Protection Act. The

Northern Ireland Prison Service is meeting the associated costs.

Prisoners: Storage of Prescribed Medicines

Lord Morrow asked the Minister of Justice, pursuant to AQW 30933/11-15, to detail the total cost of cabinets installed including (i) the cost of fitting and any subsequent repairs; and (ii) how many cabinets are included in the total costing.

(AQW 31746/11-15)

Mr Ford: I refer the member to the answer I gave the member to AQW3 1664/11-15 on 19 March 2014.

Hydebank Wood: Governor

Lord Morrow asked the Minister of Justice, pursuant to AQW 31405/11-15, given the circumstances on occasion of this individual's former role and the resultant disciplinary action against him, to detail (i) whether this is a satisfactory appointment; (ii) if the Deputy Governor role was agreed prior to secondment; and, (iii) what cognisance has been taken of the disciplinary outcome.

(AQW 31748/11-15)

Mr Ford: The Northern Ireland Prison Service (NIPS) is content that this is a satisfactory appointment. The decision was taken while the individual in question was on secondment and took into account all relevant factors.

Crime Prevention: South Armagh

Mr Campbell asked the Minister of Justice, following recent reports of alleged illegal animal slaughtering in South Armagh, previous repeated reports of fuel laundering and agricultural subsidy fraud in the same area, what step his Department is taking, in conjunction with other agencies, to introduce a law enforcement strategy to prevent such activity.

(AQW 31752/11-15)

Mr Ford: My Organised Crime Taskforce has a sub group devoted almost exclusively to fuel fraud and there is ongoing work in this area involving a number of agencies. The other issues highlighted are primarily for Ministerial colleagues, but my Department is always willing to provide co-operation and support where it can.

On-the-runs: Letters

Mr Elliott asked the Minister of Justice whether any on-the-run letters have been used, or attempted to have been used, to provide a defence or to bar prosecution in any criminal proceedings since the devolution of policing and justice.

(AQW 31785/11-15)

Mr Ford: My Department has not been involved with the 'on-the-run letters'. Aside from the Downey case, I am not aware if any letters have been used in any other criminal proceedings.

On-the-runs: Letters

Mr Elliott asked the Minister of Justice whether he is aware of any on-the-run letters that have been issued in error and subsequently used, or attempted to have been used, in court proceedings since the devolution of policing and justice.

(AQW 31786/11-15)

Mr Ford: My Department has not been involved with the 'on-the-run letters' so I am not aware if any other letters have issued in error or if anyone has used them, or attempted to use them, in court proceedings.

Immunity from Prosecution

Mr McGlone asked the Minister of Justice (i) whether any past or present employee of the Northern Ireland Prison Service or the Probation Board of Northern Ireland is aware of any undertakings of (a) amnesty; (b) immunity; or (c) implied immunity from prosecution given to (i) any former or serving members of the security forces; (ii) any person who has acted as an agent of the security forces or British Government intelligence services; and (iii) and member of a paramilitary organisation.

(AQW 31804/11-15)

Mr Ford: I am not aware of any such undertakings being made.

Hydebank Wood: Governor

Lord Morrow asked the Minister of Justice which version of the Northern Ireland Prison Service Code of Conduct and Discipline was used in the proceedings against the former governor of Hydebank Prison.

(AQW 31836/11-15)

Mr Ford: The disciplinary proceedings against the former Governor of Hydebank Prison were under the previous Code of Conduct and Discipline. The new Professional Code of Conduct did not come into effect until 9 September 2013.

Aventas Group: Attacks

Mr Flanagan asked the Minister of Justice to detail what progress has been made in identifying those behind the continuing attacks on property belonging to the Aventas Group and what efforts are being made to prevent further attacks taking place.

(AQW 31898/11-15)

Mr Ford: I condemn all the attacks on property belonging to the Aventas Group. I recently met representatives of the Group to hear their concerns at first hand. The issues they raised have been passed to the PSNI and a cross border investigation is underway.

I have contacted the Irish Justice Minister, Alan Shatter TD, regarding this matter and have also spoken to the Minister for Enterprise, Trade and Investment regarding the impact that such attacks have on the local economy and what steps, if any, Executive Colleagues can undertake to support those companies who are subject to such attacks.

Crime: Parental Discipline

Ms Ruane asked the Minister of Justice, in light of his Department's recent crime study finding that drugs, alcohol and a lack of discipline from parents are the three main causes of crime, how he intends to address these factors, in particular, the perceived lack of parental discipline.

(AQO 5763/11-15)

Mr Ford: I welcomed the recent publication of the findings of the Northern Ireland Crime Survey. Whilst acknowledging that drugs and alcohol are a particular concern highlighted in these statistics, I also noted that progress is being made into how the public perceive crime in Northern Ireland and that improvements are evident in the areas of anti-social behaviour and fear of crime.

The causes of crime and anti-social behaviour are often complex and varied. Offending behaviour can be influenced by a range of individual, family and community risk factors and addressing the wider social determinants of crime and reducing offending requires a partnership approach across government.

My Department has published the Community Safety Strategy entitled 'Building Safer, Shared and Confident Communities' which outlines our efforts to build a safer society by addressing the underlying causes and drivers of crime and anti-social behaviour. The Strategy recognises the links between alcohol and drug misuse and crime, together with the importance of intervening early to reduce the risk of individuals, especially young people, coming into contact with the justice system.

Regarding the perceived lack of parental discipline, government recognises the need for a greater focus on, and investment in, early intervention.

Early intervention spans a range of Executive strategies and policies. The Children and Young People's Strategic Partnership (CYPSP) brings together relevant agencies and departments, from health and social services, education and justice agencies, to lead on integrated planning and commissioning of support and services aimed at improving outcomes for children and young people across Northern Ireland.

I and my Department remain committed to working with the wide range of stakeholders involved in tackling the wider social determinants of crime and implementing appropriate initiatives to respond effectively to these issues.

Human Trafficking

Mr McCartney asked the Minister of Justice what considerations he is aware of on the equality implications of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15).

(AQO 5764/11-15)

Mr Ford: Primary responsibility for assessing the equality implications of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill lies with the proposer of the Bill. I believe, however, that I also have a responsibility to consider the legislation and to highlight any negative impact on the equality of opportunity and on good relations with the section 75 groups. My Department has, therefore, considered the Bill in this context. As a result, through discussions with Lord Morrow I have raised concerns about the potential equality implications of Clauses 4, 6 and 8. As currently drafted, Clause 4 (minimum sentence for human trafficking and slavery offences), which I oppose, would apply to children as well as adults. My strong view is that children should not be subject to the same sentencing framework as adults. Lord Morrow has accepted my concerns about children and has indicated his intention to table an amendment to this effect.

In respect of Clause 6, as the majority of those involved in prostitution are women, I believe that Clause 6 could have a negative impact. The research which I have commissioned will inform the equality impact of changes to the future regulation of prostitution. I do not support any change ahead of the outcome of the research.

Clause 8 (non prosecution of victims of trafficking in human beings) may also have implications. It makes an unhelpful distinction between trafficking victims and other victims of crime who subsequently commit related offences and could lead to victims of crime being denied justice because the offender is a trafficking victim. Lord Morrow has indicated that this is not his intention and we will continue to work together to seek agreement on this Clause.

As the Bill stands I do not have any concerns about the equality implications of the remaining Clauses in the Bill.

Department for Regional Development

Penalty Charge Notices

Mr Anderson asked the Minister for Regional Development to detail the number of Penalty Charge Notices issued in (i) Portadown; (ii) Lurgan; and (iii) Banbridge, in each of the last three years.

(AQW 30580/11-15)

Mr Kennedy (The Minister for Regional Development): The table below details the number of Penalty Charge Notices issued in Portadown, Lurgan and Banbridge since 2007, which provides the Member with the relevant information for each complete calendar year since my Department became responsible for parking enforcement on 30 October 2006:

Town	Number of PCNs issued in calendar year						
	2007	2008	2009	2010	2011	2012	2013
Portadown	4,819	3,153	3,903	2,246	2,506	4,549	4,248
Lurgan	3,333	1,646	1,730	1,471	1,491	1,774	2,012
Banbridge	1,910	1,415	890	781	1,258	2,930	1,746

Fare Evasion

Mr Dallat asked the Minister for Regional Development to detail the number of people charged with fare evasion on buses and trains in each of the last five years; and the number of successful prosecutions.

(AQW 30829/11-15)

Mr Kennedy: Penalty fares are usually issued and Translink will only pursue prosecution when a penalty fare is not paid. However in cases of the use of fraudulent tickets, Translink will move immediately to prosecution. This happens mainly on Northern Ireland Railways (NIR).

The table below outlines the number of penalty fares issued in relation to potential fare evasion on bus and train services, and the number of penalty fares paid in the last five years.

Year	NIR		Metro		Ulsterbus	
	Number of Penalty Fares Issued	Number of Penalty Fares Paid	Number of Penalty Fares Issued	Number of Penalty Fares Paid	Number of Penalty Fares Issued	Number of Penalty Fares Paid
2009	126	99	0	0	0	0
2010	81	74	0	0	0	0
2011	66	53	0	0	0	0
2012	84	67	1	0	0	0
2013	116	85	0	0	0	0

The table below details the numbers of cases prosecuted for non-payment of penalty fares and for the use of fraudulent tickets. Please note that there were no prosecutions for the use of fraudulent tickets on Ulsterbus or Metro. All prosecutions were successful

Year	NIR (fraudulent tickets)	NIR (fare evasion)	Ulsterbus (fare evasion)	Metro (fare evasion)
2009	8	14	0	0
2010	0	12	0	0
2011	2	4	0	0
2012	4	7	0	1
2013	3	8	0	0

Note: The above figures relate to the calendar years in which the prosecutions were brought; the incidents themselves may well have taken place in a previous year.

Glenmachan Sewer Project

Mr Spratt asked the Minister for Regional Development for an update on the Glenmachan Sewer Project.
(AQW 31230/11-15)

Mr Kennedy: Following flooding of homes in South Belfast in June 2012, NI Water, acting as lead agency in coordination with DARD Rivers Agency and DRD Road Service, has carried out investigations and developed a series of projects to reduce the risk of flooding in the area. This has involved advancing elements of the Glenmachan Project with the work being structured for delivery in three phases to deliver, short, medium and long term solutions.

Work on the short term flood alleviation scheme included a detailed investigation into the sewerage and water course systems and identification and repair of collapses within undesignated culverts. This has now been completed. This essential work will reduce the risk of flooding, whilst improving sewerage infrastructure in the area.

The medium term solution is a multi-agency project to include replacement and upsizing of NI Water sewerage infrastructure, storm water separation to remove rainwater from the sewer network and a storm water retention pond within the area. The optioneering and business case development phase of this is due to be completed within the next three months. NI Water has allocated funding to advance this work within its PC15 business plan. Once complete, this project will provide flooding protection to national industry standards to homes and premises within the Sicily Park, Greystown and Marguerite Park areas of South Belfast.

The larger element of the Glenmachan Project will provide the wider long term solution for South and West Belfast. Work is ongoing to develop the solution.

Cycling: DRD Cycling Unit

Mr Weir asked the Minister for Regional Development what plans the departmental cycling unit have to coordinate with councils to support local cycling schemes.
(AQW 31272/11-15)

Mr Kennedy: My Department does significant work with Councils all over Northern Ireland.

Currently it is working with four Councils in Belfast, Londonderry, Craigavon and Strabane to deliver a number of active travel demonstration projects to which I have committed funding of £4.3m over a three year period. During the implementation of the projects my officials will continue to work closely with the Councils and the results will be used to inform any decisions on the potential roll out of active travel projects in the future.

As part of its promotion of cycling through my Department's Travelwise initiative, the Cycling Unit has written to all Councils to invite them to participate in Bike Week 2014. The Cycling Unit will make available sponsorship-match funding to encourage councils to host local cycling events. In 2013 18 Councils participated and hosted 90 local events across Northern Ireland.

The Cycling Unit is working with Belfast City Council on its Belfast Active Travel Action Plan Group. This group is considering how best to develop good quality cycling and walking routes throughout the city in an effort to maximise the promotion of and participation in cycling and walking. In the medium term we would hope to develop similar working relationships with other Councils.

In addition, my Department consults with councils on local schemes including cycling provision, especially where legislative changes are required, or where changes may involve objections. Councils are informed of all proposed schemes through the bi-annual Council report.

DRD: Public Representative Meetings in Upper Bann

Mrs Dobson asked the Minister for Regional Development to detail the number of public representative meetings which have been organised by agencies and arm's-length bodies of his Department in the Upper Bann constituency, in each of the last three years.

(AQW 31303/11-15)

Mr Kennedy: Staff at all levels within my Department's agencies and arm's length bodies have met local public representatives in the Upper Bann area on a regular basis in each of the last three years. However many of the meetings would have been on an ad hoc and informal basis, for example site meetings. Details of the number of these meetings are not readily available within the timescale of the Members question.

However, there are also a number of more formal meetings which have been held in the Upper Bann area where officials met with public representatives. These are set out in the table below:

Meeting	2011	2012	2013
Presentation of Roads Service Southern Division Annual and Interim Report	4	4	4
Translink - 'Meet the Manager' events	2	1	1
Translink - Craigavon Integrated Regeneration Partnership	4	4	4
Translink - Banbridge and Craigavon Council Meetings	-	3	1
Translink – Committee for Regional Development meeting Craigavon Council offices	-	-	1
NI Water Winter Campaign	2	1	1
NI Water Partners Against Pollution Event	-	-	1

Translink: Procurement and Drug and Alcohol Testing

Mr McGlone asked the Minister for Regional Development, pursuant to AQW 30516/11-15, to detail the procedures in place for the procurement of goods or services below the £30,000 threshold; and for his assessment of Translink's compliance with the procedures in relation to the procurement of drug and alcohol testing services for Translink employees.

(AQW 31330/11-15)

Mr Kennedy: I have liaised with Translink officials who have advised that the procedures for procurement of goods or services below the £30,000 threshold are:

Estimated Value of Order (excluding VAT)	Number of Quotations/Selected Tenders Required
Up to £1,499	A minimum of 2 quotations where possible and practical.
£1,500 to £9,999	A minimum of 3 written quotations where possible and practical.
£10,000 to £29,999	A minimum of 4 written quotations / selected tenders where possible and practical.

With regard to the procurement of drug and alcohol testing services, in 2008 Translink tested the market and only one potential supplier submitted a price. An invitation to tender to provide this service, is currently issued in line with purchasing procedure.

KPL Contracts

Mr Campbell asked the Minister for Regional Development, following the appointment of administrators to KPL, what steps will he take to ensure that departmental contracts with KPL are fulfilled by local companies with similar expertise.

(AQW 31339/11-15)

Mr Kennedy: Following KPL Contracts entering administration on 21 February 2014, my Department intends to proceed with the termination of the street lighting contracts held by KPL Contracts, as the company is no longer able to carry out their contractual obligations.

For the continued delivery of our street lighting service and to ensure fair and transparent procurement practice, my Department will appoint suitable successor contractors from the existing tender competitions.

Road Dualling: A26

Mr Campbell asked the Minister for Regional Development to outline the estimated progress on the A26 road dualling during the financial year beginning April 2014.

(AQW 31341/11-15)

Mr Kennedy: I am pleased to confirm that advanced site clearance, temporary fencing and archaeological investigations on the A26 Glarryford to A44 Drones Road dualling scheme will be completed in April 2014, and the main construction work is expected to commence in late 2014.

Car Parking: Coalisland Waiting Restrictions

Lord Morrow asked the Minister for Regional Development, pursuant to AQW 26310/11-15, for an update on the meeting, including (i) the date it was held; and (ii) who was in attendance.

(AQW 31342/11-15)

Mr Kennedy: A site meeting was held in Coalisland on 21 November 2013, to consider the need for waiting restrictions in the town. In attendance were:

- Mr Andrew Knox - Department for Regional Development;
- Mr Paul McCreadie - Dungannon Town centre Manager;
- Councillor Ken Reid;
- Councillor Jim Cavanagh; and
- Mr Raymond O'Neill - Coalisland Traders Representative.

Discussions took place regarding the need for waiting restrictions to improve the free flow of traffic within the town, for additional disabled parking bays and the provision of areas of limited waiting restrictions. It was agreed that my Department would undertake a street survey and prepare a drawing setting out the details of the proposals. This work has been completed and the details forwarded to Mr McCreadie's office.

Dungannon and South Tyrone Borough Council has recently employed URS Consultants to consider redevelopment issues in Coalisland, and my Department has received an invitation to attend a meeting on 14 March 2014, along with URS, Mr McCreadie, Coalisland traders and local Councillors. It is expected the waiting restriction proposals will be further discussed at this meeting.

Wheelchair Users: Public Transport

Mr Frew asked the Minister for Regional Development to outline any plans to improve access to public transport for wheelchair users.

(AQW 31344/11-15)

Mr Kennedy: My Department's Accessible Transport Strategy has been implemented through a series of Action Plans, the fourth action plan being the final one which will complete the current Strategy. It identifies policies and actions to be progressed for the period 2012-2015 and includes working towards achievement of the Regional Transportation Strategy target of 100% accessibility for the bus fleet.

The action plan is tailored to the available budget. However, there may be potential to obtain extra central funding under OFMDFM's signature programme fund to extend the action plan and whilst I am committed to exploring this, a decision on the outcome of a bid is still awaited.

The current position with regard to buses is that 91.05% of Translink's Ulsterbus scheduled service fleet is wheelchair accessible, whilst the Translink Metro fleet is 100% wheelchair accessible.

Those vehicles not wheelchair accessible comply with Schedule 3 of the Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003, with particular regard to:-

- Criteria for steps;
- Handrails to assist disabled people;
- Visual contrast of features such as handrails and steps to help partially-sighted people;
- Easy-to-use bell pushes;
- Audible and visual signals to stop a vehicle; and
- External equipment to display the correct route and destination.
- Over the last 10 years Translink has made improvements to its bus and rail passenger facilities, in line with Disability Discrimination Act Regulations.
- Translink has advised me that all trains are fully accessible.

Regional Development: Inner South Belfast

Mr McGimpsey asked the Minister for Regional Development to detail all departmental proposals under consideration for the inner South Belfast area in the next twelve months.

(AQW 31356/11-15)

Mr Kennedy: I have listed below my Department's proposals in relation to water and transport related schemes, which are under consideration for the inner South Belfast area over the next twelve months.

In addition, my Department is currently preparing work programmes in respect of roads related schemes for the 2014/15 financial year and once completed the programmes will be published in the Spring and Autumn Reports to Belfast City Council. These will be made available on my Department's internet site.

Name of Proposal	Location of Proposal	Description of proposal	Timescale	Estimated cost of proposal
Glenmachan Project Phase 1	Finaghy Sicily Park Greystown Avenue Upper Malone Rd Balmoral Avenue King Hall Complex Marguerite Park Musgrave Park	Medium term flood alleviation and environmental protection project. Appraisal Study under consideration.	Subject to obtaining the necessary statutory approvals, land acquisition and securing funding the work is due to commence 2014 with overall completion within 18 to 24 months.	£17m
Watermains Investment	South Belfast, principally Belvoir, Newtownbreda, Finaghy, Malone and Balmoral.	Construction of new watermains	November 2013 to December 2014	£3M
Central Line Re-Railing using High Performance Rail	Central railway line between Central and Great Victoria Street stations	Replacing worn rails with High Performance Rails	Project has already commenced and will be completed by March 2015	£754k
Central Station New Air Conditioning & Heating System	Central Station	Replacement of air conditioning and heating systems	Completion is planned for March 2015	£330k
Central Station Priority Network Refresh	Central Station	Refresh of IT network	Completion is planned for March 2014	£98k
Botanic Station Platform Strengthening	Botanic Railway Station	Strengthening Down Platform at Botanic Station	Completion planned by March 2015	£100k
Great Victoria Street Bus Maintenance Facility	Great Victoria Street Bus Station	Replacement bus workshop and associated facilities	Completion is planned for March 2016	£2.9m
Europa/Great Victoria Street Internal Partial Refurbishment	Europa Bus Station/ Great Victoria Street Railway Station	Refurbishment works to the interior of the Bus /Rail Station	Completion is planned for June 2014	£137k

Park and Ride Schemes: North Down

Mr Weir asked the Minister for Regional Development to detail the (i) location; and (ii) timescale for the construction of any proposed Park and Ride schemes in North Down.
(AQW 31364/11-15)

Mr Kennedy: 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 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. Details of the Programme are available on my Department's website at:

www.drdni.gov.uk/index/publications/publications-details.htm?docid=8996

To date the Programme has delivered over 600 additional Park & Ride spaces. Around 230 of these additional spaces have been provided in Bangor where the former pay and display car park in Dufferin Avenue has been operating as a Park & Ride site since December 2013. In the coming month's further works, including new signage, CCTV and footway improvements, will be undertaken by Translink and Roads Service to complete this new Bangor Park and Ride facility.

Options for the delivery of additional Park & Ride facilities at Holywood and Carnalea Train Halts are currently being considered by Translink, although, at present, there are no detailed plans or timescales.

Ahoghill: Junction Improvement Works

Mr D McIlveen asked the Minister for Regional Development for an update on improvement works at the junctions of the B52 Largy Road and Taylorstown Road, Ahoghill; and Ballybollen Road, Ahoghill.

(AQW 31430/11-15)

Mr Kennedy: I am pleased to confirm that my Department is currently developing a scheme to provide full standard right turn lanes from Largy Road into Ballybollen Road and Taylorstown Road leading to Grange Corner village.

As part of this scheme, it is also proposed to provide approximately 150 metres of footway from the junction of Taylorstown Road along Largy Road, in the direction of Gault's Filling Station/Spar Shop, and approximately 25 metres of footway will be provided along Taylorstown Road, towards Grange Corner.

This proposal is one of a number of schemes of this type being developed by my Department for delivery within the next two years, subject to the successful acquisition of the necessary land and levels of funding available.

Gritting Schedule

Mr Weir asked the Minister for Regional Development to detail the assessment that has been carried out to determine whether a road is added to the gritting schedule; and how often the schedule is reviewed.

(AQW 31433/11-15)

Mr Kennedy: Before a road is considered for inclusion onto the salting schedule, my Department firstly assesses the volume of traffic on the route during the winter service period. Officials also consult with Translink and the relevant Education Board to ascertain the number of buses using the route on a daily basis. Buses are given special consideration and weighting.

The criteria for inclusion of roads on the gritting schedule are as follows:

- all Motorways and Trunk roads;
- main through routes which carry more than 1,500 vehicles per day;
- other busy through routes with special difficulties which carry more than 1,000 vehicles per day will be considered. Special difficulties which are considered include the severity, frequency and extent of gradients, frequency of bends, the height above sea level, railway level crossings on the road and abnormally high junction frequencies. In relation to this category, consideration will be given to the availability of alternative or parallel routes which are on the treated network. Where such parallel or alternative routes are available, the routes qualifying under this criteria need not be salted; and
- small settlements containing 100 dwellings or more.

The salting schedules are reviewed as required, either as a result of adoptions, road improvements or following a specific request from a public representative or member of the public, to assess a road for inclusion within the salted network.

Further details are contained in my Department's Winter Service Information Leaflet which can be accessed from my Department's internet site at the following web address: www.drdni.gov.uk/ws_web_leaflet_4.pdf

Road Defects: East Antrim and North Antrim

Mr McMullan asked the Minister for Regional Development to detail the compensation paid to motorists as a result of vehicle damage due to road defects in (i) East Antrim; and (ii) North Antrim, in each of the last five years.

(AQW 31446/11-15)

Mr Kennedy: Details of the total expenditure paid out in respect of vehicle damage claims for each of the Department's Section Offices in the East and North Antrim areas, in each of the last five completed financial years, are set out in the table below:

Section Office		Year				
		2008/2009 (£)	2009/ 2010 (£)	2010/ 2011 (£)	2011/ 2012 (£)	2012/ 2013 (£)
East Antrim	Larne	968	2,527	6,238	415	674
	Carrickfergus	1,350	2,537	5,888	1,446	1,353
	Newtownabbey	6,613	9,936	12,910	14,637	7,790
	Total	8,931	15,000	25,036	16,498	9,817

Section Office		Year				
		2008/2009 (£)	2009/ 2010 (£)	2010/ 2011 (£)	2011/ 2012 (£)	2012/ 2013 (£)
North Antrim	Ballymena	5,529	5,901	28,929	20,582	6,626
	Ballymoney	2,469	1,107	2,534	24,387	1,684
	Moyle	65	213	1,839	349	-
	Total	8,063	7,221	33,302	45,318	8,310

The Section Offices in the table above largely mirror the respective District Council areas.

Giro d'Italia 2014: East Antrim

Mr McMullan asked the Minister for Regional Development what plans his Department has to upgrade the route of the Giro d'Italia 2014 in East Antrim.

(AQW 31448/11-15)

Mr Kennedy: My Department is represented on the Northern Ireland Local Steering Group, which is the overseeing committee organising the event. Officials are involved in the operational aspects of the event through the Race Committee and have been liaising closely with the race organisers in preparation for the 2014 Giro D'Italia event.

Based on an inspection, the organisers were very content with the condition of the roads to be used for the three stages taking place in Northern Ireland. Whilst there are a small number of issues to be addressed by my Department prior to the event, no upgrades have been requested.

Officials will continue to inspect roads at regular periods along the route of the Giro d'Italia, to ensure that any defects are repaired promptly in line with established road maintenance standards.

Cycling: Cycle Lanes

Mr D McIlveen asked the Minister for Regional Development for an update on any cycle lane projects.

(AQW 31456/11-15)

Mr Kennedy: The recently formed Cycling Unit within my Department is developing an ongoing programme of work as it aims to ensure that cycling provision is a key element in both transport strategy and delivery.

This will include the development of policies and guidance as well as cycling masterplans, pilot and quiet routes.

This work will initially concentrate on research of existing policies, auditing existing schemes and exploring other established cycling societies as best practice.

The following schemes have recently completed, have already commenced or are planned.

- Upgrade of the South-Western hard shoulder along Stile's Way to a combined footway/cycleway in Antrim, a distance of approximately 2.8km.
- Work is currently underway on a cycleway at St Pauls/Quilly Road, Articlave to provide 100m of cycleway.
- A scheme to provide 200m of cycleway along Edenmore Road, Limavady was completed in autumn 2013, as was a scheme at Walworth, Ballykelly to provide 1.1km of cycleway.
- Work is ongoing for improvements to the cycle facilities in the vicinity of Caw Roundabout, Londonderry linking the existing cycle provision on Crescent Link to the Waterside Greenway.
- A scheme to extend an existing cycling route along the A2 Belfast Road, Carrickfergus is planned for the 2014/15 financial year subject to its integration onto the A2 dualling scheme that is currently on the ground.
- In the current financial year, 600m of combined pedestrian and cycleway was completed at Castlewellan Road, Newcastle.
- A scheme will commence shortly in Bridge Street, Lisburn to provide 180m of contraflow cycle lane which will stretch from Market Square to Queen's Road.
- A scheme to provide 200m of contraflow cycle lane along Graham Gardens, Lisburn is planned for the 2014/15 financial year which is subject to the successful completion of a legislative process.
- On the A31 Castledawson Road, Magherafelt, 720m of cycle path was completed in August 2013.
- Work has started to provide 320m of cycle track along Drumragh Avenue Omagh, and a further 700m of cycle track along Castledawson Road, Magherafelt.

The Member can find more detailed information on completed and proposed schemes for the current financial year in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address: http://www.drndi.gov.uk/index/freedom_of_information/customer_information/cinformatiotype-

Water Mains: Ballygorian Road, Newry

Mrs McKeivitt asked the Minister for Regional Development for an update on the water mains extension on the Ballygorian Road, Newry.

(AQW 31514/11-15)

Mr Kennedy: The replacement of the water mains by Northern Ireland Water (NIW) was programmed to commence in mid-February, however it was delayed to allow Roads Service to complete carriageway resurfacing on an adjacent route. This work is expected to last until 13 March. NIW is now planning to commence the replacement scheme on 18 March.

Roads: South Down

Mrs McKeivitt asked the Minister for Regional Development for a breakdown of the number of roads in South Down that have been fully resurfaced, in each of the last three years.

(AQW 31515/11-15)

Mr Kennedy: Details of the roads in South Down that have been fully resurfaced, in each of the last three years are provided in the table below:

Year	Location
2011/12	St Dillons Avenue, Downpatrick; Edward St, Downpatrick; Kilbride Street, Downpatrick; John Mitchel Place, Newry; Windsor Avenue, Newry; Rathfriland Road, Hilltown; Rosconnor Terrace, Rathfriland; Kilkinamurray Road, Banbridge; Glebe Road, Annaclone; and Hilltown Road, Rathfriland.
2012/13	Post Office Lane, Newcastle; Hillfoot Crescent, Ballynahinch; Quoile Park, Downpatrick; Knowles Crescent, Ballynahinch; Whinney Park, Kilclief; Horner's Road, Ballynahinch; Barley Road, Newry; Bridge Road, Burren; Duke Street, Warrenpoint; Moyad Road, Kilkeel; Fedney Hill Road, Banbridge; Ouley Road, Ballyskeagh; Tierney Road, Banbridge; Ulster Avenue, Rathfriland; Stewarts Crescent, Rathfriland; Spelga Drive, Rathfriland; Cross Heights, Rathfriland; Lough Road, Dromore; Bridge Road, Dromara; School Road, Rathfriland; and Wylies Gardens, Rathfriland.
2013/14	Park Avenue, Newcastle; Dunwellan Park, Newcastle; Crewhill Court, Ardglass; Greens Road, Darragh Cross; Monaghan Street, Newry; Kilmorey Street, Newry; Bridle Loanan, Warrenpoint; Rostrevor Road, Hilltown; Carn Gardens, Kilkeel; Bartley Park, Kilkeel; Melrose Park, Kilkeel; Drumneath Road, Banbridge; Red Bridge Road, Dromore; and igh Road, Ballyroney.

Schools: Crossings

Mrs McKeivitt asked the Minister for Regional Development to detail the preschools and nursery schools that have a pelican or puffin crossing at the school entrance, broken down by constituency.
(AQW 31516/11-15)

Mr Kennedy: I would advise the Member that my Department does not hold the information in the format requested.

Bus Passes

Mr Agnew asked the Minister for Regional Development whether he plans to remove free bus passes for anyone over 60.
(AQW 31527/11-15)

Mr Kennedy: I have no plans to remove free bus passes for anyone over 60.

Department for Social Development

Housing Executive: Southern District Office

Mrs D Kelly asked the Minister for Social Development (i) whether the Housing Executive is relocating its Southern District office; if so, (ii) where is the new location; (iii) how this decision was reached; and (iv) whether there will be a public consultation on this decision.
(AQW 31348/11-15)

Mr McCausland (The Minister for Social Development): The Housing Executive has confirmed that it has no plans to relocate any of its offices in its South Area.

Housing: Maintenance Call-out Fees

Mrs D Kelly asked the Minister for Social Development to outline the fees charged to (i) Housing Executive; and (ii) housing association tenants for maintenance call-outs.
(AQW 31352/11-15)

Mr McCausland: In relation to (i): the Housing Executive has advised that they do not raise call out fees to tenants for response maintenance works but can consider seeking recoverable costs where the repair has been as a consequence of tenant abuse or misuse. For example, in relation to the heating contract, the Housing Executive has advised that they may, on occasion, apply a call out charge of £45 to the tenant where the repair is deemed to be as a consequence of tenant abuse or continued tenant misuse.

Under the General Conditions of Tenancy all Housing Executive tenants have an obligation to maintain the dwelling in a clean and tidy condition, to make good any damage to the dwelling wilfully or negligently caused by the tenant or other persons lawfully living in or lawfully visiting the dwelling and to maintain or keep in repair anything which is a tenancy responsibility.

The Housing Executive has policies and procedures for the recovery of costs associated with response maintenance works where it is viewed that that these have arisen as a result of tenant misuse. These are primarily identified at changes of tenancies and are covered as part of the tenancy rights and responsibilities which state that: "You will be responsible for any damage done to the property while you were a tenant. The District Office will give you details of the charge which will be levied for such damage. You can then make the necessary arrangements for payment." Where a sitting tenant has caused or permitted wilful or negligent damage this recoverable charge policy can also be applied.

In relation to (ii): a number of Housing Association's may pass on a call out charge to a tenant where the tenant has either caused the damage or has personally made the appointment with the contractor and failed to keep it, for example: -

where a tenant has caused the damage a Housing Association advised they may apply a charge of £31 if a contractor is called out to deal with something that the tenant is responsible for;

if the tenant is not there at an agreed appointment time and when appointments have been missed on two occasions a Housing Association advised that the contractor will charge a £10 fee which is passed on to the tenant as per the tenancy agreement.

Gas Installation Projects: Limavady

Mr G Robinson asked the Minister for Social Development, pursuant to AQO 5619/11-15, which areas in Limavady will benefit from the gas installation projects.
(AQW 31395/11-15)

Mr McCausland: The Housing Executive has advised that the following areas within Limavady will receive replacement gas heating in a heating programme scheme in 2014/15 as follows:-

- | | |
|------------------|-------------------|
| ■ Hospital Lane | ■ Edenmore Area |
| ■ Connell Street | ■ Drumachose Park |

- Kennaught Terrace
- Lilac Avenue, Anaghloo

- Protestant Street
- Roemill Gardens

Employment and Support Allowance and Disability Living Allowance

Mr Lynch asked the Minister for Social Development, pursuant to AQW 29986/11-15, whether the conditions outlined in his answer are the same conditions available to claimants of employment and support allowance and disability living allowance in England, Scotland and Wales; and to outline any differences in these conditions across the regions.

(AQW 31399/11-15)

Mr McCausland: I can confirm that the conditions for recording medical assessments are the same in Northern Ireland as in Great Britain, where a claimant wishes to make their own recording of an employment and support allowance face-to-face assessment.

In Great Britain claimants have access to an additional limited service provided by the Department for Work and Pensions to record an assessment. The reason for the difference is that the Department for Work and Pensions had piloted the approach following a recommendation from Professor Harrington's review. The pilot found, amongst other things, that the quality of service was not improved to the claimant. DWP are therefore only providing recorded assessments on a limited basis, and will decide later this year whether this service will continue.

My response to AQW 29986/11-15 also advised that the completion of a disability living allowance examining medical practitioner report has never been recorded in Great Britain and that the same arrangement applies in Northern Ireland.

The conditions relating to the record of proceedings at an oral tribunal hearing in Northern Ireland under Regulation 55(1) of The Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999 are the same conditions applied in England, Scotland and Wales in accordance with the Practice Statement of the Senior President of Tribunals on 30 October 2008.

Housing Executive: Southern District Office

Mrs D Kelly asked the Minister for Social Development whether the Northern Ireland Housing Executive is relocating their southern office; and if so, to detail (i) how this decision was reached; and (ii) whether there will be a public consultation.

(AQW 31439/11-15)

Mr McCausland: I would refer the Member to the answer that I gave to AQW 31348/11-15.

Housing Executive: Contracts

Mr McGlone asked the Minister for Social Development, in relation to Northern Ireland Housing Executive contracts, when it is anticipated that the resolution process surrounding main contractors, as well as the issue of under and overpayment will be completed.

(AQW 31458/11-15)

Mr McCausland: The Housing Executive has advised that negotiations in the matter are still ongoing with the Contractors to explore if a resolution can be reached. A further joint consultation has been arranged for 19 March 2014. The Housing Executive's Board has assured me that it wants this resolved as soon as possible and they will continue to strive for that outcome.

Warm Homes Scheme

Mr Flanagan asked the Minister for Social Development what plans he has for staff currently providing the Warm Homes Scheme; and whether they will benefit from Transfer of Undertakings (Protection of Employment) Regulations following a change in the delivery model.

(AQW 31469/11-15)

Mr McCausland: The Warm Homes contract expires on 18 June 2014. The Department for Social Development has published proposals for a new Affordable Warmth Scheme which will target households most affected by fuel poverty.

The provisions of the new scheme are not finalised at this stage. However, the Department considers that the operation of an entirely new scheme would represent a materially different service, and business, from what is currently being carried on. In these circumstances, it is considered that, in all likelihood, the provisions of the Transfer of Undertakings (Protection of Employment) Regulations would not apply.

Housing: Social Housing in East Antrim

Mr McMullan asked the Minister for Social Development what plans his Department has for social housing new builds in East Antrim.

(AQW 31479/11-15)

Mr McCausland: The Housing Executive has advised that in the current programme year, 2013/14, one scheme for seven units has gone on site in the East Antrim Parliamentary constituency. They have also advised that there is potential for a further scheme for 12 units to go on site before the 31 March 2014.

The Housing Executive has further advised that there are six schemes totalling 101 units programmed in the Social Housing Development Programme (SHDP) to go on site in East Antrim in 2014/15, and three schemes totalling 51 units are programmed in the SHDP for East Antrim to go on site in 2015/16. There are currently no schemes programmed in the SHDP to go on site in East Antrim in 2016/17.

Disability Living Allowance: Appeals

Mrs Cochrane asked the Minister for Social Development, pursuant to AQW 30592/11-15, and given the considerable strain experienced by disability living allowance (DLA) appellants who are compelled to wait several months for the outcome of their appeals, to detail (i) the actions which he intends to take to reduce the current significant backlog in DLA appeal cases; and (ii) what consideration he has given to limiting the amount of time which independent judicial office holders are permitted to take in resolving these cases.

(AQW 31508/11-15)

Mr McCausland: In order to reduce the time taken to reach a final determination of a disability living allowance (DLA) appeal, The Appeals Service (TAS) ensures appeals are listed for hearing as efficiently as possible and in balance with all other social security benefit appeals. TAS has increased staff resources and secured additional tribunal hearing rooms. A number of additional panel members have been recruited and are currently undergoing essential training. TAS administrative procedures are being reviewed which could identify further efficiencies to reduce waiting times for appellants.

As explained in my response to AQW30592/11-15, the tribunal is an independent judicial body. I cannot interfere with their decision making role or impose a time within which appeals must be determined. Questions about the functions of the tribunal should be referred to the President of Tribunals, Mr Conall MacLynn, at Office of the President, 6 Floor, Cleaver House, 3 Donegall Square North, Belfast.

Welfare Entitlement: Information Requests in Languages Other than English

Mr Campbell asked the Minister for Social Development how many people have requested information relating to welfare entitlements in languages other than English, in the last twelve months.

(AQW 31509/11-15)

Mr McCausland: The Social Security Agency does not routinely gather information on how many people have requested information relating to welfare entitlements in languages other than English. Both the Social Security Agency and the Northern Ireland Housing Executive do, however, offer telephony and face to face interpretation services, as well as translation services. Data obtained from these services has been used to provide the following information with regard to the number of people who have availed of these services.

It should be noted that the data for the Agency covers the period February 2013 – January 2014. Information from the Northern Ireland Housing Executive relates to the period January – December 2013, their latest available data.

	Telephone Interpreting	Face to Face Interpreting and Document Translation
Social Security Agency	3,347	476
Housing Division	441	49
Total	3,788	525

Houses

Mr Campbell asked the Minister for Social Development to detail the (i) number of homes that are currently in the ownership of Housing Associations; and (ii) the estimated number of homes in this ownership in five years time.

(AQW 31512/11-15)

Mr McCausland: As of December 2013, there were 44,209 homes owned by Registered Housing Associations in Northern Ireland. This figure includes some 36,000 social housing homes and some 7,000 homes in shared ownership through Co-Ownership Housing. It also includes supported housing as well as self-contained accommodation.

The Housing Association movement is the single delivery vehicle for the development of new social and affordable housing in Northern Ireland.

It is estimated that some 2,000 new homes are needed per annum to meet need. Subject to the necessary resources being made available, this would mean a further 10,000 homes over the next five years coming into ownership of the Housing Association movement.

In addition, my Department is currently piloting a transfer of some 2,500 social housing units from the Housing Executive which requires significant investment. This would mean that in total the estimated number of social housing units in Housing

Association ownership in five years time will be in the region of 48,500. This does not include shared ownership nor the potential outworkings of the Social Housing Reform Programme.

Co-ownership Housing estimates that in five years time they will have 8,500 homes in shared ownership. Currently there are some 88,000 social housing units owned by the Housing Executive. Over the next five years, allowing for estimated sales under the Right to Buy scheme and the transfer of 2,500 social housing units, this is likely to reduce to 85,000. This also does not take account of the potential outworkings of the Social Housing Reform Programme.

Warm Homes Scheme

Mr McGlone asked the Minister for Social Development, in relation to the Warm Homes Scheme, what budget will be allocated to the Scheme by his Department for the next financial year.

(AQW 31524/11-15)

Mr McCausland: The Warm Homes Scheme will end in June 2014 and my Department is currently conducting a public consultation regarding its successor – Affordable Warmth.

The Warm Homes Scheme/Affordable Warmth budget allocation for 2014/15 year will be £16.5M.

Fort George

Mr Eastwood asked the Minister for Social Development, pursuant to AQW 30117/11-15, to detail whether outline planning permission has been sought for the Development Framework; and if not, when this will occur.

(AQW 31533/11-15)

Mr McCausland: Ilex applied for Outline Planning Permission for the Fort George Development Framework in July 2012. It is currently anticipated that Planning Permission will be granted in June 2014.

Fort George

Mr Eastwood asked the Minister for Social Development, pursuant to AQW 30117/11-15, to detail (i) the extent of the decontamination works that are awaiting completion; and (ii) when these works will be completed.

(AQW 31544/11-15)

Mr McCausland: The portion of the Fort George site leased to North West Regional Science Park comprising 1.1 acres is currently being decontaminated as part of its construction programme. That work is on schedule to be completed by 29 July 2014.

The remainder of the site comprising some 14 acres still requires remediation. The remediation works and their subsequent verification will take up to 18 months to complete. Since work cannot begin until planning permission is granted, it is unlikely that remediation will be completed before the end of 2015.

Housing: South Belfast

Ms Lo asked the Minister for Social Development how many people are on the housing waiting list for South Belfast.

(AQW 31569/11-15)

Mr McCausland: The Housing Executive has advised that at 1 March 2014 there were 2,802 applicants registered on the waiting list for South Belfast of which 1,439 were in housing stress.

Internet Gambling

Mr Allister asked the Minister for Social Development how he intends to provide for the licensing and control of internet gambling.

(AQW 31581/11-15)

Mr McCausland: Although gambling is a devolved matter, internet gambling is currently addressed by section 331 of the 2005 Gambling Act. Section 331 makes it an offence to advertise foreign remote gambling unless the operator is from the EEA or another approved jurisdiction.

The Gambling (Licensing and Advertising) Bill, which is currently progressing through Westminster, includes provisions which will require all online gambling operators who wish to advertise to Northern Ireland consumers to obtain a licence from the Gambling Commission in Great Britain. The Assembly approved a Legislative Consent Motion in respect of this Bill on 17 June 2013.

Internet Gambling

Mr Allister asked the Minister for Social Development for his assessment of the seriousness of problem internet gambling.

(AQW 31582/11-15)

Mr McCausland: I am concerned at the high rate of problem gambling that exists in Northern Ireland; a gambling prevalence survey, carried out by my Department in 2010, found that 2.2% of adults have had a problem with gambling in Northern Ireland. Due to the nature of the survey, however, it was not possible to identify the impact of internet gambling as opposed to

other forms of gambling. There is also evidence which suggests that those who have a problem with gambling often engage in more than one form of gambling.

Employment and Support Allowance and Disability Living Allowance

Lord Morrow asked the Minister for Social Development whether Atos Healthcare is seeking to opt out of, or end its contract to provide assessment services for disability living allowance and employment and support allowance benefit applications. (AQW 31609/11-15)

Mr McCausland: The Department for Social Development's Medical Support Services Agreement with Atos Healthcare does not expire until June 2018. My Department has received assurances from both Atos Healthcare (UK) and their parent company Atos (FR) that they remain committed to their contractual responsibilities in Northern Ireland. My officials are continuing to monitor the situation in Great Britain.

Town Centre Living Initiative/Living Over The Shop Scheme

Mr McCarthy asked the Minister for Social Development what progress has been made to reinstate the Town Centre Living Initiative/Living Over The Shop scheme; and to outline the associated timetable. (AQW 31642/11-15)

Mr McCausland: Town and city centre regeneration is a key policy priority, as my Department's Housing Strategy and Urban Regeneration and Community Development Policy Framework clearly sets out. I have previously stated my intention to revitalise the Living over the Shops (LOTS) initiative, which I believe will help to encourage people to return to town centre living.

Having considered responses received to my Department's Housing Strategy in autumn 2013, officials are presently undertaking a review of the previous scheme operated by the Housing Executive, with a view to start consulting on a new scheme in the next financial year.

When completed, this review will provide recommendations for a revitalised LOTS scheme, including potential changes to eligibility for the scheme to improve accessibility, funding considerations – including any potential partnership opportunities with, for example, the Town Heritage Initiative – and how to improve the ratio of applications proceeding from initial registration to final award.

Supported Housing Schemes

Mr McMullan asked the Minister for Social Development, pursuant to AQW 31010/11-15 and in relation to discharge from long-term hospitals, to list the locations of the planned housing support, including the extension to, or remodelling of, existing schemes. (AQW 31655/11-15)

Mr McCausland: The Housing Executive has advised that there a number of supported housing schemes due to open in 2014/15. They include the following schemes for mental health patients being discharged from long term hospitals:-

Churchwell Lane in Magherafelt with 14 designated units of supported housing

Peters Hill in Belfast with 13 designated units of supported housing.

The Housing Executive has further advised that there are four schemes scheduled to start in 2014/15 providing a total of 64 units. These are detailed in the table attached:-

Year onsite	HA	Scheme Name	Units	Needs Group	Year completed	Comments
2014/15	Oaklee	Clearwater, Brookhill Ave, Belfast	20	Mental health	2016/17	Replacement of existing and additional
2014/15	Oaklee	Belfast Trust Mental Health resettlement	8	Mental Health	2016/17	Replacement of existing and additional
2014/15	Oaklee	Norfolk Court, Antrim	12	Mental Health	2016/17	Replacement of existing and additional
2014/15	Trinity	Northern Trust mental health & dementia (Moylinney, Antrim)	24	Mental health	2016/17	Replacement of existing and additional

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.

Gambling

Mr Campbell asked the Minister for Social Development for his assessment of the extent of the problems being experienced by those with an addiction to gambling on fixed odds betting terminals.

(AQW 31656/11-15)

Mr McCausland: Gambling addiction is a recognised psychological disorder and quite distinct from problem gambling; I am unaware of any research which exists in relation to this in Northern Ireland.

Nevertheless, I am concerned at the rate of problem gambling in Northern Ireland and the effect of this, not only on the individual, but also the wider impact that it has on society in general.

Research is currently being carried out in Great Britain by the Responsible Gambling Trust to identify whether there is evidence that consumers are experiencing harm as a result of machines such as fixed odds betting terminals (FOBTs); I look forward to reading the results of this research.

Castle Erne Supported Temporary Homeless Accommodation

Mr Flanagan asked the Minister for Social Development how many women and children have been temporarily accommodated in Castle Erne Supported Temporary Homeless Accommodation in the last two years; and how many had been suffering from domestic violence.

(AQW 31719/11-15)

Mr McCausland: Seventeen placements were made in Castle Erne in respect of women and children in the last two years. Of these 3 cases were related to domestic violence incidents. There were also a small number of single females placed (not included in the above figure) which were also related to incidents of domestic violence.

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.

Exceptional Need Grants

Mr P Ramsey asked the Minister for Social Development how many exceptional need grants have been awarded for home improvements in each constituency, in the last twelve months.

(AQW 31830/11-15)

Mr McCausland: The information is not available in the format requested because the Housing Executive does not routinely collate information by Parliamentary constituency. However, the table below provides a breakdown of discretionary grants offered by District Council level. The table shows that there has been a total 199 discretionary grants offered, based on the application of the Housing Executive's Exceptional Circumstances criteria.

Discretionary Grants Offered Under Exceptional Circumstances 01/03/13-28/02/14

Council Area	Replacement Grant	Renovation Grant	Home Repair Assistance Grant
Castlereagh	0	1	2
Lisburn	0	1	1
Antrim	0	1	1
Belfast	0	18	9
Londonderry	0	3	0
Fermanagh	4	7	11
Limavady	0	0	0
Magherafelt	0	1	1
Strabane	0	2	0
Ballymena	0	0	0
Ballymoney	0	0	2
Carrickfergus	0	0	3
Coleraine	0	1	0

Council Area	Replacement Grant	Renovation Grant	Home Repair Assistance Grant
Larne	0	1	2
Moyle	1	0	0
Newtownabbey	0	2	2
Newtownards	0	1	4
Banbridge	0	8	0
Down	0	3	4
Lisburn	0	3	3
Newry	2	11	3
North Down	0	4	2
Armagh	0	7	0
Craigavon	0	14	0
Omagh	7	8	0
Cookstown	0	17	4
Dungannon	0	9	8
Total	14	123	62

Northern Ireland Assembly

Friday 21 March 2014

Written Answers to Questions

Office of the First Minister and deputy First Minister

Executive Information Service

Mr Allister asked the First Minister and deputy First Minister, pursuant to AQW 18689/11-15, for an update on the review of the Executive Information Service, including when the review began and when it is expected to be completed.
(AQW 24240/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): The review of EIS is currently being progressed; a completion date is not available.

Red Sky

Mr Allister asked the First Minister and deputy First Minister (i) who sought the advice from the Attorney General, which the First Minister has publicly claimed vindicates him in respect of allegations in the BBC Spotlight programme arising from the Red Sky controversy; (ii) who paid for such advice; and (iii) whether this advice will be published.
(AQW 28661/11-15)

Mr P Robinson and Mr M McGuinness: The Office of the First Minister and deputy First Minister did not seek the advice.

Committee for OFMDFM

Mr Nesbitt asked the First Minister and deputy First Minister how many times they, and the Junior Ministers, have appeared before their Department's Statutory Assembly Committee in each of the last five years.
(AQW 30792/11-15)

Mr P Robinson and Mr M McGuinness: The number of occasions on which we have met the OFMDFM Committee in each of the last five years is as follows;

- 2010: 4 occasions;
- 2011: 3 occasions;
- 2012: 2 occasions;
- 2013: 3 occasions; and
- 2014: 1 occasion to date.

Social Investment Fund: Capital Projects

Mr Attwood asked the First Minister and deputy First Minister whether planning approval has been granted, or a planning application has been lodged, for each of the twelve capital projects approved for funding under the Social Investment Fund; and on what date was each application approved or lodged.
(AQW 30965/11-15)

Mr P Robinson and Mr M McGuinness: Responsibility for securing planning approval rests with project sponsors and this can be a condition of funding imposed by the Department in making letters of offer. Not all of the projects announced on 10 February required approval. Confirmation of planning approval will be sought before funding is released.

The current position is set out on the table attached.

Project	Planning Granted	Date
Childcare & Family Support Cluster (Ashton & Wishing Well)	Yes	May 2012 & June 2013
Taughmonagh	Yes	February 2013

Project	Planning Granted	Date
Sandy Row	N/A	
Bryson Street Surgery	Yes	February 2010
New Directions (Kilcluney)	Yes	March 2011
Fermanagh House	Yes	October 2012
Coleraine Rural Urban Network	Yes	October 2010
Twinbrook	Yes	November 2009
Capital Cluster Play Ballymagroarty Daisyfield Ballyarnett	Yes Application awaiting funding decision Application awaiting funding decision	
Laganview	Currently being assessed by Council	
West Lisburn	Currently being assessed by Council	
Cloona House	N/A	
Sustaining the Infrastructure Brownstown Campus Richmount Childcare Pearse Og	 Outline Outline Yes	 TBC TBC TBC

St Patrick's Barracks Site

Mr Swann asked the First Minister and deputy First Minister when the remainder of the St Patrick's Barracks site in Ballymena will be transferred to the Department for Social Development.

(AQW 31007/11-15)

Mr P Robinson and Mr M McGuinness: In view of impending changes to the Regional Development functions of the Department for Social Development, no firm decision has yet been taken about the timing of transfer of the site or the eventual allocation of responsibility for the long-term regeneration of the site. For the immediate future, planning for the site will continue to be taken forward on a tri-partite partnership basis between the Office of the First Minister and deputy First Minister, the Department for Social Development and Ballymena Borough Council.

In addition, the current Stakeholder Group is to be expanded to include strategic partners, initially Roads Service and Planning Service, to ensure that the wider context of the site and its links to other infrastructure are fully considered. Arrangements are being made to carry out a further trawl of public sector organisations to identify any additional interest before planning reaches a critical stage.

Social Investment Fund: Upper Bann

Mrs D Kelly asked the First Minister and deputy First Minister, pursuant to AQW 30349/11-15, to detail (i) the partners in the employability project where PLACE is the lead partner; (ii) the owners of the premises at Corcrain shops and the Brownstown Campus, which were also successfully funded projects; and (iii) the catchment area, including the beneficiaries of the Mount Zion Energy Project.

(AQW 31229/11-15)

Mr P Robinson and Mr M McGuinness:

- (i) Vouching and verification checks are being carried out on proposed Lead Partners. Until these checks are completed and the proposed lead partner has agreed the letter of offer, it is not possible to confirm either the Lead Partner, or others that will be involved in the delivery of any of the projects.
- (ii) Both properties at Corcrain and Brownstown are owned by the Northern Ireland Housing Executive.
- (iii) Mount Zion Energy Project is a proposal from Shankill (Lurgan) Community Projects Ltd (SLCP) seeking funding for an ecological minor capital works programme to improve the infrastructure of its community buildings and help reduce running costs. This investment will help the organisation to sustain existing activity and reduced running costs to enhance the delivery of its services primarily to the communities in the Shankill and Wakehurst areas.

Committee for OFMDFM

Mr Nesbitt asked the First Minister and deputy First Minister on how many occasions (i) they; and (ii) departmental officials cancelled briefings, which were part of the forward work programme, to their Department's Statutory Assembly Committee, in each of the last five years.

(AQW 31287/11-15)

Mr P Robinson and Mr M McGuinness: The information requested is not held in a readily accessible form and consequently could only be obtained at disproportionate cost.

It should be noted that the Committee is responsible for its forward work programme, and this does not always align with policy development stages and processes within the department, therefore requiring rescheduling of the Committee's projected and proposed briefings.

The vast majority of what the Member terms "cancelled" briefings are in fact rescheduled and take place at a later date.

Post-traumatic Stress Disorder: OFMDFM Support Funding

Mr McKinney asked the First Minister and deputy First Minister how much funding their Department provides to assist people presenting with post-traumatic stress disorder as a result of paramilitary-style attacks.

(AQW 31367/11-15)

Mr P Robinson and Mr M McGuinness: The Victims and Survivors Service (VSS) delivers support to victims and survivors, the interpretation of which is set out in Article 3 of the Victims and Survivors (NI) Order 2006. The VSS administers funding provided by our Department through the Victims Support Programme and the Individual Needs Programme.

Within these programmes, approximately £8.5m is allocated to Health and Wellbeing for 2013-15. This funding enables victims and survivors to avail of a range of services, including for psychological needs.

Goods, Facilities and Services Legislation

Mr Lyttle asked the First Minister and deputy First Minister whether they have examined the legal opinion provided to the Northern Ireland Commissioner for Children and Young People by Robin Allen QC and Dee Masters BL regarding the Goods, Facilities and Services legislation.

(AQW 31540/11-15)

Mr P Robinson and Mr M McGuinness: The legal opinion has been considered in the Department. Junior Ministers have discussed aspects of the Opinion with the Equality Commission and the Commissioner for Children and Young People.

Strategic Investment Fund: South Eastern Zone

Mr Weir asked the First Minister and deputy First Minister how the £2.5m allocated to early years projects in the South Eastern Zone of the Strategic Investment Fund will be broken down between council areas.

(AQW 31548/11-15)

Mr P Robinson and Mr M McGuinness: £2.5m has been allocated for a project which will operate across the South Eastern Social Investment Fund Zone. Discussions with a lead partner are continuing. Presently, there is no breakdown of spend for each council area.

Water Bills: OFMDFM

Mr Agnew asked the First Minister and deputy First Minister to detail (i) who audits their Department's water bills; (ii) when their Department's water bill was last audited; (iii) when their Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills.

(AQW 31566/11-15)

Mr P Robinson and Mr M McGuinness: Water bills are managed centrally by the Department of Finance and Personnel who own most of the buildings used by OFMDFM.

We also deal with water bills in relation to a small number of premises owned by the Department. There are no arrangements for these bills to be audited.

Ministerial Appointments to Public Bodies: OFMDFM

Mrs D Kelly asked the First Minister and deputy First Minister how many ministerial appointments to public bodies have been made by their Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31625/11-15)

Mr P Robinson and Mr M McGuinness: We have made 51 appointments since 1 May 2011. The table below shows the public body to which these appointments were made and the gender of appointees.

Public Body	Male	Female	Total
Commission for Victims and Survivors for NI	0	1	1
Commissioner for Older People for NI	0	1	1
Ilex Urban Regeneration Company Ltd	8	3	11
Maze/Long Kesh Development Corporation	10	1	11
NI Judicial Appointments Commission	7	4	11
Office of the Police Ombudsman for NI ¹	1	0	1
Planning and Water Appeals Commissions	2	1	3
Strategic Investment Board Ltd	6	2	8
Victims and Survivors Service	3	1	4
Total	37	14	51

1. Under provisions contained in the Police (NI) Act 1998, the First Minister and deputy First Minister are responsible for jointly recommending the appointment of the Police Ombudsman. The Office of the Police Ombudsman is an executive non-departmental public body financed by grant-in-aid through the Department of Justice.

E-safety: Strategic Policy Framework

Mrs Overend asked the First Minister and deputy First Minister, in light of their letter to the Minister of Health, Social Services and Public Safety asking him to draw up a strategic policy framework on e-safety, whether they hold the responsibility for co-ordinating such a cross-departmental strategy.

(AQW 31635/11-15)

Mr P Robinson and Mr M McGuinness: The development of an overarching, strategic and co-ordinated approach to e-safety is essential if we are to ensure our children can use the internet safely in all areas of their lives.

We believe that while the issue of child internet safety impacts across a number of departments, the development of an Executive-wide approach needs to be informed by, and consistent with the principles and best practice which underpin the work which DHSSPS is taking forward on child protection overall.

That is why Junior Ministers have written to the Minister of Health, Social Services and Public Safety asking him to take forward the co-ordination and development of a policy framework on e-safety as part of his responsibility for child protection. As we have indicated in our letter to Minister Poots, we will make the Delivering Social Change governance structures available to assist the development of such an approach.

Bright Start

Mr Lyttle asked the First Minister and deputy First Minister, in relation to the Bright Start Strategic Framework for Childcare, what consideration has been given to the capacity of the private sector to provide child care places in urban and rural areas of social disadvantage.

(AQW 31704/11-15)

Mr P Robinson and Mr M McGuinness: The capacity of the private sector to provide affordable childcare places in socially disadvantaged urban and rural areas was one of a number of factors considered during the development of the first phase of the Bright Start Strategy and its 15 Key First Actions. Several of the Key First Actions aim to address current market failure by creating affordable and accessible childcare services in areas where the present supply is insufficient. The performance of the Key First Actions will be kept under review over the coming months in close consultation with childcare stakeholders. This will help to inform the development of the full Bright Start Childcare Strategy which we aim to publish towards the end of the year.

Pension Schemes Contribution: OFMDFM

Mr Dallat asked the First Minister and deputy First Minister to detail (i) the amount of money contributed to pension schemes for senior management within their Department; and (ii) the number of employees involved, in the last five years.

(AQW 31725/11-15)

Mr P Robinson and Mr M McGuinness: For the purposes of this question, senior management has been interpreted as meaning permanent staff within the Senior Civil Service.

Year	Number of permanent SCS staff at 1 April	Total amount of Employer's Pension Contributions paid
2008/09	26	£182,067 (incomplete)

Year	Number of permanent SCS staff at 1 April	Total amount of Employer's Pension Contributions paid
2009/10	25	£416,465
2010/11	21	£392,508
2011/12	21	£392,727
2012/13	21	£378,020

Information for the year 2008/2009 is incomplete; the NICS introduced a new payroll system during that year and pension data for the legacy system is not held by the Department.

Department of Agriculture and Rural Development

Horse Racing Fund

Mr Allister asked the Minister of Agriculture and Rural Development whether she is considering a legislative change to permit the Horse Racing Fund to receive voluntary contributions, as a means of assisting the industry.

(AQW 31572/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): I would be supportive of voluntary contributions being made in support of the two racecourses in the north of Ireland. To permit the Horse Racing Fund to receive voluntary contributions would require a change to both the horse racing legislation, which is my Department's responsibility, and the gambling legislation, which is the responsibility of the Department of Social Development. However, there is nothing to prevent anyone wishing to make a contribution to the two racecourses in the north from doing so directly to the racecourses.

Flood Property Protection Scheme

Mr Newton asked the Minister of Agriculture and Rural Development to (i) detail any plans to implement the Household Flood Protection Grant; and (ii) clarify that consultation with Councils will take place.

(AQW 31643/11-15)

Mrs O'Neill: As part of the work to implement the EU Floods Directive, consideration is currently being given to the benefits of an individual flood property protection scheme. While the detail of the scheme has not yet been finalised, I can confirm that the need for grant aid to assist those who wish to make flood resilience modifications to their homes is being actively examined. Rivers Agency has been working with the Local Flood Forums on the development of this approach, and there are Council representatives on these groups. Engagement with Councils will continue as proposals are developed, particularly in relation to options for administration of the scheme. I hope to bring this matter to the Executive before the summer as I believe that this type of assistance would be welcomed by those at flood risk.

Sea Defences: North Down

Mr Weir asked the Minister of Agriculture and Rural Development to detail the timescale for the final assessment on the level of damage to sea defences in North Down as a result of recent storms.

(AQW 31645/11-15)

Mrs O'Neill: Rivers Agency maintains a section of the sea defences located on the North Down Coastal Path at the Esplanade in Holywood, between Kinnegar Road and Kinnegar Avenue. The defence was inspected in January and I am pleased to advise that no damage was found.

DARD Headquarters

Mr Campbell asked the Minister of Agriculture and Rural Development, in the first year of her departmental headquarters relocating to Ballykelly, to detail the approximate number of staff who will be located in Ballykelly and their average gross annual salary.

(AQW 31662/11-15)

Mrs O'Neill: The preferred option in the business case for my new departmental headquarters at Ballykelly is a phased approach to construction with phase one, which will be 400 workstations, to be completed by July 2017 and phase two, a further 200 workstations, by the end of 2020.

As soon as phase one of the construction is complete we will relocate staff to posts at Ballykelly on a phased basis with approximately 350 staff expected to be working in Ballykelly by the end of 2017.

As you will know from previous correspondence a significant number of the current departmental staff had indicated that they would prefer not to remain with their post when it relocates to Ballykelly. Therefore, at this stage we do not know the individual people who will staff the new headquarters and cannot provide average gross annual salaries as requested.

I do know however that the first phase of staff movement, the first 350 staff, will include all NICS analogous grades from Administrative Assistant through to Permanent Secretary. I have provided below the most recently published salary median earnings (at March 2013) in respect of each of these analogous grades.

Table1: Median Salaries of NICS Analogous Grades as at 31 March 2013

Grade	Median Salary
AA	17,110
AO	20,890
EO1 & E011	24,000
SO	30,230
DP	37,510
G7	47,940
G6	62,410
G5+	66,190

Notes: Figures are rounded to the nearest 10 and include Basic Salary only. Salaries of part-time employees are represented as full time equivalent gross salaries.

Dairy Sector

Mr Frew asked the Minister of Agriculture and Rural Development what assistance or funding is available to the dairy sector. (AQW 31680/11-15)

Mrs O'Neill: The dairy sector makes a very important contribution to the local agri-food industry and to ensure its future sustainability and development it is vital that it remains competitive and profitable. My Department therefore provides the sector with a wide range of assistance and funding to help it improve its performance and grow its potential in the market-place. This has included joint support with Invest NI for an industry-led dairy competitiveness study aimed at helping the sector to plan for the future post milk quotas which end on 31 March 2015. The recommendations of that study are being taken forward by the industry.

My Department also carries out a wide range of activities through CAFRE and AFBI aimed at assisting the dairy sector. These include the provision of technical support to producers and processors including competence development programmes, the provision of knowledge and technology transfer programmes and benchmarking services which enable farmers to identify the strengths and weaknesses of their farm business. The industry also receives significant assistance through various research projects and with product innovation and AFBI is hosting a Dairy Conference, "Growth Through Innovation", at the Kings Hall Conference Centre on 20 March 2014.

Financial assistance is currently available to the dairy sector through the Rural Development Programme (RDP) 2007-2013 (farm modernisation scheme including the manure efficiency technology scheme, processing and marketing grant scheme, training measures on focus farms and environmental schemes) and support measures provided by Invest NI to dairy processing companies to help them remain competitive. It is anticipated that the dairy sector will also be able to access funding through the RDP 2014-2020. Work is ongoing to finalise the draft Programme 2014-2020, taking into account the views expressed in the public consultation, advice from the Rural Development Stakeholder Consultation Group, and the available budget.

EU measures available to support the market include export refunds, intervention buying of butter and skimmed milk powder and private storage aid for butter. However, intervention purchases and export refunds are now only used when market prices are very low. This is because the 2003 CAP Reform substantially reduced intervention prices. To compensate for this, an annual dairy premium was paid to producers and this is now included in the Single Farm Payment. The dairy sector also benefits indirectly from EU aid (including a national top-up subsidy) which continues to be provided under the EU School Milk Scheme to encourage the consumption of milk by school children.

In terms of animal health, the dairy sector, along with the rest of the industry, benefits from the TB and Brucellosis Programmes which support the export trade in milk and milk products and live cattle exports. My Department also provides export certification for milk and milk products free of charge to the processing sector. In addition, dairy hygiene inspection and feed sampling analysis costs which assure the safety and quality of milk and milk products are met by my Department and the Food Standards Agency.

The dairy sector has the potential to grow further and to exploit opportunities arising from the predicted rise in world population. The Agri-Food Strategy Board's report Going for Growth has set challenging growth targets for the dairy sector. The recommendations in the report and proposals on the way forward (including potential assistance/funding) are currently under consideration by the Executive and I hope to be in a position to make an announcement on this in the near future.

Farms

Mr Frew asked the Minister of Agriculture and Rural Development what incentives are currently available to encourage a young farmer to take over their family farm.

(AQW 31681/11-15)

Mrs O'Neill: You will be aware that DARD, through CAFRE, provides programmes of Further and Higher education to equip young people for entry into farming. Currently, some 743 people are enrolled on CAFRE's Higher and Further education programmes.

Over the past two years CAFRE, in conjunction with the Countryside Agri Rural Partnership, has delivered a series of events covering farm succession planning which were attended by over 2,100 individuals. CAFRE has also developed a programme to assist young farmers, who have returned home from college, to further develop their knowledge and skills. This is delivered through local groups of like-minded people who have not as yet assumed responsibility for the farm.

Also, as part of the current Rural Development Programme, my Department operates a Farm Family Options Mentoring programme which assists farmers and family members, with the support of an experienced agricultural business mentor, to consider their current position, address the main issues such as succession and retirement, and to develop a focused action plan for the future. Since the Scheme opened in 2010, 2,503 letters of offer have issued and 1,562 action plans have been completed. The most recent period for applications closed on 28 February 2014.

Looking to the future, the reform of Pillar I of the Common Agricultural Policy, which will take effect from 1 January 2015, will offer direct support to young farmers setting up as head of holding, provided, of course, they meet the eligibility conditions of the scheme. Within the development of the next Rural Development Programme consideration is also being given on how to provide appropriate support to young farmers.

Cattle: Ear Tags

Mr Swann asked the Minister of Agriculture and Rural Development how many people have been charged with being a keeper of bovine animals born after the coming in to operation of the Cattle Identification (No.2) Regulations (NI) 1998, failed to attach approved ear tags to bovine animals, in contravention of Regulation 3 (3)(b) of the Regulations, contrary to Regulation 3(5) of the Cattle Identification (No.2) Regulations (NI) 1998, in each of the last four years.

(AQW 31698/11-15)

Mrs O'Neill: The Department submits Investigation File Reports for consideration by the Public Prosecution Service (PPS), however the decisions whether to direct a prosecution, and what offences a defendant is charged with, are made by the PPS. The PPS has assisted the Department in compiling the statistics below. 3 persons were charged in the 4 years 2010-13.

Offence	Year	Number of Persons Charged
Failure to Attach Ear Tag	2010	0
	2011	0
	2012	0
	2013	3

Cattle: Herd Register

Mr Swann asked the Minister of Agriculture and Rural Development how many people have been charged with failure to keep a herd register as required by Regulation 3 (4) of the Cattle Identification (Enforcement) Regulations (NI) 1998 in accordance with the form set out in the Schedule of said Regulations, contrary to Regulation 3 (1) of the Cattle Identification (Enforcement) Regulations (NI) 1998, in each of the last four years.

(AQW 31700/11-15)

Mrs O'Neill: The Department submits Investigation File Reports for consideration by the Public Prosecution Service (PPS), however the decisions whether to direct a prosecution, and what offences a defendant is charged with, are made by the PPS. The PPS has assisted the Department in compiling the statistics below. 24 persons were charged in the 4 years 2010-13.

Offence	Year	Number of Persons Charged
Failure to Keep Herd Register	2010	5
	2011	10
	2012	5
	2013	4

Cattle: Animal Deaths

Mr Swann asked the Minister of Agriculture and Rural Development how many people have been charged with being the keeper of bovine animals, in contravention of Article 7.1 of the Council Regulations (EC) No 1760/2000, failed to notify the Department of Agriculture and Rural Development of the death of bovine animals in accordance with the provisions of Regulation 8 of the Cattle Identification (Notification of Births, Deaths and Movements) Regulations (NI) 1999, contrary to Regulation 5 (1) of the Cattle Identification (Notification of Births, Deaths and Movements) Regulations (NI) 1999, in each of the last four years.

(AQW 31701/11-15)

Mrs O'Neill: The Department submits Investigation File Reports for consideration by the Public Prosecution Service (PPS), however the decisions whether to direct a prosecution, and what offences a defendant is charged with, are made by the PPS. The PPS has assisted the Department in compiling the statistics below. 19 persons were charged in the 4 years 2010-13.

Offence	Year	Number of Persons Charged
Failure to Notify Death of Animal	2010	7
	2011	8
	2012	1
	2013	3

Cattle: Animal Deaths

Mr Swann asked the Minister of Agriculture and Rural Development how many individuals have been charged of being a person to whom an animal by-product requirement applied, in contravention of Regulation 6 of the Animal By-Products (Enforcement) Regulations (NI) 2011, failed to hold a carcass or part of a carcass of any farmed animal that had not been slaughtered for human consumption, pending consignment or disposal, in accordance with the EU Control Regulations as read with the EU Implementing Regulations, in such a manner as to ensure that any animal or bird would not have access to it, contrary to Regulation 17 of the said Regulations, in each of the last four years.

(AQW 31702/11-15)

Mrs O'Neill: The Department submits Investigation File Reports for consideration by the Public Prosecution Service (PPS), however the decisions whether to direct a prosecution, and what offences a defendant is charged with, are made by the PPS. The PPS has assisted the Department in compiling the statistics below. 11 persons were charged in the 4 years 2010-13.

Offence	Year	Number of Persons Charged
Failure to Hold Animal Carcass	2010	0*
	2011	1
	2012	3
	2013	7

* Legislation came into operation 19 March 2011

Ministerial Appointments to Public Bodies: DARD

Mrs D Kelly asked the Minister of Agriculture and Rural Development how many ministerial appointments to public bodies have been made by her Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31703/11-15)

Mrs O'Neill: Ministerial appointments, including re-appointments, made since May 2011

Body	Male	Female	Total
Agri-Food and Biosciences Institute	5	1	6
Agri-Food Strategy Board (appointments made jointly with DETI)	9	0	9
Agricultural Wages Board [note same person re-appointed within the timescale]	2	0	2
Drainage Council	12	4	16
Fishery Harbour Authority	6	1	7
Livestock and Meat Commission for NI	5	1	6
Total	39	7	46

I have instructed my Officials to urgently review reasons for the under-representation of women, and prepare a report, including specific affirmative action measures, goals and timetables.

I along with the DCAL Minister have requested a meeting with the Commissioner for Public Appointments to discuss the under-representation of women in the public appointments process.

Single Farm Payments: North Down

Mr Weir asked the Minister of Agriculture and Rural Development how many Single Farm Payments to farmers are still outstanding, for the year 2013, within the North Down constituency; and to detail how much this represents as a total of all farmers in North Down.

(AQW 31712/11-15)

Mrs O'Neill: The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims finalised in December 2013 and 96% of claims finalised in February 2014. Only 4 farm businesses in the North Down constituency have not yet received their Single Farm Payment, comprising 1.7% of farm businesses in North Down which claimed Single Farm Payment in 2013. Two of the 4 farm businesses which have not been paid are subject to probate proceedings which are outside the Department's control.

Pension Schemes Contribution: DARD

Mr Dallat asked the Minister of Agriculture and Rural Development to detail (i) the amount of money contributed to pension schemes for senior management within her Department; and (ii) the number of employees involved, in the last five years.

(AQW 31726/11-15)

Mrs O'Neill: Senior management has been interpreted as meaning those staff within the Senior Civil Service (SCS) which includes all Grade 5 and above and analogous grades. The numbers of SCS staff in post within DARD has fluctuated each year throughout the period in question.

The amount of employer's contributions paid into pension schemes for senior management in DARD and the number of employees involved are detailed in the table below:

Year	Amount of Employer Pensions Contribution Paid	Number of SCS staff
*Nov 2008/ March 09 *Information is only held from November 2008	£125,060	19-23
2009/10	£328,917	22-24
2010/11	£379,259	22-23
2011/12	£344,320	21-22
2012/13	£ 352,336	21-23

Rivers Agency: Drainage Schemes

Mr Swann asked the Minister of Agriculture and Rural Development to detail any scheme put forward by the Rivers Agency that was turned down by the Drainage Council in the last four years.

(AQW 31743/11-15)

Mrs O'Neill: There have been no schemes recommended by Rivers Agency that were turned down by the Drainage Council in the last four years.

Animal Cruelty

Mr Weir asked the Minister of Agriculture and Rural Development what central coordination is carried out within her Department to combat animal cruelty.

(AQW 31756/11-15)

Mrs O'Neill: The welfare of animals here is protected by the Welfare of Animals Act 2011, which provides strong powers to deal with all animal welfare concerns including "animal cruelty". From 2 April 2012 responsibility for enforcement of the Act is as follows: Councils in respect of non-farmed animals such as domestic pets and horses; my Department's Veterinary Service in respect of farmed animals; and the PSNI in respect of wild animals, animal fighting, and welfare issues where other criminal activities are involved.

My Department works closely with the Councils to support them in their non-farmed animal welfare enforcement role, and my officials attend the Council's Animal Welfare Project Board, which meets regularly throughout the year to monitor operational and governance issues.

While each organisation has its own respective enforcement role to undertake, there is a good working relationship between the three bodies and they work together on specific cases when enforcement issues cover more than one body's area of responsibility.

My Department also has a Policy Branch which sets the policy and legislative requirements for animal welfare and provides advice and guidance to the enforcement bodies as required. This helps to ensure that the Act is implemented effectively and consistently.

Eggs

Mr Weir asked the Minister of Agriculture and Rural Development to detail the checks that are carried out on imported eggs. (AQW 31758/11-15)

Mrs O'Neill: EU Egg Marketing Regulations require all hen eggs placed on the market for human consumption (Class A eggs) to comply with certain quality, weight and labelling provisions. Checks on imported eggs take place as part of a risk based inspection programme across egg packing centres, wholesalers, processing plants and production units in the north of Ireland. The checks are made to ensure that pack labelling information is correct and that production site traceability codes have been marked on individual eggs. Eggs are also "candled" to ensure that they meet minimum quality criteria and are weighed to ensure that they meet the weight category stated on packs.

In the case of imported eggs for processing (Class B eggs), checks are made to ensure that pack labelling information is correct and that individual eggs have been appropriately marked. The Regulations require that all eggs are individually marked with either the full production site traceability code or with a Class B mark prior to movement across Member State boundaries.

My Department's inspectors take enforcement action to control the marketing of any batches of eggs found to be in breach of these provisions.

During the past 12 months inspectors have encountered consignments of eggs imported from the south of Ireland at both egg packing and egg processing establishments. None of these consignments were found to be non-compliant with the Regulations. No imported eggs for consumption have been encountered from other Member States or beyond.

In addition, documentary checks are conducted on imported hatching eggs and records for traceability are maintained on a database. Consignments of special pathogen free hatching eggs have been received from Germany during the past year.

Single Farm Payments: North Antrim

Mr Swann asked the Minister of Agriculture and Rural Development how many Single Farm Payments to farmers are still outstanding, for the year 2013, within the North Antrim constituency; and to detail how much this represents as a total of all farmers in (i) North Antrim; and (ii) Northern Ireland. (AQW 31766/11-15)

Mrs O'Neill: The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims finalised in December 2013 and 96% of claims finalised in February 2014. In the North Antrim constituency, 3268 farm businesses have received a Single Farm Payment for 2013 and 237 claims are outstanding. This represents 6.76% of claimants in North Antrim and 0.63% of all farmers in the north of Ireland who claimed Single Farm Payment in 2013.

Water Bills: DARD

Mr Agnew asked the Minister of Agriculture and Rural Development to detail (i) who audits her Department's water bills; (ii) when her Department's water bill was last audited; (iii) when her Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills. (AQW 31794/11-15)

Mrs O'Neill: DARD owns a number of premises and is also a tenant/occupier in properties owned by Department of Finance and Personnel (DFP).

DFP pay water bills for some of these locations. However where DARD has responsibility for handling water bills for any of the premises it occupies, these are processed in accordance with existing financial guidelines. The Department does not conduct a separate, formal audit of water bills and there is no intention, at present, to move towards any contracting out arrangement.

Scrutiny of water usage by the Department's College of Agriculture, Food and Rural Enterprise has realised £56k in savings over the last 5 year period.

Formal Grievances: DARD

Mr McQuillan asked the Minister of Agriculture and Rural Development (i) how many formal grievances are currently being dealt with by her Department; (ii) how long each grievance has been ongoing; and (iii) in instances where the grievance has taken longer than the timescale quoted in the Northern Ireland Civil Service Code of Practice, to outline the extenuating circumstances that have lead to the additional timescale. (AQW 31797/11-15)

Mrs O'Neill:

- (i) The number of formal grievances currently being dealt with is 9
- (ii) Details of the timescales are set out in table below:

Number of grievances	Period from date grievance lodged to 10 March 2014
2	3 months
1	4 months
3	9 months
1	11 months
1	12 months
1	15 months

- (iii) While there are timescales for meetings and processes within the NICS grievance policy there is no overall timescale. The objective of the policy is to resolve a grievance "as quickly as possible". Where appropriate a grievance raised under the formal procedures will be investigated. Issues such as the complexity of the issues involved, availability of witnesses and their representatives and the various appeal processes can impact on the time taken.

Illegal Abattoirs: Forkhill

Mr Byrne asked the Minister of Agriculture and Rural Development on what date, and at what time, did she first become aware that her Department was engaged with others in the investigation that led to the discovery of the suspected illegal abattoir at Forkhill.

(AQW 31831/11-15)

Mrs O'Neill: As this case is under investigation, I cannot disclose when I, or indeed my staff, became aware of the specifics of this case. This is to protect the integrity of the investigation. However, in general terms, both my Department staff and I have been engaged with others since 2012 in efforts to tackle agricultural and rural crime.

In the course of this engagement I have met the Chief Constable, the Minister of Justice and many stakeholders. My enforcement staff have engaged closely with a number of enforcement partner agencies including the PSNI, An Garda Síochána, the south's Department of Agriculture Food and the Marine, the Food Standards Agency, Local Councils and HM Revenue and Customs. I am regularly updated on multi-agency enforcement operations and ongoing multi-agency co-operation for example the Rural Crime Unit Steering Group and the Livestock Theft Multi-Agency Group.

Mussels: Belfast Lough

Mr Kinahan asked the Minister of Agriculture and Rural Development to detail (i) the economic value of the commercial mussel operations in Belfast Lough; (ii) the number of current licences; and (iii) how much licences cost.

(AQW 31884/11-15)

Mrs O'Neill:

- (i) The annual statistical returns from aquaculture producers indicate that the value of mussels harvested from Belfast Lough in 2012 was just under £2m.
- (ii) There are currently 18 Fish Culture Licences in operation covering a total of 21 sites.
- (iii) There is currently no charge for a Fish Culture Licence.

Single Farm Payments

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail any Single Farm Payments received for land owned by her Department.

(AQW 31900/11-15)

Mrs O'Neill: The Department has received Single Farm Payments (SFP) as detailed in the table below:

Year	SFP Amount Paid
2005	£259,005.35
2006	£249,785.65
2007	£250,465.17
2008	£281,246.22

Year	SFP Amount Paid
2009	£313,546.12
2010	£306,668.26
2011	£294,281.27
2012	£272,653.28
2013	£186,659.41

This does not include any Single Farm Payment which may have been claimed by businesses leasing land from the Department.

Research Challenge Fund

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 31329/11-15, for a breakdown of each reallocation.

(AQW 31948/11-15)

Mrs O'Neill: A breakdown of each reallocation is set out in the table below.

Research Challenge Fund projects are normally of two or three years duration. The money committed by DARD is for the duration of the project and does not therefore equate to actual in-year spend which is based on claims made for actual spend incurred.

The reallocation of unspent moneys from the Research Challenge Fund was on the basis of claims made in relation to the projects in-year. The figures below will therefore not align exactly with the value of unallocated funds.

Regional Innovation Strategy Action	£'000
DCAL	50
DETI	230
Student Awards	22
Agri-Food and Biosciences Institute	305
NI Rural Development Plan	730
Loughs Agency of the Foyle, Carlingford and Irish Lights Commission	75

Common Agricultural Policy

Mr Allister asked the Minister of Agriculture and Rural Development how many of the decisions required to be made on implementation of the new Common Agricultural Policy package require referral to the Executive.

(AQW 32078/11-15)

Mrs O'Neill: There is a range of decisions to be made on the implementation of the new Common Agricultural Policy package. In due course, I will make a careful assessment of which decisions might fall within any of the categories specified in Section 2.4 of the Ministerial Code which triggers the requirement for referral to the Executive.

Department of Culture, Arts and Leisure

Water Bills: DCAL

Mr Agnew asked the Minister of Culture, Arts and Leisure to detail (i) who audits her Department's water bills; (ii) when her Department's water bill was last audited; (iii) when her Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills.

(AQW 31563/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): DCAL is responsible for payment of water bills at PRONI - Titanic Quarter, Belfast and Fisheries Regional Offices at Bushmills, Movinagher, Riversdale and Portadown. The water charges for these premises are very small in value and proportionate effort is expended to ensure that charges applied are valid.

The water bills for the Department's headquarters at Causeway Exchange, Belfast are managed by DFP as the owning department of the building.

City of Culture

Mr Campbell asked the Minister of Culture, Arts and Leisure, pursuant to AQW 31225/11-15, given that the relevant authorities in the Republic of Ireland have confirmed that the Irish City of Culture competition will be confined to cities within

the Republic of Ireland, and there is no political consensus in Londonderry for such a bid, whether her Department will actively support any European bid that commands that consensus.

(AQW 31660/11-15)

Ms Ní Chuilín: I understand that a bid for the Irish City of Culture title has been discussed by Derry City Council and it is the responsibility of the Council to progress with the Department of Arts, Heritage and Gaeltacht Affairs. I am fully supportive of a bid.

In terms of a European bid, whilst there are no specific procedures in place to assist cities seeking the EU City of Culture designation, my Department will continue to work with and support stakeholders in Derry and across the North West to ensure that the City is in a strong position should any bid be made in the future.

Irish Language

Mr Moutray asked the Minister of Culture, Arts and Leisure to detail (i) the spend on promoting the Irish Language; and (ii) the cost of the most recent television advert promoting the Irish Language, in the last three years.

(AQW 31668/11-15)

Ms Ní Chuilín: The spending on the promotion of the Irish language has been by Foras na Gaeilge, Colmcille Project, and the Líofo Campaign all of which are funded by DCAL.

The amounts spent over the last three years are shown in the table below:

DCAL Funding	2011	2012	2013	Total 2011-2013
Foras na Gaeilge	£3,816,012	£3,605,080	£3,502,960	£10,924,052
Colmcille	£133,164	£114,679	£114,117	£361,960
Líofo	£2,625	£110,100	£368,692	£481,417
Total	£3,953,812	£3,831,871	£3,987,782	£11,767,429

The total cost of the current television advertising campaign for Líofo is £51,614.

Ulster-Scots Language

Mr Moutray asked the Minister of Culture, Arts and Leisure to detail the spend on promoting the Ulster-Scots language in the last three years.

(AQW 31669/11-15)

Ms Ní Chuilín: The spending on the promotion of the Ulster-Scots language has been by the Ulster-Scots Agency and the Ministerial Advisory Group Ulster-Scots both of which are funded by DCAL.

The amounts spent over the last three years on the promotion of the Ulster-Scots language are shown in the table below:

DCAL Funding	2011	2012	2013	Total 2011-2013
U-SA	£115,691	£116,325	£105,356	£337,372
MAGUS	£30,000	£48,309	£151,145	£229,454
Total	£147,702	£166,646	£258,514	£566,826

As DCAL provides 75% of the funding for the Ulster-Scots Agency the figures shown only relate to the DCAL contribution.

Pension Schemes Contribution: DCAL

Mr Dallat asked the Minister of Culture, Arts and Leisure to detail (i) the amount of money contributed to pension schemes for senior management within her Department; and (ii) the number of employees involved, in the last five years.

(AQW 31727/11-15)

Ms Ní Chuilín: In the last five financial years, the Department contributed the following amounts in respect of its senior managers all of whom were members of the Principal Civil Service Pension Scheme (Northern Ireland).

The number of employees involved in each year have also been provided, along with explanatory notes.

Year	Contributions (£)	Number of Employees	Notes
2008-09	112,259	10	Employed for the full year – 5 Employed for less than the full year – 5
2009-10	102,452	9	Employed for the full year – 4 Employed for less than the full year – 5

Year	Contributions (£)	Number of Employees	Notes
2010-11	107,948	6	All employed throughout the year
2011-12	107,810	8	Employed for the full year – 5 Employed for less than the full year - 3
2012-13	122,968	7	All employed throughout the year

Formal Grievances: DCAL

Mr McQuillan asked the Minister of Culture, Arts and Leisure to detail (i) how many formal grievances are currently being addressed; (ii) how long each grievance has been ongoing; and (iii) whether any grievance has taken longer than the timescale detailed in the Northern Ireland Civil Service Code of Practice, including (a) how much longer; and (b) the reasons for the delay.

(AQW 31767/11-15)

Ms Ní Chuilín:

- (i) My Department is currently addressing one formal grievance;
- (ii) The grievance was lodged on 11 October 2013 and the grievance meeting took place on 06 November 2013. A verbal decision has been given and a written decision is currently being processed.
- (iii) While there are timescales for meetings and processes within the Grievance Policy, there is no overall timescale. The objective of the policy is to resolve a grievance "as quickly as possible". The delay in issuing the formal written decision was caused by a delay by the parties in reaching agreement about the minutes of the grievance meeting.

Exploris

Mr McGlone asked the Minister of Culture, Arts and Leisure whether her Department has received a revised Business Plan from Ards Borough Council regarding the future of Exploris; and if so, to detail the steps that will be taken following consideration.

(AQW 31942/11-15)

Ms Ní Chuilín: My Department received a copy of the business plan from the Council's Consultant. The plan recognises that the Exploris Centre is an important tourism and environmental resource and the contribution that it makes to the local economy.

As you are aware, my Department has no remit for aquariums or the marine and it is therefore appropriate for other Departments to consider in view of their respective responsibilities including the economy, tourism and the marine environment.

The development of tourism and encouraging more visitors to the North of Ireland relies on us having the appropriate infrastructure. Exploris is an important part of the tourism product and I hope that a sustainable future can be secured for the Centre.

Department of Education

Bank Accounts: DE

Mr Allister asked the Minister of Education to detail (i) any departmental bank accounts that have been inactive for twelve months or more; (ii) the reason they are inactive; and (iii) the balance of each account.

(AQW 31263/11-15)

Mr O'Dowd (The Minister of Education): The Department does not have any bank accounts that have been inactive for twelve months or more.

Schools: Attendance

Mr D McIlveen asked the Minister of Education what his Department is doing to improve pupil absence rates.

(AQW 31383/11-15)

Mr O'Dowd: My Department's circular number 2013/13, Attendance Guidance and Absence Recording by Schools, which was issued to schools in June 2013 provides schools with good practice, guidance and strategies to manage pupil attendance.

My Department recommends that every school should have an attendance policy in place. Schools should refer pupils to the Education Welfare Service (EWS) for support, if appropriate, if their attendance falls below 85% or if there is a cause for concern.

Intervention by the EWS is tailored to the individual child following the assessment of their circumstances including their needs, the parents/carer's capacity to meet those needs and the family and environmental factors. Provision of advice and support, consideration of warnings or any onward referral is completely determined by the outcome of this assessment.

My Department also issued Attendance Matters - A Parent's Guide to the parents and guardians of all Year 1 and Year 8 pupils last year. Response has been very positive and schools can download this from my Department's website at www.deni.gov.uk

Pupils: First Language is not English

Mr Allister asked the Minister of Education what percentage of pupils in each constituency do not have English as their first language.

(AQW 31392/11-15)

Mr O'Dowd: The information requested is detailed in the table overleaf.

Pupils with English as an additional language by constituency in which the school is located, 2013/14

Constituency in which the school is located	Number of pupils with English as an additional language	Total enrolments	% of pupils with English as an additional language
Belfast East	865	14,816	5.8%
Belfast North	912	21,736	4.2%
Belfast South	2,139	20,507	10.4%
Belfast West	837	18,560	4.5%
East Antrim	367	14,436	2.5%
East Derry	544	17,006	3.2%
Fermanagh and South Tyrone	1,977	20,876	9.5%
Foyle	477	21,434	2.2%
Lagan Valley	700	15,847	4.4%
Mid Ulster	1,226	20,604	6.0%
Newry and Armagh	1,458	23,944	6.1%
North Antrim	727	20,069	3.6%
North Down	394	13,778	2.9%
South Antrim	512	14,406	3.6%
South Down	498	21,064	2.4%
Strangford	391	14,986	2.6%
Upper Bann	1,934	22,704	8.5%
West Tyrone	610	17,792	3.4%
Total	16,568	334,565	5.0%

Source: NI school census

Note:

- Figures include funded children in voluntary and private preschools, nursery schools, primary (including nursery, reception and year 1-7 classes), post-primary and special schools.
- Figures for voluntary and private preschools and nursery schools relate to newcomer pupils only. Information about first language of non-newcomer pupils is not collected for these school types.
- A newcomer pupil is one who has enrolled in a school but who does not have the satisfactory language skills to participate fully in the school curriculum, and the wider environment, and does not have a language in common with the teacher, whether that is English or Irish. This has previously been referred to as English an Additional Language. It does not refer to indigenous pupils who choose to attend an Irish medium school.
- Constituency refers to the constituency in which the school is located rather than constituency in which the pupil is resident.

Schools: Attendance

Mr Craig asked the Minister of Education, in light of the Auditor General's Improving Pupil Attendance follow-up report that states that is unacceptable that the Education Welfare Service is discouraging schools from referring pupils who miss more than 15 per cent of school attendance, whether he plans to investigate this issue.

(AQW 31408/11-15)

Mr O'Dowd: The Northern Ireland Audit Office report Improving Pupil Attendance: follow-up report was published on 25 February 2014. I note the comments in relation to the Education Welfare Service discouraging schools from reporting pupils with greater than 15 per cent absenteeism. However, the Chief Executives of the five Education and Library Boards have provided assurances that this is not the case.

My Department's Circular 2013/13, Attendance Guidance and Absence Recording by Schools, which was issued to schools in June 2013, advises that "where attendance difficulties exist or a pupil's attendance falls below 85%, Education Welfare Service (EWS) will support staff and parents in developing and implementing strategies to address ore improve school attendance".

Schools: Attendance

Mr Craig asked the Minister of Education for his assessment of the Auditor General's concerns that the Education Welfare Service is discouraging schools from reporting pupils with greater than 15 per cent absenteeism; and what plans he has to encourage schools to report these pupils.

(AQW 31409/11-15)

Mr O'Dowd: The Northern Ireland Audit Office report Improving Pupil Attendance: follow-up report was published on 25 February 2014. I note the comments in relation to the Education Welfare Service discouraging schools from reporting pupils with greater than 15 per cent absenteeism. However, the Chief Executives of the five Education and Library Boards have provided assurances that this is not the case.

My Department's Circular 2013/13, Attendance Guidance and Absence Recording by Schools, which was issued to schools in June 2013, advises that "where attendance difficulties exist or a pupil's attendance falls below 85%, Education Welfare Service (EWS) will support staff and parents in developing and implementing strategies to address ore improve school attendance".

Education Welfare Service

Mr Craig asked the Minister of Education whether he has carried out a review into resourcing the Education Welfare Service to ensure that all referral cases of absenteeism are dealt with promptly.

(AQW 31410/11-15)

Mr O'Dowd: Resourcing of the Education and Welfare Service (EWS) is a matter for the Education and Library Boards (ELBs) themselves. My Department works closely with the EWS and if there are any pressures it is expected that the ELBs would bring the matter to the attention of officials.

Water Bills: DE

Mr Agnew asked the Minister of Education to detail (i) who audits his Department's water bills; (ii) when his Department's water bill was last audited; (iii) when the Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills.

(AQW 31461/11-15)

Mr O'Dowd: All bills relating to water usage by my Department are managed by the Department of Finance and Personnel as the owning Department for buildings used by my Department.

Education: Special Education

Mr Storey asked the Minister of Education how much has been spent in each Education and Library Board area on special education, in each of the last five years.

(AQW 31541/11-15)

Mr O'Dowd: The table below provides the total spent in each Education and Library Board on special education in each of the last five financial years.

	BELB £m	NEELB £m	SEELB £m	SELB £m	WELB £m	Total £m
08/09	37	31	37	33	32	170
09/10	36	32	39	32	33	172
10/11	37	35	37	32	35	176
11/12	39	35	38	31	35	178

	BELB £m	NEELB £m	SEELB £m	SELB £m	WELB £m	Total £m
12/13	39	36	40	33	35	183
Total	188	169	191	161	170	879

Children in Care: Further Education Provision

Mr Agnew asked the Minister of Education how he is engaging in with the Minister for Employment and Learning to support children in care who are moving into further education.

(AQW 31735/11-15)

Mr O'Dowd: The joint Department of Education (DE) and Department for Employment and Learning (DEL) Preparing for Success Careers Strategy recognises the importance of enabling all young people, including children in care, to develop the skills to be able to make informed decisions about their education, training and employment options ensuring successful transition into education, training, or employment.

The Strategy endorses a partnership model as the preferred model of provision. This means that careers teachers work in partnership with DEL's careers advisers to offer advice to young people on making appropriate and informed choices on pathways that lead to higher or further education, training or employment. Schools enable learners to develop their knowledge and skills to manage their career development and make relevant informed choices.

Schools and the Careers Service have developed Partnership Agreements with over 98% of post-primary schools detailing the range of services offered by the Careers Service to ensure that the appropriate level of external support is built into careers programmes and that pupils have access to impartial advice and guidance from the careers service at key transition points.

The policy lead for Looked after Children lies with the Department of Health, Social Services and Public Safety. Out of this policy the Care to Careers Regional Steering Group was formed to focus on promoting positive outcomes in education, training and employment for looked after and care-experienced children and young people. My Department is represented on this Steering Group, which is co-chaired by DEL and the Health and Social Care Board.

Schools: Hockey Facilities in Portadown

Mrs Dobson asked the Minister of Education what steps he is taking to improve access and facilities for school children who play hockey in Portadown, particularly pupils of Killicomaine Junior High School.

(AQW 31751/11-15)

Mr O'Dowd: Killicomaine Junior High School is a controlled school, which is the responsibility of the Southern Education and Library Board (SELB).

Provision of sports facilities in controlled schools is funded from ELB's Minor Capital Works Programme. The Department of Education administers a Minor Capital Works Programme for non-controlled schools. I understand that the SELB has received a number of applications for synthetic pitches or multi-use games areas including one from Killicomaine Junior High School under the Minor Capital Works Programme.

The Board have informed me they will continue to work with schools and other agencies to deliver appropriate sports facilities at the earliest opportunity.

Pension Schemes Contribution: DE

Mr Dallat asked the Minister of Education to detail (i) the amount of money contributed to pension schemes for senior management within his Department; and (ii) the number of employees involved, in the last five years.

(AQW 31760/11-15)

Mr O'Dowd:

Year	Number of Senior Civil Servants involved	Amount contributed to pension schemes by employer and employees
2008/09	16 - 18	314,055.98
2009/10	16 - 19	320,479.53
2010/11	15 - 18	332,854.54
2011/12	15 - 16	324,092.74
2012/13	15 - 20	379,949.05

Formal Grievances: DCAL

Mr McQuillan asked the Minister of Education to detail (i) how many formal grievances are currently being addressed; (ii) how long each grievance has been ongoing; and (iii) whether any grievance has taken longer than the timescale detailed in the Northern Ireland Civil Service Code of Practice, including (a) how much longer; and (b) the reasons for the delay.
(AQW 31768/11-15)

Mr O'Dowd: The details relating to the handling of any grievances (including timescales and the reasons for any delay) are specific to each individual grievance and as such constitute personal information. As the number of grievances currently being addressed within my Department is fewer than five, it is not appropriate to provide any of the information requested as to do so would contravene the first principle of the Data Protection Act.

Confucius Institute

Mr Weir asked the Minister of Education what financial support his Department provides the Confucius education project.
(AQW 31858/11-15)

Mr O'Dowd: My Department does not provide financial support to the University of Ulster's Confucius Institute education project. I have however met with representatives of the University of Ulster Confucius Institute, to discuss possible financial support from my Department for the Confucius Classroom Scheme in schools here. A proposal has been received from the University of Ulster and is currently being considered.

St. Patrick's School, Magheralin

Mrs D Kelly asked the Minister of Education whether his Department has made a decision on the application by St. Patrick's School, Magheralin for improved accessibility to the school grounds under the minor works process.
(AQW 31892/11-15)

Mr O'Dowd: My Department has been working to progress the minor works application for improved accessibility to the school grounds at St Patrick's Primary School , Magheralin.

During September 2013 approval was given for a topographical survey to be carried out to enable an appropriate design to be progressed. This work is ongoing at present.

Careers Education

Mr Lyttle asked the Minister of Education for his assessment of the CBI's Evaluation of Education and Employer Partnerships in Northern Ireland report that recommends (i) the need for a sea-change in careers education, information, advice and guidance (CEIAG) in schools; (ii) the need for greater prioritisation of CEIAG by the Minister, his Department, head teachers and business; (iii) that all CEIAG teachers should have an up to date professional qualification to deliver CEIAG; (iv) enhanced and mandatory work experience for pupils during holidays; (v) a UCAS style system for vocational routes such as apprenticeships and other non-academic pathways; and (vi) access to user friendly Labour Market Information for teachers, parents and children.
(AQW 31990/11-15)

Mr O'Dowd: A copy of the CBI's report was recently received by my Department and I have attended its launch on 27 February. I welcome the report which contains important insights from the employer's perspective and look forward to considering it in more detail. A review of the joint DE and DEL Careers strategy 'Preparing for Success' will take place this year and many of the issues raised within the report will be considered further as part of this review.

Department for Employment and Learning

Ministerial Appointments to Public Bodies: DEL

Mrs D Kelly asked the Minister for Employment and Learning how many ministerial appointments to public bodies have been made by his Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.
(AQW 31623/11-15)

Dr Farry (The Minister for Employment and Learning): The attached table provides all details requested.

Public Body	Appointments of Males	Appointments of Females	Total Ministerial Public Appointments since May 2011
Certification Officer	0	1	1
CITB ConstructionSkills-NI	9	4	13

Public Body	Appointments of Males	Appointments of Females	Total Ministerial Public Appointments since May 2011
Industrial Court	6	4	10
Labour Relations Agency	6	3	9
Governing Body of Stranmillis University College	3	1	4
Ulster Supported Employment Ltd	5	1	6
Belfast Metropolitan College	6	3	9
Northern Regional College	5	5	10
North West Regional College	7	4	11
South Eastern Regional College	9	1	10
Southern Regional College	7	4	11
South West College	7	3	10
Totals:	70	34	104

Magee Campus

Mr Eastwood asked the Minister for Employment and Learning for an update on the University of Ulster's One Plan commitment of securing a targeted increase of 1,000 Maximum Student Numbers at the Magee campus by 2015.
(AQW 31676/11-15)

Dr Farry: To date I have been able to fund an additional 1,550 higher education places in Northern Ireland. 1,210 of these have been in the two universities and 340 are in our further education colleges. The University of Ulster has been allocated a total of 652 of the university places and it has undertaken to deploy these places at its Magee campus. As I have stated before, I am committed to achieving the One Plan target of 1,000 additional places at Magee by 2015 and I will take every opportunity to seek additional resources in order to bring this about.

Social Clauses

Ms Maeve McLaughlin asked the Minister for Employment and Learning for an update on the implementation and effectiveness of his approach to filling placements on the Steps to Work and Training for Success social clause requirements.
(AQW 31792/11-15)

Dr Farry: My Department's responsibility in terms of social Clause requirement is to provide a supply chain of clients for employment opportunities, apprenticeships or work placements to assist contractors fulfil their social clause obligations. Although officials have been effective in engaging with a large number of contractors, not all contracts are notified to the Department. Officials are currently working with 133 social clause contracts across Northern Ireland, 77 of which are in construction and 56 are in supplies and services.

My Department works in partnership with Central Procurement Directorate, to promote best practice which has resulted in some Departments seeking to go above the minimum social clauses requirements.

South Eastern Regional College: Theatre

Mr Agnew asked the Minister for Employment and Learning whether the new theatre at South Eastern Regional College in Bangor will be available for community use and if so, how will this be facilitated.
(AQW 31841/11-15)

Dr Farry: Although the Performing Arts and Technology Innovation Centre at the Bangor campus of the South Eastern Regional College is first and foremost a further education facility, the college recognises fully the potential for community engagement and access to the resource outside of educational activity. The protocol for the use of the theatre by external bodies and community groups will be developed by the College and will be in place for the opening of the centre in September 2015.

Department of Enterprise, Trade and Investment

Jobs Promotion: Foyle

Mr Eastwood asked the Minister of Enterprise, Trade and Investment to detail the (i) number of jobs promoted by international investors in the Foyle constituency; (ii) the firms responsible; (iii) grant aid received by those firms; (iv) timescales for the jobs

promoted to be created; (v) the number of those jobs created to date; and (vi) the number of jobs that currently exist, for each financial year from 2008/09 to present.

(AQW 31614/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment):

- (i) The table below shows the number of jobs promoted by international investors in the Foyle constituency for each financial year from 2008-09 to 2012-13.

Financial Year	New Jobs Promoted
2008-09	30
2009-10	86
2010-11	297
2011-12	132
2012-13	200

Note: Includes GB-owned projects.

- (ii) The companies that promoted these jobs were:
- Allstate Northern Ireland Limited
 - AXA Insurance Limited
 - Du Pont (U.K.) Industrial Limited
 - Injixo Ltd
 - One Stop Data Limited
 - Perfecseal Limited
 - Rigney Dolphin Limited
 - Seagate Technology (Ireland)
 - You Bloom Limited
- (iii) The amount of assistance paid to those firms between 2008-09 and 2012-13 was £13.3 million.
- (iv) New jobs are created over a period of time agreed between Invest NI and the company when an offer of support is being negotiated. These arrangements are monitored and managed by Invest NI and financial support is only released when commitments have been met in line with the agreed plan. Invest NI's support for job promotion is conditional on the maintenance of the employment created for a minimum of five years (three years in the case of SMEs).
- (v) and (vi) At present, Invest NI does not report on the number of jobs created by its interventions. Invest NI has developed new systems that will allow it to begin reporting on jobs created in the next financial year. Alastair Hamilton will update the Enterprise Trade and Investment Committee on this process at his end of year results presentation, currently scheduled for May.

Consumer Council: Energy Issues

Mr Campbell asked the Minister of Enterprise, Trade and Investment to detail the change in the number of complaints made to the Consumer Council regarding energy issues, in each of the last five years.

(AQW 31661/11-15)

Mrs Foster: The Consumer Council for Northern Ireland has a statutory remit to promote and safeguard the interests of consumers in relation to energy matters, including considering consumer complaints and enquiries. During the last five years, it dealt with the following number of complaints:

Year	Number of Complaints
2009/10	242
2010/11	218
2011/12	204
2012/13	277
2013/14*	119

* The 2013-14 figures are from 1 April 2013 to 13 March 2014.

Single Electricity Market

Mr Allister asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 7003/11-15, how it was possible to include comparative information in response to AQW 1305/11-15 and whether this indicates her Department has ceased to collect such comparative data; and if so, to outline the reasons for this.
(AQW 31671/11-15)

Mrs Foster: As I indicated in response to AQW 7003/11-15, my Department does not collect electricity price comparison data.

Review into Electricity Policy

Mr Allister asked the Minister of Enterprise, Trade and Investment whether she fully accepts Recommendation 15 in the second report of the Committee for Enterprise, Trade and Investment on its Review into Electricity Policy: Part II - Electricity Pricing; and if not, which parts she accepts.
(AQW 31674/11-15)

Mrs Foster: I made my position clear on this recommendation when, in the time available to me, I responded to the Committee's Motion debated in the Assembly on 3 March 2014.

Pension Schemes Contribution: DETI

Mr Dallat asked the Minister of Enterprise, Trade and Investment to detail (i) the amount of money contributed to pension schemes for senior management within her Department; and (ii) the number of employees involved, in the last five years.
(AQW 31729/11-15)

Mrs Foster:

Year	Contribution to Pension Schemes £	*No. of Employees	Notes
2008/2009	£65,084	10	Information only available from Nov-08 to Mar-09
2009/2010	£146,421	11	
2010/2011	£170,091	12	
2011/2012	£182,627	12	
2012/2013	£163,896	15	

* There are currently 9 substantive senior management posts in DETI. However, the number of employees listed above reflects the total number of staff who occupied senior management posts for a period during the year in question, e.g. it includes temporary promotions and it also includes both the new and the previous post-holder when any new member of staff joined the Department.

Jobs Promotion: North Down

Mr Weir asked the Minister of Enterprise, Trade and Investment to detail how many jobs have been (i) created; and (ii) promoted in North Down by Invest NI's Jobs Fund since it was set up.
(AQW 31755/11-15)

Mrs Foster: As of 31st December 2013, a total of 164 jobs have been promoted in North Down by the Jobs Fund since its launch in April 2011. This includes support to companies such as Mango Direct Marketing to promote 55 jobs and to Omnisoft Services to promote 11 jobs.

72 jobs were created between April 2011 and December 2013.

Water Bills: DETI

Mr Agnew asked the Minister of Enterprise, Trade and Investment to detail (i) who audits her Department's water bills; (ii) when her Department's water bill was last audited; (iii) when her Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills.
(AQW 31795/11-15)

Mrs Foster: The Department of Enterprise Trade and Investment, does not audit its water bills.

The Department's water use is for domestic purposes only. We have had many recommended water saving systems installed over several years. The expense of formal auditing of our bills against any potential savings at this stage would not be justified.

Pension Schemes Contribution: Invest NI

Mr Dallat asked the Minister of Enterprise, Trade and Investment to detail (i) the amount of money contributed to pension schemes for senior management within Invest NI; and (ii) the number of employees involved, in the last five years.

(AQW 31817/11-15)

Mrs Foster: The amount of money contributed to the Principal Civil Service Pension Scheme (PCSPS) for senior management within Invest NI and the number of employees involved is as shown in the table below. No contribution to any other pension scheme was made.

Period	*FTE	Pension scheme Contributions £
13/14	20.08	382,254.66
12/13	19.92	395,194.86
11/12	17.93	323,113.14
10/11	18.25	323,155.44
09/10	19.42	315,560.51

* Full Time Equivalent

Pension Schemes Contribution: Northern Ireland Tourist Board

Mr Dallat asked the Minister of Enterprise, Trade and Investment to detail (i) the amount of money contributed to pension schemes for senior management within the Northern Ireland Tourist Board; and (ii) the number of employees involved, in the last five years.

(AQW 31818/11-15)

Mrs Foster:

- (i) The amount of money contributed to pension schemes for The Senior Management Team within The Northern Ireland Tourist Board; and
- (ii) The number of employees involved, in the last five years is as follows:

Year:	Amount (£):	Employees:
2012/13	66163.96	7
2011/12	64214.06	8*
2010/11	65226.72	7
2009/10	55587.72	7
2008/09	45404.26	6
Total:	296596.72	-

* In 2011/12 a hand-over period resulted in 2 employees involved for 1 post (Director of Product Development, Grade 7).

Exploris

Mr McGlone asked the Minister of Enterprise, Trade and Investment whether her Department has received a revised Business Plan from Ards Borough Council regarding the future of Exploris; and if so, to detail the steps that will be taken following consideration.

(AQW 31946/11-15)

Mrs Foster: It is my understanding that the Council's Business Case and Economic Appraisal for the facility will be submitted to the Minister of the Environment who will table the report and options for the future of Exploris to the Northern Ireland Executive in due course.

Department of the Environment

Review of Public Administration

Mr Weir asked the Minister of the Environment whether any organisations have been identified or contracted to carry out councillor training under the Review of Public Administration.

(AQW 31550/11-15)

Mr Durkan (The Minister of the Environment): My Department has worked closely with local government to set priorities for capacity building for councillors, council staff and civil servants who are impacted by the local government reform element of the Review of Public Administration. The Capacity Building Programme was developed in consultation with The Local Government Training Group, the National Association of Councillors and the Northern Ireland Local Government Association. To date, my Department has commissioned the Local Government Training Group and Community Places to deliver capacity building. Co-operation Ireland has also been commissioned to deliver a capacity building event. DOE Planning has developed a capacity building action plan that will include training and awareness raising on the new planning responsibilities of councillors. In addition Statutory Transition Committees have been allocated funding for capacity building at a local level and may appoint organisations or individuals to help them address the capacity building needs of councillors

Ravenhill Rugby Ground: Taxi Provision

Lord Morrow asked the Minister of the Environment, pursuant to AQW 30315/11-15, when licensing was informed to grant a licence; and who made the decision.

(AQW 31608/11-15)

Mr Durkan: As Fonacab's taxi operator application met with licensing requirements, the taxi operator licence was issued by the taxi operator licensing section on 19 June 2013.

Wind Turbines

Mr Dunne asked the Minister of the Environment to detail the average consultation response times, over the last three years, for each district council's Environmental Health Offices on single wind turbine planning applications by the Planning Service.

(AQW 31616/11-15)

Mr Durkan: The average consultation response time from Environmental Health is 21 days across all Councils in the last 3 years. The table below shows the number of consultations, and the average response time for each District Council over the last 3 years.

It should be noted that the figures are provided from Planning administrative systems and do not form part of published and validated DOE Official Statistics.

Average¹ consultation response times (days)² for each Environmental Health Office, on Planning applications received for Single Wind Turbines between 1st April 2010 and 31st January 2014³

Financial year applications received	2010/11		2011/12		2012/13		2013/14 (up to 31/01/14)		Total	
Environmental Health Office	Number	Average ¹ Response time	Number	Average ¹ Response time	Number	Average ¹ Response time	Number	Average ¹ Response time	Number	Average ¹ Response time
Env Health Antrim Borough Council	37	15	35	13	36	7	7	15	115	13
Env Health Ards Borough Council	5	5	14	5	22	3	40	12	81	7
Env Health Armagh City & District Council	98	22	66	16	41	33	58	37	263	27
Env Health Ballymena Borough Council	104	98	67	90	50	43	51	14	272	49
Env Health Ballymoney Borough Council	65	24	69	16	39	22	26	9	199	18
Env Health Banbridge District Council	33	7	46	7	54	22	34	17	167	11
Env Health Belfast City Council	0		5	5	0		0		5	5
Env Health Carrickfergus Borough Council	28	53	22	94	5	64	2	21	57	57
Env Health Castlereagh Borough Council	14	19	27	51	11	25	3	31	55	35

Financial year applications received	2010/11		2011/12		2012/13		2013/14 (up to 31/01/14)		Total	
Environmental Health Office	Number	Average ¹ Response time	Number	Average ¹ Response time	Number	Average ¹ Response time	Number	Average ¹ Response time	Number	Average ¹ Response time
Env Services Coleraine Borough Council	91	15	55	13	35	8	32	6	213	11
Env Health Cookstown District Council	104	34	59	28	86	36	20	37	269	34
Env Health Craigavon Borough Council	5	42	6	68	12	19	5	9	28	23
Env Health Derry City Council	48	23	31	27	53	18	16	18	148	18
Env Health Down District Council	65	39	58	52	37	33	19	23	179	39
Env Health Dungannon and South Tyrone Borough Council	72	10	77	14	114	23	43	20	306	16
Env Health Fermanagh District Council	38	12	113	8	80	19	72	31	303	16
Env Health Larne Borough Council	49	16	44	11	33	11	30	2	156	10
Env Health Limavady Borough Council	31	27	22	15	27	23	15	11	95	18
Env Health Lisburn City Council	27	9	54	9	24	13	21	10	126	10
Env Health Magherafelt District Council	66	18	70	15	60	15	28	13	224	15
Env Health Moyle District Council	32	30	19	75	17	45	11	32	79	36
Env Health Newry & Mourne District Council	22	34	72	31	52	27	26	34	172	31
Env Health Newtownabbey Borough Council	2	74	18	10	11	18	11	13	42	13
Env Health North Down Borough Council	7	16	2	35	0		0		9	16
Env Health Omagh District Council	109	41	169	53	191	50	70	57	539	50
Env Health Strabane District Council	54	8	137	25	133	29	38	25	362	22
Total	1,206	21	1,357	20	1,223	24	678	20	4,464	21

Notes:

- 1 The consultation response time is calculated, in days, from the date of the consultation to the date of the response. The median is used for the average response time and is determined by sorting data from the lowest to highest values and then taking the data point in the middle of the sequence. The median is used because some consultations can take several weeks/months to be responded to. Consequently, these extreme cases inflate the mean and the result is that the mean may not be considered as 'typical'.
- 2 These figures for consultations and response times are provided from Planning administrative systems and do not form part of published and validated DOE Official Statistics.
- 3 Up to 31st January 2014 is currently our Latest available, provisional, renewable energy information. (http://www.doeni.gov.uk/index/information/asb/statistics/planning_statistics.htm?edit)

Planning (Northern Ireland) Order 1991: Article 83A

Mr Agnew asked the Minister of the Environment whether his Department has assessed the compatibility of Article 83A of the Planning (NI) Order 1991 against the obligations of the EIA Directive (85/337/EEC) as amended.

(AQW 31621/11-15)

Mr Durkan: The Department has assessed the compatibility of Article 83A of the Planning (NI) Order 1991 with the EIA Directive 85/337/EEC (as amended).

The Department may issue a certificate of lawful use or development under Article 83A of the Planning (NI) Order 1991, without carrying out an assessment under that Directive.

In case C-98/04, the Court of Justice of the European Union rejected as inadmissible a complaint by the European Commission that the issue of such a certificate could be considered a means of by-passing the consent and assessment procedures laid down by that Directive.

Similar statutory provisions and procedures to NI exist in the corresponding legislation in the other UK planning jurisdictions.

Planning (Northern Ireland) Order 1991: Article 83A

Mr Agnew asked the Minister of the Environment whether his Department contends that it is lawful to issue a certificate of lawful use or development (i) without first assessing the environmental effects of the development; and (ii) without assessing the cumulative environmental effects of associated developments within the locality of the development made lawful.

(AQW 31622/11-15)

Mr Durkan: The Department has assessed the compatibility of Article 83A of the Planning (NI) Order 1991 with the EIA Directive 85/337/EEC (as amended).

The Department may issue a certificate of lawful use or development under Article 83A of the Planning (NI) Order 1991, without carrying out an assessment under that Directive.

In case C-98/04, the Court of Justice of the European Union rejected as inadmissible a complaint by the European Commission that the issue of such a certificate could be considered a means of by-passing the consent and assessment procedures laid down by that Directive.

Similar statutory provisions and procedures to NI exist in the corresponding legislation in the other UK planning jurisdictions.

Ravenhill Rugby Ground: Taxi Provision

Lord Morrow asked the Minister of the Environment, pursuant to AQW 30315/11-15, who assessed Ravenhill and informed licensing that an operating centre was in situ.

(AQW 31657/11-15)

Mr Durkan: Fonacab applied to include Ravenhill rugby ground on its taxi operator licence on 28 February 2013 and it was included on the full licence issued to Fonacab on 19 June 2013. This licence replaced the temporary licence held by the company under the transitional arrangements for the introduction of taxi operator licensing. Operating centres were not routinely inspected as part of the licensing process.

As a result of a subsequent review of Fonacab's operations at Ravenhill, the Department was not satisfied that an operator centre had been established at that location and, as I have already indicated in a previous answer, this operating centre was removed from their licence on 1 October 2013.

Ravenhill Rugby Ground: Taxi Provision

Lord Morrow asked the Minister of the Environment, pursuant to AQW 30315/11-15, whether regulations were amended to permit this temporary licence to be granted; and if so, (i) which specific regulations; and (ii) to outline the legality of this amendment.

(AQW 31706/11-15)

Mr Durkan: All applications for taxi operator licences have been processed in accordance with the provisions of the Taxis Act (Northern Ireland) 2008 and the Taxi Operators Licensing Regulations (Northern Ireland) 2012 and no regulations were amended. The legislation provided for the issue of temporary licences as an initial, transitional measure for the introduction of taxi operator licensing.

MOT Vehicle Tests: Banbridge and Craigavon

Mrs Dobson asked the Minister of the Environment for his assessment of MOT provision for motorists in Banbridge and Craigavon; and what plans he has to increase access to testing.

(AQW 31722/11-15)

Mr Durkan: The Driver and Vehicle Agency (DVA) conducts 'MOT' vehicle tests from 15 centres strategically located across Northern Ireland.

The Banbridge and Craigavon area is serviced by test centres located in Craigavon, Lisburn, Newry and Armagh. The DVA target is that 92% of all vehicle tests are conducted within 21 days of the customer making an application. From 1 April – 31 December 2013 approximately 99% of all vehicle tests in the Banbridge and Craigavon areas were conducted within that period.

I am content, given forecast demand projections, that there is sufficient MOT provision for motorists in the Banbridge and Craigavon area and therefore I have no plans to increase access to testing at this time.

Planning Applications: Waste and Minerals

Mr Agnew asked the Minister of the Environment who will be responsible for waste and minerals planning applications following the implementation of the Review of Public Administration in 2015.
(AQW 32046/11-15)

Mr Durkan: All major and local developments will be dealt with by councils under the new planning system. It is anticipated that following the implementation of the Review of Public Administration in 2015, the majority of waste and minerals applications will be dealt with by councils. I have instructed that extra resources are allocated to the Minerals Unit to help ensure waste and mineral application backlogs are cleared before planning transfers to local councils.

Any regionally significant development proposals will be determined by the Department.

My Department will be consulting on the criteria for identifying local, major and regionally significant applications in the near future.

Department of Finance and Personnel

Net Fiscal Balance Report

Mr Flanagan asked the Minister of Finance and Personnel to detail any communication that he has had with NISRA regarding the Office for National Statistics certification of the Northern Ireland Net Fiscal Balance Report.
(AQW 31301/11-15)

Mr Hamilton (The Minister of Finance and Personnel): There has been no communication with NISRA regarding the certification of the Northern Ireland Net Fiscal Balance Report (NIFBR).

Northern Ireland Dormant Accounts Scheme

Mr Weir asked the Minister of Finance and Personnel to detail how much of the Dormant Accounts Funding has been spent or allocated to projects in North Down.
(AQW 31579/11-15)

Mr Hamilton: My Department is currently considering possible spending priorities for the NI Dormant Accounts Scheme. Having reviewed the proposals to date, it is my intention that the Scheme will focus on social finance.

My officials are currently working across a number of issues in relation to the proposals. This work includes the development of a business case, undertaking a competitive tendering exercise and completing the legislative and Assembly process. In addition, my officials are in discussion with the Departmental Solicitor's Office (DSO) as to whether further public consultation is required.

As the policy is still in development, none of the available NI Dormant Accounts funding has been utilised.

European Charter for Regional or Minority Languages

Ms McCorley asked the Minister of Finance and Personnel to detail any steps taken in regard to meeting the UK Government's commitments, in relation to the European Charter for Regional or Minority Languages.
(AQW 31687/11-15)

Mr Hamilton: Officials from my Department continue to work with other representatives on the Interdepartmental Charter Implementation Group to take forward commitments in relation to the Charter.

Ministerial Appointments to Public Bodies: DFP

Mrs D Kelly asked the Minister of Finance and Personnel, since May 2011, to detail (i) how many ministerial appointments to public bodies have been made by his Department; (ii) how many of those were made to (a) males; and (b) females; and (iii) the organisations to which appointments were made.
(AQW 31697/11-15)

Mr Hamilton: Since May 2011, a total of 22 public appointments have been made to bodies which are sponsored by the Department of Finance and Personnel. Details are contained in the table overleaf.

Public Appointments to DFP Sponsored Bodies since May 2011

Public Body	Number of appointments made		
	Male	Female	Total
Northern Ireland Authority for Utility Regulation	5	1	6
Statistics Advisory Committee	5	2	7
Northern Ireland Building Regulations Advisory Committee	8	1	9

Rates: Rebates and De-rating

Mr Weir asked the Minister of Finance and Personnel to detail the traders in North Down that have benefited, or will benefit, from a rates rebate or a property de-rating, for each of the fiscal years (ii) 2011/12; (ii) 2012/13; and (iii) 2013/14.

(AQW 31707/11-15)

Mr Hamilton: The table overleaf details the number of non-domestic properties in the North Down Borough Council area which have benefited from (i) a rates rebate (Small Business Rate Relief or Empty Property Relief); and (ii) property derating for 2011/12, 2012/13 and 2013/14 (up to 28th February 2014).

	(i) Small Business Rate Relief or Empty Property Relief	(ii) Derating
2011/12	502	476
2012/13	874	477
2013/14 (up to 28th February 2014)	967	479

Public Service Pensions Bill

Ms Maeve McLaughlin asked the Minister of Finance and Personnel for an update on the responses to his Department's Equality Impact Assessment consultation on the Public Service Pensions Bill (NIA 23/11-15).

(AQO 5794/11-15)

Mr Hamilton: The Department of Finance and Personnel conducted a policy screening exercise for the Public Service Pensions Bill which concluded that an Equality Impact Assessment was not required.

Small and Medium-sized Enterprises: Moyle District Council Area

Mr McMullan asked the Minister of Finance and Personnel to detail the small and medium sized enterprises in the Moyle District Council area.

(AQW 31850/11-15)

Mr Hamilton: I refer the Member to my response given in AQW 31650 /11-15.

Haulage Industry

Mr McMullan asked the Minister of Finance and Personnel to detail the contribution of the haulage industry to the local economy in the last five years.

(AQW 31866/11-15)

Mr Hamilton: The information requested is provided in Table 1, overleaf. This shows that the haulage industry has accounted for approximately 2% of Northern Ireland's private sector approximate Gross Value Added (aGVA) in each of the last five years.

Please note that figures are taken from the NI Annual Business Inquiry (NI ABI), which is a sample survey. NI ABI estimates at industry class (Standard Industrial Classification 2007 4-digit) are based on relatively small sample sizes, and are therefore subject to a higher degree of sampling variability than for NI level results.

Table 1: GVA for the Haulage¹ Industry and the NI ABI population, 2008-2012 Reporting Unit Results

Year	Haulage GVA (£millions)	NI GVA (£millions)	Haulage GVA as Percentage of NI total
2008	361	17,743	2.0
2009	421	17,989	2.3
2010	427	18,158	2.4
2011	366	17,901	2.0

Year	Haulage GVA (£millions)	NI GVA (£millions)	Haulage GVA as Percentage of NI total
2012	440	18,399	2.4

Source: NI Annual Business Inquiry

1 Haulage is defined as SIC 2007 code 49.41 – Freight transport by road.

Northern Ireland Civil Service: Salaries

Mr Weir asked the Minister of Finance and Personnel to detail the median salary in the Civil Service in each of the last 5 years. (AQW 31912/11-15)

Mr Hamilton: Please see the tables below.

The median salary in the Civil Service in each of the last 5 years.

Year (March)				
2009	2010	2011	2012	2013
£19,647	£21,392	£21,924	£21,924	£23,999

The mean salary in the Civil Service in each of the last 5 years.

Year (March)				
2009	2010	2011	2012	2013
£22,964	£24,776	£25,352	£25,808	£26,823

The average salary in each of the three lowest grades in the Civil Service in each of the last five years.

Year (March)					
Analogous Grade	2009	2010	2011	2012	2013
EOII	£19,113	£21,168	£21,620	£22,048	£23,675
AO	£16,010	£18,783	£19,552	£20,078	£20,695
AA	£13,906	£16,092	£16,505	£16,806	£17,067

- 1 The above tables show staff in their substantive responsibility level unless on temporary promotion, in which case staff are recorded at the higher responsibility level.
- 2 Earnings represent actual annual gross salaries and include basic salary only.
- 3 For part-time employees, salaries represent full-time equivalent earnings.
- 4 Figures take account of backdated pay awards (either using calculations or actual data on backdated pay).
- 5 Alignment to pay scales for AA to EOII staff, as a result of a settlement of equal pay claims, while effective from 1 February 2009, is not seen in the data until 2010.
- 6 The increase between 2012 and 2013 in these tables is accounted for mainly by service based assimilation for staff in EOII and EOI grades.
- 7 For consistency over the 5 year period the tables exclude DOJ, which was created in April 2010.

Northern Ireland Civil Service: Salaries

Mr Weir asked the Minister of Finance and Personnel to detail the mean salary in the Civil Service in each of the last 5 years. (AQW 31913/11-15)

Mr Hamilton: Please see the tables below.

The median salary in the Civil Service in each of the last 5 years.

Year (March)				
2009	2010	2011	2012	2013
£19,647	£21,392	£21,924	£21,924	£23,999

The mean salary in the Civil Service in each of the last 5 years.

Year (March)				
2009	2010	2011	2012	2013
£22,964	£24,776	£25,352	£25,808	£26,823

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AA	£13,906	£16,092	£16,505	£16,806	£17,067

- 8 The above tables show staff in their substantive responsibility level unless on temporary promotion, in which case staff are recorded at the higher responsibility level.
- 9 Earnings represent actual annual gross salaries and include basic salary only.
10. For part-time employees, salaries represent full-time equivalent earnings.
11. Figures take account of backdated pay awards (either using calculations or actual data on backdated pay).
12. Alignment to pay scales for AA to EOII staff, as a result of a settlement of equal pay claims, while effective from 1 February 2009, is not seen in the data until 2010.
13. The increase between 2012 and 2013 in these tables is accounted for mainly by service based assimilation for staff in EOII and EOI grades.
14. For consistency over the 5 year period the tables exclude DOJ, which was created in April 2010.

Northern Ireland Civil Service: Salaries

Mr Weir asked the Minister of Finance and Personnel to detail the average salary in each of the three lowest grades in the Civil Service in each of the last five years.

(AQW 31914/11-15)

Mr Hamilton: Please see the tables below.

The median salary in the Civil Service in each of the last 5 years.

Year (March)				
2009	2010	2011	2012	2013
£19,647	£21,392	£21,924	£21,924	£23,999

The mean salary in the Civil Service in each of the last 5 years.

Year (March)				
2009	2010	2011	2012	2013
£22,964	£24,776	£25,352	£25,808	£26,823

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15. The above tables show staff in their substantive responsibility level unless on temporary promotion, in which case staff are recorded at the higher responsibility level.
16. Earnings represent actual annual gross salaries and include basic salary only.

17. For part-time employees, salaries represent full-time equivalent earnings.
18. Figures take account of backdated pay awards (either using calculations or actual data on backdated pay).
19. Alignment to pay scales for AA to EOII staff, as a result of a settlement of equal pay claims, while effective from 1 February 2009, is not seen in the data until 2010.
20. The increase between 2012 and 2013 in these tables is accounted for mainly by service based assimilation for staff in EOII and EOI grades.
21. For consistency over the 5 year period the tables exclude DOJ, which was created in April 2010.

Exploris

Mr McGlone asked the Minister of Finance and Personnel whether his Department has received a revised Business Plan from Ards Borough Council regarding the future of Exploris; and if so, to detail the steps that will be taken following consideration.

(AQW 31944/11-15)

Mr Hamilton: The Department of Finance and Personnel has not received any business plan from Ards Borough Council regarding the future of Exploris.

Department of Health, Social Services and Public Safety

Belfast Health and Social Care Trust: Savings

Mr Agnew asked the Minister of Health, Social Services and Public Safety what is the comparison across directorates within the Belfast Health and Social Care Trust in terms of required savings for realising a balanced budget.

(AQW 31414/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): The Belfast Health and Social Care Trust has a savings target of £26m in 2013/14. The allocation of the target across directorates is determined by the Trust. Where possible, in allocating targets to Directorates, account is taken of the directorate's capacity to generate savings as indicated by a wide range of potential productivity opportunities. It should also be noted that corporate directorates have been required to achieve proportionately higher targets to reflect the Trust's focus on reducing administration costs and discretionary spend.

Psychological Therapies

Mr Agnew asked the Minister of Health, Social Services and Public Safety how each Health and Social Care Trust has implemented the Bamford Review of Psychological Therapies.

(AQW 31532/11-15)

Mr Poots: The Health & Social Care Board (HSCB) established a Regional Steering Group to implement the Psychological Therapy Services strategy. The Steering Group includes representatives from all of the Trusts, Psychological Therapy Professional Bodies, Universities and Experts by experience.

A primary focus of the Group's work is to standardise care models and the development of outcome frameworks. A Mental Health and Psychological Training Strategy has been established and £300K has been invested over all trusts on a wide range of psychological therapies training. This is benefiting over 30 staff who have availed of Counselling, CBT & Dual diagnosis training. In addition, over 100 staff are also benefiting from modular based training.

The HSCB has invested £700k to establish Primary Care Talking Therapies Hubs in each Trust. These hubs bring together GPs, Mental Health clinicians and Third Sector Providers into a single consortium. The hubs will improve access to care for people with common mental health problems. The HSCB is committed to incrementally build these hubs as a new way of working over the next 3 years.

The HSCB has also invested around £300K in order to enhance Psychological Therapy services for those with physical health needs such as pain management.

Skeagh House

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30878/11-15, to itemise the goods and services paid for since the evacuation of Skeagh House, Dromore.

(AQW 31542/11-15)

Mr Poots: The Southern Health and Social Care Trust has advised that the following goods and services have been paid for since the evacuation of Skeagh House, Dromore, on 27 March 2013:

Goods & Services Costs

Description	Expenditure
Staff Travel	£15,906.63
Water Charges	£12,420.79
Electricity	£2,886.52
Registration Fees	£1,104.00
Gas	£353.19
Miscellaneous	£896.78
Total Goods & Services for 9 Months	£33,567.91

First Responder Scheme

Mr Frew asked the Minister of Health, Social Services and Public Safety to detail (i) the number of First Responder Defibrillator Schemes currently operating; (ii) the areas they serve; and (iii) the funding they receive.

(AQW 31603/11-15)

Mr Poots: The Northern Ireland Ambulance Service (NIAS) has advised there are currently eight community first responder schemes operating in Northern Ireland which use automatic external defibrillators (AEDs) as follows:

- Islandmagee;
- Enniskillen;
- The Mid-Glens, Co Antrim;
- Broughderg, north-west of Cookstown;
- Slaughtneil, north of Maghera;
- Rathlin;
- Loughgeil, Co Antrim;
- Heart of Foyle, Londonderry.

The names of the schemes relate to the general areas served. Most first responder schemes are set up as charities or trusts; they are voluntary schemes and are not funded by NIAS.

Nurses

Mr McGimpsey asked the Minister of Health, Social Services and Public Safety how many nurses have been employed by each Health and Social Care Trust in each of the last five years.

(AQW 31605/11-15)

Mr Poots: The numbers of staff in each major group, including qualified nurses and midwives, in each Health and Social Care (HSC) organisation are published quarterly in the HSC Key Facts Workforce Bulletin. The Bulletin is available at: http://www.dhsspsni.gov.uk/index/stats_research/work_force/stats-hsc.htm.

The five year trend for Trust-only qualified nurses and midwives is provided below.

Qualified Nurses & Midwives employed in HSC Trusts only as at 30th September each year

HSC Trust	2009		2010		2011		2012		2013	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Belfast	5,578	4,794.0	5,459	4,675.3	5,397	4,626.0	5,317	4,557.1	5,371	4,642.6
Northern	2,921	2,456.7	2,856	2,401.3	2,777	2,325.6	2,807	2,361.9	2,821	2,389.1
South Eastern	2,340	1,964.5	2,409	2,027.5	2,416	2,025.2	2,579	2,182.8	2,634	2,242.6
Southern	2,624	2,162.0	2,671	2,198.5	2,676	2,214.6	2,749	2,306.6	2,811	2,341.6
Western	2,693	2,433.5	2,699	2,416.6	2,686	2,406.1	2,727	2,450.3	2,781	2,498.5
Total	16,156	13,810.9	16,094	13,719.3	15,952	13,597.5	16,179	13,858.6	16,418	14,114.5

Source:

Human Resources Management System and Human Resources, Payroll, Travel & Subsistence system. Figures exclude bank staff and staff on career breaks. HC=headcount, WTE=whole-time equivalent.

Notes:

- 1 The figures above will include a number of midwives who do not have a first qualification in nursing but whose first qualification is in midwifery (direct entry programme).
- 2 2012 figures onwards for South Eastern Trust will include prison nurses who became Trust employees from 1st April 2012.

Urology Appointments: Belfast Health and Social Care Trust

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety to outline (i) the number of patients who have been on the waiting list for urology day procedures within the Belfast Health and Social Care Trust for more than 52 weeks; (ii) the criteria which the Belfast Trust applies in giving Red Flag priority status to urology day procedure patients; (iii) whether additional criteria are used in prioritising those patients whose cases are not given Red Flag status; and (iv) the actions which he will take to ensure that the Belfast Trust responds to concerns raised by local GPs regarding urology day procedure waiting lists. (AQW 31612/11-15)

Mr Poots:

- (i) The most recent statistics relating to waiting times for day case admission in the urology specialty in each Health and Social Care Trust can be found at the link below: http://www.dhsspsni.gov.uk/northern_ireland_waiting_times_qe_december_2013.xls

I am advised that due to confidentiality reasons, numbers of those patients waiting over 52 weeks for urology day procedures at the Belfast HSC Trust cannot be disclosed because of the small number, less than five, involved.

- (i) Every suspected cancer referral in Northern Ireland is considered to be red flag and is assessed according to the Northern Ireland Guidance for Suspected Cancer which reflects recommended best practice. The guidance was developed by NICA's Tumour Groups and Primary Care Group and builds on existing NICE guidance. The guidance can be found at: <http://www.cancerni.net/search/node/guidance>
- (iii) All non red-flag referrals which have a low suspicion of cancer are triaged based on the information provided on the referral according to their clinical symptoms such as age, prostate specific antigen (PSA) etc. These referrals may still be regarded as urgent and can be upgraded to red flag status by consultants.
- (iv) To help improve the current provision of urology services, the Health and Social Care Board is undertaking a clinically led stock take of the 'Review of Adult Urology Services' which was completed in 2009. This exercise will help to identify the current challenges which have directly impacted on the service provision and will make recommendations to improve patient access and reduce waiting times across the region.

Health and Social Care: Meat Products

Mrs Dobson asked the Minister of Health, Social Services and Public Safety what measures are undertaken by Business Services Organisation to ensure that meat processed in illegal animal slaughter and meat operations cannot be sold or served in hospitals or any of his Department's public buildings. (AQW 31694/11-15)

Mr Poots: Procurement and Logistics Service (PaLS), as the CoPE for goods and services procurement across the HSC, is responsible for competitively tendering for fresh, frozen and cooked meat products to required specifications in conjunction with the relevant HSC organisations.

In that context, PaLS periodically issues tender specifications to the market based on a number of qualitative factors affecting supplier eligibility. In order to be eligible to submit tender documents, potential suppliers must obtain, apply and retain Total Quality Management (TQM) standards and appropriate industrial accreditations issued by organisations, including the International Standards Organisation (ISO). This TQM requires accountability and traceability throughout the food chain, which involves other statutory functions and accountability mechanisms, including the Food Standards Agency, Environmental Health and STS Solutions (an NHS-recognised due diligence Auditor for food premises). The Department of Agriculture and Rural Development (DARD) is also integral to the food chain audit process through its Animal and Public Health Information System (APHIS), which manages the movement and control of animal registrations in Northern Ireland.

Other terms and conditions incorporated by PaLS within contract awards typically include:

- On request, results of sampling and analysis for authenticity must be submitted to demonstrate absence of any Non-Bovine DNA in the supply chain;
- Any changes in the supply chain must be notified to the Authority and or Organisation in advance to ensure the authenticity of meat products supplied; and
- Manufacturers of cooked meats and poultry must be appropriately registered and provide evidence. A manufacturer who does not currently hold appropriate certification must obtain this prior to contract award.

PaLS has also implemented additional quality testing regimes to supplement third party affirmations as a result of recent food labelling issues. These additional measures include:

- Segregation and withdrawal of any suspect products;
- Random DNA testing and analysis is carried out on a quarterly basis across all HSC Trusts on minced beef, beef sausages and beef burgers, with results being circulated across all Trusts. This measure has been in place for nine months on a rolling program across all Trusts. To date all have been satisfactory; and
- Microbiological Tests are carried out on sample cooked meat products prior to contract award and during the life of the contract.

Health and Social Care: Meat Products

Mrs Dobson asked the Minister of Health, Social Services and Public Safety what steps have been taken by his Department to improve the quality of meat products sold and served in hospitals or any of his Department's public buildings, following horsemeat products being supplied to hospitals in 2013.

(AQW 31696/11-15)

Mr Poots: Procurement and Logistics Service (PaLS), as the CoPE for goods and services procurement across the HSC, is responsible for competitively tendering for fresh, frozen and cooked meat products to required specifications in conjunction with the relevant HSC organisations.

In that context, PaLS periodically issues tender specifications to the market based on a number of qualitative factors affecting supplier eligibility. In order to be eligible to submit tender documents, potential suppliers must obtain, apply and retain Total Quality Management (TQM) standards and appropriate industrial accreditations issued by organisations, including the International Standards Organisation (ISO). This TQM requires accountability and traceability throughout the food chain, which involves other statutory functions and accountability mechanisms, including the Food Standards Agency, Environmental Health and STS Solutions (an NHS-recognised due diligence Auditor for food premises). The Department of Agriculture and Rural Development (DARD) is also integral to the food chain audit process through its Animal and Public Health Information System (APHIS), which manages the movement and control of animal registrations in Northern Ireland.

Other terms and conditions incorporated by PaLS within contract awards typically include:

- On request, results of sampling and analysis for authenticity must be submitted to demonstrate absence of any Non-Bovine DNA in the supply chain;
- Any changes in the supply chain must be notified to the Authority and or Organisation in advance to ensure the authenticity of meat products supplied; and
- Manufacturers of cooked meats and poultry must be appropriately registered and provide evidence. A manufacturer who does not currently hold appropriate certification must obtain this prior to contract award.

PaLS has also implemented additional quality testing regimes to supplement third party affirmations as a result of recent food labelling issues. These additional measures include:

- Segregation and withdrawal of any suspect products;
- Random DNA testing and analysis is carried out on a quarterly basis across all HSC Trusts on minced beef, beef sausages and beef burgers, with results being circulated across all Trusts. This measure has been in place for nine months on a rolling program across all Trusts. To date all have been satisfactory; and
- Microbiological Tests are carried out on sample cooked meat products prior to contract award and during the life of the contract.

Cancer: Cancer Drugs

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 31158/11-15, how many individual funding requests for unapproved cancer drugs have been granted in the last three years.

(AQW 31724/11-15)

Mr Poots: All requests considered and approved via the individual funding request (IFR) process are for therapies that fall outside current NICE guidance or where NICE has not considered or made any recommendation on the use of a drug. This may include instances where:

- NICE has not recommended the drug for the condition for which it is requested;
- NICE has not assessed the drug for the condition for which it is requested (the request may be for the licensed or off label use of the drug).
- there is no explicit advice from NICE and the HSCB takes into consideration the guidance issued by other recognised appraisal bodies such as Scottish Medicines Consortium or, in particular circumstances, NHS England Commissioning Board.

Information is not available in the form requested prior to 1 January 2012. The information available for 2013/14 is from 1 March 2013 to 31 January 2014. The number of IFRs approved in the last three years is 214, broken down as follows:

01/01/12 – 31/03/12 (3 months)	26
01/04/12 – 31/03/13	93
01/04/13 – 31/01/14 (10 months)	95

It should be noted that during same period i.e. January 2012 to January 2014 241 IFRs were submitted of which 214 were approved, eight were not approved and 19 were either not needed or further information was requested from the referring Trust.

The Roddens Residential Home, Ballymoney

Mr Allister asked the Minister of Health, Social Services and Public Safety to detail the amount spent on capital expenditure and improvements on The Roddens Residential Home, Ballymoney, in each of the last five years.

(AQW 31737/11-15)

Mr Poots: The NHSCT spent the following on work to The Roddens from its annual general capital allocation:

2010/11	Bedroom refurbishment and redecoration	£64k
	Firecode upgrade works	£79k
2011/12	Heating mains replacement	£29k
2012/13	Nurse call system	£28k

Royal Belfast Hospital for Sick Children: MRI Scanner

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the preparatory work completed for the proposed MRI scanner for the Royal Belfast Hospital for Sick Children.

(AQW 31749/11-15)

Mr Poots: Survey work and feasibility planning exercises have been carried out to gather the information which will inform the design process for the new MRI Unit. This included an asbestos survey to identify the requirements for asbestos removal.

Northern Ireland Ambulance Service

Mr McCarthy asked the Minister of Health, Social Services and Public Safety to detail the amount paid by the Northern Ireland Ambulance Service for sickness absence, in each of the last three years.

(AQW 31764/11-15)

Mr Poots: The Department does not routinely measure the cost of sickness absence in HSC Trusts therefore the information below has been provided directly by the Northern Ireland Ambulance Service:

	2010/11 £k	2011/12 £k	2012/13 £k
Annual Staff Costs (£k)	40,557	47,939	47,858
Absence Percentage	6.87%	7.18%	7.50%
Estimated Cost of Absence (£k)	2,786	3,442	3,589

Northern Ireland Ambulance Service

Mr McCarthy asked the Minister of Health, Social Services and Public Safety to detail the reasons for the ten year delay in the re-banding of technician and paramedics employed by the Northern Ireland Ambulance Service.

(AQW 31765/11-15)

Mr Poots: The NIAS Trust commenced the process of assimilating Paramedics, Rapid Response Vehicle Paramedics and Emergency Medical Technicians to Agenda for Change pay bands in December 2004. Despite following due regional and national processes and significant effort by all those involved, the Trust was unable to conclude the process and produce agreed outcomes.

In February 2013, it was agreed that the posts should be referred to the Regional Quality Assurance (RQA) Job Evaluation Panel. The RQA Panel met on 6 and 7 February 2014 to progress the job evaluation. The RQA Panel has advised that further information gathering is required before the outcome can be agreed.

I would also refer the honourable member to my response to AQW 30921/11-15.

DHSSPS: Procurement

Mr Nesbitt asked the Minister of Health, Social Services and Public Safety to detail the procurement processes used by his Department and its arm's-length bodies; and what action he is taking to simplify the process.

(AQW 31789/11-15)

Mr Poots: Northern Ireland Procurement Policy requires that Departments and their Arm's Length Bodies carry out procurement by means of a Service Level Agreement with Central Procurement Directorate (CPD) or a Centre of Procurement Expertise (CoPE). Whilst CPD is the CoPE for my Department, there are two CoPEs for Health and Social Care (HSC) organisations in Northern Ireland:

- Procurement and Logistics Services (PaLS) within the Business Services Organisation, which is the CoPE for goods and services procurement; and
- Health Estates Investment Group (HEIG) within my Department, which is the CoPE for construction works and design services.

Public procurement over a certain value, known as the EU Threshold, is governed by the EU Directives for Public Procurement (2004/18), which are enacted into UK law as the Public Contracts Regulations 2006 (and any amendments thereto).

In May 2012, the NI Procurement Board approved guidance on simplified procurement processes for contracts above £30,000 and below the value of the relevant EU Threshold. These processes have since been implemented by CPD and the CoPEs.

Details of these processes can be found in Procurement Guidance Note (PGN) 05/12 at:

PGN 05/12 to be followed on procurements subject to the influence of PaLS i.e. goods and services	http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/simplified-procurement-process/pgn-05-12.htm
PGN 05/12 to be followed on procurements subject to the influence of HEIG i.e. construction works and design services	http://www.dhsspsni.gov.uk/pgn_05_12_-_amended_by_heig.pdf

Details of simplified processes for procurement below the value of £30,000 can be found in PGN 04/12 at:

PGN 04/12 to be followed on procurements subject to the influence of PaLS i.e. goods and services	http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/content_-_cpd_-_policy_-_procurement_guidance_notes/pgn-04-12.htm
PGN 04/12 to be followed on procurements subject to the influence of HEIG i.e. construction works and design services	http://www.dhsspsni.gov.uk/pgn_04_12_-_amended_by_heig.pdf

In order to further simplify the processes, a number of measures have been, or are being introduced, by CPD and CoPEs, for example:

- Standardising contract terms and conditions across all Departments, agencies and non-departmental public bodies;
- Eliminating Pre-Qualification Questionnaires for many contracts below £100,000;
- Reducing liability and insurance requirements for tenderers by making them proportionate to the risks associated with the contract; and
- Removal of the requirement to provide evidence of financial standing for tenders for supplies or services contracts below the value of EU thresholds.

In addition, PaLS (together with CPD and other CoPEs) is in the process of developing a consistent approach to the market in terms of processes and documentation, via a new eTendering portal, which will be launched later in 2014.

Public Health Agency: Contracts

Mr Nesbitt asked the Minister of Health, Social Services and Public Safety whether he is aware of any delays in the tendering or awarding of contracts by the Public Health Agency.

(AQW 31791/11-15)

Mr Poots: I am not aware of any delays in the tendering or awarding of contracts by the Public Health Agency. Procurement and Logistics Services and Health Estates Investment Group, as the Centres of Procurement Expertise for the HSC, work with the Public Health Agency to progress any tenders within agreed timescales.

Complementary and Alternative Medicines

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety what consideration he has given to the implementation of a combined care system which would integrate Complementary and Alternative Medicine and the current system, in order to ease the burden on Emergency Departments and GPs.

(AQW 31838/11-15)

Mr Poots: The Complementary and Alternate Medicines (CAM) Pilot Project, funded by the Department in 2007/2008, aimed to treat patients with acute or chronic conditions who were referred by their GP to a range of CAM therapies including acupuncture, chiropractic, osteopathy, homeopathy, reflexology, aromatherapy and massage. The project was commissioned with a view to exploring the potential to integrate CAM within existing primary care services in Northern Ireland.

In the light of the constrained budgetary environment faced by my Department I need to focus my resources on sustaining existing frontline health and social care services. As a result it has not been possible to allocate any funding for CAM services during the current spending period. However I am willing to keep this issue under review should funding become available in future.

DHSSPS: Preventative Spending

Mr McKay asked the Minister of Health, Social Services and Public Safety what consideration he has given to the need for preventative spending within his departmental budget.

(AQW 31854/11-15)

Mr Poots: The Executive's commitment through Programme for Government is to allocate an increasing percentage of the overall health budget to public health (measured in terms of the Public Health Agency budget), with the aim of allocating an additional £10m by 2014/15 compared with the 2011/12 baseline. The Department is on track to fully achieve this target.

Defining the total preventative spend across the health and social care sector is complex and includes, for example, maternal and child health; family planning and counselling, school health services, prevention of communicable diseases, prevention of non communicable diseases and occupational healthcare.

Further, the development of initiatives, such as Transforming Your Care and the new Public Health Strategic Framework, will impact on the future proportion of Departmental spend on preventative measures.

Combat Stress Community Outreach

Mr Copeland asked the Minister of Health, Social Services and Public Safety to outline the current status of Combat Stress Community Outreach.

(AQW 31873/11-15)

Mr Poots: Combat Stress is a registered UK charity which provides treatment and support for Armed Forces Veterans who have mental health problems resulting from their military service.

Their services include a dedicated 24 hour helpline; Community Outreach support; and, access to a residential clinical treatment in a facility in Scotland. Services are provided free of charge and veterans can self-refer.

It is understood that it provides services to around 750 veterans in Northern Ireland.

Eating Disorders

Mr Nesbitt asked the Minister of Health, Social Services and Public Safety for his assessment of the level of support, including medical treatment and other means of assistance, available to people diagnosed with eating disorders; and how the opinions of sufferers are collected and reflected in this support.

(AQW 31886/11-15)

Mr Poots: Specialist community-based eating disorder teams are now established in each Health & Social Care Trust area. The Belfast Trust team provides these services for the South Eastern Trust.

Adult inpatient treatment for eating disorders is provided in each Trust area in beds managed by specially trained medical and psychiatric staff, supported on an in-reach basis by staff from community based eating disorder teams.

Inpatient care for children and adolescents with eating disorders is provided at Beechcroft, the Regional Child and Adolescent Mental Health Inpatient Unit.

Complex cases, including patients with a co-morbid mental illness may require treatment in specialist units outside Northern Ireland.

With these services now firmly established, the Health and Social Care Board (HSCB) and Public Health Agency (PHA), through the Regional Eating Disorders Network Group, are now focussing on the further development of skills in relation to the treatment of eating disorders across Trusts. A regional care pathway for Eating Disorders is currently being developed which will span primary to secondary care and improve service quality across the region.

In addition to the Health Service provision, a number of voluntary and community groups also provide valuable support services.

The Regional Eating Disorder Network Group, which advises the Health and Social Care Board and the Public Health Agency on services and support for people with an eating disorder includes membership from the Northern Ireland Eating Disorders Association. This voluntary organisation articulates the views of service users and their carers on service provision.

Each Trust also has arrangements in place to ensure user and carer views are taken into account in the development and delivery of local services.

Eating Disorders

Mr Nesbitt asked the Minister of Health, Social Services and Public Safety to detail the total level of resources spent on supporting people with eating disorders, including the specific annual costs of (i) consultant psychiatrists; (ii) counsellors; (iii) nutritionists; (iv) nursing staff; (v) and any other relevant staffing posts, in each of the last five years.

(AQW 31887/11-15)

Mr Poots: Since 2008/2009, a total of £2 million per annum has been allocated to specialist Eating Disorder Services across the Region. This figure does not include inpatient care or the cost of treatment for eating disorders provided outside of Northern Ireland.

There are around 39 (whole time equivalent) funded specialist Eating Disorders practitioners across children's and adult services. This compares with a figure of less than 1 (wte) practitioner in 2005.

Specific information broken down by staffing posts is not available.

Eating Disorders

Mr Nesbitt asked the Minister of Health, Social Services and Public Safety to detail the number of hospital admissions as a result of eating disorders in each Health and Social Care Trust, in each of the last five years; and to detail the estimated annual cost to the Health Service.

(AQW 31888/11-15)

Mr Poots: The number of admissions to acute hospitals as a result of eating disorders in each Health and Social Care Trust and the estimated total cost to the Health Service in each of the last five years is given in the table below. The figures do not include admissions to any community or mental health facilities.

Year	HSC Trust					Total Cost (£)
	Belfast	South Eastern	Northern	Southern	Western	
2008/09	13	9	9	<5	8	271,742
2009/10	12	5	13	<5	<5	239,305
2010/11	6	9	14	<5	5	250,779
2011/12	<5	13	9	<5	6	220,113
2012/13	<5	9	14	6	7	289,166

Source: Hospital Inpatient System

Notes:

- Where cell sizes are less than 5, these have been masked to protect patient confidentiality.
- Eating disorders have been searched for in the primary diagnosis position only.

Eating Disorders

Mr Nesbitt asked the Minister of Health, Social Services and Public Safety to detail the number of people suffering from eating disorders who have been sent for residential care outside Northern Ireland, broken down by country of destination, in each of the last five years; and to detail the estimated annual cost.

(AQW 31890/11-15)

Mr Poots: This information requested is not available centrally and was therefore requested from each Health and Social Care (HSC) Trust. Their responses can be found below. A '<4' represents a cell count less than 4 in order to avoid personal disclosure. Figures provided for 2013/14 are for the financial year up to the 11 March 2014.

Belfast HSC Trust

	2009/10	2010/11	2011/12	2012/13	2013/14
England	10	6	5	<4	4
Scotland	<4	<4	0	0	0
Republic of Ireland	<4	0	0	0	0

The Belfast HSC Trust was unable to provide information on costs in the available time.

Northern HSC Trust

	2009/10	2010/11	2011/12	2012/13	2013/14
England	4	0	0	<4	0
Scotland	0	0	<4	0	<4
Republic of Ireland	<4	0	0	0	0

The Northern HSC Trust did not provide information on costs.

South Eastern HSC Trust

	2009/10	2010/11	2011/12	2012/13	2013/14
England	5	6	4	<4	<4
Republic of Ireland	<4	<4	0	0	0
Annual Cost (£)	£377,308	£797,994	£766,284	£221,626	£62,725

Southern HSC Trust

	2009/10	2010/11	2011/12	2012/13	2013/14
England	<4	0	0	0	0

The Southern HSC Trust was unable to provide information on costs.

Western HSC Trust

	2009/10	2010/11	2011/12	2012/13	2013/14
England	7	<4	0	0	<4

The Western HSC Trust was unable to provide information on costs.

The HSC Board provided information on the annual cost of eating disorder services provided outside Northern Ireland for the last three years, as detailed in the table below:

Annual cost of eating disorder services provided outside Northern Ireland

Financial Year	Cost of Treatment
2011/12	£1.521m
2012/13	£1.288m
2013/14	£1.218m

Prisons: Temazepam

Lord Morrow asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 31207/11-15, whether this drug is prescribed in prisons; and if not, to detail (i) when it was last prescribed; and (ii) why it was stopped.
(AQW 31894/11-15)

Mr Poots: I can confirm that since May 2011, temazepam has not been available as a prescribing option within Prison Healthcare. Any patient committed to prison on temazepam will have this medication reviewed and either discontinued or switched to a more suitable alternative.

The reason taken to discontinue temazepam was a policy decision taken in light of the well documented potential for abuse of this drug. Removing temazepam from the prescribing formulary has ensured that it cannot be prescribed or dispensed and this in turn removes the legitimate supply of this medication from the prison environment. There are a number of clinically effective alternatives available which may be prescribed and which do not have the same potential for abuse.

Royal Belfast Hospital for Sick Children: MRI Scanner

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety to detail the current situation with the MRI scanner at the Royal Belfast Hospital for Sick Children, including the timescales; and how much money has been invested in the private sector to provide this service.
(AQW 31899/11-15)

Mr Poots: It is planned to tender the contract for the construction of the MRI accommodation in June 2014 with commencement of work on site planned for August 2014. Completion of the MRI suite is expected at the end of March 2015. The Trust plans to make the MRI scanner operational immediately after handover.

The HSCB/Trust has confirmed that it secures MRI services in Belfast for the majority of patients from permanent funded capacity in the Belfast Trust. Where demand for services exceeds this capacity, as at present, the HSCB secures additional capacity through Belfast Trust from independent sector providers, pending the establishment of additional permanent capacity. Currently the additional activity includes private sector MRI scanners located at Musgrave Park and Mater Hospitals as part of a £2.5m initiative to improve waiting times in 2013/14.

Rathmoyle Site

Mr McMullan asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 31482/11-15, when the plans for the development of the Rathmoyle site will be available to families and elected representatives.
(AQW 31925/11-15)

Mr Poots: Plans for the development of the Rathmoyle site are currently being finalised and the Trust will confirm the position with clients, their families and elected representatives when this information is available.

An anticipated date cannot be provided at present until the site plans are completed and agreed.

Domiciliary Care Services

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail the number of people who received domiciliary care services in each of the last five years; and the number of people forecasted to receive such services in the next two years.
(AQW 31951/11-15)

Mr Poots: Information on the number of people who receive domiciliary care services during a year is not collected centrally.

However, information is available on the number of clients receiving domiciliary care services during a survey week each year. This information is published in the annual 'Domiciliary Care Services for Adults in Northern Ireland' publication and is available to download from the DHSSPS internet site at: http://www.dhsspsni.gov.uk/index/stats_research/stats-cib-/statistics_and_research-cib-pub/adult_statistics-1/statistics_and_research-dom_care_services.htm

I have been advised by the HSC Board that projections for numbers of people in receipt of domiciliary care services for the next two years are not available.

Supported Living

Mr McElduff asked the Minister of Health, Social Services and Public Safety how the supported housing needs of young people with special educational needs are assessed and met.
(AQO 5792/11-15)

Mr Poots: Special Educational Needs is not a term that we would normally utilise in connection with assessing the housing needs, and specifically the care needs, of young people likely to benefit from supported housing. The Health and Social Care (HSC) Board jointly plans Supported Living with the NI Housing Executive. People with a learning disability are one of the client groups identified for this support.

The HSC Trust would assess the housing needs of young people with a learning disability who wish to live independently. Once assessed, the Trust may develop an appropriate business case for a scheme to meet the needs of such individuals, and this is presented to the local Area Supporting People Partnerships (ASPP) who prioritise the housing support needs for a range of vulnerable client groups at local level. ASPP approved schemes then go forward to the Supporting People Programme Commissioning Body for prioritisation and funding.

The Commissioning Body is responsible for identifying priorities and commissioning services and is chaired by the NI Housing Executive (NIHE) with representatives from the HSC Board, the ASPPs and the Probation Board NI. Approval for funding is made by the Board of the NIHE in its strategic role.

Air Ambulance

Mr Allister asked the Minister of Health, Social Services and Public Safety how much it costs per hour when an air ambulance is in operation.
(AQW 31964/11-15)

Mr Poots: The Department does not hold information about running costs for air ambulance operations. The HSC Board has an air ambulance contract in place to support the transfer and retrieval of patients from Northern Ireland accessing specialist care outside Northern Ireland.

Health Care Services

Mr Allister asked the Minister of Health, Social Services and Public Safety what progress has been made in putting in place a service to identify inappropriate access to local health care services by people not resident in Northern Ireland.

(AQW 31965/11-15)

Mr Poots: In June 2013 the Access to Health Care Team was established within the Business Services Organisation as a specialist unit to provide advice and guidance to HSC Trusts on how to deal with inappropriate access to health care.

The Team has been working on systems and processes for trial and development with Trusts, to identify potentially chargeable patients from either overseas or EEA member states. The team has arranged specialist training for HSC staff and provides on an ongoing basis, expert and specialist advice to HSC staff across Primary, Secondary and Social Care Services.

Collaborative work between the BSO, HSCB, DHSSPS and the Home Office has resulted in a number of initiatives being taken forward in relation to the identification of patients who are not resident in Northern Ireland and who wrongfully claim health care services. A Memorandum of Understanding has also been developed with the Department of Social Protection in the Republic of Ireland to facilitate the sharing of information to assist in the determination of residency.

Weight Management Programme

Mr McQuillan asked the Minister of Health, Social Services and Public Safety why the Motive weight loss program was not further developed by the Western Health and Social Care Trust, his Department and the Public Health Agency despite its effectiveness.

(AQW 31966/11-15)

Mr Poots: Regionally, the Public Health Agency is undertaking a piece of work to review the evidence relating to weight management programmes in adults and scope out the range of programmes which are/have been delivered in Northern Ireland. This includes Motivate, which was developed and piloted in the Northern Area only. The outcomes of this review will inform future commissioning directions of the PHA.

A&E Departments: Ulster Hospital

Mr Hazzard asked the Minister of Health, Social Services and Public Safety to detail the number of patients admitted to each triage category at the Ulster Hospital Emergency Department in each of the last twelve months.

(AQW 31975/11-15)

Mr Poots: Information on the number of new and unplanned review attendances assessed at each level of the Manchester Triage Scale at the Ulster emergency care department, is detailed in the table below for each of the last 12 months.

Table 1: Number of New & Unplanned Review Attendances at the Ulster Emergency Care Department, by Category of Assessment on the Manchester Triage Scale (March 2013 – February 2014)¹

Month	Immediate	Very Urgent	Urgent	Standard	Non Urgent	Blank Codes	Total
March 2013	39	1,023	3,595	2,183	31	16	6,887
April 2013	42	1,156	3,659	2,198	27	31	7,113
May 2013	35	1,032	3,471	2,348	19	33	6,938
June 2013	40	983	3,351	2,348	23	31	6,776
July 2013	34	1,032	3,470	2,611	40	15	7,202
August 2013	26	1,096	3,305	2,472	26	16	6,941
September 2013	30	1,019	3,301	2,544	30	7	6,931
October 2013	39	1,121	3,502	2,314	27	13	7,016
November 2013	24	1,059	3,207	2,268	30	11	6,599
December 2013	32	1,102	3,440	2,090	28	8	6,700
January 2014	42	1,019	3,461	2,212	27	13	6,774
February 2014	32	967	3,184	2,106	22	9	6,320

¹ Information is provisional and may be subject to change.

Screening Clinics: South Tyrone

Ms McGahan asked the Minister of Health, Social Services and Public Safety what action his Department is taking to increase the number of screening clinics for women in South Tyrone, given the increased diagnosis of ovarian cancer in Dungannon between 2008-2012.

(AQW 31981/11-15)

Mr Poots: The National Screening Committee, which is the expert body that advises the four UK Health Departments on screening programmes, at present recommends that screening should not be offered for ovarian cancer, except in the context of the current Medical Research Council randomised controlled trial which is due to report in 2015/16. This study is investigating the effectiveness of screening for ovarian cancer using either a blood test or ultrasound screening. 200,000 women between the ages of 50 and 74 have been recruited to the study. Belfast City Hospital is one of the centres involved in the study.

A sister study, the UK Familial Ovarian Cancer Screening Study is also in progress. The primary objective of this study is to develop a screening strategy for ovarian cancer, in terms of the most appropriate screening tests, criteria for the interpretation of results, and screening interval, in women who are at high risk of ovarian cancer because of a family history or an inherited genetic predisposition.

Health Care Services: Donaghcloney and Waringstown

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 26324/11-15 and AQW 26323/11-15, when a new surgery for Donaghcloney and Waringstown will (i) receive the necessary funding; and (ii) open to patients.

(AQW 31988/11-15)

Mr Poots: I am not in a position to advise when such a facility will receive the necessary funding or when it will be open to patients. Until the budgetary position becomes clear for 2015/16 and beyond, the timescale for further capital projects cannot be determined.

Consideration will be given to a range of funding options, including capital funding, 3rd Party Development, Ring-Fenced Transactions or through revenue from the GMS Budget. The outcome of this consideration will feed into the overall Capital Priorities Review leading to a capital plan which will form the basis of the Department's bid for the next budget period.

Royal Belfast Hospital for Sick Children: MRI Scanner

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety to outline the reasons for the delay in the operation of the MRI scanner at the Royal Belfast Hospital for Sick Children.

(AQW 31989/11-15)

Mr Poots: It is essential that all infrastructure works are undertaken in line with proper procedure whilst ensuring the safety of patients and staff. Prior to commencement of design and planned works on site, surveys had to be undertaken of the area in which the new machine is to be installed. These identified the need for additional works including the removal of asbestos as well as complex site service alterations. Completing these works, within the site of an operational hospital, presents significant challenges and required more time than planned to ensure that they are completed whilst ensuring the safety of everyone using the building.

Serious Adverse Incidents

Mr Beggs asked the Minister of Health, Social Services and Public Safety how many Serious Adverse Incidents were reported by each hospital during the first quarter of each of the last three years.

(AQW 31993/11-15)

Mr Poots: SAls can occur in a hospital, community or primary care setting. In some cases an SAI will involve services from more than one of these areas. Information on the number of Serious Adverse Incidents cannot be provided by hospital because in some cases the numbers are so small (i.e. less than five). The Department will not publish numbers less than five in order to protect patient confidentiality.

Information on the total number of SAls reported by Trusts in the first quarter of the last three years is outlined below.

Figures for 2013 are not completely comparable with previous years as the definition of an SAI and the associated guidance was changed in October 2013 to encompass a wider range of incidents

NO OF SAls 1 Jan -31 March	2011	2012	2013
BHSCT	13	20	28
NHSCT	13	11	18
SEHSCT	10	13	21
SHSCT	15	13	12

NO OF SAIs 1 Jan -31 March	2011	2012	2013
WH SCT	9	8	11
Total	61	65	92

South West Acute Hospital: Coronary Care Service

Mr Flanagan asked the Minister of Health, Social Services and Public Safety for his assessment of the long term future of the acute coronary care unit at the South West Acute Hospital, Enniskillen.
(AQW 32004/11-15)

Mr Poots: The provision of services at the South West Acute Hospital is a matter for the Western Health and Social Care Trust; however, the Trust has advised me that it has no plans to change the current coronary care service provided in the South West Acute Hospital.

Health Care Services: Donaghcloney

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, following his recent statement that the premises at Donaghcloney Surgery are not fit for purpose, to detail how any new premises arrangements will be funded.
(AQW 32026/11-15)

Mr Poots: I am not in a position to advise when such a facility will receive the necessary funding or when it will be open to patients. Until the budgetary position becomes clear for 2015/16 and beyond, the timescale for further capital projects cannot be determined.

Consideration will be given to a range of funding options, including capital funding, 3rd Party Development, Ring-Fenced Transactions or through revenue from the GMS Budget. The outcome of this consideration will feed into the overall Capital Priorities Review leading to a capital plan which will form the basis of the Department's bid for the next budget period.

Cancer: Ovarian Cancer

Mr Lyttle asked the Minister of Health, Social Services and Public Safety why the National Institute for Health and Care Excellence guidance and best practice relating to Ovarian Cancer, which were issued in England April 2011, were not issued to Northern Ireland General Practitioners until 2014 .
(AQW 32030/11-15)

Mr Poots: Northern Ireland General Practitioners have been aware of relevant aspects of the National Institute for Health and Care Excellence (NICE) guidance on Ovarian Cancer for some time. The Health and Social Care Board has advised that the Northern Ireland Cancer Network (NICAN) developed guidance for GPs in 2012 on symptoms suggestive of cancer including ovarian cancer. This incorporates NICE recommendations on detection of ovarian cancer in primary care.

A pathway for investigating possible ovarian cancer was issued to Northern Ireland General Practitioners on 19 February 2014. The pathway was developed by GPs and Trusts and is consistent with the guidance issued by NICE. It clarifies and standardises the steps in investigating women with possible ovarian cancer. It also gives ovarian cancer a specific and higher profile; it describes the symptoms as well as investigations to be completed and provides all GPs and Trusts with a single simple and clear regional pathway.

Glaucoma

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the waiting times, following referral from a GP, for glaucoma patients to receive surgery in each of Health and Social Care Trust catchment area, in each of the last three years.
(AQW 32036/11-15)

Mr Poots: Information is not collected on waiting times from referral to treatment in Northern Ireland. Information is however available on hospital waiting times for outpatient, inpatient and diagnostic services.

It should also be noted that in Northern Ireland, waiting time information is collected on the basis of the specialty that the patient is waiting for, rather than the condition that the patient is diagnosed with. As such, it is not possible to identify the waiting times for only those patients specifically diagnosed with glaucoma.

With this in mind, information is available on the waiting times for (i) a first outpatient appointment with a consultant in the Ophthalmology specialty and (ii) inpatient admission in the Ophthalmology specialty, for each Health and Social Care, and shown in the tables overleaf.

Information is presented for the waiting time position at 31st December 2013, the most recent quarter for which official statistics are available, and at the same point in time for each of the two years previous.

(i) **Patients waiting for a first outpatient appointment in the Ophthalmology specialty, by weeks waiting and HSC Trust**

HSC Trust	Quarter Ending	Length of Time Waiting (weeks)						Total Waiting
		0-6	>6-9	>9-12	>12-15	>15-18	>18	
Belfast	31/12/11	1,901	700	815	561	505	1,386	5,868
	31/12/12	1,871	780	623	496	415	301	4,486
	31/12/13	2,101	841	664	619	492	2,042	6,759
South Eastern	31/12/11	533	234	172	88	12	1	1,040
	31/12/12	614	238	72	7	0	0	931
	31/12/13	585	244	234	205	200	136	1,604
Southern	31/12/11	555	301	293	241	250	2,461	4,101
	31/12/12	643	359	289	221	223	609	2,344
	31/12/13	678	354	377	280	202	154	2,045
Western	31/12/11	752	355	315	268	210	1,348	3,248
	31/12/12	864	316	231	180	70	13	1,674
	31/12/13	818	265	59	14	0	0	1,156

Source: Departmental Return CH3

Outpatient ophthalmology services in the Northern Trust are covered by visiting consultants from other Trusts.

(ii) **Patients waiting for inpatient admission in the Ophthalmology specialty, by weeks waiting and HSC Trust**

HSC Trust	Quarter Ending	Length of Time Waiting (weeks)						Total Waiting
		0-6	>6-9	>9-12	>12-15	>15-18	>18	
Belfast	31/12/11	631	1,045	1,028	423	208	98	3,433
	31/12/12	618	1,082	986	370	233	323	3,612
	31/12/13	746	963	889	277	39	55	2,969
Northern	31/12/11	5	3	7	0	0	0	15
	31/12/12	8	14	35	2	0	1	60
	31/12/13	17	10	9	0	0	0	36
South Eastern	31/12/11	131	245	113	3	0	0	492
	31/12/12	158	125	0	0	0	0	283
	31/12/13	154	209	32	0	0	0	395
Southern	31/12/11	72	61	4	1	0	1	139
	31/12/12	98	35	6	0	0	0	139
	31/12/13	92	53	1	0	0	0	146
Western	31/12/11	384	463	176	36	5	0	1,064
	31/12/12	470	401	165	39	3	6	1,084
	31/12/13	474	346	71	11	2	3	907

Source: DHSSPS Inpatient Waiting Times Dataset

Inpatient ophthalmology services in the Northern Trust are covered by visiting consultants from other Trusts.

Health Care Services

Mr Allister asked the Minister of Health, Social Services and Public Safety what progress has been made following his announcement in November 2013 that “a new service is being put in place, funded by HSCB, to develop expertise and to actively work with Trusts” in dealing with inappropriate access to health care by those not resident in Northern Ireland.
(AQW 32042/11-15)

Mr Poots: I refer the Member to my written response to AQW 31965/11-15.

Urology Appointments: Waiting Times

Mr A Maginness asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 31320/11-15, what action his Department is taking to reduce the number of patients who have to wait more than twelve weeks for an appointment for a urology day procedure.
(AQW 32050/11-15)

Mr Poots: To help improve the current provision of urology services, the Health and Social Care Board is undertaking a regional clinically led stock take of the ‘Review of Adult Urology Services’ which was completed in 2009. This exercise will help to identify the current challenges which have directly impacted on service provision and will make recommendations to improve patient access and reduce waiting times across the region.

Pregnancy: Termination

Ms Lo asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 31271/11-15, whether he can provide a more specific timetable as to when the revised guidance on the termination of pregnancy will be published.
(AQW 32081/11-15)

Mr Poots: Under the guidance of the Termination of Pregnancy Working Group, the document is currently being redrafted to take account of the issues raised in last year’s public consultation. I expect to receive their advice and recommendations in the near future. When finalised, I will bring the document to the Northern Ireland Executive for consideration.

Department of Justice

Police: Part-time Reserve Support Programme

Mr Hussey asked the Minister of Justice, pursuant to AQW 29108/11-15 and AQW 27033/11-15, (i) whether he will be able to deliver part of the moneys of the Part-Time Reserve (PTR) Support Programme in this financial year; (ii) if agreement has been reached on how these funds will be dispersed via police charities; and if so, to detail (i) how these funds will be dispersed; (ii) the charities controlling the funds; and (iii) whether any Trustees from the PTR have been appointed to supervise the distribution of these funds.
(AQW 31547/11-15)

Mr Ford (The Minister of Justice): In 2011, from a total fund of £20m, £19.6m was allocated by my Department, with support from the Northern Ireland Police Fund (NIPF), to former members of the Police Part-Time Reserve through the PTR Gratuity Scheme. Officials from my Department have engaged with a number of the policing charities in order to determine how best to distribute the remaining amount. It was initially hoped that the policing charities could have administered this programme

However, this has not proved possible, not least as a number of schemes such as grants offering financial assistance to officers are already in place through the RUC-PSNI Benevolent Fund and the NIPF.

I have decided that this money, £383,000, will be made available to the new Police Museum. It is envisaged that the Museum will publicly mark the service and dedication of the Part-Time Reserve, during some of the most difficult days of the Troubles, in a lasting and enduring tribute to their role in policing in Northern Ireland.

The RUC GC Foundation will retain an important role in the ongoing work on the new Police Museum. Details as to the provision of funding for this part of the new Museum are currently under consideration.

Fuel: Filling Stations Selling Illicit Fuel

Mr Givan asked the Minister of Justice whether he will liaise with HMRC to name filling stations caught fraudulently selling illicit fuel.
(AQW 31619/11-15)

Mr Ford: I have asked for the issue of enforcement action against filling stations to be considered at the next meeting of the Organised Crime Task Force, Cross Border Fuel Fraud sub group, which meets later this month.

I am advised by HM Revenue and Customs that Section 18 of the Commissioners of Revenue and Customs Act 2005 has a tax payer confidentiality clause which makes it an offence to divulge details of anyone in relation to the tax affairs in a civil recovery investigation.

HMRC cannot therefore name those believed to be defaulters of tax in respect of fuel cases. To do so would require a change in the legislation.

On-the-runs: Letters

Mr Allister asked the Minister of Justice whether there is any evidence that, during the dealings with on-the-runs, that the Northern Ireland Prison Service was asked to prepare letters giving prison numbers to on-the-runs as if they had served time, when they had not.

(AQW 31691/11-15)

Mr Ford: There is no evidence that any such requests were made of the Northern Ireland Prison Service.

Prison Officers: Cutlery

Mr Allister asked the Minister of Justice whether Prison Officers have been informed that they are no longer permitted to use metal knives and forks during lunch break and must instead use plastic cutlery; and if so, to detail (i) how widespread is this throughout the Prison Service; (ii) who made the decision; (iii) when the decision was made; and (iv) whether prisoners convicted of murder are still permitted to use metal cutlery and delph plates and cups.

(AQW 31692/11-15)

Mr Ford: In common with all tools and equipment that might pose a threat to the security of a prison significant control measures are required for metal cutlery.

The use of metal cutlery is restricted in residential areas of prisons at all times. A recent audit identified areas where compliance was not as expected in all three prisons and remedial action has been taken.

That is consistent with the rules laid out in the Northern Ireland Prison Service Security Manual, which has been in effect since 2004.

Prisoners are not permitted to have access to metal cutlery. Some prisoners, including those convicted of murder, may be permitted to use ceramic cups or plates.

Prisoners

Lord Morrow asked the Minister of Justice, pursuant to AQW 31049/11-15, as the differences for remand prisoners amount to a more liberal regime, why time served on remand in advance of a sentence is equated to a full or part sentence if convicted; and, (ii) how remand time involves rehabilitative processes if the person is innocent until convicted and therefore not obliged to take part in work or programmes, and depending on the length of time on remand could be freed at the point of sentencing and therefore not rehabilitated.

(AQW 31709/11-15)

Mr Ford: Since imprisonment on remand amounts to deprivation of liberty, regardless of the regime individuals are held under, it is equated in full to a full or part sentence on conviction. Remand prisoners are not excluded from rehabilitative opportunities and can also access Learning & Skills along with other work opportunities whilst in custody.

Magilligan Prison: Attempted Poisoning of a Prison Officer

Lord Morrow asked the Minister of Justice, in relation to the prisoner who admitted attempting to poison a female Prison Officer in Magilligan Prison, whether at the time of the offence this prisoner (i) held a key to his own cell; and (ii) was permitted to be in possession of his own medication.

(AQW 31711/11-15)

Mr Ford: The prisoner in question did not hold a key to his cell. The South Eastern Trust has confirmed that at the time of this incident the prisoner was not prescribed any medication.

Prisons: Drugs

Lord Morrow asked the Minister of Justice, pursuant to AQW 31122/11-15, in respect of the figures relating to prescription drugs, to clarify if these results were discovered in conjunction with other non-prescribed drugs being detected per test, or whether it was solely prescription drugs detected per test.

(AQW 31747/11-15)

Mr Ford: Pursuant to AQW/31122/11-15 the figures for those tests which returned a positive result for both prescription drugs (illicitly taken) and non prescription drugs are set out below.

Hydebank Wood 2012	17
Hydebank Wood 2013	10
Magilligan 2012	13

Magilligan 2013	38
Maghaberry 2012	56
Maghaberry 2013	120

Northern Ireland Legal Services Commission

Lord Morrow asked the Minister of Justice for his assessment of the ruling made by Mr Justice Treacy on 27 February 2014 against the Northern Ireland Legal Services Commission in respect of their policy on the late submission of Legal Aid claims; and to clarify if the policy in question is to be reviewed.

(AQW 31753/11-15)

Mr Ford: My Department is currently liaising with the Northern Ireland Legal Services Commission to consider the content and implications of the judgment. The High Court has yet to give its ruling on remedies in the case. Accordingly, it would be inappropriate to comment further at this time.

Pension Schemes Contribution: DOJ

Mr Dallat asked the Minister of Justice to detail (i) the amount of money contributed to pension schemes for senior management within his Department; and (ii) the number of employees involved, in the last five years.

(AQW 31762/11-15)

Mr Ford: For the purposes of this question, senior management has been interpreted as meaning those staff within the Senior Civil Service (i.e. Grade 5 and above).

The amounts of employer's contributions paid to pension schemes for senior management within my Department are detailed below. As the Department of Justice was created in April 2010 figures have only been provided from the 2010/2011 financial year onwards.

Year	Number of Senior Civil Service staff paid by DOJ	Total amount of Employer's Pension Contributions paid £
2010/11	24	379,700
2011/12	25	381,148
2012/13	31	439,747
2013/14 (to date)	35	416,112

The figures provided include those staff on NICS payroll systems. Individuals seconded into the Department who remained on their parent organisation's payroll have been excluded from the figures above.

Formal Grievances: DOJ

Mr McQuillan asked the Minister of Justice to detail (i) how many formal grievances are currently being addressed; (ii) how long each grievance has been ongoing; and (iii) whether any grievance has taken longer than the timescale detailed in the Northern Ireland Civil Service Code of Practice, including (a) how much longer; and (b) the reasons for the delay.

(AQW 31769/11-15)

Mr Ford: In the Department of Justice, at 7 March 2014, there were 11 formal grievances being addressed.

Whilst there are timescales for meetings and processes within the Grievance Policy, there is no overall timescale. The objective of the policy is to resolve a grievance "as quickly as possible".

All formal grievances and their current status are detailed in the table below:

Timescale	Reason for delay
21 Months	Complainant delayed producing evidence/not available for meetings/lodging DPA requests. Case at first appeal stage.
14 Months	Complainant spent some time clarifying nature of allegations. Case at investigation stage.
9 Months	Investigation completed and case at decision stage.
7 Months	Investigation ongoing but delayed due to complainant's sick absence.
6 Months	Complainant delayed producing evidence to support complaint.
4 Months	Investigation ongoing.

Timescale	Reason for delay
4 Months	Investigation ongoing.
4 Months	Investigation ongoing.
3 Months	Investigation ongoing.
6 weeks	Additional Information required.
2 weeks	Meeting with Decision Officer being arranged.

All formal grievances are being actively progressed to resolve each case as quickly as possible.

Northern Ireland Community Safety College

Mr McGlone asked the Minister of Justice what opportunities have been provided by architects, engineers and design consultants engaged on the Northern Ireland Community Safety College project at Desertcreat to allow local suppliers to tender for the supply of materials for the project.

(AQW 31774/11-15)

Mr Ford: The opportunities for local suppliers, provided by the design team, is through the specifications for the works, which includes materials and components. These specifications are based primarily on meeting performance requirements and standards. The preferred bidder, FGP, held a 'meet the buyer' event in Cookstown on 4 March 2014 which was attended by some 200 companies/individuals.

On-the-runs: Letters

Mr Elliott asked the Minister of Justice whether there are any requests pending for on-the-run letters from his Department.

(AQW 31784/11-15)

Mr Ford: My Department has not been involved in handling requests for 'on-the-run' letters, so there are no requests pending.

DOJ: Procurement

Mr Nesbitt asked the Minister of Justice to detail the procurement processes used by his Department and its arm's-length bodies; and what action he is taking to simplify the process.

(AQW 31790/11-15)

Mr Ford: The Department of Justice, its agencies and arms length bodies currently let all contracts over £10,000 through the Department of Finance Central Procurement Directorate (CPD). We also adhere to the procurement guidance issued by CPD. This is detailed in a Service Level Agreement between my Department and CPD.

In May 2012 the NICS Procurement Board approved guidance on simplified procurement processes for contracts above £30,000 and below the value of the relevant EU Threshold. These processes have since been implemented by CPD and the CoPEs.

My Department has recently signed up to undertake procurements under £30,000. This will come into effect from 1 April 2014 and the Service Level Agreement is currently being revised by CPD to reflect that. Awareness sessions have been held in preparation for this. These were hosted in conjunction with CPD.

Details of the processes can be found in Procurement Guidance Notes (PGN) 05/12. which can be found at:

http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/content_-_cpd_-_policy_-_procurement_guidance_notes.htm

Details of simplified processes for procurement below the value of £30,000 can be found in PGN 04/12 on CPD's website. <http://www.dfpni.gov.uk/pgn-04-12-04022013-pcls.pdf>

In addition a number of measures have been, or are being, introduced by CPD and CoPEs to further simplify processes including, for example: standardising contract terms and conditions across all Departments, agencies and non-departmental public bodies; eliminating Pre-Qualification Questionnaires for many contracts below £100,000; reducing liability and insurance requirements for tenderers by making them proportionate to the risks associated with the contract; and the removal of the requirement to provide evidence of financial standing for tenders for supplies or services contracts below the value of EU thresholds.

Robert Hamill

Mr Allister asked the Minister of Justice to detail the cost in pursuing the unsuccessful prosecutions of Robert Atkinson and Eleanor Atkinson, arising out of the Robert Hamill death.

(AQW 31801/11-15)

Mr Ford: The estimated costs of the case to date are given in the table below.

Cost Type	Estimated Cost (£)
Legal Aid ¹	12,051
Prosecution ²	43,000
Court (Judiciary and Staff Costs)	7,599
PSNI costs ³	-
Facilities (e.g. Courtroom Accommodation)	1,635
Total	64,285

1. The legal aid paid to date relates to junior counsel for one defendant. The legal aid claims relating to the solicitor for both defendants, senior counsel for one defendant and both senior and junior counsel for the other defendant have not yet been assessed.
2. It is not possible to produce precise costs and while some costs may be identifiable the total costs to the Public Prosecution Service (PPS) are as yet unavailable. An estimate of costs for counsel to date has been provided.
3. The costs in respect of the PSNI cannot accurately be defined at this stage.

Freedom of Information: Courts and Tribunals Service

Mr Weir asked the Minister of Justice how many Freedom of Information requests the Courts and Tribunals Service has received in each of the last five years; and in how many cases was the request refused.

(AQW 31821/11-15)

Mr Ford: The table below details the number of requests made to the Northern Ireland Courts and Tribunals Service (NICTS) under the Freedom of Information Act (FOIA) in each of the last five years. The table also details the number of requests refused where it was not possible to provide the requested information. This includes requests where information is fully withheld under one of the FOIA exemptions, cases that exceed the cost limit or those considered vexatious. It does not include requests where information is partially withheld or NICTS do not hold the requested information.

Year	Freedom of Information Requests Received	Number of Requests Refused
2013	135	36
2012	138	18
2011	138	14
2010	122	16
2009	119	18

Small Claims Court

Mr Weir asked the Minister of Justice to outline any plans to review the operational aspects of the small claims court.

(AQW 31822/11-15)

Mr Ford: There are no plans to review the operational aspects of the small claims court.

Table 1 details the number of small claims court judgments appealed in each of the last five years and the number of these appeals upheld.

Table 1: Number of small claims judgments appealed and the number of appeals upheld: 2009 to 2013P

Year	Number of small claims judgments appealed	Number of appeals upheld
2009	4	2
2010	3	0
2011	2	0
2012	3	0
2013P	5	2

Source: Integrated Court Operations System (ICOS)

P Data is currently provisional and may be subject to change.

Information on the number of applications to the small claims court where the plaintiff's application was (i) rejected on the grounds of lack of information; and (ii) returned to seek further information is not available in the format requested.

An application will not be rejected on the grounds of lack of information, however, if the plaintiff has not included all the necessary information on the application, the Northern Ireland Courts and Tribunals Service will return the application to the plaintiff requesting further information before the application can be progressed.

While the majority of small claims applications are returned because of incorrect fees or missing information, it would not be possible to detail the exact number without a manual review of individual records, an exercise that would incur a disproportionate cost.

Table 2 outlines the number of small claims applications returned to the plaintiff for query in each of the last five years.

Table 2: Number of small claims applications returned to the plaintiff for query: 2009 to 2013^P

Year	Number of small claims applications returned to the plaintiff for query
2009	2,196
2010	1,742
2011	1,489
2012	1,192
2013P	1,523

Source: Integrated Court Operations System (ICOS)

P Data is currently provisional and may be subject to change.

Table 3 outlines the number of small claims applications made in each of the last five years.

Table 3: Number of small claims applications made: 2009 to 2013^P

Year	Number of small claims cases received
2009	13,839
2010	13,185
2011	12,903
2012	12,153
2013P	11,943

Source: Integrated Court Operations System (ICOS)

P Data is currently provisional and may be subject to change.

Small Claims Court

Mr Weir asked the Minister of Justice how many small claims court judgements were appealed in each of the last five years; and in how many cases were the appeals upheld.

(AQW 31823/11-15)

Mr Ford: There are no plans to review the operational aspects of the small claims court.

Table 1 details the number of small claims court judgments appealed in each of the last five years and the number of these appeals upheld.

Table 1: Number of small claims judgments appealed and the number of appeals upheld: 2009 to 2013^P

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Small Claims Court

Mr Weir asked the Minister of Justice in how many applications to the small claims court was the plaintiff's application (i) rejected on the grounds of lack of information; and (ii) returned to seek further information.

(AQW 31824/11-15)

Mr Ford: There are no plans to review the operational aspects of the small claims court.

Table 1 details the number of small claims court judgments appealed in each of the last five years and the number of these appeals upheld.

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Source: Integrated Court Operations System (ICOS)

P Data is currently provisional and may be subject to change.

Small Claims Court

Mr Weir asked the Minister of Justice how many applications were made to the small claims court in each of the last five years.

(AQW 31825/11-15)

Mr Ford: There are no plans to review the operational aspects of the small claims court.

Table 1 details the number of small claims court judgments appealed in each of the last five years and the number of these appeals upheld.

Table 1: Number of small claims judgments appealed and the number of appeals upheld: 2009 to 2013P

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P Data is currently provisional and may be subject to change.

Compensation Services: Child Death Claims

Mr P Ramsey asked the Minister of Justice how many claims for compensation for the death of a child have been paid out in the last five years; and the scale of each payment.

(AQW 31832/11-15)

Mr Ford: In the last five years the Compensation Services have made an award in respect of one compensation claim for the death of a child. The scale of the compensation awarded was £12,000.

Prisoners: Day Release

Lord Morrow asked the Minister of Justice whether he plans to introduce tighter rules in respect of prisoners on day release following an announcement by the Ministry of Justice; and to detail if evidence exists of similar local incidences of offending by prisoners on day release which has led to the move by the Ministry of Justice.

(AQW 31847/11-15)

Mr Ford: The Ministry of Justice plans to introduce tighter rules for Release on Temporary Licence. Arrangements for Northern Ireland are significantly different from those in England and Wales. I have no plans to change arrangements in Northern Ireland.

Clare's Law

Lord Morrow asked the Minister of Justice when he will introduce Clare's Law to align Northern Ireland with England and Wales.

(AQW 31848/11-15)

Mr Ford: I am aware that the Domestic Violence Disclosure Scheme, also known as Clare's Law, which operated on a pilot basis in specific locations in England and Wales has now been rolled out across England and Wales from 8 March 2014.

My Department, in conjunction with relevant key stakeholders, is actively engaged in a process exploring whether a Domestic Violence Disclosure Scheme can be introduced into Northern Ireland. It is clear however that much more work remains to be undertaken to inform a determination on the matter.

The evaluation and learning arising from the Home Office pilot and the findings of ongoing discussions with key stakeholders locally will be shared with the Regional Strategy Group on Domestic and Sexual

Violence who will consider the potential to introduce such a Scheme into Northern Ireland, and provide advice to me in due course.

Police: Injury Benefit Scheme

Mr Allister asked the Minister of Justice to detail the local impact, in the respect of review medical examinations for retired police officers, of the withdrawal of Home Office Guidance 2004/26.

(AQW 31859/11-15)

Mr Ford: As I advised in my responses to AQW 28665/11-15 and AQW 28666/11-15, the administration of the Injury Benefit Scheme is the responsibility of the Northern Ireland Policing Board. I am committed to respecting the independence of the Board and am therefore not in a position to provide details of the local impact of the withdrawal of Annex A of the Home Office Guidance 46/2004. You may wish to direct your question to the Board's Chief Executive.

Clare's Law

Mr Weir asked the Minister of Justice whether he plans to introduce legislation similar to Clare's Law.

(AQW 31867/11-15)

Mr Ford: I am aware that the Domestic Violence Disclosure Scheme, also known as Clare's Law, which operated on a pilot basis in specific locations in England and Wales, has now been rolled out across England and Wales from 8 March 2014.

My Department, in conjunction with relevant key stakeholders, is actively engaged in a process exploring whether a Domestic Violence Disclosure Scheme can be introduced into Northern Ireland. It is clear however that much more work remains to be undertaken to inform a determination on the matter.

The evaluation and learning arising from the Home Office pilot and the findings of ongoing discussions with key stakeholders locally will be shared with the Regional Strategy Group on Domestic and Sexual

Violence who will consider the potential to introduce such a Scheme into Northern Ireland.

Courthouses: Limavady Courthouse

Mr Dallat asked the Minister of Justice to detail the steps he is required to take before the Limavady Courthouse can be closed legally.

(AQW 31870/11-15)

Mr Ford: As noted in my reply to AQW/30761/11-15, on 22 November 2012 I announced my decision to close Limavady courthouse and transfer all Limavady court business to Coleraine courthouse.

As Limavady and Coleraine are currently in different County Court Divisions, these changes will take effect following the implementation of a single territorial jurisdiction for County Courts and Magistrates' Courts. The necessary legislative provisions to give effect to a single territorial jurisdiction will be carried forward in a Justice Bill to be introduced into the Assembly this Spring.

In addition to the legislative changes, there will be a number of administrative steps required including changes to the court calendar.

Prison Service: Spending on Flights and Accommodation

Mr Allister asked the Minister of Justice how much has been spent on flights and accommodation for senior staff in the Northern Ireland Prison Service, on a weekly or monthly basis, in each of the last five years; and to detail how many staff are catered for in this regard.

(AQW 31876/11-15)

Mr Ford: The Northern Ireland Prison Service does not hold this information by grade and this could only be provided at disproportionate cost.

Prison Service Reforms

Mr Easton asked the Minister of Justice for an update on Prison Service reforms.

(AQW 31880/11-15)

Mr Ford: Good progress continues to be 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, 19 of the 40 recommendations have been signed off by the Prison Review Oversight Group, which I Chair. Of this 19, seven are currently with Criminal Justice Inspection Northern Ireland for independent assessment and two are with the Regulation and Quality Improvement Authority for similar assessment.

The reform programme is now entering its final year and a clear pathway for delivery has been developed. This pathway will ensure that all of the recommendations will be signed off by the Oversight Group by the time the programme draws to a close in April 2015.

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 April 2014.

Prisons: Chaplaincy Services

Mr Campbell asked the Minister of Justice whether he has, or is aware of, any plans to institute changes to the Chaplaincy services within prisons.

(AQW 31893/11-15)

Mr Ford: I can confirm that a review of the Chaplaincy provision within Prisons has been completed and that Chaplains and Senior Church representatives have been fully engaged throughout the review.

The review sought to clarify the role of Chaplains, strengthen relationships between NIPS and Churches and addressed perceived inequalities in the current model as highlighted by the Churches during the consultation process.

NIPS officials met most recently in January and February 2014 with Church leaders and senior Church representatives to discuss changes that will ensure that Chaplaincy provision meets the current and anticipated future requirements.

Prisons: Drugs

Lord Morrow asked the Minister of Justice, pursuant to AQW 31144/11-15, for his assessment of whether prescription drugs are proving more easily accessible for abuse in prisons than banned substances.

(AQW 31910/11-15)

Mr Ford: It is clear that prescription drugs, whether issued or smuggled, are abused at a higher rate than banned substances. NIPS has a zero tolerance of drug abuse and has measures in place to tackle all misuse of substances.

Legal Aid

Mr D McIlveen asked the Minister of Justice for an update on the development of a new fixed fee to take account of the cases that led to the Brownlee Judicial Review.

(AQW 31920/11-15)

Mr Ford: On 9 December 2013, I made The Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2013. These amendment Rules introduced new fees for legal representatives in the circumstances where, following the conviction of the assisted person, there is a change of representative and the court grants a fresh criminal aid certificate for the purposes of the sentence hearing - the circumstances pertaining in Mr Brownlee's Crown Court case.

The amendment Rules came into operation on 9 December 2013.

Prisons: Drugs

Lord Morrow asked the Minister of Justice to detail the drugs test carried out by the Northern Ireland Prison Service on prisoners.

(AQW 31923/11-15)

Mr Ford: The drugs test takes the form of the prisoner providing a sample of urine while under the supervision of staff. The sample is tested for MDMA, methadone, opiates, cannabis, cocaine, benzodiazepine, buprenorphine, barbiturates and amphetamines.

DOJ: Proscribed Organisations

Mr Nesbitt asked the Minister of Justice whether his Department has made any payments or offered any other support or resource to (i) Provisional IRA members or (ii) members of proscribed organisations since April 2010; and if he is aware of such support coming from elsewhere in Her Majesty's Government.

(AQW 32006/11-15)

Mr Ford: My Department has not made any payments or offered any other support or resource. I am not aware of such support coming from elsewhere in Government.

DOJ: Immunity from Prosecution

Mr McGlone asked the Minister of Justice, pursuant to AQW 31730/11-15, what enquiries he has made in order to establish that no employee of his Department is aware of any undertakings of (a) amnesty; (b) immunity; or (c) implied immunity from prosecution given to (i) any former or serving members of the security forces; (ii) any person who has acted as an agent of the security forces or British Government intelligence services; and (iii) any member of a paramilitary organisation.

(AQW 32027/11-15)

Mr Ford: I have made no such enquiries, as doing so would be in breach of the Executive's Ministerial Code and longstanding constitutional convention that Ministers should not be told by their officials, whether directly or by access to departmental papers, information relating to the work of a previous Administration.

Department for Regional Development

Cycling: South Antrim

Mr Girvan asked the Minister for Regional Development to detail (i) how much has been spent by his Department on upgrading the cycling network in South Antrim in the last five years; and (ii) whether any capital projects will commence to upgrade cycling provision.

(AQW 31284/11-15)

Mr Kennedy (The Minister for Regional Development): My Department does not record this information in the format requested. However, details of expenditure on cycling measures, between 2009 and 2013, for the three Council areas comprising the South Antrim constituency are set out in the table below:

Spend on Cycling Measures

District Council Area	Year 09/10	Year 10/11	Year 11/12	Year 12/13
Antrim	3,600	0	0	0
Carrickfergus	5,601	0	85,000	62,138
Newtownabbey	10,391	0	157.00	2,006
Total Spend (£)	19,592	0	85,157	64,144

A scheme has recently begun in Antrim to upgrade the South-Western hard shoulder, along Stile's Way in Antrim, to a combined footway/cycleway. This will stretch from Ballymena Road to Greystone Road Roundabout, a distance of approximately 2.8 kilometres. The scheme will link cycle routes in the Ballycraig Road/Greystone area of Antrim to existing cycle routes which form part of commercial developments along the Ballymena Road.

A scheme, with estimated costs of £80,000, to extend an existing cycling route along the A2 Belfast Road, Carrickfergus by providing approximately 750 metres of new combined footway/cycleway is also planned.

In addition, my Department continues to implement, in so far as available resources permit, the outline cycling infrastructure as set out in the Belfast Metropolitan Transport Plan 2015.

With the creation of the new Cycling Unit within my Department, which is developing an ongoing programme of work as it aims to ensure that cycling provision is a key element in both transport strategy and delivery, I expect this figure to rise in future years both in South Antrim and throughout Northern Ireland.

Penalty Charge Notices

Mr A Maginness asked the Minister for Regional Development what action his Department is taking to ensure that motorists who have been incorrectly issued with a Penalty Charge Notice are contacted to ensure they receive a refund.

(AQW 31294/11-15)

Mr Kennedy: My Department issues refunds where there is sufficient information available to do so. However, refunds are not possible where payment card details have expired or payments were made by cheque or postal order and no address details were provided. Vehicle keeper information can only be sought from the Driver and Vehicle Agency for the purpose of enforcing unpaid Penalty Charge Notices (PCNs).

With reference to AQW 31293/11-15 and AQW 31295/11-15, which you have also tabled, any motorist who believes they have been incorrectly issued with a PCN in Florence Place, between June 2011 and November 2012, can make a challenge in writing to:

Parking Enforcement Processing Unit
Roads Service, County Hall, Castlerock Road, Coleraine BT51 3HS

Drivers should provide details of the PCN number, vehicle registration number, date, amount paid and method of payment. These details will be cross-referenced against my Department's records and refunds issued, where appropriate. All money associated with refunds is held by my Department in a separate suspense account, to enable future verified challenges to be paid.

Penalty Charge Notices

Mr A Maginness asked the Minister for Regional Development what advice his Department has received with regard to its duty to seek via the Driver and Vehicle Agency, the details of drivers who have been incorrectly issued with a Penalty Charge Notice. (AQW 31295/11-15)

Mr Kennedy: My Department has a Service Level Agreement with the Driver and Vehicle Agency for the supply of vehicle keeper information. The agreement stipulates that vehicle keeper data may only be obtained for the purpose of enforcement of Penalty Charge Notices (PCNs). However, if the PCN has been paid, vehicle keeper information cannot be sought because the PCN is not being enforced.

KPL Contracts

Mr P Ramsey asked the Minister for Regional Development, following KPL entering administration, to detail how Roads Service contracts carried out by KPL will be managed. (AQW 31326/11-15)

Mr Kennedy: Following KPL Contracts entering administration on 21 February 2014, the company has confirmed it could no longer honour the contracts. Interim arrangements have been put in place for the affected contract areas, to provide cover for emergency and urgent street lighting repairs.

My Department has appointed Whitemountain as the successor contractor from the existing tender competitions, to ensure the continued delivery of our street lighting service. This contractor has confirmed it is likely to engage KPL staff and specialist sub-contractors utilised by KPL Contracts.

Hope Street/Wellwood Street, Belfast

Mr McGimpsey asked the Minister for Regional Development to detail the proposals for the use of the land between Hope Street and Wellwood Street, Belfast. (AQW 31355/11-15)

Mr Kennedy: My Department owns a strip of land, approximately 20 metres in width, on the south side of Hope Street and Bruce Street, Belfast which is protected through the Belfast Urban Area Plan 2001 and the draft Belfast Metropolitan Area Plan 2015, for the completion of the south section of the City Centre Ring Road Scheme.

The remaining land between the protection line and Wellwood Street is, as far as I am aware, under the control of the Northern Ireland Housing Executive. I am not aware of how this land is to be used.

The City Centre Ring Road Scheme was included in the Belfast Metropolitan Transport Plan 2015 as one element of a set of integrated transport measures to address transport problems and provide for an enhanced urban environment in and around Belfast city centre. It includes proposals to widen Hope Street, Bruce Street and Cromac Street to two lanes, in both directions, and the construction of a new road known as Bankmore Link, between Dublin Road and Cromac Street.

My Department, currently, does intend to provide this road scheme, however, no funding has been identified to date for its delivery. Until such time as the future funding of the scheme is determined, the protection line should remain.

KPL Contracts

Mr Ó hOisín asked the Minister for Regional Development whether he intends to meet with any of those who are proposing a rescue effort for KPL Contracts. (AQW 31358/11-15)

Mr Kennedy: Following KPL Contracts entering administration on 21 February 2014, my Department has terminated the street lighting contracts held by KPL Contracts, as the company confirmed it could no longer honour the contracts.

To ensure fair and transparent procurement practice my Department has appointed Whitemountain as the successor contractor. Whitemountain was in second position in the existing tender competitions and has confirmed it is likely to engage some former KPL staff and specialist sub-contractors previously utilised by KPL Contracts.

In these circumstances it would not be appropriate to enter into discussions with other interested parties.

Road Dualling: A6

Mr Ó hOisín asked the Minister for Regional Development for his assessment of the advancement of the A6 Dualling Scheme, including whether the 4.8km Dungiven bypass aspect of the Scheme will be developed at the earliest opportunity. (AQW 31368/11-15)

Mr Kennedy: The A6 Londonderry to Dungiven dualling scheme is well advanced in terms of development. My officials have considered the inspector's recommendations from the Public Inquiry and I am currently considering their report in advance of an announcement on the way forward.

I am mindful of the affordability of the scheme in the current economic climate. Capital funding in this budget period is already committed to constructing major road improvement projects. Delivery of the A6 scheme, including a Dungiven bypass, will be determined by subsequent budget settlements agreed by the Executive.

Speed Limits: Northern Division

Mr McKay asked the Minister for Regional Development, pursuant to AQW 29235/11-15, why there are no 20mph zones in the Northern Division area of Roads Service.
(AQW 31376/11-15)

Mr Kennedy: Northern Division has introduced traffic calming measures across a wide range of locations in common with all other Divisions in Roads Service.

Historically I understand that the experience in Northern Division has been that sites with physical traffic calming measures have the effect of generally lowering speeds to around 20mph without the need to implement an additional layer of control through the introduction of 20mph zones.

However, in line with current policy, the introduction of 20mph zones is being actively considered on a site by site basis within Northern Division and I am pleased to confirm that a zone is currently being introduced in The Heights area of Coleraine.

Car Parking

Mr Weir asked the Minister for Regional Development for his assessment of the impact on town centres of reduced car parking charges at Road Service car parks during Christmas 2013; and whether there are any plans to extend this scheme to other times of the year.
(AQW 31431/11-15)

Mr Kennedy: I am not yet in a position to comment directly on the impact reduced car parking charges had in town centres during the last Christmas period.

The new tariff was introduced on 2 December 2013 and continued until 11 January 2014, and applied to car parks that have a tariff of 30p or more per hour.

The operation of car park tariffs is kept under regular review.

Hospital Appointments: East and North Antrim

Mr McMullan asked the Minister for Regional Development whether his Department has considered a community transport pilot scheme for hospital appointments in East and North Antrim.
(AQW 31450/11-15)

Mr Kennedy: My Department is currently coordinating a cross-departmental pilot project in the Dungannon and Cookstown areas to test the concept of a more integrated approach to the delivery of publicly-funded passenger transport services, focusing on improvements to passenger services and opportunities for operational efficiency. The key stakeholders involved in the pilot project include:

- The Department for Regional Development;
- The Department of Health, Social Services & Public Safety (DHSSPS);
- The Health and Social Care Board and the Southern Health and Social Care Trust;
- The Department of Education;
- The Southern Education and Library Board (SELB);
- The Department of the Environment;
- The Department of Agriculture and Rural Development;
- The Rural Community Transport Partnerships in the pilot area;
- The Federation of Passenger Transport; and
- Translink.

As part of the pilot project an enhanced service has been introduced to Craigavon Area Hospital involving Translink and the local community transport operator to provide for evening visits. The project team will also explore opportunities for improving public transport service provision from the Cookstown/Magherafelt area to Antrim Area Hospital. Later this year a business case will be developed to consider the long term options for a more integrated approach to the delivery of publicly funded passenger transport services, including access to hospitals.

In relation to Rural Community Transport Partnerships providing public transport services for hospital appointments, this should not be seen as a substitute for health funded transport for which DHSSPS has statutory responsibility. Under the auspices of the Patient Care Service, non-emergency patient transport services are provided on a discretionary basis across

Northern Ireland. There would not currently be sufficient resources within the Rural Community Transport Partnerships to take on this role, particularly for hospital trips outside the local area. However, the Dungannon/Cookstown pilot will examine all of the resources available across the different providers with a view utilising these more flexibly and effectively.

Recognising that not all patients will qualify for transport by Patient Care Services, my Department has applied for funding from OFMDFM under the Active Ageing Strategy. If successful, the funding will be used to provide transport options for patients who are members of the Rural Community Transport Partnerships (RCTP) to get to hospital appointments outside the local operational area where they do not meet the criteria to avail of Patient Care Services transport.

Car Parking: Coleraine and Limavady

Mr Campbell asked the Minister for Regional Development how many resident only parking schemes are currently under consideration in (i) Coleraine; and (ii) Limavady.

(AQW 31510/11-15)

Mr Kennedy: My Department previously assessed a request for a residents parking scheme in Adelaide Avenue, Coleraine. The results of the initial surveys indicated parking demand by non-residents was not high and there were adequate opportunities for residents to park.

My Department has received a request for a Residents' Parking Scheme in Protestant Street, Limavady, which is being assessed. I have asked officials to inform you of the outcome in due course.

The timing of any schemes for residents parking outside of Belfast will be dependent upon the progress of those being developed at present elsewhere in Northern Ireland and a future prioritisation of remaining areas.

Car Parking: Housing Executive-owned Estates

Mr Flanagan asked the Minister for Regional Development whether his Department, or any of its arm's-length bodies, are responsible for providing additional parking arrangements in a Housing Executive owned estate; and whether the policy changes depending on the number of private homes owned within the estate.

(AQW 31578/11-15)

Mr Kennedy: My Department, and specifically Roads Service, is responsible for dealing with requests for additional parking in housing estates. The extent of its involvement depends on the proportion of privately and publically owned housing at the location in question, and whether it is considered that there is sufficient space available in householder gardens for off-street parking.

Where 50 per cent or more of the housing associated with a request for additional parking belongs to the Northern Ireland Housing Executive (NIHE), it will take responsibility for determining whether a scheme will be considered. If NIHE decides that additional parking is justified, it will fund the full scheme cost. Departmental officials will consider approval of the layout through its development control role as a statutory consultee within the planning process.

Where less than 50 per cent of the housing associated with the request belongs to the NIHE, departmental officials will assess the potential for a parking scheme if the representative organisation for the estate (usually NIHE, but can be the local Housing Association, a Residents' Association, or the Representative Organisation's Forum) can confirm that it will fund 50 per cent of the construction cost of the parking scheme.

Where there is sufficient space within the householders' gardens to accommodate parking, it is the responsibility of the representative organisation/homeowner to provide this at their own expense, and my officials will give no further consideration to the request for additional on/off street parking.

Traffic Attendants

Mr Campbell asked the Minister for Regional Development how many traffic attendants were operating in Northern Ireland in (i) 2010; and (ii) 2013.

(AQW 31584/11-15)

Mr Kennedy: Details of the number of Traffic Attendants deployed daily, from Monday to Saturday, for on and off-street parking enforcement in 2010 and 2013 are as shown in the table below:

Year	Number of Traffic Attendants
2010	117
2013	107

Roads: North Down

Mr Weir asked the Minister for Regional Development to detail the roads in North Down that have been fully resurfaced, in each of the last three years.

(AQW 31586/11-15)

Mr Kennedy: I would remind the Member that information on completed and proposed roads schemes in North Down for the current and previous financial years can be found in Roads Service's Spring and Autumn Reports to North Down Council. These reports can be accessed from my Department's internet site at the following web address:

http://www.drndni.gov.uk/index/freedom_of_information/customer_information/cinformatiotype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils

Ministerial Appointments to Public Bodies: DRD

Mrs D Kelly asked the Minister for Regional Development how many ministerial appointments to public bodies have been made by his Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31589/11-15)

Mr Kennedy: I have made 40 appointments to public bodies since May 2011, of which 32 were males and 8 were females. The figures are set out by body in the table below. These include 20 first appointments, 15 male and 5 female. The first appointments were made from an applicant pool of 200 males and 32 females. My written statement of 5 March 2014 explained that I have asked my officials to take all possible measures to improve the diversity of the boards to which I make appointments by making public appointments more attractive and accessible. I want to encourage more women, younger people, ethnic minorities and people with disabilities to apply for appointments to the boards of NIW, NITHC and the three main Ports.

DRD Ministerial Appointments from May 2011

	Non-Executive		Executive Director		Councillors	Totals	Applica- tions for First Term Appoint- ments
	First appoint- ment	Re-appt	First appoint- ment	Re-appt			
Northern Ireland Water (NIW)							
Male	4	1				5	64
Female							9
NI Transport Holding Company (NITHC)							
Male	5			1		6	34
Female	1	1		1		3	2
Belfast Harbour Commissioners							
Male	4	3		1	4	12	66
Female	2					2	11
Warrenpoint Harbour Authority							
Male	2			2	3	7	27
Female	1					1	8
Londonderry Port & Harbour Commissioners							
Male					2	2	9
Female	1				1	2	2
Male Totals	15	4	0	4	9	32	200
Female Totals	5	1	0	1	1	8	32
Total	20	5	0	5	10	40	232

Road Safety: Newtownards Road

Mr Easton asked the Minister for Regional Development for an update on proposed road safety measures for the junction at Newtownards Road and Cotton Road.

(AQW 31595/11-15)

Mr Kennedy: My Department has programmed a scheme to provide a footway link, together with a visibility improvement, at Cotton Road for delivery in the 2015/16 financial year, subject to the availability of funding and successful acquisition of the necessary land.

Footpaths: Breezemount Estate, Conlig

Mr Easton asked the Minister for Regional Development to detail the cost of resurfacing the footpaths in Breezemount Estate, Conlig.

(AQW 31596/11-15)

Mr Kennedy: The footway reconstruction scheme currently underway in the Breezemount Estate, Conlig is expected to cost around £80,000. The scheme, which will replace existing flagstones with a more durable surface that will also be more cost effective to maintain, is due to be completed by the end of March 2014.

Footpaths: Bangor

Mr Easton asked the Minister for Regional Development whether there are any plans to resurface the footpaths in the Morston Park and Morston Avenue areas of Bangor.

(AQW 31597/11-15)

Mr Kennedy: My Department is currently preparing its work programmes for 2014/15, details of which will be published in Roads Service's Spring and Autumn Reports to Councils. Once completed, the Council Reports for the 2014/15 financial year will be published on my Department's internet site.

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

Footpaths: Bangor

Mr Easton asked the Minister for Regional Development whether there are any plans to resurface the footpaths in the Hazelbrook Avenue, Chester Park, Chester Avenue and Shrewsbury Drive areas of Bangor.

(AQW 31598/11-15)

Mr Kennedy: I would refer the Member to my answer to his Assembly Question AQW 31597/11-15.

Roadworks: M1

Mr McGimpsey asked the Minister for Regional Development, in relation to the roadworks on the M1 between Belfast and Lisburn, to detail the (i) reasons for the works; (ii) the cost; and (iii) the impact on commuters.

(AQW 31599/11-15)

Mr Kennedy: The works on the M1 between Belfast and Lisburn involve the construction of a Motorway Service Area and associated slip roads by a private sector developer under a licence agreed with my Department.

These works are being funded and constructed by a private sector developer and provide a further boost to the local construction industry.

In the short term, the impact of these works on commuters is likely to lead to delays estimated at 5 minutes at off-peak periods and up to 10 minutes at evening peak times as a temporary speed limit is currently in place. The construction of the slip roads is expected to conclude in early summer.

In the longer term, the opening of the facility will benefit commuters by providing access to services as well as creating additional employment opportunities.

Roadworks: Belfast

Mr McGimpsey asked the Minister for Regional Development to detail the (i) roadworks planned for Belfast in the next twelve months; (ii) the cost of the roadworks; and (iii) the impact on commuters.

(AQW 31600/11-15)

Mr Kennedy: My Department is currently preparing its work programmes for 2014/15, details of which will be published in Roads Service's Spring and Autumn Reports to Councils. Once completed, the Council Reports for the 2014/15 financial year will be placed on my Department's internet site.

Information on completed and proposed roads schemes for the current financial year can be found in Roads Service's 2013/14 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

As the work programme for the 2014/14 financial year is yet to be finalised, I am unable to comment on the impact on commuters although I can assure the Member that every effort will be made to keep disruption to a minimum.

Posnett Street, Belfast

Mr McGimpsey asked the Minister for Regional Development to detail the proposals for Posnett Street, Belfast, including the timescale for each.

(AQW 31602/11-15)

Mr Kennedy: Whilst my Department currently has no proposals for Posnett Street, Belfast, I can confirm that officials are assisting DSD with the development of a framework for the regeneration of Shaftesbury Square that will consider the effects of any proposals which may come forward in the Posnett Street area.

Flooding: Orchardville, Belfast

Ms Lo asked the Minister for Regional Development to detail (i) when he anticipates the recommendations from the Atkins Report on Orchardville Flooding Investigations, will be implemented; and (ii) if interim measures, such as the removal of hydraulic locking in the culvert adjacent to Orchardville Crescent, have been raised with NI Water.

(AQW 31713/11-15)

Mr Kennedy:

- (i) The Atkins report recommendations are being taken forward in two parts. The initial element, which involves investigating the existing network, identifying structural defects and cross connections, and maximising the existing network performance is progressing well and is on target. It is anticipated that the contractor who will carry out the repairs of these defects will be appointed toward the end of March 2014 for a four to six week contract period. The second element involves examining a number of options to provide an emergency overflow to the existing wastewater pumping station. Options being considered include the construction of an additional pumping station within the existing NI Water site. NI Water is currently liaising with DARD Rivers Agency and exploring options to create capacity within the adjacent watercourse to allow this pumped overflow option to proceed. It is anticipated that a report setting out options on the way forward will be completed by May 2014.
- (ii) Interim measures, including the possibility of removing the hydraulic lock have already been examined but it has been established that this would not be viable. NI Water will be installing flap valves to the existing surface water sewer outlets as part of the contract to be awarded by the end of March 2014.

Flooding: Newtownbreda Road

Ms Lo asked the Minister for Regional Development when he anticipates the recommended option from the Atkins Report into flooding on the Newtownbreda Road will be implemented.

(AQW 31714/11-15)

Mr Kennedy: NI Water has received the recommended option from the Atkins report on flooding at Newtownbreda Road and intends to proceed to detailed design during March 2014. When the design has been completed, NI Water will produce a cost estimate and will then carry out a cost-benefit assessment. At that stage, a decision will be taken as to whether or not implementation of the scheme will be included within the capital works programme. It is envisaged this will be completed by September 2014.

Until then, NI Water cannot give any assurance that the scheme will be implemented.

Car Parking

Mr I McCrea asked the Minister for Regional Development for his assessment of the impact on town centres of reduced car parking charges in Road Service car parks during Christmas 2013; and whether there are any plans to extend this scheme to other times of the year.

(AQW 31715/11-15)

Mr Kennedy: I am not yet in a position to comment directly on the impact reduced car parking charges had in town centres during the last Christmas period.

The new tariff was introduced on 2 December 2013 and continued until 11 January 2014, and applied to car parks that have a tariff of 30p or more per hour.

The operation of car park tariffs is kept under review.

Car Parking: Magherafelt

Mr I McCrea asked the Minister for Regional Development to detail (i) the revenue generated at Roads Service car parks in Magherafelt during Christmas 2013 when reduced charges were in place; and (ii) the revenue generated when full tariffs were charged.

(AQW 31717/11-15)

Mr Kennedy: Details of revenue generated at Roads Service car parks in Magherafelt, during Christmas 2013 (from 2 December 2013 to 11 January 2014, when reduced charges were in place) and in the corresponding period from the year before (when there were no reductions in place), are shown in the table below:

Car Park Name	Revenue Christmas 2013/14 £	Revenue Christmas 2012/13 £	Percentage Change
Union Road	7,902.63	8,658.07	-8.73
Rainey Street	20,597.44	21,983.39	-6.30

Roadworks: A8

Mr Allister asked the Minister for Regional Development whether sound recording equipment has been provided to any residents adjacent to the A8 for the purpose of recording sound levels before, during and after the current A8 works; and if so, how many families have been facilitated.

(AQW 31739/11-15)

Mr Kennedy: My Department has not provided sound recording equipment to any resident living adjacent to the A8, before or during the current A8 dualling works.

Roadworks: A8

Mr Allister asked the Minister for Regional Development whether any families along the route of the A8 have been offered alternative living accommodation during the works on the A8 project; and if so, to detail (i) how many; and (ii) the cost.

(AQW 31740/11-15)

Mr Kennedy: The contractor for the A8 dualling scheme has offered alternative living accommodation to one family during the construction of the project.

The contractor has advised that the cost to date of this provision is approximately £11,000.

Roadworks: A8

Mr Allister asked the Minister for Regional Development whether any school children living along the A8 route have been provided a free taxi service to and from school during the works on the A8 project; and if so, to detail the (i) reasons; and (ii) cost.

(AQW 31741/11-15)

Mr Kennedy: As a consequence of construction work in close proximity to a property along the A8, access to this property from the A8 has been severed. As a consequence the family no longer has access to the adjacent bus stop.

The A8 contractor, Lagan Ferroviol Costain, has entered into an arrangement with the property owner to provide a free taxi service for journeys to and from school for the duration of these works.

To date, the cost of the provision of this service is approximately £1,200.

Formal Grievances: DRD

Mr McQuillan asked the Minister for Regional Development to detail (i) how many formal grievances are currently being addressed; (ii) how long each grievance has been ongoing; and (iii) whether any grievance has taken longer than the timescale detailed in the Northern Ireland Civil Service Code of Practice, including (a) how much longer; and (b) the reasons for the delay.

(AQW 31771/11-15)

Mr Kennedy: My Department is currently dealing with seven formal grievance cases. The table below shows, for each of these cases, the date of receipt and the approximate period of time during which it has been ongoing.

While there are timescales within the Grievance policy for meetings and processes, there is no overall timescale within which a case should be fully concluded. The objective of the policy is to resolve a grievance as quickly as possible.

Common factors which contribute to the length of time taken to bring grievance cases to conclusion include:

- the need for a full and proper investigation;
- the requirement to interview a large number of witnesses;
- the unavailability of witnesses or representatives (including TUS officials);
- legal or other challenges by the individual;
- the need to prepare responses to requests from the individual for information under Data Protection and/or Freedom of Information legislation; and
- sickness absence of the individual or witnesses.

Date on which grievance was received	Approximate timescale to date
15 May 2012	1 year 10 months
3 September 2012	1 year 6 months
8 October 2012	1 year 5 months
15 May 2013	10 months
30 July 2013	8 months
25 October 2013	5 months
14 November 2013	4 months

Car Parking

Mr Campbell asked the Minister for Regional Development to detail (i) the approximate income derived from the Pay and Display car parks that were included in the tariff reduction scheme in December 2013; and (ii) the comparable amount derived in December 2012.

(AQW 31779/11-15)

Mr Kennedy: Details of the revenue generated at my Department's car parks when reduced charges were in place during the Christmas 2013 period (2 Dec 2013 to 11 Jan 2014) and the corresponding period during Christmas 2012 are provided in the table below:

Year	Car Park Revenue
2012/13	£901,388.97
2013/14	£802,242.93

Water Bills: DRD

Mr Agnew asked the Minister for Regional Development to detail (i) who audits his Department's water bills; (ii) when his Department's water bill was last audited; (iii) when his Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills.

(AQW 31796/11-15)

Mr Kennedy: Whilst my Department primarily occupies premises owned by the Department for Finance and Personnel (DFP) for which water bills are managed by DFP, Roads Service occupies a number of specialist buildings, for which they are directly charged for water and sewerage services.

My Department has a dedicated Internal Audit function, responsible for auditing internal Departmental controls, which would include the payment and processing of invoices, such as water bills, together with the awarding of contracts for delivery of goods and services. The auditing of water bills is not contracted out.

Water and sewerage services would account for some £100,000 of expenditure in my Department's average annual resource budget of some £450 million. My Department's accounts are subject to Northern Ireland Audit Office review on an annual basis.

Housing Contractors

Mr McNarry asked the Minister for Regional Development whether there are any regulations in place which compel contractors to maintain a housing development in relation to such services as grass cutting and salt box provision until maintenance of these services is adopted by Roads Service.

(AQW 31829/11-15)

Mr Kennedy: There are no specific regulations to compel a contractor to cut grass or provide salt boxes in private streets. Where urgent repairs are required to prevent or remove danger to persons or vehicles, my Department may, upon giving at least 48 hours notice to the responsible person, carry out these works under Article 22 of the Private Streets (NI) Order 1980.

Water: Newry Road, Warrenpoint

Mrs McKevitt asked the Minister for Regional Development for an update on the work being carried out by NI Water on Newry Street, Warrenpoint, including the expected completion date of the work.

(AQW 31872/11-15)

Mr Kennedy: This major civil engineering contract, costing over £4 million, commenced on site in February 2013 and will provide much needed drainage improvements to the area through the construction of two large diameter pumping stations for foul and storm sewage, necessary sewer and water main replacements and a significant mechanical and electrical equipment installation

Northern Ireland Water has advised that construction work at Newry Road, Warrenpoint is progressing well and is scheduled for completion in June this year. The work is complex due to the very difficult ground conditions, high groundwater levels and various underground utility services. These difficulties did cause some initial delays but NIW has successfully managed the work to ensure completion in June.

Disability Action Transport Scheme: East Antrim

Mr McMullan asked the Minister for Regional Development to detail the rural areas of East Antrim that are covered by the Disability Action Transport Scheme.
(AQW 31911/11-15)

Mr Kennedy: The Disability Action Transport Scheme is available in a number of urban areas across Northern Ireland and operational maps are available at <http://www.disabilityaction.org/services-and-projects/transport-services/operational-areas/>. In regard to the East Antrim (constituency) the areas where the scheme operates are Carrickfergus, Larne and Newtownabbey.

Roadworks: Dungannon

Ms McGahan asked the Minister for Regional Development to detail his plans to help alleviate the negative economic impact experienced by traders in Dungannon as a result of ongoing roadworks.
(AQW 31929/11-15)

Mr Kennedy: Dungannon and South Tyrone Borough Council is currently undertaking an Environmental Improvement Scheme in Dungannon town centre. Extensive negotiations took place between the Council and the local Traders Association before the scheme commenced and local traders have praised the contractor for his co-operation and efforts to minimise disruption.

My officials consider the contractor is doing everything practicable to minimise the impact on traders. The Square in Dungannon is currently closed to through traffic, however, local traders acknowledge this is unavoidable.

My Department is currently carrying out a traffic signal scheme at the junctions of Killyman Road with Killymeal Road and Northland Row, with the aim of improving traffic flows in this area. All work requiring road closures is being undertaken overnight and, when traffic control is necessary, work does not commence until after 9:30 am to minimise disruption to traffic during the morning peak period. It is not anticipated this scheme, which should be complete by 31 March 2014, will adversely impact on traders within Dungannon town centre.

In addition, there was minimal disruption to traffic during the recent resurfacing scheme on a stretch of Quarry Lane, Dungannon as there were a number of alternative routes available to commuters.

Disability Action Transport Scheme

Mr Weir asked the Minister for Regional Development to detail the rural areas of North Down that are covered by the Disability Action Transport Scheme.
(AQW 32023/11-15)

Mr Kennedy: The Disability Action Transport Scheme is available in a number of urban areas across Northern Ireland and operational maps are available at <http://www.disabilityaction.org/services-and-projects/transport-services/operational-areas/>. In regard to the North Down (constituency) the areas where the scheme operates are Bangor and Holywood.

Footpaths: Gritting

Mr McQuillan asked the Minister for Regional Development what action has been taken to strengthen the relationship between Roads Service and local councils in order to keep town centres clear of snow and ice during periods of prolonged winter weather.
(AQO 5773/11-15)

Mr Kennedy: My Department now has arrangements in place with 25 out of the 26 District Councils to salt town centre footways during periods of prolonged snow and ice. These range from formal agreements to more informal arrangements contained in an exchange of letters between Roads Service and Councils.

All are based on the same fundamental principles and each contains the basic requirement of an agreed schedule of footways to be treated by the Council, the amount of salt to be provided by my Department and salt delivery arrangements.

In addition, at the start of the winter season, I wrote to all council Chief Executives regarding this issue encouraging them to continue to work with departmental officials to ensure that, collectively, we continue to provide an effective service during spells of severe and prolonged wintry weather.

Comber Greenway

Mr Newton asked the Minister for Regional Development what plans he has to further develop the Comber Greenway.
(AQO 5777/11-15)

Mr Kennedy: I established a new Cycling Unit within my Department in November 2013 and it has now begun work in planning and coordinating cycling related activities.

Among the initial functions of the unit will be the development of a prioritised programme of cycling specific schemes and bidding for and allocating the necessary budget for delivery by the Department, focusing on the development of routes to promote and encourage cycling.

The Comber Greenway is a well used cycling route which continues to attract both walkers and cyclists. In order to capitalise on this, I can assure the member that it will be considered as part of this exercise looking at ways to improve its attractiveness.

Whilst the programme for the incoming financial year has not yet been finalised, I am pleased to advise that officials plan to provide a new Toucan crossing where the Greenway crosses Sandown Road, Belfast.

Translink: Integrated Ticketing System

Mr Brady asked the Minister for Regional Development for an update on Translink's plans to install a new integrated ticketing system.

(AQO 5778/11-15)

Mr Kennedy: Translink is currently conducting a feasibility study for a replacement ticketing system. The existing system was implemented in 2001 and is now becoming difficult to maintain. The feasibility study will involve examining a number of replacement options including, an upgraded smartcard solution and the possible use of bank cards as part of the new system.

As part of the study, my Department has asked Translink to examine the feasibility of the systems being made available to other operators. The completion of the feasibility study will be followed by the preparation of an economic appraisal, which will examine the options and costs of the new system. The economic appraisal is expected to be finalised by June 2014. It will then be subject to approval by my Department and by the Department of Finance and Personnel.

Thereafter, it will be necessary to specify requirements and begin a procurement exercise. It is expected to be early 2016 before the first phase of implementation of the new system can begin. My Department will have a role in ensuring that the new ticketing arrangements meet the requirements of Belfast Rapid Transit.

Northern Ireland Water: Chief Executive

Mr D Bradley asked the Minister for Regional Development to outline the reasons for the delay in the appointment of a Chief Executive to Northern Ireland Water.

(AQO 5779/11-15)

Mr Kennedy: In my response to AQO 4896/11-15 in November 2013 I advised that whilst the competition launched by NI Water in March 2013 attracted a significant level of interest, following the detailed selection process the interview panel concluded that it was not in a position to make an appointment at that time.

NI Water re-launched the Competition to fill the Chief Executive position on a permanent basis, with the placement of an advertisement in the Press on 24 January, with a closing date for applications of 17 February 2014. The selection process is now underway with interviews taking place during March. It is hoped that the final interviews will lead to the appointment of a successful candidate which, subject to acceptance, will mean that the outcome could be announced in early April 2014. A precise date for appointment will however depend on the required notice period to be given by the successful candidate.

Railways: Lurgan Railway Station

Mr Gardiner asked the Minister for Regional Development for his assessment of the numbers of people using Lurgan train station since 2011.

(AQO 5780/11-15)

Mr Kennedy: Patronage at Lurgan train station has increased steadily since 2011.

Almost 846,000 passengers used Lurgan train station in 2010/11 increasing to almost 856,000 in 2011/12.

Patronage increased significantly in 2012/13 with over 901,000 passengers using the station, representing an overall growth of 6.56% since 2011. This makes it the 7th busiest station on the NI Railways network.

Growth in passenger journeys on the Portadown line during the current financial year has been recorded as 22% totalling 3.4 million journeys at the end of February 2014. Those using Lurgan station would be an important part of this.

Cycling

Mr Copeland asked the Minister for Regional Development to outline the potential long term benefits of his cycling priorities.

(AQO 5781/11-15)

Mr Kennedy: You will be aware that I launched the Active Travel Strategy in 2013. In developing the Strategy, the Active Travel Forum considered the wider economic and social benefits of active travel including cycling. This highlighted a number of key economic, social and environmental benefits including:

- reduce the costs to the economy incurred by factors such as poor physical health and heavy congestion;
- improve accessibility for local retailers and businesses; and
- increase the attractiveness of an area as a location in which to live and work

My Department's Cycling Unit is currently working on developing a clear and aspirational vision for cycling, which will be articulated through a long term Bicycle Strategy for Northern Ireland. The development of this strategy will take full account of the wider, long term economic, social and environmental benefits.

It is clear that a cycling revolution will take time and should happen in stages, however this is my vision for Northern Ireland and I am committed to making it happen.

Transport

Mr B McCrea asked the Minister for Regional Development for an update on Ensuring a Sustainable Transport Future: A New Approach to Regional Transportation.

(AQO 5782/11-15)

Mr Kennedy: I launched "Ensuring a Sustainable Transport Future: A New Approach to Regional Transportation," in March 2012. At that time I set out my vision to have a modern, sustainable, safe transportation system which benefits society, the economy and the environment and which actively contributes to social inclusion and everyone's quality of life.

To assist in this regard, the New Approach set out a commitment to develop a Policy Prioritisation Framework. The aim of the Framework was to identify and prioritise those strategic transport interventions that most closely align with the Executive's priorities.

This Policy Prioritisation Framework has now been completed. My Department is now undertaking an analysis of the social, economic and environmental context to identify the key challenges and developments and inform the prioritisation process. This work will inform transport priorities for future budget periods.

My officials will be engaging with key stakeholders directly in the coming months to discuss my Department's proposals for transport investment which is aligned with and supports delivery of the Executive's vision for Northern Ireland.

Ferries: Foyle Ferry Service

Mr A Maginness asked the Minister for Regional Development for his assessment of the Foyle Ferry Service.

(AQO 5783/11-15)

Mr Kennedy: My Department holds no statutory powers in relation to ferry services that extend beyond Northern Ireland and it has had no involvement in either the establishment of this service, nor its operation. Accordingly, my Department has had no cause to undertake any assessment of the Foyle Ferry Service.

I am aware that Lough Foyle Ferry Company was awarded a licence by Limavady Borough Council and Donegal County Council to run the Foyle Ferry service between Magilligan and Greencastle for a three year period from 1st April 2013. It is my understanding that the license to run the service was awarded on the basis that the service would not be supported financially by either Limavady Borough Council or Donegal County Council and that its operation would be financed solely through fare revenue.

Department for Social Development

Benefits: Benefit Fraud Repayments

Mr Allister asked the Minister for Social Development how many people owe in excess of £30,000 as a result of benefit fraud; and, in terms of repayment arrangements, how many have arrangements likely to extend beyond their natural life expectancy. (AQW 31102/11-15)

Mr McCausland (The Minister for Social Development): The Agency is committed to the recovery of all overpayment debt including in instances where fraud has occurred.

The rate of recovery will depend on whether the individual is on or off benefit.

At 31 December 2013 there were 57 individuals with a fraud related debt in excess of £30,000 who have a repayment plan in place. Where an individual is convicted of benefit fraud it is within the power of the Court to make a Compensation Order. This decision is dependent on the financial circumstances of the claimant and so is not therefore possible in all cases.

Where recovery is made by deduction from benefit there are legislative restrictions on the amount which can be taken. For 2013/14 the maximum deduction in respect of a fraud related overpayment is £18.00 per week for income based benefits and up to 1/3 of entitlement for contributory benefits. As a result, overpayment recovery can take a number of years to complete.

It is not possible to calculate natural life expectancy for the individuals involved, however, the estimated length of time to repay, based on the maximum deduction permitted by legislation, is over 75 years.

Where there are individuals with a benefit fraud debt of over £30,000 who are not repaying the Agency pursues other available legal avenues, for example Compensation Orders.

Benefits: Housing Benefit Fraud

Mr Allister asked the Minister for Social Development how many people currently owe the Northern Ireland Housing Executive in excess of £30,000 as a result of housing benefit fraud; and, in terms of repayment arrangements, how many have arrangements likely to extend beyond their natural life expectancy.

(AQW 31103/11-15)

Mr McCausland: The information is not available in the format requested because it is not possible to calculate the natural life expectancy for the individuals involved.

The Housing Executive has advised that there are currently 29 Housing Benefit overpayment fraud cases in excess of £30,000. They confirm that repayment arrangements for 15 cases are in place, and ranges from 26 years to 200 years.

It should be noted that where the overpayment relates to a case with an ongoing entitlement to Housing Benefit, the Housing Executive recovers the maximum allowable amount under legislation unless the debtor can prove financial hardship, in which case a lower recovery figure may be accepted. In other cases where there is no ongoing Housing Benefit entitlement, an individual repayment arrangement is made following a review of the debtor's financial circumstances.

The remaining 14 cases which do not have repayment arrangements are either being appealed by the claimant, awaiting a hearing with the Enforcement of Judgement Office, awaiting Benefit deductions, with Private Sector Recovery Agents or have other investigative action ongoing.

Energy Efficiency

Mr Flanagan asked the Minister for Social Development for an update on the establishment of a one-stop shop for energy advice, as agreed by the Assembly on 8 April 2013.

(AQW 31371/11-15)

Mr McCausland: My Department and the Department for Enterprise, Trade and Investment (DETI) continue to work closely together on energy efficiency matters as required.

Currently advice on all energy related matters in DETI is provided through NI Direct at www.nidirect.gov.uk/energywise.

Information regarding the Warm Homes and the Boiler Replacement Schemes provided my Department can also be found through NI Direct at www.nidirect.gov.uk/warm-homes-grant-scheme and www.nidirect.gov.uk/news-aug13-grant-available-to-replace-old-boilers.

Benefits: Housing Benefit Fraud

Mr Weir asked the Minister for Social Development what was the total money owed as a result of housing benefit fraud in each of the last three years; and how much has been recovered.

(AQW 31377/11-15)

Mr McCausland: The Housing Executive gathers figures on the amount of Housing Benefit overpayments raised from their main counter-fraud activities (data-matching, Intervention and Compliance programme and referral of cases to the Social Security Agency's Single Investigation Service).

Table 1 below details Housing Benefit overpayments from the Housing Executive's counter fraud activities for the last three years: -

Table 1

2012/13	£3.58m
2011/12	£3.83m
2010/11	£3.61m

In relation to the amount recovered, it is not possible to provide the amount specifically recovered in relation to counter fraud activities. However, Table 2 below details the total amount recovered over the last three years in relation to all Housing Benefit overpayments, which occurred due to customer error and customer fraud (which can include the landlord) during the course of the year.

Table 2

2012/13	£13.9m
2011/12	£13.9m
2010/11	£13.1m

Housing: Temporary Accommodation

Mrs D Kelly asked the Minister for Social Development, in relation to temporary accommodations, including hostels, to detail (i) the number that are currently available for those deemed to be homeless; (ii) where they are located; and (iii) the number of (a) individuals and (b) families that have resided in temporary accommodation for two years or longer.

(AQW 31518/11-15)

Mr McCausland: The Housing Executive has advised that Table 1 below provides the information requested in parts (i) and (ii) of the question: -

Table 1 - Temporary Accommodation bed bureau (at 1 November 2013):-

NIHE District Office Area	Private Sector Accommodation Properties	Voluntary Sector Hostels	NIHE Hostels
Antrim	25		1
Armagh	5	1	
Ballycastle	14		
Ballymena	55	3	1
Ballymoney			
Banbridge	5		
Bangor	22	2	1
Belfast East	8	1	1
Belfast North 4	12	3	2
Belfast North 6	25	5	
Belfast South	124	6	
Belfast West 1	40	2	
Belfast West 3	98	3	2
Carrickfergus		1	1
Castlereagh	38	1	
Coleraine	13	3	1
Collon Terrace	51		2
Cookstown		1	
Downpatrick	46	1	1
Dungannon	52	1	
Fermanagh	55	1	
Larne		2	
Limavady	1		
Lisburn Antrim Street	91	2	1
Lisburn Dairyfarm	45	1	1
Lurgan	8	1	
Magherafelt	4		
Newry	51	3	
Newtownabbey 2	1		1

NIHE District Office Area	Private Sector Accommodation Properties	Voluntary Sector Hostels	NIHE Hostels
Newtownabbey 1	3		1
Newtownards	37		1
Omagh	4	1	
Portadown	15	4	
Strabane		3	
Waterloo Place	151	7	1
Waterside	19	3	1
Total	1118	62	20

The Housing Executive has further advised that Table 2 below provides the information requested in part (iii) of the question: -

Table 2 - In temporary accommodation for more than two years (at 1 March 2014): -

NIHE hostels	
Household type:	
Elderly	
Large Adult Families	
Large Families	
Single people	4
Small Adult Families	
Small Families	6
Total	10
Voluntary Sector Hostels	
Household type:	
Elderly	5
Large Adult Families	
Large Families	
Single people	11
Small Adult Families	
Small Families	4
Total	20
Private Sector Accommodation	
Household type:	
Elderly	4
Large Adult Families	3
Large Families	23
Single people	33
Small Adult Families	2
Small Families	82
Total	147

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.

Village Area Regeneration Programme

Ms Lo asked the Minister for Social Development, pursuant to AQW 28338/11-15, what action his Department is taking to attract interest from the private sector to develop affordable private housing in Phase 4 of the Village Regeneration programme.

(AQW 31568/11-15)

Mr McCausland: It is the Housing Executive's intention to market test the Village area for the provision of private and affordable housing once planning approval for Phase 3 (27 dwellings and Public Open Space provision) is granted, as this will determine the amount of land available.

Welfare Entitlement: Information Requests in Languages Other than English

Mr Weir asked the Minister for Social Development to detail the number of requests in relation to welfare entitlements in languages other than English in each of the last three years, broken down by language.

(AQW 31575/11-15)

Mr McCausland: The Social Security Agency does not routinely gather information on how many people have requested information relating to welfare entitlements in languages other than English. The Agency does, however, offer telephony and face to face interpretation services and translation services. The Northern Ireland Housing Executive also provides similar interpreting and translation services for Housing Benefit applications. Data obtained from provision of these services has been collated to provide the following information with regard to the number of people who have availed of these services covering a 3 year period, and broken down by language.

It should be noted that the table below includes data for the Agency for the period April 2011 to February 2014. For the Housing Executive, the data included only relates to the period April 2011 to December 2013, their latest available information.

Language	2011-12	2012-13	2013-14	Total
Albanian	0	0	0	0
Amharic	0	3	7	10
Arabic	50	121	52	223
Armenian	0	0	0	0
Bahasa Indonesia	1	0	0	1
Bengali	8	13	3	24
Bulgarian	23	12	27	62
Burmese	0	0	0	0
Cantonese	35	18	16	69
Chinese Trad	2	0	4	6
Czech	104	111	93	308
Dutch	0	1	1	2
Fanti	1	0	0	1
Farsi	0	0	0	0
Farsi(Persian)	26	37	5	68
French	4	5	6	15
German	5	0	1	6
Greek	0	1	1	2
Gujarati	0	0	0	0
Hindi	4	4	1	9
Hungarian	215	378	369	962
Indonesian	1	0	0	1
Italian	14	20	15	49
Japanese	2	3	0	5
Korean	0	1	0	1

Language	2011-12	2012-13	2013-14	Total
Kurdish(Bahdini)	1	1	0	2
Kurdish (Sorani)	0	0	0	0
Latvian	72	70	41	183
Lingala	1	0	0	1
Lithuanian	446	457	310	1213
Malayalam	1	0	0	1
Mandarin	114	66	87	267
Mongolian	0	1	0	1
Oromo	0	6	0	6
Nepali	1	0	1	2
Pashto	1	0	0	1
Polish	1290	1400	1169	3859
Portuguese	206	306	372	884
Punjabi	4	0	1	5
Romanian	86	90	143	319
Russian	106	107	101	314
Sign Language	0	1	1	2
Sinhala	0	0	1	1
Slovak	274	552	524	1350
Somali	100	127	127	354
Spanish	51	104	135	290
Swahili	1	1	0	2
Tamil	1	0	0	1
Tetum	285	414	175	874
Thai	1	2	3	6
Tibetan	1	0	0	1
Tigrinya	0	1	3	4
Turkish	4	7	2	13
Twi	1	0	0	1
Ukranian	0	3	1	4
Urdu	6	1	0	7
Vietnamese	1	1	1	3
Total	3550	4446	3799	11795

Car Parking: Housing Executive-owned Estates

Mr Flanagan asked the Minister for Social Development whether his Department, or any of its arm's-length bodies, are responsible for providing additional parking arrangements in a Housing Executive owned estate; and whether the policy changes depending on the number of private homes owned within the estate.

(AQW 31577/11-15)

Mr McCausland: The Housing Executive has advised that parking provisions within their existing estates were accepted by planners and roads service as adequate at the time of construction. In terms of statutory planning requirements relating to existing parking requirements, there is no legislation that requires the Housing Executive to continually monitor parking provision. There is, however, no doubt that some of the Housing Executive's older estates do have substandard parking, both in terms of the number of spaces available and the parking arrangements themselves.

The Housing Executive has a Standards Bulletin dating back to April 2002 titled "Provision of Additional Car Parking in Existing Estates". The general rule applied then was as follows: -

"3.00 In general, when it is considered that there is a genuine need for additional parking on an existing estate, and the Housing Executive still owns more than 50% of the dwellings in the area of the estate likely to benefit from the improved parking, then the Area may bring forward a scheme to carry out the work which should be fully funded by the Housing Executive.

4.00 In those situations where less than 50% of the dwellings in the area of the estate likely to benefit from the improved parking are owned by the Housing Executive, the Area should approach the appropriate Division of Roads Service, outlining the need for the scheme and requesting that they share the cost. If Roads Service is unable or unwilling to participate then the scheme should not proceed.

5.00 In all situations where additional communal parking is provided the Area should ensure that the parking area is determined as part of the planning process and adopted by Roads Service on completion. Only parking areas which Roads Service has agreed to adopt will be constructed."

The Housing Executive is not aware of any parking schemes being delivered under this technical directive in recent times nor have they been asked to exercise this requirement by any of their Regional or Area offices.

Due to the lack of capital funding the Housing Executive has not carried out any Environmental Improvement schemes where this type of work would have been identified. However, some road, footpath and parking improvements have been carried out under Neighbourhood Renewal Schemes within some NIHE estates which are totally funded by the Department for Social Development. This appears to have been the only means of delivering additional parking provision in recent years. However, where amenity space has to be removed to cater for additional car parking spaces within the Housing Executive estates this may now be impacted by the current Planning Policy Statement 8 (PPS 8).

Ministerial Appointments to Public Bodies: DSD

Mrs D Kelly asked the Minister for Social Development how many ministerial appointments to public bodies have been made by his Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31592/11-15)

Mr McCausland: The Department for Social Development is responsible for five bodies that have Ministerial appointments, these are; Charity Commission Northern Ireland, Northern Ireland Housing Executive, Charities Advisory Committee, Vaughan's Trust and Disability Living Allowance Advisory Board.

Since May 2011, only two of the bodies have made appointments. The Charity Commission had two females and one male appointed.

The Northern Ireland Housing Executive had one female and six males appointed to its Board. Three of these were statutory nominations, one Sinn Féin member and two SDLP members.

The Disability Living Allowance Advisory Board has not met since 2008 and steps have been taken by the Department to have this Board disbanded.

The table below gives an overview of the Department's Ministerial appointments.

Organisation	Male	Female
Charity Commission Northern Ireland	1	2
Northern Ireland Housing Executive	6	1
Charities Advisory Committee	0	0
Vaughan's Trust	0	0

Housing: Crossgar

Mr Wells asked the Minister for Social Development to outline the total cost of providing one social housing unit at 19 Downpatrick Road, Crossgar, including the (i) purchase of the site; (ii) architectural and planning fees; and (iii) estimated construction costs.

(AQW 31628/11-15)

Mr McCausland: The Housing Executive has advised that there is currently no social housing scheme in the Social Housing Development programme for 2014/15 – 2016/17 for 19 Downpatrick Road, Crossgar.

Village Area Regeneration Programme

Ms Lo asked the Minister for Social Development what discussions have taken place with housing associations to ascertain interest in developing low-cost co-ownership housing in the Village Regeneration area.

(AQW 31648/11-15)

Mr McCausland: My Housing Strategy commits the Department to increasing the supply of affordable housing in Northern Ireland.

It was always the intention to market test the Village area for the provision of affordable housing, once planning approval for Phase 3 of the Village regeneration programme is granted, as this will determine the amount of land available. The provision of affordable housing is necessarily demand-led and there is a need to establish public demand for low-cost co-ownership-type housing in this area.

Together with the developing Housing Associations and the Housing Executive, the Department will seek to develop an evidence-based policy on this issue.

Village Area Regeneration Programme

Ms Lo asked the Minister for Social Development whether interest in the Village Regeneration area housing stock could be opened up to include interest from the general South Belfast area.

(AQW 31649/11-15)

Mr McCausland: The Village area falls within the Donegall Road Common Landlord Area (CLA). This CLA also forms part of the General Housing Area (GHA) that incorporates a number of CLAs, including Annadale, Donegall Pass, Sandy Row, Lisburn Road, Upper Ormeau and Stranmillis. Housing applicants can choose two CLAs and they can also request the GHA option to widen their areas choices for rehousing. If a housing applicant is assessed as a Full Duty Homeless Applicant (FLA), the GHA option is applied automatically after 6 month period.

DSD: Public Representative Meetings in Upper Bann

Mrs Dobson asked the Minister for Social Development, pursuant to AQW 31280/11-15, whether his Department has organised any public representative meetings with any elected representatives in the Upper Bann constituency in the last three years; and to provide details of these meetings.

(AQW 31675/11-15)

Mr McCausland: My Department does not hold this information.

Racism

Mr Weir asked the Minister for Social Development what programmes his Department funds to help communities combat racism.

(AQW 31716/11-15)

Mr McCausland: My Department does not fund programmes specifically geared to help communities combat racism although funding may be considered where a priority need for action is identified within local Neighbourhood Renewal Action Plans and where resources are available

Housing: Strabane

Mr Byrne asked the Minister for Social Development to detail the number of households in Strabane in private rented accommodation; and how many of these households are in receipt of Housing Benefit.

(AQW 31723/11-15)

Mr McCausland: The information is not available in the format requested because my Department does not record the number of households in private rented accommodation.

However the Housing Executive has advised that there were 2,293 private sector Housing Benefit claims in their Strabane Local Office as at 1 March 2014.

Housing: Breaches of Tenancy Conditions

Mr Allister asked the Minister for Social Development, pursuant to AQW 31054/11-15, to clarify why it states the Northern Ireland Housing Executive does not tolerate such breaches of tenancy conditions, when AQW 31053/11-15 indicates that no records of any such actions are kept.

(AQW 31738/11-15)

Mr McCausland: The Housing Executive has advised that in relation to breaches of tenancy these matters are dealt with at their local office level where any cases identified are dealt with proactively through the appropriate channels. This entails initial discussion with the tenant involved to remedy any suggested breach. There has been no requirement for local Housing Executive offices to maintain a register of such cases but the absence of a register should not be viewed as an absence of local action to address any issues identified.

Double Glazing: Lettercreeve and North Antrim

Mr Swann asked the Minister for Social Development to detail the timescale for the completion of the installation of double glazing in social housing in (i) Lettercreeve in Ballymena; and (ii) North Antrim.

(AQW 31783/11-15)

Mr McCausland: In relation to (i) the Housing Executive has advised that the single glazed properties in Lettercreeve are in the Ballymena Phase 2 double glazing scheme which is scheduled to go on site in autumn this year.

In relation to (ii), the Housing Executive advises that there is a double glazing scheme in Ballymoney for 67 dwellings which the contractor has been briefed on. The scheme proposals have been prepared for clearance later this month, and they advise that it is only after schemes have been cleared that the actual start and completion dates are agreed with the contractor.

Welfare Reform

Mr Copeland asked the Minister for Social Development how the implementation of the proposed Welfare Reform will impact upon householders in negative equity.

(AQW 31788/11-15)

Mr McCausland: Currently owner-occupiers on means-tested benefits may qualify for Support for Mortgage Interest (SMI) to help towards mortgage costs. Temporary changes to SMI were introduced from 5 January 2009. These changes reduced the qualifying period for support from 39 or 26 weeks to 13 weeks and increased the mortgage capital limit from £100,000 to £200,000. Those of working-age in receipt of Jobseekers Allowance will be entitled to SMI for a period of two years.

The Chancellor announced within the Autumn Statement that the temporary changes to SMI have been extended until 2015 for working-age SMI claims. The waiting period will remain at 13 weeks and the working-age capital limit will remain at £200,000 until 31 March 2015.

Under the proposed introduction of Universal Credit in Northern Ireland a zero earnings limit will apply with regard to SMI assistance. This means that a

Universal Credit claimant who is an owner-occupier will not get any assistance with their mortgage payments, if they start working part-time. While, at first glance, the zero earnings limit might seem to be perverse logic with regard to incentivizing individuals to take up or increase part-time work, it is considered that the Universal Credit tapers and disregards will help ensure that no-one should be disadvantaged by the zero earnings rule. In particular, Universal Credit does not include a time limit on the period during which the claimant can claim for SMI assistance.

Water Bills: DSD

Mr Agnew asked the Minister for Social Development to detail (i) who audits his Department's water bills; (ii) when his Department's water bill was last audited; (iii) when his Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills.

(AQW 31793/11-15)

Mr McCausland: The Department for Social Development do not carry out audits of water bills.

Premises Officers are required to take monthly meter readings and to scrutinise water bills to identify any irregularities in either consumption amounts or costs.

If auditing of water bills were contracted out this would be done via the NI lead procurement body, DFP Central Procurement Directorate, via a suitable tender competition to provide best value for money.

Formal Grievances: DSD

Mr McQuillan asked the Minister for Social Development (i) how many formal grievances are currently being dealt with by his Department; (ii) how long each grievance has been ongoing; and (iii) in instances where the grievance has taken longer than the timescale quoted in the Northern Ireland Civil Service Code of Practice, to outline the extenuating circumstances that have lead to the additional timescale.

(AQW 31800/11-15)

Mr McCausland:

- (i) My Department is currently dealing with 120 formal grievances (position at 10 March 2014).
- (ii) The table provides details on how long each grievance has been ongoing.

Year	2011	2012	2013	2014	Total
Number	2	19	63	36	120

- (iii) While there are timescales for meetings and processes within the Grievance Policy, there is no overall timescale. The objective of the policy is to resolve a grievance "as quickly as possible".

Housing: Repossessions

Mr Campbell asked the Minister for Social Development how many homes were repossessed in the two years (i) prior to; and (ii) since, January 2012.

(AQW 31896/11-15)

Mr McCausland: My Department does not hold the information on the number of houses repossessed each year in Northern Ireland. However, the Department of Justice issue statistics on the number of writs and summonses issued for mortgage possession actions on a quarterly basis. These statistics show that the number of writs and summonses issued in the two years prior to January 2012 were as follows;

- 3,390 in 2010
- 3,588 in 2011

The same statistics show that the number and writs and summonses issued in the two years since January 2012 were as follows;

- 3,732 in 2012
- 3,694 in 2013

It should be noted that not all cases result in possession orders or in the enforcement of that order to evict the householder. Furthermore, lenders granted possession orders by the courts have up to 12 years in which to enforce the order, therefore, the number of possession orders granted in any given year may not translate into the same number of enforcements or evictions.

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.

Benefits: Payment

Lord Morrow asked the Minister for Social Development what consideration has been given to have benefits, such as Employment Support Allowance and Disability Living Allowance, paid in stages to people with addictions, as opposed to fortnightly or monthly, to ensure they have funds for necessities, and do not use larger amounts to purchase substances to feed their addiction.

(AQW 31969/11-15)

Mr McCausland: No consideration has been given to different payment rules for benefit recipients with addictions. One of the purposes of welfare benefits is to promote independence. There is therefore no requirement for recipients to use their benefit for any particular purpose and they are free to choose how they spend it. However, where there is evidence that it appears necessary in an individual case to protect the interests of the beneficiary or a dependant for whom benefit is paid, the Department can direct that all or part of the benefit be paid to another person on the beneficiary's behalf.

Newcastle Public Realm Scheme

Mr Rogers asked the Minister for Social Development, in light of the Harbour area of Newcastle being excluded from the Newcastle Public Realm Scheme, to outline any additional funding schemes available to businesses in this area now or in the future.

(AQW 31974/11-15)

Mr McCausland: The area covered by the Newcastle public realm was based on the town centre boundary as defined within the Draft Ards and Down Area Plan, which does not extend to the Harbour area of Newcastle. As the Harbour area therefore sits outside the town centre it is considered ineligible for funding. DSD is currently working with Council and the local Chamber of Commerce on a £250,000 scheme to revitalise the town centre.

Craigavon

Mrs Dobson asked the Minister for Social Development, pursuant to AQW 31353/11-15, to detail any (i) meetings; or (ii) correspondence departmental officials have had with business owners and representatives regarding the expansion of Craigavon Town Centre; and (iii) for his assessment of the potential investment opportunities that exist.

(AQW 31997/11-15)

Mr McCausland: My Department funded the Craigavon Integrated Development Framework (CIDF) published in July 2010; the purpose of which was to assist with the prioritisation of development opportunities in Portadown, Lurgan and Craigavon town centres, as defined in the Craigavon Area Plan and updated by the Town Centre Boundaries and Retail Designations Plan 2010. The purpose of the CIDF and Central Craigavon Masterplan were to clearly identify development opportunities within the 3 town centres and DSD officials continue to work in partnership with Craigavon Borough Council officials to deliver the CIDF.

A Craigavon Integrated Regeneration Partnership has been formed by Craigavon Council, comprising elected council members, council officials and senior representatives from DSD, DRD and Planning Service, with input from the private sector on an advisory basis. My officials have had no dealings with business owners or representatives regarding extending Craigavon Town Centre.

Housing: Tenancy Fraud

Mr Rogers asked the Minister for Social Development, following the BBC Spotlight programme on housing fraud broadcast on 11 March 2014, to outline the action his Department is taking to address the issues raised.

(AQW 32014/11-15)

Mr McCausland: The NIAO report Tackling Social Housing Tenancy Fraud in Northern Ireland will be subject of a Public Accounts Committee evidence session on 14 May 2014. It would not be appropriate for me to comment in advance of the DFP Minister's considered response.

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Housing: Tenancy Fraud

Mr Allister asked the Minister for Social Development for his assessment of the extent of tenancy fraud, as highlighted in the BBC Spotlight programme on 11 March 2014.

(AQW 32043/11-15)

Mr McCausland: The NIAO report Tackling Social Housing Tenancy Fraud in Northern Ireland will be subject of a Public Accounts Committee evidence session on 14 May 2014. It would not be appropriate for me to comment in advance of the DFP Minister's considered response.

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: Tenancy Fraud

Mr Allister asked the Minister for Social Development how many instances of tenancy fraud have been identified in the last twelve months and with what outcome.

(AQW 32044/11-15)

Mr McCausland: The NIAO report Tackling Social Housing Tenancy Fraud in Northern Ireland will be subject of a Public Accounts Committee evidence session on 14 May 2014. It would not be appropriate for me to comment in advance of the DFP Minister's considered response.

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: Tenancy Fraud

Mr Allister asked the Minister for Social Development what coordination there is between the Northern Ireland Housing Executive and his Department's oversight of benefit payments in regard to the pursuit of tenancy fraud.

(AQW 32045/11-15)

Mr McCausland: The NIAO report Tackling Social Housing Tenancy Fraud in Northern Ireland will be subject of a Public Accounts Committee evidence session on 14 May 2014. It would not be appropriate for me to comment in advance of the DFP Minister's considered response.

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

Mrs D Kelly asked the Minister for Social Development why some recipients of Disability Living Allowance have received correspondence indicating that their claim will be transferred to the new Personal Independence Payment system given that Welfare Reform is not yet finalised.

(AQO 5790/11-15)

Mr McCausland: No Disability Living Allowance recipients in Northern Ireland have received any such correspondence.

In April every year Social Security Benefits are uprated and as part of that process claimants receive a notification informing them of the new rate of benefit they are entitled to. The notifications are issued to all claimants across the United Kingdom from the Department for Work and Pensions' IT systems. The Disability Living Allowance uprating notifications issued last year and again in 2014 included some general information about Personal Independence Payment. Given the status of the Welfare Reform Bill in Northern Ireland my officials took action to ensure that the notification accurately reflected the position for claimants in Northern Ireland. The notification includes the wording:

"Similar provisions are currently being considered by the Northern Ireland Assembly. Subject to approval by the Northern Ireland Assembly this change will apply in Northern Ireland from a later date.

This is just another example of the short-term fixes which have had to be put in place because of welfare reform delay in Northern Ireland. The position is becoming increasingly unsustainable. The longer the Bill is delayed, the increasing divergence from IT systems becomes more problematic to manage and will increasingly impact on Northern Ireland claimants.

Housing: Rent Arrears

Mr Dunne asked the Minister for Social Development for his assessment of the effectiveness of the recovery of Northern Ireland Housing Executive rent arrears since April 2011.

(AQO 5791/11-15)

Mr McCausland: The Housing Executive has advised me that, while total arrears increased for the two years from April 2011 until March 2013, this should be viewed in the context of an increase in collectable income. Rent increases in these two years were 3.75% and 6.6%.

There can be no doubt that the Housing Executive's performance on rental income collection has been affected by the general economic situation. Additionally, during the 2012/2013 financial year an increase in total arrears occurred as a result of "re-uniting" returning tenants with debt which had previously been written off. This means when a tenant terminates his or her tenancy, the Housing Executive attempts to recover any rent arrears debt on their account using a number of actions. However, in many instances former tenants cannot be traced or have no means to repay the debt (for example they are on benefits) and therefore the debt at that point is written off. However, if a former tenant makes an application for housing, their debt is flagged up again and reviewed with a view to recovery if appropriate, and the debt is then reinstated – or "reunited" – against the former tenant.

It should be noted that in this financial year there has been increased collection in the recovery of arrears. Arrears have decreased during this financial year to date, by £445,000 and it is envisaged that this will remain the case at year end.

Each year the Housing Executive carries out an annual benchmarking exercise through Housemark, comparing performance against other organisations with over 20,000 stock in GB and Scotland. Results have just been provided for the 2012/2013 financial year and in terms of Arrears and Income Collection the organisation is benchmarking above the median in the majority of categories.

The Housing Executive continues to focus its efforts to ensure maximising income collection and reducing arrears and continues to do this against a backdrop where tenants with a liability to pay rent are some of lowest income households in Northern Ireland. To this end the Housing Executive continues to view eviction for non-payment of rent as a last resort. Staff involved in arrears recovery deal with tenants in a persistent yet sensitive manner, whilst working towards reducing arrears and non payment. The promotion of specialist money advice is encouraged at each juncture to support tenants who very often have multiple debts, however as is commonly found by debt agencies, Housing Executive tenants are often reluctant to address their debt problems.

The Housing Executive continues to use a range of actions to address rent arrears, and this follows an incremental approach from early intervention to legal action. Procedures are continually reviewed and redeveloped against both internal and external best practice.

In addition, Members will be aware of the concessions I negotiated from DWP Ministers in respect of the proposed welfare reforms. These include agreement that the housing element of benefits should continue to be paid directly to landlords. This will help reduce people's chance of falling into arrears.

Housing: Social Housing in North Antrim

Mr Swann asked the Minister for Social Development how the levels of planned development of social housing in North Antrim compares to the number of people on the social housing waiting list in the constituency.

(AQO 5793/11-15)

Mr McCausland: At 31st December 2013, 2,283 people in the North Antrim constituency were on the social housing waiting list. 1,250 are deemed to be in housing stress.

The ability to meet demand for housing is through the allocations of properties. This includes the re-letting of existing social housing stock and social housing new build. There were 461 allocations in the North Antrim Parliamentary Constituency in the year to December 2013. There are 289 new build units planned via the Social Housing Development Programme in the period 2014/17. In addition, work is ongoing to reinstate 86 void properties across the constituency. Housing Associations have also been encouraged to develop additional properties in this area and have been directed to the Housing Executive Unmet Needs Prospectus.

Housing: High-rise Accommodation

Mr Dickson asked the Minister for Social Development whether his Department has a policy on housing children in high rise accommodation.

(AQO 5795/11-15)

Mr McCausland: Rule 57 of the Housing Selection Scheme states "in considering whether a particular offer is suitable, the designated officer must consider the reasonable needs of the applicant, including the applicants household having regard to

suitability of features". The Housing Executive has advised that in relation to the application of Rule 57 in regard to high rise accommodation they as a general rule would not allocate this type of accommodation to families with children under 10.

Housing: Social Housing in East Belfast

Mr Newton asked the Minister for Social Development to outline the number of new build social houses planned for the East Belfast constituency in 2014/15.

(AQO 5796/11-15)

Mr McCausland: The Housing Executive has advised that there are 15 schemes for 142 units programmed for 2014/15 in the Social Housing Development Programme for the East Belfast Parliamentary constituency.

The Member may also wish to note that there are further schemes in the Social Housing Development Programme for the East Belfast Parliamentary Constituency as follows:-

- 2015/16 – seven schemes for 104 units
- 2016/17 – eight schemes for 91 units

Racism

Mr McKinney asked the Minister for Social Development whether his Department funds any community organisations in South Belfast which assist communities in combating racism.

(AQO 5797/11-15)

Mr McCausland: My Department does not directly fund community organisations to combat racism. However some of the organisations funded under Neighbourhood Renewal in both Inner South and South West Belfast are involved in initiatives to address the issue.

DSD: Sick Absence

Mr Buchanan asked the Minister for Social Development to outline the sickness absence levels in his Department over the last five years.

(AQO 5798/11-15)

Mr McCausland: For each of the last five financial years, the average number of working days lost per staff year in my Department due to sickness absence was: 2008/09 – 14.6 days; 2009/10 – 14.4 days; 2010/11 – 13.4 days; 2011/12 – 11.1 days; 2012/13 – 11.4 days. This is an impressive reduction of 21.9% across those 5 years.

I am pleased to report this is the 3rd year my Department achieved its annual sickness absence rate target. In 2012/13, it was one of only two departments to deliver that year's target. Current data suggests DSD is also likely to achieve its 2013/14 target.

Other NICS departments have visited my officials to see what lessons can be learnt from the DSD approach.

Northern Ireland Assembly Commission

Irish Language

Ms McCorley asked the Assembly Commission for an assessment of the Committee of Experts of the European Charter for Regional or Minority Languages report regarding the unavailability of Irish simultaneous interpretation in the Assembly and to detail any plans to fulfil its obligations under the European Charter for Regional or Minority Languages.

(AQW 31686/11-15)

Mr Weir (The Representative of the Assembly Commission): The Assembly Commission has not given any consideration to the Committee of Experts of the European Charter for Regional or Minority Languages Report nor was the Assembly contacted to provide information on its procedures which were subsequently mentioned in the report. The Commission considered legal advice in May 2013, which indicated that until such time as the European Charter on Regional and Minority Languages is translated into domestic law and given direct legal effect in Northern Ireland, it creates no rights or obligations on the Commission.

Draft Language Guidance has been under consideration by the Assembly Commission. The views of all Parties were sought following a meeting of the Assembly Commission held on 27 February 2013 and will be considered at a future meeting of the Commission. However, this is an area on which the Commission has been unable to reach political agreement.

Parliament Buildings: Car Parking

Mrs Dobson asked the Assembly Commission what actions, other than existing measures, it intends to take to resolve the shortage of staff and visitor car parking facilities at Parliament Buildings.

(AQO 5800/11-15)

Mr Weir (The Representative of the Assembly Commission): The Assembly Commission continues to acknowledge the problems experienced by users of Parliament Buildings with parking, particularly on sitting days, and is aware that this remains a most difficult issue. In light of this, Assembly management have continued to discuss this matter with DFP colleagues, and further explore possibilities for improving the situation. One positive measure that has already emerged was the handing over of the lower East car park for management by Assembly staff, and the establishment of a new overspill car park, which has provided the Assembly with an additional 42 parking spaces. This has been well received and there appears to have been a decrease in the number of complaints regarding parking.

Whilst DFP have carried out a broader review of car parking within the Stormont Estate we understand that they have no plans at this time to build additional car parks or further develop existing ones. They have indicated however that on days there is an inordinately high demand for parking, they will consider temporarily relaxing some of the current parking restrictions on Prince of Wales and Massey Avenues, thus allowing more users of Parliament Buildings to park their vehicles there. Naturally Assembly management are closely monitoring this and will continue to liaise with DFP in this regard.

Assembly management have also reviewed car parking capacity within the upper car parks adjacent to Parliament Buildings and the lower East car parks, and whilst it appears unlikely that these car parks could be significantly developed in the foreseeable future, a small increase will be possible at rear of Parliament Buildings on completion of the roof project in 2015.

Parliament Buildings: Energy Efficiency

Ms Lo asked the Assembly Commission for an update on the energy efficiency of Parliament Buildings.
(AQO 5810/11-15)

Mr Cree (The Representative of the Assembly Commission): Parliament Buildings currently has a 'D' rating on its Display Energy Certificate, which is a creditable achievement for a building of this nature. Building Services Branch work closely with the Department of Finance and Personnel's Energy Unit to ensure the Commission that all reasonable steps are being taken to maintain and improve the energy performance of the building.

In addition to that, you will be aware that we are about to undertake a major capital works project to repair the roof of Parliament Buildings and this project will include a range of measures that will further improve the energy performance of the building. These will include replacement of ineffective roof insulation with modern materials, and replacing or refurbishing all of the existing roof mounted mechanical and electrical service plant. The works will also include the installation of photovoltaic panels and solar heating tubes along with improvements to the existing boiler plant and energy management controls.

It is anticipated that with the ongoing work in conjunction with DFP and the improvements planned in the roof project our carbon footprint will be significantly reduced.

Northern Ireland Assembly Commission: Voting

Ms McGahan asked the Assembly Commission whether it has any plans to review the voting mechanism in its meetings to mirror the cross community voting mechanism used in plenary sessions.
(AQO 5811/11-15)

Mr Weir (The Representative of the Assembly Commission): The Assembly Commission operates a system of weighted voting, which was formally agreed at a meeting on the 10 December 1999. The Assembly Commission has always endeavoured to obtain decisions by consensus but on occasions it has been necessary to call a vote on certain matters for progress to be achieved.

You may also wish to note that the Commission Handbook details the background and context of the Commission along with the key procedures governing the conduct of Commission business. One of these procedures relates to the issue of voting, with each of the Commission Members having a voting strength equivalent to the number of elected Members in the party to which they belong. This does not preclude individual Members of these Parties or Parties and Independent Members not represented on the Commission from allocating their vote to a Commission Member from another Party, emphasising the principle that the Commission's role is to serve the Assembly and not individual Parties.

There is no requirement within Section 40 or Schedule 5 of the Northern Ireland Act 1998 for cross community voting within the Assembly Commission, and it is for the Assembly Commission itself to determine its own procedures. However, this is a matter which has been discussed and debated by the Commission and we recently took part in a corporate governance review session in February 2014 looking at all of our governance arrangements. Following that session it was agreed that further work would be undertaken in relation to voting mechanisms operating within other legislatures and public bodies. We will then consider the information as part of our next Commission meeting in April 2014.

Irish Language

Mr D Bradley asked the Assembly Commission for an update on its policy on the use of the Irish language.
(AQO 5813/11-15)

Mr Cree (The Representative of the Assembly Commission): The Assembly Commission does not yet have an agreed Irish Language Policy. However, draft Language Guidance has been under consideration by the Assembly Commission. The views of all Parties have been sought following a meeting of the Assembly Commission held on 27 February 2013 and will be considered at a future meeting of the Commission.

Northern Ireland Assembly

Friday 28 March 2014

Written Answers to Questions

Office of the First Minister and deputy First Minister

Victims and Survivors Service: Structure

Mr Eastwood asked the First Minister and deputy First Minister why AQW 25012/11-15, AQW 21072/11-15 and AQW 23072/11-15 remain unanswered.
(AQW 27235/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): We refer the Member to the answer given to AQW 25012/11-15 on 19 February 2014.

We refer the Member to the answer given to AQW 21072/11-15 on 6 November 2013.

We refer the Member to the answer given to AQW 23072/11-15 on 13 November 2013.

Ilex Urban Regeneration Company

Mr Allister asked the First Minister and deputy First Minister why AQW 26650/11-15 remains unanswered; and to provide an answer.
(AQW 28605/11-15)

Mr P Robinson and Mr M McGuinness: We refer the Member to the answer given on 26 February 2014.

Ilex Urban Regeneration Company

Mr Allister asked the First Minister and deputy First Minister why AQW 26650/11-15 has not been answered; and to provide the answer to this question.
(AQW 28798/11-15)

Mr P Robinson and Mr M McGuinness: We refer the Member to the answer given on 26 February 2014.

Delivering Social Change

Mr Agnew asked the First Minister and deputy First Minister to outline the rationale for the proposed changes to the six high level outcomes in the Delivering Social Change for Children and Young People Strategy consultation.
(AQO 5667/11-15)

Mr P Robinson and Mr M McGuinness: The Executive currently has a Children and Young People's Strategy 2006-2016 and a separate Child Poverty Strategy 2011-14. Underpinning all of this work is the recognition of how important it is for our children and young people to get the best start in life.

In 2012, the Executive introduced the Delivering Social Change Framework to tackle poverty and associated issues and improve children's health, well-being and life opportunities. Our Department then published the Child Poverty Outcomes Framework, the result of considerable work by the National Children's Bureau in consultation with other stakeholders, to develop a cross-departmental approach to tackling child poverty.

We feel it makes sense to bring all of this work under one policy framework. As such, the Delivering Social Change for Children and Young People Consultation Document and its 6 proposed outcomes integrate the 'Ten Year Strategy for Children and Young People: Our Children, Our Pledge', the Executive's Child Poverty Strategy and our work to deliver our commitments under the United Nations Convention on the Rights of the Child.

We believe that the 6 proposed outcomes in the consultation document fully incorporate the high level outcomes of the Ten Year Strategy. However, as the Delivering Social Change for Children and Young People is currently out for public consultation, responses to the consultation will be taken into account when finalising the Strategy; this may include changes to proposed outcomes.

Racial Equality Panel

Mr Lyttle asked the First Minister and deputy First Minister to list the membership of the Racial Equality Panel.
(AQW 32104/11-15)

Mr P Robinson and Mr M McGuinness: Currently the membership of the Racial Equality Panel consists of representation from:

- Northern Ireland Human Rights Commission (NIHRC)
- Northern Ireland Strategic Migration Partnership (NISMP)
- Confederation of British Industry (CBI)
- Community Relations Council (CRC)
- Irish Congress of Trade Unions (NIC-ICTU)
- EMBRACE
- Ballymena Inter-Ethnic Forum
- African Caribbean Support Organisation of Northern Ireland (ACSONI)
- Wah Hep Chinese Community Centre
- Chinese Welfare Association
- Northern Ireland Council for Ethnic Minorities (NICEM)
- GEMS NI
- Bryson Intercultural
- Belfast Jewish Community
- Equality Commission of Northern Ireland (ECNI)
- Police Service of Northern Ireland (PSNI)
- Department of Health, Social Services and Public Safety (DHSSPS)
- Department for Employment and Learning (DEL)
- Department of Education (DE)
- Department of Social Development (DSD)
- Department of Justice (DOJ).
- We intend to include a question about membership of the Panel in the consultation document for the Racial Equality Strategy. Officials will review membership in light of any recommendations made during the consultation process.

Race Relations (Northern Ireland) Order 1997

Mr Lyttle asked the First Minister and deputy First Minister what work they have undertaken to implement the Assembly resolution of May 2009 that called on them to review the current Race Relations (Northern Ireland) Order 1997, in view of the fact that the current law does not offer the same levels of protection as in other parts of the United Kingdom and the Republic of Ireland, and also given the deficiencies in the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003.
(AQW 32108/11-15)

Mr P Robinson and Mr M McGuinness: We are currently considering the options for legislative reform. When we have made a decision we will outline our proposals.

We intend that the consultation on the draft Racial Equality Strategy will begin shortly and there are a number of questions in relation to reform of the Race Relations Order included in the document. We would not propose any legislative changes until we have reviewed the consultation responses.

Department of Agriculture and Rural Development

DARD: Budget

Mr McKay asked the Minister of Agriculture and Rural Development what consideration she has given to the need for preventative spending within her departmental budget.
(AQW 31809/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): My Department promotes joined up working across government in dealing with rural issues and leads on a number of cross-departmental rural initiatives aimed at addressing rural needs.

DARD leads on the Rural White Paper Action Plan, a cross cutting initiative aimed at improving the quality of life of rural dwellers through better joined up working. The Action Plan contains commitments from all government Departments covering a wide range of rural issues including rural transport, rural broadband, poverty and social isolation, rural businesses and access to services in rural areas.

My Department seeks to help tackle poverty and social isolation in rural areas through its Tackling Rural Poverty and Social Isolation Framework and is currently working with other Departments in the delivery of a number of joint projects in rural areas. These include projects relating to rural dwellers' welfare, access to benefits, community development, rural transport and fuel poverty.

My Department also supports and promotes rural proofing within government as means of ensuring that rural needs and circumstances are routinely considered by all Departments as part of the policy making process.

Sea Angling

Mr Kinahan asked the Minister of Agriculture and Rural Development to detail (i) the amount of money invested by her Department to promote sea angling; (ii) the total commercial fishing value in the 0-6 mile sector of local waters; and (iii) the value of the commercial 6-12 mile range in local waters.

(AQW 31881/11-15)

Mrs O'Neill: My Department is responsible for sea fisheries management but not for the promotion of sea angling. As a result, my Department has not invested money in this activity.

DARD has data on the value of fish landed by licensed fishing vessels into north of Ireland ports. These data include information on where the fish is caught but catches are attributed to certain ICES (International Council for the Exploration of the Sea) statistical rectangles and in some cases by sub-rectangle. These rectangles or geographic areas are used for the gridding of data to make simplified analysis and visualization. They also used to describe fisheries management areas for the purpose of setting Total Allowable Catches for certain species. The ICES rectangles do not, however, correspond to the 0-6 or 6-12 mile regions of our sea so it is not possible to disaggregate catch data on that basis.

Sea Angling: Survey

Mr Kinahan asked the Minister of Agriculture and Rural Development in light of the Agri-Food and Biosciences Institute sea angling survey completed in 2013, to detail (i) when this report will be published; and (ii) the reasons for the delay in disclosing this report to the public.

(AQW 31882/11-15)

Mrs O'Neill: The Agri-Food and Biosciences Institute's Sea Angling survey closed on 28 February 2013 with a total of 208 respondents. At that time, both DARD and AFBI were heavily engaged in preparing the NI Inshore Fisheries Strategy for public consultation and this contributed to a delay in the analysis and interpretation of the responses to the survey. While AFBI produced a draft report in June 2013, further work involving AFBI economists and biometricians and DARD statisticians was required on the interpretation of the survey results. This work compared the statistical methods used to obtain expenditure information in the web-based survey, with those employed on sea angling surveys previously carried out in the north and elsewhere, in order to ensure that the report provides accurate interpretation of sea angling in the north. This work is now substantially complete and it is intended that the report will be released by the end of April 2014.

Sea Bass

Mr Kinahan asked the Minister of Agriculture and Rural Development in light of a departmental consultation on sea bass harmonisation carried out in conjunction with the Republic of Ireland, to detail any existing plans for this harmonisation to be carried forward into legislation.

(AQW 31883/11-15)

Mrs O'Neill: No joint consultation on sea bass harmonisation was carried out with the south of Ireland. My officials are progressing the "Conservation of Sea Bass Regulations (NI) 2014" which was the subject of a consultation exercise in 2010.

The aim of these regulations is to provide a framework for the protection of Sea Bass in north of Ireland waters. The proposed legislation will prevent targeting of sea bass but still allow for a small commercial by-catch that may occur when fishing for other species. This is in keeping with the reformed Common Fishery Policy aim to end the wasteful practice of discarding fish. In the South there is a complete ban on commercial fishing for Sea Bass since regulations were introduced in 1990.

My Department will introduce these regulations during this calendar year.

Sea Fishing

Mr Kinahan asked the Minister of Agriculture and Rural Development to detail (i) the value of commercial sea fishing to the local economy; and (ii) the number of full time jobs supported by commercial sea fishing.

(AQW 31908/11-15)

Mrs O'Neill: The value of sea fishing and the numbers of people employed in both fishing and fish processing are provided in the following table.

Table 1: Value of Landings and Employment in the Sea Fish Catching Sector

Value of fish landed by DARD registered fishing vessels at home and abroad 2012	£56.1 million
Employment	654 full time 154 part time

Source: Sea Fisheries Statistics 2012, Marine Management Organisation.

Table 2: Gross Turnover and Employment in the Fish Processing Sector

Gross turnover (provisional estimate 2012)	£76.2 million
Employment(provisional estimate 2012)	551 full time equivalents

Source: DARD Policy and Economics Division report on Size and Performance of Food and Drink Processing Sector, Subsector Statistics 2011.

Copper: Theft from Rural Sites

Mr D McIlveen asked the Minister of Agriculture and Rural Development what work her Department is doing to combat the theft of copper from rural sites.

(AQW 31921/11-15)

Mrs O'Neill: Responsibility for tackling rural crime rests primarily with the PSNI and therefore the investigation of the theft of copper from rural sites is a matter for the police.

I am very aware of the concern that the level of rural crime causes amongst rural communities and I have met with the Chief Constable and the Minister of Justice on a number of occasions to make them aware of my concerns.

In May 2013, the Minister for Justice launched a dedicated Rural Crime Unit within the PSNI which has been jointly funded by the Department of Justice and NFU Mutual. The Unit is focusing on a range of rural crime issues including the identification of trends and will assist with preventative action, help improve community confidence and, ultimately, reduce rural crime. A steering group has also been established to oversee the work of the Unit and I have recently appointed a DARD representative to this group.

Helping to build safer rural communities is important for my Department. My Department's local CAFRE Advisers are supporting the PSNI and the 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 Farm Watch scheme at its Enniskillen, Loughry and Greenmount campuses, is also encouraging local farmers to use this scheme as an important means to help prevent rural crime. This scheme is designed to help reduce rural crime and uses technological tools to provide vital evidence in criminal investigations.

I am committed to continuing to work closely with other organisations to help prevent rural crime and to help ensure safer rural communities.

Reservoirs Bill: Affect on Angling

Mr Swann asked the Minister of Agriculture and Rural Development for her assessment of the affect on angling by the Reservoirs Bill.

(AQW 31947/11-15)

Mrs O'Neill: I am aware that there are a small number of angling clubs that manage or operate a reservoir and they have expressed concern regarding the cost of implementing the requirements of the legislation. The Bill, as drafted, does provide for a grant scheme, by regulation, and during the debate in the Assembly I committed to exploring, in more detail, the possibility of meeting the costs of public safety measures for not-for-profit organisations, such as angling clubs. Overall, I do not consider that the Reservoirs Bill will have significant adverse affect on angling in the north, as the legislation is really regulating the current responsibilities of reservoir owners. Prudent owners should already be managing their structures to avoid the uncontrolled release of water, with the associated costs. The new legislation will ensure that reservoirs are properly maintained and this should therefore limit the liability of reservoir managers in the event of a dam failure.

Crime: Theft of Cattle and Sheep

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 25160/11-15, to detail (i) the sex; and (ii) age of the cattle,

(AQW 31960/11-15)

Mrs O'Neill: The table below shows the analysis of the cattle that are currently recorded as missing or stolen in the last three years along with their sex and age at reported date of loss/theft. Data and subtotals are provided for each year with an overall total for the three years. These figures are held 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.

Sex	Age Category (Yrs)	2010/11	2011/12	2012/13	Totals
Bull	0-1	12	24	25	61
	1-2	33	19	26	78
	2-3	12	22	13	47
	3-6	25	20	17	62
	>6	25	37	10	72
	Subtotal	107	122	91	320
Female	0-1	264	224	293	781
	1-2	313	300	342	955
	2-3	164	149	145	458
	3-6	298	263	329	890
	>6	561	477	428	1,466
	Subtotal	1,600	1,413	1,537	4,550
Male	0-1	343	313	436	1,092
	1-2	397	462	452	1,311
	2-3	338	269	278	885
	3-6	244	194	177	615
	>6	41	34	43	118
	Subtotal	1,363	1,272	1,386	4,021
	Totals	3,070	2,807	3,014	8,891

Crime: Theft of Cattle and Sheep

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 25160/11-15, to detail the statistics for (i) 2012/13; and (ii) 2013/14.

(AQW 31973/11-15)

Mrs O'Neill: Information on (a) stolen animals 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 – see Table below for cattle. The figures for 2013/14 are up to 13/03/2014.

We are currently developing a system for the recording of stolen sheep or sheep reported missing.

Missing/Stolen Cattle

Divisional Veterinary Office	2012/13	2013/14 (to 13-3-14)
Armagh	389	508
Ballymena	143	181
Coleraine	210	175
Dungannon	625	453
Enniskillen	296	243
Londonderry	242	159
Mallusk	56	136
Newry	406	824
Newtownards	240	225

Divisional Veterinary Office	2012/13	2013/14 (to 13-3-14)
Omagh	407	427
Totals	3,014	3,331

EU Funding

Mr Allister asked the Minister of Agriculture and Rural Development to detail the total drawdown of funding for (i) Common Agricultural Policy; (ii) fisheries; and (iii) rural development in 2013.

(AQW 31978/11-15)

Mrs O'Neill: The total drawdown of funding from the European Commission for the financial year ended 15 October 2013 in respect of the programmes requested is as follows:

- i. £243m² Common Agricultural Policy – European Agricultural Guarantee Fund;
- ii. £2m Fisheries – European Fisheries Fund;
- iii. £50m Rural Development – European Agricultural Fund for Rural Development.

Cattle: Ear Tags

Mrs Dobson asked the Minister of Agriculture and Rural Development what degree of leniency can be afforded to farmers where a cattle identification tag is lost or damaged whilst cattle are in transit from a farm to an abattoir.

(AQW 31980/11-15)

Mrs O'Neill: Most abattoirs in the north are licensed by DARD to slaughter cattle with only one ear tag where the tag has been lost in transit to the abattoir. Licences are issued on request to DARD. This policy was introduced in 2008 in response to industry concerns that cattle which had lost a tag in transit were detained in the lairage until such times that a replacement tag was obtained.

In these cases the abattoir operator must carry out reasonable checks to ensure the animal's traceability and identity e.g. evidence of a second tag having been applied (a hole in the ear). An animal with a damaged tag is treated in the same way as an animal with a single tag.

For abattoirs that have not requested a license to slaughter cattle with a single ear tag, the animal is detained in the lairage until a replacement ear tag is obtained by the owner and applied provided there is evidence that the 'missing' ear tag had previously been present.

Cattle: Processing Industry Penalties

Mr Rogers asked the Minister of Agriculture and Rural Development how she is ensuring that beef finishers who purchased cattle in the Republic of Ireland are not penalised when they bring their finished livestock to local meat plants.

(AQW 31982/11-15)

Mrs O'Neill: I share your concerns about the current problems in the beef industry. I want to see a strong, profitable red meat sector in the north and that can only be achieved if farmers see a fair return for their quality and traceable produce.

I am aware that meat plants are planning to make significant changes to the pricing structures for in-spec and out-of-spec cattle from 1 April 2014. I understand that, amongst other things, animals born in the south and subsequently fattened and/or slaughtered in the north are considered to be out of spec and subject to penalty by the processing industry. There are significant concerns in the farming industry about the timing and practical impact of these proposals. I also have my own reservations that farmers are being penalised unfairly. I therefore met recently with representatives of the local processing industry to impress upon them my concern about the potential impact of the proposed changes to pricing structures in this difficult trading environment.

I have informed them that they need to re-think these proposed changes. Clearly, robust traceability is the cornerstone of our beef industry. However, it is not fair that farmers who bought animals in good faith should be penalised by the proposed changes in pricing structure at this difficult time. I have also asked the industry to strive for timely and transparent communication with both the farming representatives and the wider beef industry, when any changes in specification are being proposed.

Whilst changes to in-spec incentives are a commercial matter between the cattle keepers, the abattoirs and the major meat retailers, my Department will continue to do what it can to support producers. I hope that, all elements of the supply chain can work together to get to a mutually agreeable resolution that will ensure a sustainable local beef farming industry, focused on export-led growth.

In addition, I can assure you that all cattle presented for slaughter in the north are graded according to the Community scale for the classification of carcasses, irrespective of where they were born, reared or slaughtered. The requirements for this are set out in EU Regulation 1249/2008 which permits classification to be done manually or mechanically.

Furthermore, the same grading scores for each carcass are used by all slaughterhouses in each Member State to ensure producers receive fair payment based on the weight and composition of the animal presented to the slaughterhouse.

Looking to the future, my Department is already supporting efforts to develop additional export markets to add value to the local industry's output. Most recently Singapore announced it was opening its markets to beef from the north and northern beef sourced from southern cattle.

There are also improvements planned in the sharing of cattle movement information which will assist in providing the information essential to the effective marketing of all our animals.

Tree Planting

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail (i) the measures and financial assistance in place to encourage tree planting; (ii) how she intends to promote tree planting through liaison with the Woodland Trust; and (iii) how her Department will participate in the First World War Centenary Woods project, particularly through schools' programmes.

(AQW 31994/11-15)

Mrs O'Neill: During 2007 – 2013 Rural Development Programme financial assistance to encourage tree planting was available through the Agri-Environment and Forestry Grant Schemes. Both schemes are closed to new applications and in preparation for the 2014-2020 Rural Development Programme, officials are developing new schemes to encourage tree planting in consultation with stakeholders including Woodland Trust. When details are developed, officials will continue to promote the schemes with a wide range of partners including the Woodland Trust.

The Executive has tasked the Minister of Enterprise, Trade and Investment and the Minister of Culture, Arts and Leisure to consider an approach to mark the Decade of Centenaries and the Woodland Trust's First World War Centenary Woods project has been brought to their attention by the Office of the First Minister and deputy First Minister.

Exploris

Mr McGlone asked the Minister of Agriculture and Rural Development whether her Department has received a revised Business Plan from Ards Borough Council regarding the future of Exploris; and if so, to detail the steps that will be taken following consideration.

(AQW 31995/11-15)

Mrs O'Neill: My Department has not received a revised Business Plan from Ards Borough Council regarding the future of Exploris.

This is a matter which the Minister of the Environment has agreed to consider. I welcome this positive move and I will continue to work with my Executive Colleagues on this issue.

You may therefore wish to raise the matter directly with the Department of the Environment.

Common Agricultural Policy

Mr Agnew asked the Minister of Agriculture and Rural Development to detail her Department's preferred option on greening as part of the Common Agricultural Policy reform; and how this will deliver greening as part of EU policy.

(AQW 32047/11-15)

Mrs O'Neill: Farmers who participate in the Basic Payment Scheme from 2015 must adhere to three greening measures where applicable on their farms (i.e. crop diversification, permanent grassland retention and provision of ecological focus areas), which produce beneficial outcomes for the climate and the environment. Under Regulation (EU) No 1307/2013, 30% of the direct payments budget ceiling will be devoted to this greening payment.

Within the recently closed consultation on 'Policy options arising from the Reform of the Common Agricultural Policy (Pillar I Direct Payments)' I outlined my suggestions for how greening should be implemented in the north of Ireland. I suggested we should adopt the greening provisions as set out in the EU Regulation rather than opting for so-called equivalent measures.

With regard to permanent grassland, I suggested that the Department would monitor the permanent grassland ratio at regional level and not impose unnecessary restrictions at individual holding level. The level of permanent grassland has been stable in the north for many years at around 90% of total agricultural area. My suggested approach would avoid creating unhelpful incentives for mixed farms growing small amounts of cereals to cease this activity, which would cause our relatively small arable sector to shrink further and move us further towards grass monoculture. It should also avoid the need for excessive bureaucracy to monitor permanent grassland in a region where permanent grassland levels are consistently around 90%.

Under the Regulation, we will be required to designate permanent grasslands that are environmentally sensitive and which fall within areas designated under the Habitats and Birds Directives. These permanent grassland areas will be subject to a ploughing and conversion ban.

I suggested that the crop diversification requirements would be as described in Regulation (EU) No 1307/2013.

With regard to ecological focus areas (EFA), farms with more than 15ha of arable land must maintain at least 5% of this area as an EFA and we have a choice of the land uses and practices that can be used by farmers to count towards their EFA obligations. I sought views on these within the recent consultation.

I am considering all of the views received in the consultation exercise before reaching any decision on the way forward.

Dog Licences

Mr Lunn asked the Minister of Agriculture and Rural Development how many dog licences were issued in (i) 2011; (ii) 2012; and (iii) 2013, broken down by council area.

(AQW 32068/11-15)

Mrs O'Neill: Dog control is legislated for here by the Dogs Order 1983, as amended by the Dogs (Amendment) Act 2011. Councils implement this legislation and provide statistics to my Department regarding its operation.

The number of dog licences issued here by Council area, in each of the last three years is detailed in Table 1 below.

Table 1 – Dog licences issued in 2011, 2012 and 2013 by Council Area

Council	2011	2012	2013
Antrim	4473	4759	5316
Ards	7717	6889	8113
Armagh	4156	2742	3493
Ballymena	9274	9074	8824
Ballymoney	3367	3090	2760
Banbridge	4238	3918	3999
Belfast	10936	9928	11391
Carrickfergus	2425	2523	2658
Castlereagh	5173	4885	4594
Coleraine	8014	7186	7860
Cookstown	2479	2409	2642
Craigavon	5386	6797	7557
Derry	2871	3004	2068
Down	7047	6556	6420
Dungannon	2650	2473	2806
Fermanagh	5091	3828	4838
Larne	4467	4274	4319
Limavady	2600	2005	2190
Lisburn	9997	10008	9953
Magherafelt	2714	2204	2052
Moyle	1972	2095	2215
Newry	4973	4893	4787
Newtownabbey	7194	6697	6332
North Down	6149	6180	6512
Omagh	2344	2125	2137
Strabane	2960	2492	3344
Total	130667	123034	129180

Flood Defences: Holywood

Mr Weir asked the Minister of Agriculture and Rural Development whether there are plans to strengthen flood defences in Kinnegar, Holywood in 2014/15.

(AQW 32095/11-15)

Mrs O'Neill: Rivers Agency is aware of the risk of flooding from the sea at Kinnegar, which has a designated section of sea defence and has been identified as an area at risk. Agency Staff were on site during the most extreme event in early January to monitor the defence, which was not overtopped. Post-event evaluation identified no serious damage to the designated defence and Rivers Agency has therefore no plans for investment at this location in 2014/15.

Drainage Schemes: North Down

Mr Weir asked the Minister of Agriculture and Rural Development to outline the schemes put forward by the (i) Rivers Agency; and (ii) Drainage Council in North Down which have been (1) accepted; and (b) declined in each of the last three years.
(AQW 32096/11-15)

Mrs O'Neill: There have been no schemes put forward by Rivers Agency for consideration by the Drainage Council in the last three years relating to North Down. The Drainage Council is an Independent Advisory Body which considers schemes submitted by the Agency for acceptance; the Council does not submit schemes for consideration.

Single Farm Payments: North Antrim

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 31766/11-15, to detail the reason for the delay in payment, broken down by the number of farms affected.
(AQW 32179/11-15)

Mrs O'Neill: The Department has delivered a record payment performance in 2013 with 90% of Single Farm Payment claims finalised in December 2013 and 96% of claims finalised in February 2014. The number of farm businesses in the North Antrim constituency which have not yet received their Single Farm Payment has fallen from the 237 cited in AQW 31766/11-15 to 157. The reasons for the outstanding payments are detailed in the table below:

Reason	No of Payments Outstanding
Inspection	131
Probate proceedings	16
Bank account details not provided	8
Land queries	1
Business change	1
Total	157

Cattle Scab

Mrs Dobson asked the Minister of Agriculture and Rural Development for her assessment of the dangers posed to the local agri-food industry following the confirmation of the presence of cattle scab in Scotland; and what actions she is taking to protect the industry.
(AQW 32273/11-15)

Mrs O'Neill: I am aware of the recent finding of cattle scab on a farm in the Scottish Borders.

Psoroptic Mange or "Cattle Scab" is a severe and debilitating skin disease of cattle caused by an infestation of mites. There have been a small number of cases detected here in the north and south of Ireland over the past few years. The disease is not notifiable nor does my Department have any legal powers in relation to this disease.

Movements of cattle from Britain are subject to documentary, identity and physical checks at the point of entry to the north to prevent the introduction of disease. The animals can only enter here from Britain and the south with an Animal Health Certificate which is completed before export on the basis of a satisfactory veterinary examination.

I would take the opportunity to urge farmers to consider the risks to their farm when they move animals onto their farm, including importing potentially infected animals. I would stress the need for maintaining good biosecurity practices on farms such as isolation of any purchased animals prior to joining the herd. Further detailed information is available on the DARD website.

Farmers suspecting that their cattle have Psoroptic Mange or "Cattle Scab" should report any signs of disease to their own veterinary surgeon as soon as possible.

Beef Industry

Mr Spratt asked the Minister of Agriculture and Rural Development for her assessment of the crisis facing our beef industry as a result of the pricing structure being imposed on it.
(AQO 5829/11-15)

Mrs O'Neill: I share your concerns about the current problems in the beef industry. I want to see a strong, profitable red meat sector in the north of Ireland and that can only be achieved if farmers see a fair return for their quality and traceable produce.

I am aware that meat plants are planning to make significant changes to the incentive structure for in-spec cattle from 1 April 2014. There are significant concerns in the farming industry about the timing and practical impact of these proposals. I also have my own reservations that farmers are being penalised unfairly. I have therefore met representatives of the local processing industry to impress upon them my concern about the potential impact of the proposed changes to pricing structures in this difficult trading environment.

I have informed them that they need to re-think these proposed changes. Clearly, robust traceability is the cornerstone of our beef industry. However, it is not fair that farmers who bought animals in good faith should be penalised by the proposed changes in pricing structure at this difficult time. I have also asked the industry to strive for timely and transparent communication with both the farming representatives and the wider beef industry, when any changes in specification are being proposed.

Whilst the price paid to producers and the establishment of a pricing structure is a commercial matter and outside the remit of DARD, my Department will continue to do what it can to support producers. I hope that all elements of the supply chain can work together to get to a mutually agreeable resolution on pricing that will ensure a sustainable local beef farming industry, focused on export-led growth.

EU Funding

Mrs Cochrane asked the Minister of Agriculture and Rural Development to outline any specific proposals in place to support her aim to double the drawdown of European funding in support for Agri-Food innovation over the next three years. (AQO 5830/11-15)

Mrs O'Neill: Firstly, I should highlight the aim you refer to is that mentioned in the Agri-Food Strategy report Going for Growth, and is therefore an industry aim. A proposed Executive Response to Going for Growth has been prepared and the DETI Minister and I have circulated it to other Ministers. We hope to announce the way forward in the near future.

The current Programme for Government target is to increase drawdown of competitive EU funds by 20% over the period 2011-15. I fully support this challenging target and within DARD we are working to help achieve it.

The primary purpose of the 20% target is to encourage participation in EU-wide networks and to facilitate partnership working with the best in Europe across our priority policy areas. To assist in that, DARD is funding a Contact Point to work specifically with the agri-food industry. This new post is part of a larger network established with funding from DETI, DEL and DARD, to provide direct support to potential applicants across industry, academia and the public sector.

Rural Development Programme: South Antrim

Mrs Cameron asked the Minister of Agriculture and Rural Development for an update on community based rural development projects in South Antrim. (AQO 5839/11-15)

Mrs O'Neill: Under Axis 3 of the Rural Development Programme the community sector in the GROW Local Action Group area which covers South Antrim has funded 63 projects worth a total of £2.8m. To date, £1.5m has been paid out.

In addition, under the Rural Community Development Support Programme (presently funded from the Tackling Rural Poverty and Social Isolation budget), a total budget of £1.2m per annum is allocated towards rural community development across the north of Ireland. The South Antrim Rural Network (SARN) is one of the lead organisations receiving funding from this budget and is contracted to deliver the Department's rural community development support service in South Antrim.

SARN have supported access to the Rural Development Programme by assisting rural villages to access the current programme; and assisting individuals, farmers and farm families to make applications to the Farm Modernisation and Farm Diversification Programmes.

SARN have also supported access to other parts of the TRPSI Programme by assisting community groups and individuals with referrals to the MARA Programme and the Rural Challenge Small Grants Programme.

SARN continue to work with government departments, councils and the wider voluntary and community sector to support rural communities in the development of community planning structures under the Review of Public Administration.

Cattle: Residency Requirements

Mr Dunne asked the Minister of Agriculture and Rural Development what action she has taken, in relation to the proposal by local meat plants not to pay farmers full market value for animals with four or more registered residency locations during the life of the animal. (AQO 5840/11-15)

Mrs O'Neill: I share your concerns about the current problems in the beef industry.

I want to see a strong, profitable red meat sector in the north of Ireland and that can only be achieved if farmers see a fair return for their quality and traceable produce.

I am aware that meat plants are planning to make significant changes to the incentive structure for in-spec cattle from 1 April 2014. There are significant concerns in the farming industry about the timing and practical impact of these proposals,

particularly the residencies requirement. I also have my own reservations that farmers are being penalised unfairly. I have therefore met representatives of the local processing industry to impress upon them my concern about the potential impact of the proposed changes to pricing structures in this difficult trading environment.

I have informed them that they need to re-think these proposed changes. Clearly, robust traceability is the cornerstone of our beef industry. However, it is not fair that farmers who bought animals in good faith should be penalised by the proposed changes in pricing structure at this difficult time. I have also asked the industry to strive for timely and transparent communication with both the farming representatives and the wider beef industry, when any changes in specification are being proposed.

Whilst the price paid to producers and the establishment of a pricing structure is a commercial matter and outside the remit of DARD, my Department will continue to do what it can to support producers. I hope that all elements of the supply chain can work together to get to a mutually agreeable resolution on pricing that will ensure a sustainable local beef farming industry, focused on export-led growth.

Single Farm Payments: Decisions Changed on Appeal

Mr Clarke asked the Minister of Agriculture and Rural Development how many Single Farm Payment applications were overturned at appeal stage in 2012/13.

(AQO 5841/11-15)

Mrs O'Neill: From 1 April 2012 to 31 March 2013, my Department reviewed 325 Stage 1 Single Farm Payment decisions. Of these 19 (6%) decisions were changed in full and a further 16 (5%) were changed in part. In the remaining 270 (83%) cases, the original decision was unchanged.

During the same period, 68 Stage 2 Single Farm Payment decisions issued. Of these 16 (24%) decisions were changed in full and a further 11 (16%) were changed in part. In the remaining 27 (60%) cases, the original decision was unchanged.

Cattle: Illegal Slaughter

Mr D Bradley asked the Minister of Agriculture and Rural Development for an update on the current departmental investigations into illegal slaughtering of cattle in South Armagh.

(AQO 5842/11-15)

Mrs O'Neill: This is a multi-agency investigation with Newry and Mourne District Council investigating alleged illegal slaughtering of cattle, my Department's Central Enforcement Team investigating alleged animal health and welfare offences and the PSNI investigating any wider rural crime issues. As the case is a live investigation and in the early stages, I am unable to provide specific details about the case.

Going for Growth

Mr Maskey asked the Minister of Agriculture and Rural Development how the Going for Growth strategy can create jobs and build economic recovery.

(AQO 5843/11-15)

Mrs O'Neill: Going for Growth is the industry-led strategic action plan for the agri-food sector developed by the Agri-Food Strategy Board. The development of this plan was a Priority 1 commitment in the Programme for Government and, in addition, agri-food was highlighted as a key growth sector in the Executive's Economic Strategy. This demonstrates the importance of the sector and the key role it will play in rebalancing and rebuilding the north's wider economy.

Going for Growth outlines significant targets to 2020: increase in turnover by £2.5bn to £7bn, increase in sales outside the north by almost £2bn to £4.5bn, increase in value added to £1bn and 15,000 additional jobs as a result of this targeted growth in the sector.

Any growth must be sustainable, and I welcome the aims of the Agri-food Strategy Board that any growth must be based on sustainable profitability for the entire supply chain, recognising the importance that each part plays in producing food.

A proposed Executive Response to Going for Growth has been prepared and the DETI Minister and I have circulated it to other Ministers. We hope to announce the way forward in the near future.

Fishing Industry Task Force

Mr Hazzard asked the Minister of Agriculture and Rural Development what steps her Department is taking to establish the recently announced Fishing Industry Taskforce.

(AQO 5836/11-15)

Mrs O'Neill: My Department's immediate focus has been on getting the Financial Assistance scheme together to ensure that early payments are made to the fishing industry. DARD will now canvas the local industry to establish membership of the Taskforce and draft terms of reference. The purpose of the Taskforce will be to undertake a fundamental examination of the challenges and opportunities facing the industry and to identify options for reform to help to ensure the future sustainability of the local fishing sector.

My Department and other Fisheries Administrations in Britain are making plans for a public consultation during April and early May about investment priorities for the European Maritime and Fisheries Fund. My aim is to have the Taskforce in place to participate fully in the consultation process.

Department of Culture, Arts and Leisure

Football: Infrastructure Projects

Mr Easton asked the Minister of Culture, Arts and Leisure whether the funding opportunities for Irish League football teams for infrastructure projects funded through the Irish Football Association and Sport Northern Ireland will be fair, balanced, and transparent.

(AQW 31879/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The Executive previously endorsed the development of sub-regional stadia as a priority area of spend in the next CSR period. Therefore funding for the future development of infrastructure projects for soccer has still to be secured and no decision on funding or timescale has yet been taken.

Any decisions will follow due process and be subject to the customary scrutiny and will be based on need.

Kelly Gallagher

Mr Weir asked the Minister of Culture, Arts and Leisure whether there are plans to formally recognise the achievements of Kelly Gallagher at the Winter Paralympics 2014.

(AQW 31915/11-15)

Ms Ní Chuilín: I have asked my officials to take forward the arrangement of a reception at the earliest possible date, to celebrate Kelly's outstanding achievement and to recognise all the athletes from the north of Ireland who were selected to represent Team GB at the Winter Olympic and Paralympic Games.

I have already publicly congratulated Kelly her on her tremendous success in winning a gold medal at the 2014 Winter Paralympic Games in Sochi and I look forward to meeting her personally in the near future.

Iontaobhas na Gaelscolaíochta

Mr D Bradley asked the Minister of Culture, Arts and Leisure how much total grant aid has Foras na Gaeilge provided to Iontaobhas na Gaelscolaíochta in Newry.

(AQW 32121/11-15)

Ms Ní Chuilín: Foras na Gaeilge has not provided grant aid to Iontaobhas na Gaelscolaíochta for projects in Newry, funding for Iontaobhas na Gaelscolaíochta comes from the Department of Education.

Creativity Month

Mr D McIlveen asked the Minister of Culture, Arts and Leisure for an update on Creativity Month.

(AQO 5844/11-15)

Ms Ní Chuilín: Creativity Month in March each year provides a platform across the North of Ireland for a diverse range of organisations to showcase creative and innovative approaches to tackling social and economic challenges.

Each year the initiative is getting bigger and involving a wider range of organisations across society. This year, a packed programme of over 150 events, workshops and conferences has been listed on the Creativity NI website. This site has been developed by DCAL's Creative Learning Centre in Derry to promote Creativity Month and highlight the transformative power of the creative and cultural sectors.

Events across the DCAL family include those in libraries, museums and PRONI. These range from networking events for the business community, lifelong long learning workshops for people of all ages; and activities supporting the STEAM agenda. Other organisations promoting events during Creativity Month include those from the wider cultural sector; higher and further education; and organisations championing the creative industries.

The Executive's draft Innovation Strategy has highlighted the importance of creativity and generating and sharing new ideas. Creativity Month can help to do this and moving forward I would like it to develop and grow as a major showcase of creativity to inspire new approaches and collaborations to grow the economy and tackle disadvantage.

Boxing: DCAL Funding

Mr Maskey asked the Minister of Culture, Arts and Leisure to outline any departmental investment made to boxing in relation to capital investment for facilities development.

(AQO 5851/11-15)

Ms Ní Chuilín: Under the Boxing Investment Programme, Sport NI, an arm's length body of my Department, has allocated £2.5M capital investment in relation to facilities development for boxing clubs.

In addition, DCAL will be providing capital investment of £1M for boxing organisations in Derry, under the City of Culture 2013 Legacy.

As part of the process to identify the needs for boxing, an IABA appointed technical team carried out technical surveys of 83 individual boxing clubs. Of these clubs surveyed, 76 clubs submitted applications to Sport NI for the Boxing Investment Programme.

Assessment of these applications took into account the technical survey recommendations and the criteria set out in the Programme. As a result, forty clubs have been awarded an indicative grant, with three clubs progressing to business case stage without an indicative grant. Sport NI is now working with these clubs to take forward the development of business cases to support the investment. The timescale for completion of smaller projects is October 2014 and larger projects is July 2015.

Thirty three applicants have not been given an award at this stage as there is insufficient budget. The total amount of investment needed for capital works, identified through the surveys for boxing clubs, is £9.1M. The Boxing Investment Programme can only be the beginning of investment in boxing across the north.

My Department is working with Sport NI and local councils to look at other options to help clubs.

Disabled Facilities: West Tyrone

Ms Boyle asked the Minister of Culture, Arts and Leisure to outline the sport, arts and creative industries facilities for the disabled in West Tyrone.

(AQO 5852/11-15)

Ms Ní Chuilín: There are a range of sports, arts and creative industries facilities and services that are available for the disabled in West Tyrone.

Examples of sports facilities in West Tyrone that have been supported by my Department (and Sport NI) include:

- Omagh Riding School for the Disabled, which I visited in July last year, and which provides therapy, achievement, social engagement and enjoyment to those that use the facilities;
- Bready Cricket Club's Centre of Excellence, which is fully accessibility for people with disabilities; and
- Eight disabled angling stands at Moor Lough constructed with assistance from DCAL's Inland Fisheries Group.

My Department and Sport NI work closely with Disability Sport NI to deliver guidance which provides best practice for those groups who are involved in the provision and management of sporting facilities. These guidelines help to ensure that all sports facilities are provided to achieve the best arrangements in terms of access for people with disabilities.

The Strule and Alley Arts Centres in West Tyrone are council run state of the art theatre, exhibition and conference facilities that are committed to addressing issues of social exclusion and social need. Both are fully adapted to meet the needs of people with disabilities with induction loop systems for those with hearing difficulties and modifications for the visually impaired. They offer year round programmes and activities that promote and facilitate creative activity.

My Department provides financial assistance through the Community Festivals Fund (CFF) and community groups that represent the disabled who can apply for this funding through their local district council. In 2013-2014 my Department awarded around £450,000 to the fund overall, of which around £40,000 went to the Tyrone area.

The Creative Industries Innovation Fund has supported companies to develop new products and services relevant to people with disabilities such as a publication exploring the links between autism and the physical design of schools. Furthermore, Creative Learning Centres, funded through NI Screen, provide a range of educational programmes which are accessible to people with disabilities. The Nerve Centre, in Derry, is the Creative Learning Centre which provides services to West Tyrone

Boxing: Discrimination Against Females

Mr Copeland asked the Minister of Culture, Arts and Leisure if she is aware of any discriminatory practices against females in local amateur boxing.

(AQO 5853/11-15)

Ms Ní Chuilín: I am not aware of any discriminatory practices against females in local amateur boxing.

I condemn discriminatory practice from whatever source, to whoever it is targeted, as it has no place in sport. If anyone has any evidence of discrimination it should be reported to the appropriate authorities.

One of the objectives of the Boxing Investment Programme is to increase female participation in boxing by 20% by 2015. In order to receive funding under this programme, boxing clubs must demonstrate in their club development plans how they intend to address this objective.

I would like to take this opportunity to congratulate Fiona Nelson, who trains at the City of Belfast Boxing Academy in East Belfast, on recently winning the 81+ kilogramme final at the All-Ireland Senior Elite Championships in Dublin. I understand that Fiona has now been invited to train with the Irish elite squad. This is a remarkable achievement and an incentive for more women to become involved in the sport.

City of Culture: Foyle Valley Gateway Master Plan

Mr McCartney asked the Minister of Culture, Arts and Leisure for an update on any investment for the Foyle Valley Gateway Masterplan as part of the City of Culture legacy.

(AQO 5854/11-15)

Ms Ní Chuilín: In October 2013 I announced that my Department will invest at least £2m towards the Daisyfield/Showgrounds element of the Foyle Valley Gateway Masterplan as part of the City of Culture capital legacy projects in 2014/15. Derry City Council is currently developing a business case for the project.

This investment is being made under my Department's top priority of 'Promoting Equality and tackling Poverty and Social Exclusion', and on the basis of targeting public resources at sectors of greatest inequality in areas of greatest objective need.

Stadia Redevelopment

Mr Douglas asked the Minister of Culture, Arts and Leisure for an update on the stadia redevelopment.

(AQO 5855/11-15)

Ms Ní Chuilín: Significant progress has been made recently across the programme with the appointment of the contractors for the Windsor Park and Casement Park projects in December 2013. Pre-construction design work is continuing at Windsor and Casement Park with a view to construction work commencing next month. Work at Ravenhill is nearly complete, with the venue capable of hosting a capacity crowd for the forthcoming Heineken Cup Quarter Final against Saracens.

My Department is liaising regularly with EU officials on the matter of State Aid and are confident of receiving an appropriate response, within a timeframe that will keep all projects on programme.

Performing Arts: DCAL Support

Mr McCarthy asked the Minister of Culture, Arts and Leisure what support she plans to provide to the performing arts.

(AQO 5856/11-15)

Ms Ní Chuilín: The Arts Council has recently awarded over £2.6 million to organisations within the dance and drama sectors of the north of Ireland for the 2014/15 year.

In addition, funding has been awarded to organisations within the youth and community arts sectors whose work aims to increase participation and access to a diverse range of performing arts within the community, for example, Streetwise Community Circus (£75,205) and Kids in Control (£50,704).

Funding has also been awarded to a number of projects which ensure that the performing arts are accessible for everyone examples include Replay Theatre's Bliss project (£30,000) and Cinemagic's film festivals and camps in the US (£20,000). DCAL also provided £10,000 seed support for The Arts & Disability Forum's first ever Bounce! Arts Festival in Belfast in 2012. Arts Council Capacity Funding of approximately £1,000 towards captioned performances was provided in 2013 and the Forum continues to receive Annual Funding for its activities from the Arts Council.

Belfast Festival at Queen's: DCAL Support

Ms Lo asked the Minister of Culture, Arts and Leisure to outline the level and extent of her Department's financial assistance to the Belfast Festival at Queen's.

(AQO 5857/11-15)

Ms Ní Chuilín: Funding provided to the Belfast Festival at Queen's through the Arts Council's annual funding programme over the past three years is as follows:

Year	Amount
2011/12	£195,000
2012/13	£195,000
2013/14	£189,150

In 2014/15 the Arts Council has committed to provide £189,150 to the festival.

Sign Language: DCAL Support

Ms Ruane asked the Minister of Culture, Arts and Leisure how her Department is supporting sign language.

(AQO 5858/11-15)

Ms Ní Chuilín: The role of funding, chairing and providing secretariat to the Sign Language Partnership Group falls to the Department of Culture, Arts and Leisure under its policy remit of promoting indigenous languages.

The Sign Language Partnership Group is a forum to bring together the various Government Departments and key Deaf organisations to improve access to public services provided by all departments for British Sign Language (BSL) and Irish Sign Language (ISL) users.

Since its formation the Sign Language Partnership Group has funded many projects from the Deaf community which have, among other achievements, increased the numbers of interpreters and Deaf tutors to improve accessibility to services for Deaf people, provided free British Sign Language and Irish Sign Language qualifications to Deaf people to redress the educational under achievement of many Deaf people and, provided free sign language classes to families with Deaf children to tackle what is effectively social exclusion within the family unit.

My Department has committed £109,000 to various Sign Language Partnership Group projects in 2013/14.

Department of Education

Schools: Attendance

Mr Beggs asked the Minister of Education to detail the number of parents and carers that have been fined as a result of children not attending school regularly, broken down by Education and Library Board, in each of the last three years.[R]
(AQW 31506/11-15)

Mr O'Dowd (The Minister of Education): The Education and Library Boards (ELBs) have advised that the number of parents and carers that have been fined as a result of children not attending school regularly in each of the last three years is as set out in the table below:-

ELB	Number of Parents / Carers Fined		
	2010-11	2011-12	2012-13
Belfast	*	*	*
Western	8	14	*
North-Eastern	*	*	13
South-Eastern	7	*	*
Southern	23	12	25

* denotes fewer than 5 cases, figure suppressed to avoid possible identification of individuals.

Schools: 3G Pitches

Mr Weir asked the Minister of Education what schools are under consideration for the construction or funding of a 3G sports pitch in their grounds.
(AQW 31549/11-15)

Mr O'Dowd: Please find listed below schools that are under consideration for the provision of 3G pitches:

BELB

- Finaghy Primary School *
- Christian Brothers Secondary School
- Dominican College
- Hazelwood Integrated College

WELB

Omagh High School/ Omagh Academy Grammar School

St Josephs High School, Londonderry

NEELB

- Whitehouse Primary School *
- St Marys Grammar School, Magherafelt
- St Patricks College, Maghera

SEELB

NIL

SELB

- Aghnacloy College
- Newry High School
- St Catherine's College, Armagh
- St Michael's Grammar, Lurgan

Those schools marked with an asterisk have applied for funding from sources other than the Department of Education or Education and Library Boards.

DE: Food Quality in DE Buildings

Mrs Dobson asked the Minister of Education what assurances he can give that meat processed in illegal animal slaughter and meat operations cannot be sold or served in schools or any of his Department's public buildings.
(AQW 31699/11-15)

Mr O'Dowd: The Food Standards Agency (FSA) is the central competent authority in matters of food safety and for ensuring that appropriate measures are taken to protect public health whilst District Councils are the enforcement authorities in the north of Ireland in relation to food safety.

The Department does not own any public buildings. The Department recognises that it is of particular importance that only meat sourced from approved suppliers should be made available to consumers including school children, employees and the wider public. Consequently, the Southern Education and Library Board and the Western Education and Library Board – which, respectively, hold the contracts for frozen meat products and fresh meat served in schools and ELB buildings – have in place rigorous controls to ensure that only meat which meets the required standards is supplied.

Both contracts are procured via an EU tender process led by the respective Board. It is a requirement that all meat supplied under these tenders must have been obtained from animals slaughtered in a licensed abattoir and have been inspected and passed fit for human consumption by an authorised officer. The premises used for the storing and preparation of meat and meat products must have EC approval and all meat supplied must be processed within the approved premises. The Board may inspect such premises prior to the award of any contract, and throughout the period of the contract. Suppliers must be able to trace individual carcasses to a batch reference number which must be put on beef packages supplied. Documentation to show full traceability of the product origin – including the abattoir and date of slaughter and the kill number – must also be available on request.

I would also note that, following the findings of horsemeat or horse DNA in the food supply chain in 2013, and reflecting advice from the FSA, I wrote to the Chief Executives of the ELBs to highlight that, whilst there is no evidence that products containing horsemeat or horse DNA pose a food safety risk, in circumstances where an ELB is made aware that mislabelled meat products are being supplied to schools immediate action must be taken by the ELB to ensure such products are withdrawn and removed from school menus. A similar letter was issued by my Department to principals of schools in the voluntary grammar and the grant maintained integrated sectors.

I have also agreed that the FSA will circulate to DE and the ELBs any communication in relation to the supply of mislabelled meat products so that early action can be taken as necessary.

Whilst it is the responsibility of the FSA to manage any risk to public health arising from food safety issues, appropriately and proportionately and in partnership with all other relevant authorities, my Department will continue to work with the FSA and all relevant parties, as appropriate, to ensure that it is kept informed at an early point of emerging food safety issues and any developments in this regard.

DE: Budget

Mr McKay asked the Minister of Education what consideration he has given to the need for preventative spending within his departmental budget.
(AQW 31811/11-15)

Mr O'Dowd: All of my departmental spending can be regarded as preventative as the money we spend in education, from early years through compulsory schooling and into youth services and other informal learning, is designed to help young people to achieve their full potential and to take their place as effective contributors to society and to our economy.

St. Colman's Primary School, Kilwarlin

Mrs D Kelly asked the Minister of Education whether he plans to provide school transport for pupils who had to transfer to St. Patrick's Primary School, Magheralin following the closure of St. Colman's Primary School, Kilwarlin.
(AQW 31895/11-15)

Mr O'Dowd: Determination of eligibility for assistance with school transport, and the form of that assistance, is made by the relevant Education and Library Board. I understand, from the South Eastern Education and Library Board, that it reassessed pupils transferring from St Colman's PS to St Patrick's PS by applying the Home to School Transport policy's criteria; namely, 'distance' and 'suitable school'. Following reassessment, eligible pupils were provided with assistance in line with the policy and with respect to the Board's duty to provide an efficient and economic service.

Schools: Fully or Partially-sold Sites

Mr Weir asked the Minister of Education to list the former school sites which have been fully or partially sold in each of the last three years; and the sale price in each instance.

(AQW 31986/11-15)

Mr O'Dowd: The responsibility for former school sites is dependent on the category of the school concerned. Education and Library Boards (ELBs) are responsible for school properties in the Controlled Sector. Voluntary Grammar, Maintained and Grant Maintained Integrated schools are owned by the Trustees of each school. Therefore when schools in these categories close it is the Trustees who make the decision on the further use or sale of the vacant property. Accordingly, I can only answer in respect of school sites falling within the Controlled Sector. The table below provides details as supplied by each of the ELBs:

ELB	School site	Full Sale	Partial Sale	Sale Price
2011/12				
BELB	Denmark Street Site	a		£50,000
	Elmgrove Land		a	£1,890
	Orangefield - land		a	£170,000
NEELB	Monkstown Community HS – piece of land		a	£2,000
SEELB	Hillhall PS	a		£500,000
	Drumbo PS	a		£270,000
	Lambeg PS	a		£360,000
	Legacurry PS	a		£82,500
WELB	Trillick PS	a		£87,000
	Duke of Westminster - Ballinamallard	a		£200,000
2012/13				
BELB	Forth Bridge HS (land)		a	£55,500
	Orangefield HS		a	£75,000
	Grove PS	a		£116,250
NEELB	Carnalridge PS		a	£15,000
WELB	Burnfoot PS	a		£100,000
2013/14				
NEELB	Abbots Cross PS		a	£2,500
	Ballee PS	a		£65,000
	Antiville PS	a		£45,000
	Monkstown Community School		a	£2,500
SEELB	Lower Ballinderry PS	a		£100,500
	Drumbeg Road site	a		£67,000
	Ballycloughan PS	a		£100,000
	Tor Bank SS	a		£1,000,000
	Newport PS	a		£90,000
WELB	Crevenagh Road		a	£40,000
SELB	Clougher Regional PS	a		£70,000

Former School Sites

Mr Weir asked the Minister of Education how many former school sites have been built on in each of the last three years.

(AQW 31987/11-15)

Mr O'Dowd: There has been only one occasion in the last three years where a new school has been built on a former school site. The construction of Bangor Grammar School was completed in 2013 on the former Bangor Academy Clanmorris site.

My Department does not own school sites. Land and Property Services provide valuations and guidance on the disposal of sites. However when a former school site has been sold my Department's involvement with it ends. I am not, therefore, in a position to comment on former school sites that have been sold and are no longer used for educational purposes.

Schools Enhancement Programme

Mr Kinahan asked the Minister of Education, in relation to his announcement made on 22 January 2013, which schools will receive funding through the Schools Enhancement Programme.

(AQW 31996/11-15)

Mr O'Dowd: On the 18 March 2014 I announced that 51 projects have now received the necessary approvals to proceed under the School Enhancement programme and I have recommended that design work on all of the projects commences immediately.

This investment is worth a potential £134 million, and will help to improve existing facilities and enable structural changes in the successful schools.

The list of the schools who have been informed their applications will proceed is as follows:

- | | |
|--|--|
| ■ Belfast Royal Academy | ■ Victoria College, Belfast |
| ■ St Malachy's College, Belfast | ■ St Joseph's Grammar School, Donaghmore |
| ■ Maine Integrated Primary School, Randalstown | ■ Methodist College, Belfast |
| ■ St Patrick's Grammar School, Armagh | ■ Knockevin Special School, Downpatrick |
| ■ Our Lady's Grammar School, Newry | ■ Sacred Heart Grammar School, Newry |
| ■ New-Bridge Integrated College, Banbridge | ■ St Aidans/St Bernadette's Primary Schools, Belfast |
| ■ Friends School, Lisburn | ■ De la Salle College, Belfast |
| ■ Acorn Integrated Primary School, Carrickfergus | ■ Broadbridge Primary School, Londonderry |
| ■ Dalriada School, Ballymoney | ■ Anahorish Primary School, Toomebridge |
| ■ Millennium Integrated Primary School | ■ St Bernard's Primary School, Newtownabbey |
| ■ St Michael's College, Enniskillen | ■ St Joseph's Primary School, Newcastle |
| ■ Belfast High School | ■ Killeen Primary School, Newry |
| ■ Sullivan Upper School, Holywood | ■ St Killian's College, Ballymena |
| ■ St Louis Grammar School, Ballymena | ■ St Mark's High School, Warrenpoint |
| ■ Mount Lourdes Grammar School | ■ Coleraine Academical Institution |
| ■ Ballyclare Secondary School | ■ Willow Bridge Primary School, Enniskillen |
| ■ Ballymoney High School | ■ New Buildings Primary School, Londonderry |
| ■ Erne Integrated College, Enniskillen | ■ Slemish College, Ballymena |
| ■ St Columb's College, Londonderry | ■ Strandtown Primary School, Belfast |
| ■ Malone Integrated College, Belfast | ■ St Mary's Grammar School, Magherafelt |
| ■ Rainey Endowed School, Magherafelt | ■ Wallace High School, Lisburn |
| ■ Ceara Special School, Lurgan | ■ Integrated College, Dungannon |
| ■ Donard Special School, Banbridge | ■ Loreto Grammar School, Omagh |
| ■ Rathore Special School, Newry | ■ Saintfield High School |
| ■ The Armstrong Primary School, Armagh | ■ St Patrick's Academy, Lisburn |
| ■ Millington Primary School, Portadown | |

Schools: Elluminate Software Programme

Mr Moutray asked the Minister of Education how many children have benefited from the use of the Elluminate software programme since 2011; and of these, to detail the pupil breakdown by Education and Library Board.

(AQW 32013/11-15)

Mr O'Dowd: Elluminate is the video conferencing tool provided to schools as part of the C2k managed service. It provides a variety of online e-learning opportunities and has been used to broadcast major curriculum events to a large number of pupils. It can also be used to link up with teachers in other schools as well as offering contact with pupils outside the mainstream setting.

I am advised that the typical daily usage of Elluminate, as at the end of February 2014, is approximately 350-400 participants from 200-300 schools taking part in 15-25 meetings per day. However, a single participant in a primary school is a teacher, who may have children participating as a class group, so numbers of children participating are impossible to estimate. For example, there were approximately 120 schools that used Elluminate to link in to two recent World Book Day events, but the actual number of pupils involved is unknown.

I wrote to all schools in September 2013 to encourage the use of the Elluminate software. However, as the Department of Education does not prescribe how teachers and schools should deliver the curriculum, the decision on how and when to use this software is made at school level.

Teachers: Certificate in Religious Education

Mr Kinahan asked the Minister of Education what authority his Department has to end the requirement that applicants for teaching posts within the Catholic maintained primary sector possess the certificate in religious education.

(AQW 32084/11-15)

Mr O'Dowd: The Department is not the employer of teachers and therefore has no power to end the requirement that applicants for teaching posts within the Catholic Maintained primary sector possess the Certificate in Religious Education. The requirement to have the Certificate is set by the Council for Catholic Maintained Schools rather than the Department.

South Eastern Education and Library Board

Mr Weir asked the Minister of Education to detail the (i) salaries; (ii) expenses; and (iii) other associated costs of the Commissioners at the South Eastern Education and Library Board in each year since their appointment in 2006.

(AQW 32098/11-15)

Mr O'Dowd: The South Eastern Education and Library Board has provided the following costs including daily fees, expenses and other associated costs made to the Commissioners in each financial year since their appointment on 6 July 2006.

Financial Year	Daily Fees ⁽¹⁾	Expenses ⁽²⁾	Other Costs ⁽³⁾
2006/07	75,746	4,447	1,279
2007/08	98,441	8,195	2,001
2008/09	72,852	4,909	1,711
2009/10	75,860	5,994	1,863
2010/11	71,731	4,727	477
2011/12	69,481	4,293	0
2012/13	73,064	5,272	0
2013/14	54,738	4,161	0

(1) Daily rate £500 including employers national insurance contributions

(2) Travel/mileage expenses

(3) e.g. daily subsistence, accommodation, car parking

Education: Entitlement Framework

Mrs Dobson asked the Minister of Education for his assessment of the view amongst Secondary School Principals that the withdrawal of Entitlement Framework funding will damage pupil subject choices, especially vocational subjects; and how he will ensure that the Entitlement Framework will be fully implemented by September 2015.

(AQW 32102/11-15)

Mr O'Dowd: The Entitlement Framework is about putting pupils first. I have supported schools in developing their curricular offer to meet the needs of pupils in an area. I have extended the additional support funding for the Entitlement Framework through to the end of the current budgetary period, the 2014/15 financial year.

Schools receive the majority of their funding through the LMS arrangements to deliver their statutory obligations including the revised curriculum. The additional Entitlement Framework funding is a contribution to the additional costs associated with developing an expanded curricular offer at Key Stage 4 and post-16. However, as with any earmarked fund it is time bound and the delivery of all aspects of the curriculum, including the Entitlement Framework, is ultimately intended to be undertaken within the schools' delegated budget allocations.

The budgetary pressures on schools were one of the key reasons I decided to introduce the Entitlement Framework on a phased basis.

Education: Entitlement Framework

Mrs Dobson asked the Minister of Education for his assessment of the impact the cessation of funding to enable schools to fully implement the Entitlement Framework will have on (i) pupil subject choices; and (ii) the academically valuable relations fostered between schools and local Further and Higher Education Colleges.

(AQW 32103/11-15)

Mr O'Dowd: The Entitlement Framework is about putting pupils first. I have supported schools in developing their curricular offer to meet the needs of pupils in an area. I have extended the additional support funding for the Entitlement Framework through to the end of the current budgetary period, the 2014/15 financial year.

Schools receive the majority of their funding through the LMS arrangements to deliver their statutory obligations including the revised curriculum. The additional Entitlement Framework funding is a contribution to the additional costs associated with developing an expanded curricular offer at Key Stage 4 and post-16. However, as with any earmarked fund it is time bound and the delivery of all aspects of the curriculum, including the Entitlement Framework, is ultimately intended to be undertaken within the schools' delegated budget allocations.

The budgetary pressures on schools were one of the key reasons I decided to introduce the Entitlement Framework on a phased basis.

DE: Equal Opportunities Policy

Mr Kinahan asked the Minister of Education how his Department's equal opportunities policy for teachers (TNC 2009/2) affects the employment policy of the Council for Catholic Maintained Schools, which states that teachers can only be appointed to a Catholic Maintained nursery or primary school if they hold a recognised Certificate in Religious Education. (AQW 32110/11-15)

Mr O'Dowd: TNC 2009/2 Equal Opportunities Policy For Teachers In Schools is the policy which governs equal opportunities for teachers in schools, agreed by Employers/Employing Authorities/DE and Teachers' Unions. This policy makes reference to Article 71 of the Fair Employment and Treatment Order (NI) 1998. The Office of the First Minister and deputy First Minister has responsibility for this legislation.

Education and Library Boards: Pay and Allowances

Mr Kinahan asked the Minister of Education to explain the delay in implementing the 1 per cent rise in pay and allowances for Education and Library Board staff agreed by the Joint Negotiating Council in July 2013. (AQW 32113/11-15)

Mr O'Dowd: The Finance Minister approved the 2013/14 pay remit for the main group of Education and Library Board (ELB) staff on 6 February 2014. ELBs are now processing the payment of the incremental arrears and the 2013 National Joint Council 1 per cent pay award. Each ELB is working diligently towards completion of this exercise. All ELB's will have completed this work by July 2014 or sooner, if possible.

Brackenagh West Primary School, Kilkeel: Transport

Mr Wells asked the Minister of Education why the Southern Education and Library Board has reduced the number of buses providing transport to Brackenagh West Primary School, Kilkeel. (AQW 32119/11-15)

Mr O'Dowd: This is a matter for the Southern Education and Library Board. However, I am advised by the Southern Education and Library Board (SELB) that as part of a routine review of Home to School Transport services in the Kilkeel area, the Board has identified a number of potential opportunities to organise the provision of its school transport fleet more efficiently. A number of non-eligible pupils currently avail of concessionary transport to Brackenagh West Primary School and the SELB anticipates that from September 2014 the number of spare seats available to non-eligible pupils for concessionary transport will decrease. School transport will continue to be provided for eligible pupils to Brackenagh West Primary School and the Board has written to the parents of the non-eligible pupils to advise them that concessionary transport will not be available from September 2014 and that from this date the responsibility for transporting their children to and from school will revert to the parents.

The SELB has a statutory obligation to provide transport only to eligible pupils. To provide a bus service solely to accommodate ineligible pupils would incur unreasonable public expenditure which the SELB would be unable to justify.

The SELB recently met with local political and school representatives on the issue and has committed to an ongoing programme of engagement with the local community until the final configuration of services has been determined.

School Enhancement Programme

Mr McGlone asked the Minister of Education to list the start dates for construction of each of the schools announced for investment under the Schools Enhancement Programme on 18 March 2014. (AQW 32126/11-15)

Mr O'Dowd: As you note, on 18 March 2014 I announced 51 projects to proceed in planning under the School Enhancement Programme.

All the projects are at an early stage; Economic Appraisals have been approved and work has commenced to appoint design teams. The first task of the design teams will be to consider work programmes for the design and construction phases and agree these with the school authorities. Until this process is complete it will not be possible to confirm dates for commencement of construction works.

Immaculate Conception College, Derry: Teacher Redundancies

Mr P Ramsey asked the Minister of Education to outline the rationale for teacher redundancies at Immaculate Conception College in Derry.

(AQW 32172/11-15)

Mr O'Dowd: I have no doubt that you are aware my Department has no role in deciding staffing levels at Immaculate Conception College, Derry.

It is the Council for Catholic Maintained Schools (CCMS), and not my Department, that employs teachers at Immaculate Conception College. The Board of Governors of Immaculate Conception College in Derry are reviewing their staffing levels in line with normal redundancy procedures.

Schools: Attendance

Mr Weir asked the Minister of Education to detail the level of absenteeism that needs to be reached before formal intervention is triggered.

(AQW 32186/11-15)

Mr O'Dowd: Education and Library Boards have statutory duties in relation to attendance. These are taken forward through the work of the Education Welfare Service (EWS). Schools should refer pupils if there is a cause for concern or if a pupil's attendance is less than 85%.

Education Initiatives

Ms Boyle asked the Minister of Education to outline the importance of education initiatives such as the recently launched Play Together, Learn Together project.

(AQO 5865/11-15)

Mr O'Dowd: All the evidence tells us that the early years are the most important phase of a child's learning and development. This early learning and education does not begin and end in school.

Programmes which support parents to provide positive and stimulating learning activities for their children, and which engage parents in an active way in their child's development are very important if we are to ensure that all children can reach their full potential.

I was pleased to be able to accept an invitation to see the 'Play Together, Learn Together' programme, developed by Galliagh Nursery School. The project is funded through the Extended Schools Programme, and is aimed at parents and their children in their penultimate pre-school year. During my visit I could see firsthand the interaction between the children and their parents and could see the benefits of this type of provision being provided in local early years settings where qualified staff are on hand to help, support and encourage meaningful interaction.

These benefits go beyond what happens in the setting. Parents are able to build on the knowledge they have gained to promote learning at home through a range of play based activities, routines and experiences.

Visiting the 'Play Together, Learn Together' programme highlighted again for me the vital role that parents have in their children's current and future development. I will ensure that my Department continues to support appropriate interventions which help enable and empower parents to be their child's first and ongoing educator.

BT Young Scientist and Technology Exhibition

Mr Sheehan asked the Minister of Education what action his Department can take to increase local participation in the annual BT Young Scientist and Technology Exhibition in Dublin.

(AQO 5867/11-15)

Mr O'Dowd: The promotion of STEM subjects is one of my Department's priorities and I have been taking significant action on a number of fronts to ensure that STEM subjects are seen as exciting, stimulating and fulfilling by our young people. This includes sponsoring annual competitions and exhibitions such as the BT Young Scientist and Technology Exhibition. However it must be remembered that uptake of competitions and events are essentially a decision for individual schools to determine.

Currently my Department provides annual funding of £30k per annum to the BT Young Scientist and Technology Exhibition, and this is used by BT to assist with PR, accommodation grants, the prize fund and north of Ireland specific marketing activity.

To demonstrate its support for the event, my Department promotes the competition directly to schools and an annual reception is held at Parliament Buildings, prior to the finals in Dublin, in recognition of all north of Ireland schools that have entered the competition.

In addition the Department also works with BT to maximise media coverage at key points in the competition's calendar; such as at the entry stage and at the time of the finals in Dublin.

In the coming year I hope to build on this communications effort to encompass not just the BT Young Scientist Event, but also to target 'Sentinus Young Innovators', another successful competition that is sparking a passion in STEM subjects among our young people.

I am also reviewing the potential cost barriers associated with schools from the north that qualify for the final in Dublin, with the aim of identifying possible options for additional support to BT's bursary scheme for travel and accommodation costs.

Education: Performance Indicators

Mr McMullan asked the Minister of Education how his Department can help establish appropriate value-added performance indicators in the education system.

(AQO 5869/11-15)

Mr O'Dowd: The new assessment arrangements introduced for Communication and Using Maths, and in due course, for Using ICT, include an expectation that, as well as achieving the expected level by the end of each Key Stage, pupils will progress by at least one level between each Key Stage. By capturing the progress made by pupils between each Key Stage, the new assessment arrangements provide a measure of 'value-added'.

School Inspection reports published by the Education and Training Inspectorate also provide a measure of 'value-added' by providing a qualitative, in-depth assessment of a school's provision, taking account of the context within which the school operates.

As I outlined in my 11 March statement, I have asked my officials to undertake further work on a potential basket of performance measures, both for schools and the system overall. We want to explore, with the help of teachers and school leaders, whether we can come up with an approach that would allow us to draw more sophisticated conclusions about the quality of our system than are possible from looking purely at exam results or assessment outcomes.

The challenge of measuring the wider value of schooling is one that is being grappled with in many countries – and with varying degrees of success.

Schools: Capital Funding

Mr Douglas asked the Minister of Education to outline his plans for the capital funding for the recently approved development proposals in the Controlled Sector.

(AQO 5870/11-15)

Mr O'Dowd: The next tranche of capital funding for schools' projects will be allocated on the basis of an assessment of need. The process used to assess need will include an assessment of the standard of existing accommodation as well as the degree to which the project would assist with progressing agreed rationalisation within the schools' estate.

GCSEs/A Levels

Mr F McCann asked the Minister of Education to outline the timeline for the implementation of the recommendations included in the recent review of GCSEs and A levels.

(AQO 5871/11-15)

Mr O'Dowd: I have accepted the forty nine recommendations of the Fundamental Review and tasked my officials to work with CCEA and other stakeholders to organise the implementation of the thirty recommendations that call for action. Given the range of work involved, the timescales for implementation will vary.

CCEA has begun revising A level and GCSE specifications. These will be available for first teaching in September 2016 and September 2017 respectively.

Building on the excellent work of the Expert Group from January to June 2013 which CCEA facilitated, I have asked that Group to begin its thinking and development of options on a long term qualifications strategy for the north of Ireland.

This longer term piece of work will help inform my vision of qualifications in the next decade.

Education: Computer-based Assessment

Mr G Kelly asked the Minister of Education what steps his Department is taking to introduce a centrally developed computer-based assessment tool to be used for diagnostic purposes.

(AQO 5872/11-15)

Mr O'Dowd: The 2013 OECD survey of our assessment and evaluation systems referred positively to the CBA policy, although the report recognised the difficulties that implementation has faced in recent years. It would be a missed opportunity if we were to walk away from this policy or its benefits based on a poor experience in 2012.

I have tasked the Department and CCEA to look at the feasibility of producing a long-term state owned CBA amongst a number of other options. A key aspect of this work will be fully (and visibly) engaging schools in designing an assessment suited to their needs.

Department for Employment and Learning

University of Ulster: Staff

Mr Allister asked the Minister for Employment and Learning to detail (i) how many new staff in the University of Ulster have been appointed on or after 1 June 2004; (ii) how many have undertaken the programme of development designed to support their professional role in the University, and (iii) the success and failure rate of those who undertook the programme broken down by staff category, development activity and completion.

(AQW 31688/11-15)

Dr Farry (The Minister for Employment and Learning): My Department provides funding to the Higher Education Institutions for teaching and learning and research purposes. The University is responsible for its own policies and procedures, including training and development for its staff members.

As my Department does not hold the information you have requested I have asked officials to refer your questions to the University of Ulster so that it can respond to you directly on these matters.

University of Ulster: Staff

Mr Allister asked the Minister for Employment and Learning to detail the results of staff in the University of Ulster that have been appointed from June 2010 and have undertaken the programme of development designed to support their professional role in the University, broken down by staff category, development activity and completion.

(AQW 31693/11-15)

Dr Farry: My Department provides funding to the Higher Education Institutions for teaching and learning and research purposes. The University is responsible for its own policies and procedures, including training and development for its staff members.

As my Department does not hold the information you have requested I have asked officials to refer your questions to the University of Ulster so that it can respond to you directly on these matters.

Pension Schemes Contribution: DEL

Mr Dallat asked the Minister for Employment and Learning to detail (i) the amount of money contributed to pension schemes for senior management within his Department; and (ii) the number of employees involved, in the last five years.

(AQW 31761/11-15)

Dr Farry: The annual departmental contribution to pension schemes for senior management and the total number of employees involved across each financial year are detailed below:

Year	Total Departmental Contribution to Pension Scheme	Total number of employees involved
2008/09	£68,380.10*	13
2009/10	£177,098.76	16
2010/11	£205,728.71	12
2011/12	£210,820.06	14
2012/13	£218,382.57	14

* This figure covers the period Nov 08 – March 09 only as information prior to this date is not available.

The total number of employees involved during each financial year includes any Senior Staff who:

- were temporarily promoted into the Senior Civil Service;
- have retired or resigned from the Department and their replacements who joined the Department;
- transferred out of the Department and their replacements who have transferred into the Department;
- were on secondment.

Formal Grievances: DEL

Mr McQuillan asked the Minister for Employment and Learning to detail (i) how many formal grievances are being dealt with; (ii) how long each of these grievances have been ongoing; (iii) if any have taken longer than the timescale quoted in the Northern Ireland Civil Service Code of Practice; and if so (a) how much longer; and (b) what are the extenuating circumstances that have led to the additional timescale.

(AQW 31805/11-15)

Dr Farry:

- (i) The Department for Employment and Learning (DEL) is currently dealing with 7 formal grievances.
- (ii) The period for which each grievance has been ongoing is included in the following table:

Period for which Grievance has been ongoing	
Grievance 1	1 month
Grievance 2	1 month
Grievance 3	1 month
Grievance 4	2 months
Grievance 5	4 months
Grievance 6	6 months
Grievance 7	19 months*

* Grievance process put on hold at request of individual.

- (iii) While there are deadlines for meetings and processes within the Grievance policy, there is no overarching timescale for completion. The objective of the policy is to resolve a grievance “as quickly as possible”. The timescale can be affected by various factors including unavailability of participants and witnesses due to sick absence, leave or diary commitments at all stages of the process, the need to carry out further enquiries after the original investigations, and the number and timing of appeals. Departmental Human Resources has in place processes to monitor the progress of grievances and ensure these are dealt with in a timely manner taking account of the particular circumstances of the case.

Stranmillis University College; Workplace Bullying

Mr Allister asked the Minister for Employment and Learning to detail how many members of staff at Stranmillis University College have made informal approaches to the human resource department over the past year in relation to workplace bullying issues.

(AQW 31902/11-15)

Dr Farry: As my Department does not hold this information, I asked Stranmillis University College to provide the response. The College's response is as follows:

“Stranmillis University College is committed to providing a working and learning environment in which staff and students can fulfil their personal potential. Every individual in the College community should be treated with dignity and respect. Where work related disputes and issues arise the College is committed to working with and supporting staff to find constructive solutions that facilitate effective working relationships.

The College does not hold the detail of the numbers of staff who have made informal approaches to our Human Resource Department over the past year in relation to workplace bullying issues.”

Stranmillis University College: Sahlberg International Panel

Mr Allister asked the Minister for Employment and Learning why has the final version of the submission by Stranmillis University College to the Sahlberg panel not been published.

(AQW 31903/11-15)

Dr Farry: When the call for submissions, under the Review of Initial Teacher Education Infrastructure was made, Stranmillis University College and other potential respondents were advised that a summary report of the responses would be published on my Department's website. The summary report will publish shortly.

It is a matter for Stranmillis University College on whether it wishes to publish its submission to the Review Panel.

Stranmillis University College: Sahlberg International Panel

Mr Allister asked the Minister for Employment and Learning to detail (i) why staff were not informed about the visit of the Sahlberg international panel to Stranmillis University College on 24 February 2014; and (ii) staff have been given no feedback on this visit.

(AQW 31905/11-15)

Dr Farry: As I advised in my answer to this question in the Assembly on 10th March, these issues are matters for Stranmillis University College. It is the board of governors that has the responsibility for running the college, and it is with the board of governors and the Principal that the Department has direct liaison on all issues relating to the Review of Initial Teacher Infrastructure in Northern Ireland.

Stranmillis University College: Sahlberg International Panel

Mr Allister asked the Minister for Employment and Learning why was the final version of the submission by Stranmillis University College to the Sahlberg panel not shown to the academic leadership team; and why was it redrafted without recourse to that team.

(AQW 31906/11-15)

Dr Farry: As I advised in my answer to this question in the Assembly on 10th March, these issues are matters for Stranmillis University College. It is the board of governors that has the responsibility for running the college, and it is with the board of governors and the Principal that the Department has direct liaison on all issues relating to the Review of Initial Teacher Infrastructure in Northern Ireland.

University Applications

Mr P Ramsey asked the Minister for Employment and Learning, pursuant to AQO 275/11-15, to provide an update for each year since 2011.

(AQW 31935/11-15)

Dr Farry: As my Department does not hold the information you have requested it was necessary for officials to contact the University of Ulster.

The table below details the information provided by the University.

	2011	2012	2013
NI Applications	5,786	6,458	6,655
NI Applicants	4,075	4,483	4,823
Total Accepted	1,111	1,356	1,423
NI Accepted	727	898	1,007

Maximum Allocated Student Number Places

Mr P Ramsey asked the Minister for Employment and Learning to detail the cost per student of a Maximum Allocated Student Number place.

(AQW 31936/11-15)

Dr Farry: The amount of annual teaching grant which my Department pays to Northern Ireland universities recognises that different subjects require different levels of resource and may therefore be more expensive to deliver. Each subject is accordingly assigned to one of four price groups, A to D.

In the current academic year 2013/14, the average amount of grant allocated under each of these groups, for a full-time undergraduate place subject to Maximum Student Number (MaSN) control, is shown in Table A overleaf. Also shown is the estimated cost of student support for each full-time undergraduate place. This should be added to the teaching grant cost.

Table A

Price Group	Course Type	Average 2013/14 Grant	Estimated Student Support	Total Cost
A	The clinical stages of medicine and dentistry courses	£15,857	£3,601	£19,458
B	Laboratory-based subjects (science, pre-clinical stages of medicine and dentistry, engineering and technology)*	£5,936	£3,601	£9,537
C	Subjects with a studio, laboratory or fieldwork element	£4,186	£3,601	£7,787
D	All other subjects	£2,885	£3,601	£6,486

* includes Science, Technology, Engineering and Mathematics (STEM) subjects

Exploris

Mr McGlone asked the Minister for Employment and Learning whether his Department has received a revised Business Plan from Ards Borough Council regarding the future of Exploris; and if so, to detail the steps that will be taken following consideration.

(AQW 31945/11-15)

Dr Farry: My Department has not received a revised Business Plan from Ards Borough Council regarding the future of Exploris.

Careers Education

Mr Lyttle asked the Minister for Employment and Learning for his assessment of the CBI's Evaluation of Education and Employer Partnerships in Northern Ireland report that recommends (i) the need for a sea-change in careers education, information, advice and guidance (CEIAG) in schools; (ii) the need for greater prioritisation of CEIAG by the Minister, his Department, head teachers and business; (iii) that all CEIAG teachers should have an up to date professional qualification to deliver CEIAG; (iv) enhanced and mandatory work experience for pupils during holidays; (v) a UCAS style system for vocational routes such as apprenticeships and other non-academic pathways; and (vi) access to user friendly Labour Market Information for teachers, parents and children.

(AQW 31992/11-15)

Dr Farry: I welcome the report and thank the CBI for taking the time to conduct such a thorough and incisive study of this important issue.

On 24 November 2014 during the debate on the Employment and Learning's inquiry report into careers I announced to the Assembly that Minister O Dowd and I had agreed to conduct a formal review of careers during 2014.

Many of these issues highlighted in the CBI report, also feature in the Committee for Employment and Learning Inquiry report, so the review has now got a sound evidence base on which to proceed. All of the issues you have raised will be considered as part of the review process.

Ensuring that good quality advice and guidance is provided to individuals at key points in their careers is of paramount importance to ensure that Northern Ireland has the skilled workforce needed to grow our economy and to compete for investment on a global stage.

Universities and FE Colleges: Maximum Allocated Student Number Places

Mr Weir asked the Minister for Employment and Learning to detail (i) the maximum allocated student numbers, in each of the last 5 years; and (ii) any plans to alter them.

(AQW 32017/11-15)

Dr Farry: The Maximum Student Number (MaSN) allocations to the Northern Ireland universities and Further Education Colleges (for higher education in further education provision) in each of the last 5 academic years have been as follows:

Academic Year	MaSN Allocation		
	Universities	FE Colleges	Total
2009/10	23,954	3,833	27,787
2010/11	23,979	3,833	27,812
2011/12	23,930	3,833	27,763
2012/13	23,935	3,856	27,791
2013/14	24,258	4,040	28,298

As previously indicated, I intend to increase the MaSN cap at the Northern Ireland universities by 403 places in academic year 2014/15 and by a further 144 places in academic year 2015/16.

I also now intend to increase the number of MaSN controlled higher education places at Northern Ireland Further Education Colleges by 146 places in academic year 2014/15 and by a further 24 places in academic year 2015/16.

Education: Review of Post 19 Special Educational Needs

Mr McMullan asked the Minister for Employment and Learning (i) for an update on the Review of Post 19 Special Educational Needs specifically in regard to (a) further educational needs; (b) the disability employment service; (c) transitions; and (ii) to detail the progress made in North and East Antrim.

(AQW 32165/11-15)

Dr Farry: My Department remains committed to ensuring that all students with learning difficulties and/or disabilities, who have the ability to participate in further education provision, can access quality educational opportunities. I am content that further education colleges continue to provide such opportunities, including those which serve communities in North and East Antrim.

As access to provision can be an issue, especially in rural areas, I instructed my officials to examine access to transport for students with a learning difficulty and/or disability. We will consider the need for further action once this initial piece of work is complete.

The Disability Employment Service (DES) is playing its part to ensure that young people with disabilities are provided with the tailored support and assistance they need to help them achieve their employment goals. A strategic review of the DES is underway. To inform this review, an overarching Disability Employment Strategy is being developed with the aim of having

a draft Strategy available by May 2014, which will then be subject to a public consultation. A Working Group, including key representatives from the local disability sector, has been established to help take this forward. In addition, user engagement events will help ensure that the views of people with disabilities inform the strategy's development.

A pilot project between the DES and the Northern Regional College network is in its second year. The pilot's focus is on young people with a learning disability or difficulty attending their local FE College. The employment related outcomes are very promising and this partnership work will continue in this area.

My officials are engaging with Health colleagues regarding Health and Social Care Board plans to review their day opportunities provision and how we, with others, can work together to facilitate improving the Transition services. I have also raised the issue of post 19 provision, in particular the process of transition, at the Inter Departmental Ministerial meeting on Mental Health and Learning Disability. Following this, my Department is chairing an inter Departmental group which is considering the matter further, and this group will report back to Ministers in the coming months.

My Department's Careers advisers are actively involved in the transition planning process. In North Antrim, the Careers Service has a partnership agreement in place with Castletower Special School and in East Antrim the Careers Service has partnership agreements in place with Jordanstown School and Hillcroft, Rostulla, Roddensvale, and Thornfield Special Schools. Careers Advisers have delivered a range of careers guidance interventions with these schools, including support for transition planning, annual review meetings and parents' evenings.

My Department's Training for Success programme provides a guarantee of a training place to those who are unemployed and in the 16 & 17 year old age group, with extended eligibility criteria for those aged under 22 with a disability.

Finally, the Employment and Learning Committee is undertaking an inquiry into post Special Educational Need Provision in education, employment and training for those with Learning Disabilities in Northern Ireland. Its findings will help inform my Department's future strategic direction across a range of provision.

Department of Enterprise, Trade and Investment

Ministerial Appointments to Public Bodies: DETI

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment how many ministerial appointments to public bodies have been made by her Department since May 2011; and of these, to detail how many were made to (i) males; (ii) females; and (iii) the organisations to which appointments were made.

(AQW 31627/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): Ministerial Appointments (A) / Re-appointments (R) made since May 2011

Body	Start date	Male	Female
Northern Ireland Tourist Board	1/7/11 R	1	1
Health & Safety Executive for Northern Ireland	1/10/11 R	4	-
Invest Northern Ireland	1/1/12 A	1	-
Consumer Council for Northern Ireland	1/1/12 A	3	1
Consumer Council for Northern Ireland	1/1/12 R	2	-
Northern Ireland Tourist Board	1/1/12 R	5	-
Northern Ireland Tourist Board	1/2/12 A	1	1
Agri-Food Strategy Board (appointments made jointly with DARD)	20/2/12 A	1	-
Invest Northern Ireland	1/4/12 A	3	1
Agri-Food Strategy Board (appointments made jointly with DARD)	1/5/12 A	8	-
Consumer Council for Northern Ireland	1/8/12 R	1	3
Health & Safety Executive for Northern Ireland	1/10/12 A	4	1
Northern Ireland Tourist Board	1/7/13 A	1	1
Health & Safety Executive for Northern Ireland	1/11/13 A	-	1
Appointments		22	6
Re-Appointments		13	4
Total		35	10

One Plan: International Data Centre

Mr Eastwood asked the Minister of Enterprise, Trade and Investment for an update on the establishment of an International Data Centre as detailed in Derry's One Plan.

(AQW 31677/11-15)

Mrs Foster: Data Centre provision remains an important infrastructure element to the development of the ICT sector both in Londonderry and across Northern Ireland as a whole. As detailed in the One Plan itself, the opportunity and challenge is over a timeframe of 2-3 years with a funding requirement of around £50 million coming from the private sector.

Northern Ireland currently does not any significant/large scale colocation Data Centres with only a small number of companies offering server space which tend to be relatively small and limited, with all major websites hosted via larger data centres in Dublin or Great Britain.

Invest NI will continue to work with stakeholders to develop the local proposition and strengthen the ICT sector opportunity and encourage private sector Data Centre providers to consider suitable locations across Northern Ireland.

Tourism

Mrs Dobson asked the Minister of Enterprise, Trade and Investment to detail the (i) amount her Department has spent on promoting Northern Ireland as a tourist destination in each of the last three years; (ii) media companies contracted; and (iii) the countries in which these media companies promoted Northern Ireland.

(AQW 31806/11-15)

Mrs Foster:

- (i) My Department, through NITB and Tourism Ireland, has spent the following amount on promoting Northern Ireland as a tourism destination in each of the last 3 years:

2010-11	£15.707million
2011-12	£19.471million*
2012-13	£14.037million

* Includes additional £4.7million for promotion of "ni2102 – Your Time, Our Place" campaign.

- (ii) The Northern Ireland Tourist Board has contracts in place with the following agencies:

AV Browne Group Ltd; and
Duffy Rafferty Communications.

- (iii) Tourism Ireland has contracts in place with the following agencies:

Publicis;
Carat; and
Hugo and Cat.

The Northern Ireland Tourist Board is responsible for promoting and marketing Northern Ireland as a tourist destination in Northern Ireland and the Republic of Ireland.

Tourism Ireland is responsible for promoting Northern Ireland in over 20 markets across the world including Great Britain. Priority markets this year will be Great Britain, the United States, Australia, Germany and France.

DETI: Budget

Mr McKay asked the Minister of Enterprise, Trade and Investment what consideration she has given to the need for preventative spending within her departmental budget.

(AQW 31851/11-15)

Mrs Foster: There are a number of areas of preventative spending within DETI:

- DETI's (cross-cutting) work on the development of an Executive Financial Capability Strategy and Action Plans. DETI's budget commitment in this area relates to the staff costs of developing the Strategy and Action Plans, and the further area of spend below with respect to debt advice. All other actions fall to other departments to deliver; and
- The provision of £1 million each year of free debt advice services via the Debt Action NI contract, delivered by Advice NI. DETI receives a contribution of £0.783 million each year towards the cost of this contract from the Money Advice Service.
- One of the NDPBs sponsored by DETI is HSENI and in 2013/14 its total funding amounted to approximately £6.5m, with roughly £5.5m to cover staff and operating costs and £1m to cover promotion, information and advisory services. HSENI's mission is "to significantly reduce the number of work-related fatalities, injuries and cases of ill health in Northern Ireland." All of the funding of HSENI could therefore be regarded as "preventative spending" as all of its activities are aimed at behavioural, educational or legislative interventions (much of it carried out on a partnership basis) designed to reduce the risk of mental and physical illness, disability or premature death as a result of work-related activities and also to promote long-term physical and psychological well being in the workplace. Examples of recent activities include work on farm safety through the Farm Safety Partnership, work on promoting health in the construction industry through the BuildHealth initiative, raising awareness of the risks of carbon monoxide poisoning

in conjunction with the gas industry, raising awareness of the hazards of asbestos amongst trades persons, assisting, through mentoring and other activities, small businesses to manage health and safety at work well, and assisting organisations to identify and manage work-related stress in the workplace. Most of HSENI's activities involve a promotional, educational, legislative and enforcement element and many are carried out in partnership with relevant stakeholders.

Minister of Enterprise, Trade and Investment: Meetings with Minister for Communications, Energy and Natural Resources

Mr Flanagan asked the Minister of Enterprise, Trade and Investment to detail (i) the dates on which she met with the Minister for Communications, Energy and Natural Resources; (ii) where the meetings took place; and (iii) the matters discussed at each meeting.

(AQW 32002/11-15)

Mrs Foster: I have met with the various Ministers for Communications, Energy and Natural Resources on a number of occasions over the years and at a range of venues across the United Kingdom. Meetings and discussions have taken place under various arrangements such as the British Irish Council Energy Ministers Meeting and Summit and the CBI-IBEC Joint Business Council. We have also met in circumstances where we have been guest speakers at events such as the CBI-IBEC All-Island Energy Event. Our discussions at these meetings cover a range of energy issues, including the North South Interconnector, security of supply and markets arrangements for gas and electricity.

Hotel Carlton, Belleek

Mr Flanagan asked the Minister of Enterprise, Trade and Investment to detail the efforts she has made to secure the reopening of Hotel Carlton, Belleek.

(AQW 32007/11-15)

Mrs Foster: Invest NI Tourism Team has met with the new owner of the Hotel Carlton in Belleek and has outlined the support which could be available for the redevelopment and reopening of the hotel.

While no application for support has been received, Invest NI would be happy to consider any proposal from the owner.

Broadband

Mrs Dobson asked the Minister of Enterprise, Trade and Investment how her Department is ensuring that those who live in an area with low or no broadband speeds are made aware of the Northern Ireland Broadband Improvement Project and its potential to improve speeds by 2015.

(AQW 32051/11-15)

Mrs Foster: A detailed survey and design process for the Northern Ireland Broadband Improvement Project is currently underway. My Department is conscious of the need to make people aware of the project as it is implemented. We are actively pursuing the use of websites, including nirect and local press activity, as methods of informing consumers when services will become available in their area.

Broadband

Mrs Dobson asked the Minister of Enterprise, Trade and Investment for her assessment of the potential of the Northern Ireland Broadband Improvement Project to improve speeds for people who currently live or work in an area with low or no broadband speeds.

(AQW 32066/11-15)

Mrs Foster: The Northern Ireland Broadband Improvement Project announced on 7th February, will bring more choice and improve speeds to over 45,000 premises across Northern Ireland. It aims to provide improvements in access to a basic fixed line broadband service of 2Megabits per second and to increase the availability of superfast broadband of 24Megabits per second, or more. It is a significant step in making broadband services more widely available to citizens and businesses.

Department of the Environment

Housing Associations: Planning Applications

Mr Copeland asked the Minister of the Environment how many planning applications have been submitted by Housing Associations for (i) one; (ii) two bed units, over each of the last five years.

(AQW 30611/11-15)

Mr Durkan (The Minister of the Environment): In total there were 438 applications for residential proposals submitted by Housing Associations from the 1st April 2008 to 30th September 2013. These are laid out in table 1 below.

To establish the number of bedrooms in each of the 438 proposals identified would require a manual inspection of the drawings of all the files identified. This inspection would require a disproportionate effort and the diversion of staff from other duties for an unreasonable period of time and therefore is not feasible.

Table 1 - Residential Planning applications submitted by Housing Associations² from 1 April 2008 to 30 September 2013

	2008/ 09	2009/ 10	2010/ 11	2011/ 12	2012/ 13	2013/ 14 (up to Q2) ³	Total
New single urban dwellings	0	3	5	3	8	0	19
Replacement single urban dwellings	0	0	2	1	1	1	5
Urban Extensions and alterations	15	8	16	12	14	2	67
Replacement single rural dwellings	0	0	1	0	0	0	1
Housing developments ⁴	44	39	71	62	41	23	280
Other ⁵	17	12	15	11	8	3	66
Total	76	62	110	89	72	29	438

Notes:

1. Residential applications include housing, holiday chalets, sheltered housing, mobile homes, caravans, domestic extensions and residential or nursing homes.
2. Applications submitted by Housing Associations were determined by searching for specific applicants, based on the list of registered Housing Associations in Northern Ireland on the NI Direct website: <http://www.nidirect.gov.uk/index/contacts/contacts-az.htm/housing-associations-contact>
3. Up to Q2 of 2013/14 is our latest published information.
4. Housing developments also include apartments.
5. Other includes temporary buildings, change of use and renewal of planning permissions.

Planning Application: Pre-application Discussions

Mr Weir asked the Minister of the Environment what is the average time taken for the pre-application discussion stage of a planning application.
(AQW 31318/11-15)

Mr Durkan: Pre-application discussions take various forms, both informal and formal and can improve greatly the processing times for planning applications.

Informal discussions can take the form of an applicant calling into the local planning office for a discussion with a planner and by their nature are not recorded formally. More formal discussions can be recorded on the Planning Portal but often lack detailed information which would enable an average time to be calculated.

Information on average time taken for the pre-application stage is not therefore available as this information is not routinely collected or verified.

The current formal Pre-Application Discussions (PAD) process is laid out in Information Leaflet 14: Guidance on Pre-Application Discussions for Strategic Projects and Major Housing, Commercial, Industrial and Public Sector Proposals. The timeframes associated with this process are as follows;

- any agreement to a meeting is agreed within 15 days of receiving the request
- the PAD meeting is held within 30 days of the request
- the Department will write out within 15 days of the meeting confirming the agreed position.

I announced on 9 January 2014 a series of improvements to speed up the planning process here and one of these improvements is to encourage intense pre-application discussions thus ensuring planning decisions can be taken much quicker. I intend to introduce the new arrangements for pre-application discussions shortly.

Taxis: Central Station

Lord Morrow asked the Minister of the Environment, pursuant to AQW 30547/11-14, when he intends to answer this question which is now overdue.
(AQW 31611/11-15)

Mr Durkan: AQW 30547/11-15 was answered on 4 March 2014.

Trees Felled and Planted

Mr Agnew asked the Minister of the Environment whether his Department records the number of trees which are felled each year at the request of public bodies and the number of trees which are planted in their place; and if so, to detail the total number of (i) trees felled; and (ii) replacement trees planted, in each of the last three years.

(AQW 31617/11-15)

Mr Durkan: The Department has a statutory duty under Article 64 (duty of the Department in relation to trees) of the Planning (NI) Order 1991 to secure the preservation of trees:

- a. By ensuring, where appropriate, that in granting planning permission adequate provision is made for the preservation of trees by the imposition of planning conditions for the preservation or planting of trees; and
- b. By the making of Tree Preservation Orders under Article 65 as appears necessary in connection with the grant of such permission.

The Department's consent is not required for the cutting down, uprooting, topping or lopping of protected trees which are dead or dying or have become a risk to site safety. However it is Departmental Best Practice to advise anyone considering the removal of a tree(s) perceived to be dead, dying or posing a risk to safety to notify the Department of their intentions.

The Department's consent is not required for cutting down or uprooting, topping or lopping of any trees by a statutory undertaker defined by Article 2(2) of the Planning Order, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary. Furthermore consent is not required for the cutting down, uprooting, topping or lopping of any trees if necessary to prevent or abate a nuisance.

In light of the above, statutory undertakers (public bodies) do not require permission to carry out tree works, whether trees are protected or not, and therefore my Department does not have records relating to your request.

However, I have instructed officials to review the current position and being forward a series of policy options for my consideration.

Local Government Bill

Mr McCallister asked the Minister of the Environment what borrowing powers will be devolved to the new councils following the implementation of the Local Government Reform Bill.

(AQW 31705/11-15)

Mr Durkan: Clause 11 of the Local Government Bill makes provision for the arrangements a council may make for the discharge of its functions, including those that are matters reserved to the council. Specifically in relation to borrowing, Section 3 of this clause states "A council's functions with respect to..... (b) borrowing money..... may only be discharged by the council itself."

During the Bill's Committee Stage, the Environment Committee suggested that the list of functions which cannot be delegated is amended to 'affordable borrowing limit' under the Local Government Finance Act (Northern Ireland) 2011, rather than 'borrowing money'.

I have considered this request and confirm that I am tabling an amendment to the Local Government Bill to include the determination of a council's affordable borrowing limit to those responsibilities that are matters reserved to the council.

Lough Neagh: Sand and Gravel Extraction

Mr Agnew asked the Minister of the Environment how much sand and gravel was extracted from Lough Neagh in each of the last five years; and to detail the controls, permissions and regulations required, and in place, to extract these materials.

(AQW 31750/11-15)

Mr Durkan: It has been brought to my attention that unauthorised extraction of sand from Lough Neagh has been continuing over a period of years. The Department is currently undertaking a thorough investigation into the past history and potential impact of this alleged breach and is currently consulting with all relevant agencies and other Government Departments. The matter has also been raised with those responsible for the extraction and the owners of the bed of the Lough. I have insisted that this matter be properly dealt with without delay.

My Department does not hold information on the quantity of sand and gravel extracted from Lough Neagh.

There is currently no planning permission for sand extraction on the Lough. In relation to controls, permissions and regulations I can advise that planning permission and assessment under The Planning (Environmental Impact Assessment) Regulations (NI) 2012 is required. In addition, in assessing any application that would impact on Lough Neagh Special Protection Areas, a Habitats Regulations Assessment is also required.

Pension Schemes Contribution: DOE

Mr Dallat asked the Minister of the Environment to detail (i) the amount of money contributed to pension schemes for senior management within his Department; and (ii) the number of employees involved, in the last five years.

(AQW 31763/11-15)

Mr Durkan: Over a 4 year period ending 31 March 2013, the amount paid in respect of employer related pension contributions for Senior Civil Servants (SCS) in DOE, amounted to £1,045,428. Figures relating to the first year (2008-09) are not available.

The table below provides details relating to the annual payments made for employer related pension contributions. The table also lists the number of employees that were either substantive SCS or temporarily promoted into a SCS post during the periods under review.

Year	Amount Paid	No. of Employees
2009-10	228,850	25
2010-11	280,157	19
2011-12	269,077	26
2012-13	267,344	22

Formal Grievances: DOE

Mr McQuillan asked the Minister of the Environment to detail (i) how many formal grievances are currently being addressed; (ii) how long each grievance has been ongoing; and (iii) whether any grievance has taken longer than the timescale detailed in the Northern Ireland Civil Service Code of Practice, including (a) how much longer; and (b) the reasons for the delay.

(AQW 31770/11-15)

Mr Durkan:

- (i) Eighteen formal grievances are currently being investigated by the Department of the Environment although a number are currently at appeal stage.
- (ii) The table below provides detail of how long each grievance has been ongoing and has been provided by HRConnect.

Date Received	Number of Calendar Days Case Ongoing
22-Dec-2011	809
28-Sep-2012	528
28-Sep-2012	528
28-Sep-2012	528
01-Nov-2012	494
23-Nov-2012	472
10-Dec-2012	455
06-Feb-2013	397
12-Feb-2013	391
25-Mar-2013	350
17-May-2013	297
03-Sep-2013	188
23-Sep-2013	168
17-Dec-2013	83
24-Dec-2013	76
31-Dec-2013	69
07-Jan-2014	62
28-Jan-2014	41

- (iii) a&b. While there are timescales within the Grievance policy, a key aim of the policy is to resolve a grievance 'as quickly as possible'. The reference to the NICS Code of Practice is taken as the Grievance policy which existed up to 24 February 2014, as replaced by the revised policy that came into effect from that date. Upon receipt of a written grievance the Department will try to deal with this within 28 days, however, such complaints, by their very nature, are quite complex and may involve a number of witnesses and as such significant delays can occur. In line with the NICS HR Grievance Policy all grievances will be dealt with as quickly as practicable.

Waste: Parkgate Quarry Landfill

Mr Clarke asked the Minister of the Environment for an update on the progress of the Parkgate Quarry Landfill/Waste Planning Application T/2005/0977/F and T/2005/1054/F.

(AQW 31787/11-15)

Mr Durkan: The applications are being considered by my officials. I will provide an update to the Member when further information is available.

Mining: Unapproved Operations

Mr Agnew asked the Minister of the Environment whether unapproved mining operations, such as retrospective operations, can benefit from permitted development rights such as those being granted in The Planning (General Development) (Amendment) Order (NI) 2014.

(AQW 31840/11-15)

Mr Durkan: Part 16A (Development Ancillary to Mining Operations) of Schedule 1 to The Planning (General Development) Order (Northern Ireland) 1993 S.R. 1993 No. 278 came into operation on 10 March 2014 by virtue of The Planning (General Development) (Amendment) Order (Northern Ireland) 2014 S.R. 2014 No. 31.

This new Part provides permitted development rights for ancillary development on land already used as a mine. Permitted development rights cannot be applied where the use of land for mining operations is unlawful. The development must be within a lawful quarry/mine site and is subject to a number of limitations and conditions, for example, the height of any building, plant or machinery must not exceed 15 metres above ground level, any plant or machinery must not be within 250 metres of a sensitive receptor (a sensitive receptor includes dwelling houses, schools, hospitals etc), the development cannot not be exercised within an area of scientific interest, a site of archaeological interest or a conservation area.

While there are no prior notification arrangements associated with the permitted development its exercise is subject to a number of restrictive limitations, exceptions and conditions.

Permitted development is also excluded where it requires environmental assessment. This means that where development is identified in either of the Schedules to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 and Environmental Impact Assessment is applicable, permitted development rights do not apply (Article 3(8) of the Planning (General Development) Order (NI) 1993 refers).

The permitted development rights in Part 16A are applicable from the date of operation; that is 10 March 2014. Development undertaken before that date is not granted permission by the Planning (General Development) Order (NI) 1993. Planning applications for retrospective development currently in the system will be processed in the normal manner.

A lawful quarry/mine operating under older mineral permissions can exercise the permitted development rights provided under Part 16A subject to the prescribed restrictions, exceptions and conditions.

Part 16 A does not require the mine to be operational although to exercise the permitted development right it must be lawful. It is expected that most quarries and mines will be operational or there would be little point in a developer exercising the relevant permitted development right. In addition, it should be noted that Class B provides for development for the maintenance and safety of a mine or disused mine.

Before a developer undertakes mineral extraction that person will usually initiate exploration of the land to determine if it is commercially viable to extract minerals. Such exploration development is governed by the permitted development rules set out in Part 16 (Mineral Exploration) of Schedule 1 to the Planning (General Development) Order (NI) 1993. Importantly, there are certain limitations and conditions associated with this permitted development right including pre-commencement notification to the Department of the Environment giving details of the location, target mineral, details of plant and operations and anticipated timescale. A developer, should they wish to invoke these permitted development rights, must notify the Department of these details in order that a decision can be taken on whether or not the permitted development right should be removed and the proposal made subject to the full planning application process.

Mining: Unauthorised Plant and Machinery or Buildings

Mr Agnew asked the Minister of the Environment whether current planning applications to retain unauthorised plant and machinery or buildings, which have already been erected, will benefit from Part 16A in The Planning (General Development) (Amendment) Order (NI) 2014.

(AQW 31842/11-15)

Mr Durkan: Part 16A (Development Ancillary to Mining Operations) of Schedule 1 to The Planning (General Development) Order (Northern Ireland) 1993 S.R. 1993 No. 278 came into operation on 10 March 2014 by virtue of The Planning (General Development) (Amendment) Order (Northern Ireland) 2014 S.R. 2014 No. 31.

This new Part provides permitted development rights for ancillary development on land already used as a mine. Permitted development rights cannot be applied where the use of land for mining operations is unlawful. The development must be within a lawful quarry/mine site and is subject to a number of limitations and conditions, for example, the height of any building, plant or machinery must not exceed 15 metres above ground level, any plant or machinery must not be within 250

metres of a sensitive receptor (a sensitive receptor includes dwelling houses, schools, hospitals etc), the development cannot not be exercised within an area of scientific interest, a site of archaeological interest or a conservation area.

While there are no prior notification arrangements associated with the permitted development its exercise is subject to a number of restrictive limitations, exceptions and conditions.

Permitted development is also excluded where it requires environmental assessment. This means that where development is identified in either of the Schedules to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 and Environmental Impact Assessment is applicable, permitted development rights do not apply (Article 3(8) of the Planning (General Development) Order (NI) 1993 refers).

The permitted development rights in Part 16A are applicable from the date of operation; that is 10 March 2014. Development undertaken before that date is not granted permission by the Planning (General Development) Order (NI) 1993. Planning applications for retrospective development currently in the system will be processed in the normal manner.

A lawful quarry/mine operating under older mineral permissions can exercise the permitted development rights provided under Part 16A subject to the prescribed restrictions, exceptions and conditions.

Part 16 A does not require the mine to be operational although to exercise the permitted development right it must be lawful. It is expected that most quarries and mines will be operational or there would be little point in a developer exercising the relevant permitted development right. In addition, it should be noted that Class B provides for development for the maintenance and safety of a mine or disused mine.

Before a developer undertakes mineral extraction that person will usually initiate exploration of the land to determine if it is commercially viable to extract minerals. Such exploration development is governed by the permitted development rules set out in Part 16 (Mineral Exploration) of Schedule 1 to the Planning (General Development) Order (NI) 1993. Importantly, there are certain limitations and conditions associated with this permitted development right including pre-commencement notification to the Department of the Environment giving details of the location, target mineral, details of plant and operations and anticipated timescale. A developer, should they wish to invoke these permitted development rights, must notify the Department of these details in order that a decision can be taken on whether or not the permitted development right should be removed and the proposal made subject to the full planning application process.

Mining: Mineral Permissions and Disused Quarries

Mr Agnew asked the Minister of the Environment whether old minerals permissions which are operating outside of modern day environmental controls, or disused quarries, will benefit from Part 16A in The Planning (General Development) (Amendment) Order (NI) 2014.

(AQW 31843/11-15)

Mr Durkan: Part 16A (Development Ancillary to Mining Operations) of Schedule 1 to The Planning (General Development) Order (Northern Ireland) 1993 S.R. 1993 No. 278 came into operation on 10 March 2014 by virtue of The Planning (General Development) (Amendment) Order (Northern Ireland) 2014 S.R. 2014 No. 31.

This new Part provides permitted development rights for ancillary development on land already used as a mine. Permitted development rights cannot be applied where the use of land for mining operations is unlawful. The development must be within a lawful quarry/mine site and is subject to a number of limitations and conditions, for example, the height of any building, plant or machinery must not exceed 15 metres above ground level, any plant or machinery must not be within 250 metres of a sensitive receptor (a sensitive receptor includes dwelling houses, schools, hospitals etc), the development cannot not be exercised within an area of scientific interest, a site of archaeological interest or a conservation area.

While there are no prior notification arrangements associated with the permitted development its exercise is subject to a number of restrictive limitations, exceptions and conditions.

Permitted development is also excluded where it requires environmental assessment. This means that where development is identified in either of the Schedules to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 and Environmental Impact Assessment is applicable, permitted development rights do not apply (Article 3(8) of the Planning (General Development) Order (NI) 1993 refers).

The permitted development rights in Part 16A are applicable from the date of operation; that is 10 March 2014. Development undertaken before that date is not granted permission by the Planning (General Development) Order (NI) 1993. Planning applications for retrospective development currently in the system will be processed in the normal manner.

A lawful quarry/mine operating under older mineral permissions can exercise the permitted development rights provided under Part 16A subject to the prescribed restrictions, exceptions and conditions.

Part 16 A does not require the mine to be operational although to exercise the permitted development right it must be lawful. It is expected that most quarries and mines will be operational or there would be little point in a developer exercising the relevant permitted development right. In addition, it should be noted that Class B provides for development for the maintenance and safety of a mine or disused mine.

Before a developer undertakes mineral extraction that person will usually initiate exploration of the land to determine if it is commercially viable to extract minerals. Such exploration development is governed by the permitted development rules set out in Part 16 (Mineral Exploration) of Schedule 1 to the Planning (General Development) Order (NI) 1993. Importantly,

there are certain limitations and conditions associated with this permitted development right including pre-commencement notification to the Department of the Environment giving details of the location, target mineral, details of plant and operations and anticipated timescale. A developer, should they wish to invoke these permitted development rights, must notify the Department of these details in order that a decision can be taken on whether or not the permitted development right should be removed and the proposal made subject to the full planning application process.

Mining: Permitted Development

Mr Agnew asked the Minister of the Environment whether Part 16A in The Planning (General Development) (Amendment) Order (NI) 2014 will require a mining operation to be approved and operational before an operator can benefit from permitted development; and whether in the first instance, for Part 16A to be valid, the details of associated plant and machinery, such as drilling rigs, would need to be included in the initial application.

(AQW 31844/11-15)

Mr Durkan: Part 16A (Development Ancillary to Mining Operations) of Schedule 1 to The Planning (General Development) Order (Northern Ireland) 1993 S.R. 1993 No. 278 came into operation on 10 March 2014 by virtue of The Planning (General Development) (Amendment) Order (Northern Ireland) 2014 S.R. 2014 No. 31.

This new Part provides permitted development rights for ancillary development on land already used as a mine. Permitted development rights cannot be applied where the use of land for mining operations is unlawful. The development must be within a lawful quarry/mine site and is subject to a number of limitations and conditions, for example, the height of any building, plant or machinery must not exceed 15 metres above ground level, any plant or machinery must not be within 250 metres of a sensitive receptor (a sensitive receptor includes dwelling houses, schools, hospitals etc), the development cannot not be exercised within an area of scientific interest, a site of archaeological interest or a conservation area.

While there are no prior notification arrangements associated with the permitted development its exercise is subject to a number of restrictive limitations, exceptions and conditions.

Permitted development is also excluded where it requires environmental assessment. This means that where development is identified in either of the Schedules to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 and Environmental Impact Assessment is applicable, permitted development rights do not apply (Article 3(8) of the Planning (General Development) Order (NI) 1993 refers).

The permitted development rights in Part 16A are applicable from the date of operation; that is 10 March 2014. Development undertaken before that date is not granted permission by the Planning (General Development) Order (NI) 1993. Planning applications for retrospective development currently in the system will be processed in the normal manner.

A lawful quarry/mine operating under older mineral permissions can exercise the permitted development rights provided under Part 16A subject to the prescribed restrictions, exceptions and conditions.

Part 16 A does not require the mine to be operational although to exercise the permitted development right it must be lawful. It is expected that most quarries and mines will be operational or there would be little point in a developer exercising the relevant permitted development right. In addition, it should be noted that Class B provides for development for the maintenance and safety of a mine or disused mine.

Before a developer undertakes mineral extraction that person will usually initiate exploration of the land to determine if it is commercially viable to extract minerals. Such exploration development is governed by the permitted development rules set out in Part 16 (Mineral Exploration) of Schedule 1 to the Planning (General Development) Order (NI) 1993. Importantly, there are certain limitations and conditions associated with this permitted development right including pre-commencement notification to the Department of the Environment giving details of the location, target mineral, details of plant and operations and anticipated timescale. A developer, should they wish to invoke these permitted development rights, must notify the Department of these details in order that a decision can be taken on whether or not the permitted development right should be removed and the proposal made subject to the full planning application process.

DOE: Budget

Mr McKay asked the Minister of the Environment what consideration he has given to the need for preventative spending within his departmental budget.

(AQW 31852/11-15)

Mr Durkan: My Department delivers a range of programmes which help support preventative spending. These programmes help contribute to the health and well-being of the citizen and include road safety, environmental regulation and access to the natural and built heritage.

Moyle District Council Offices

Mr McMullan asked the Minister of the Environment to list the services that will remain at the Moyle District Council Offices in Ballycastle once the new councils become operational in 2015.

(AQW 31856/11-15)

Mr Durkan: The services which will continue to be provided from the existing Moyle District Council offices in Ballycastle will be decided by the new Causeway Coast and Glens Council during the shadow period which runs from 22nd May 2014 until 1st April 2015.

During the shadow period, the eleven new councils will exist alongside the 26 current councils and use this time to make the necessary preparations for the adoption of their full range of powers and responsibilities. This will also involve liaising with the existing council for the purpose of ensuring continuity in services on and after 1st April 2015.

Beaches: Access for Disabled People

Mr McMullan asked the Minister of the Environment to list the beaches that (i) have; and (ii) have not access for disabled people. (AQW 31857/11-15)

Mr Durkan: There are currently 23 formally identified bathing waters in Northern Ireland. Responsibility for the management of these bathing waters is split between various bodies i.e. the Department, local councils and the National Trust.

There are other beaches in Northern Ireland which do not have formally identified bathing waters and are not the responsibility of my Department. Local councils can advise on the availability of disabled access at such beaches.

With regard to disabled access at each of the beaches at the 23 identified bathing waters, I can advise as follows:

Identified Bathing waters with disabled access to the beach:

Ballycastle	Wheelchair access to beach.
Ballywalter	Disabled access to beach.
Benone (Magilligan)	Vehicle access is permitted onto the beach. A network of boardwalks also allows access.
Brown's Bay	Short gentle sloping path. Steps with handrail.
Castlerock	Concrete access road onto beach.
Cranfield (Cranfield Bay)	Access ramp onto the beach.
Crawfordsburn	Suitable path for wheelchair users adjacent to beach.
Downhill	Concrete access road onto beach.
Helen's Bay	Suitable path for wheelchair users adjacent to beach.
Millisle	Disabled access available.
Murlough Bay	Disabled access to beach via boardwalk path through nature reserve.
Newcastle	Access to beach by ramps from promenade.
Portballintrae (Salmon Rock)	Sloping walkway from main car park to beach.
Portrush (Curran Strand)	Concrete access ramp onto beach at both ends.
Portrush (Mill Strand)	Concrete access ramp onto beach at north end.
Portstewart	Car parking on beach.
Tyrella	Disabled access available. Cars permitted on beach.
Whiterocks	Boardwalk through sand dunes to beach.

Identified Bathing waters with limited or no disabled access to the beach:

Ballygally	Short steep sloping path with level wooden platform. Steps with handrail located 100 metres from slope.
Ballyholme	Ramped access – not constructed for disabled access.
Carnlough	2 ramps with handrails. 5 sets of steps with handrails. Often underwater and slippery with seaweed.
Groomsport	Ramped access – not constructed for disabled access.
Waterfoot	No disabled access.

Dog Fouling: Cleansing Cost

Mr Lyttle asked the Minister of the Environment to detail the annual cost of the cleansing of dog fouling over the last three years; and the work being undertaken to prevent dog fouling occurring.

(AQW 31862/11-15)

Mr Durkan: The Department does not hold specific information on the cost of cleaning up dog faeces.

District councils are using powers to fine irresponsible dog owners who fail to clean up after their dogs. In the 2012/13 financial year 364 fines were issued for dog-fouling offences – a 58% increase on the 2011/12 year figure of 231. I have called on all councils to get tough with those who fail to clean up after their dogs have fouled. Tougher action by all district councils is necessary to send out a clear and consistent message that dog fouling offences will not be tolerated.

It is completely unacceptable for dog owners not to clean up after their dogs have fouled. More robust enforcement activity by district councils should help to change the behaviour of irresponsible dog owners and reduce the dog fouling problem.

Road Safety: Vision Zero Policy

Mr McKay asked the Minister of the Environment whether he has considered working with the Minister for Regional Development to introduce a vision zero policy, similar to that in Sweden.

(AQW 31918/11-15)

Mr Durkan: As Minister of the Environment, I co-coordinate a strategic approach to road safety including oversight of the Northern Ireland Road Safety Strategy to 2020. The Strategy sets out the key challenges and objectives for improving road safety, identifies casualty reduction targets and details over 200 measures to deliver improved road safety through education, engineering and enforcement. Responsibility for delivery crosses a number of departments and agencies that work in partnership, including the Department for Regional Development.

When the Strategy was developed, road safety partners recognised that the commitment of stakeholders was essential to its success and that agreeing a shared vision was therefore important. To that end, the Transport Research Laboratory (TRL) was commissioned to consider different approaches to road safety visioning and to advise on the attributes of a vision that would be appropriate for Northern Ireland. Sweden's Vision Zero was one of the approaches considered. A challenging vision was proposed, agreed and incorporated into the Strategy:

'To make a journey on Northern Ireland's roads as safe for all road users as anywhere in the world.'

Sweden's Vision Zero is underpinned by the safer systems approach to road safety, as is our own Strategy. This considers roads, vehicles and road users together and seeks to ensure that each of these three elements takes account of limitations or weaknesses in the other two.

The Strategy target, in relation to road deaths, would reduce the number of people killed each year in road collisions to 50 or less. Preliminary figures for fatalities in 2013 show that 57 people died. This target is kept under review by a Strategy Delivery Board which monitors progress and reports to me.

Given the reductions in road deaths in the last few years, my predecessor launched the "Share the Road to Zero" campaign in April 2013, articulating and promoting the aspiration of Vision Zero. This was a significant step forward. To pursue zero deaths on our roads is hugely challenging but I am convinced that it should not be beyond our ambition. However, zero road deaths can only be achieved if we all work together, sharing the responsibility as well as the roads.

I can assure you that there is a great deal of cooperation between my Department and our road safety partners, including the Department for Regional Development. I chair a Ministerial Road Safety Group, meeting regularly with the Ministers for Regional Development and Justice and the emergency services, to explore issues and drive forward improvements. Officials liaise regularly, including on the Strategy Delivery Board.

I am committed to the partnership work that has so greatly reduced road casualties over the past 40 years. I believe that every death on our roads is one too many and I will continue to work with all stakeholders further to improve road safety and continue to reduce casualties.

Energy from Waste Programme

Mr McMullan asked the Minister of the Environment whether he will consider allowing waste from other regions to be used in his Department's energy from waste programme.

(AQW 31930/11-15)

Mr Durkan: The Department's Waste Management Strategy provides the framework for our approach to the management of waste issues in the North and follows the priority order for waste treatment set out in the "waste hierarchy".

The Department does not have a separate energy from waste programme. It does, however, support efficient energy recovery from residual waste in accordance with the waste hierarchy.

The Department is not a party to energy from waste procurements being taken forward by the Waste Management Groups on behalf of their constituent councils. However we understand that the procurement options being considered by the Groups do not rely on waste movements into the North from other regions of Europe.

European legislation governs movement of waste between Member States. Movement of waste between Member States (e.g. between the North and South) is governed by European legislation. Transboundary shipment of municipal waste for recovery is permissible provided the waste has been subject to the requisite level of pre-treatment, and provided the receiving facility meets the requisite standards of energy efficiency.

Planning Applications

Mr Weir asked the Minister of the Environment what is the average time taken to process a non-streamlined planning application, from lodgement of the application to a decision being issued.

(AQW 31985/11-15)

Mr Durkan: The average time taken for non streamlined applications to be processed, year to date, is 35 weeks (up to 30 September 2013).

It should be noted that the vast majority of planning applications are processed through the streamlined process and those which are not streamlined are those which tend to be contentious or complex in nature. The average time taken for streamlined applications, year to date, is 12 weeks (up to 30 September 2013).

Listed Buildings: Upper Bann

Mr Moutray asked the Minister of the Environment to detail the listed buildings in the Upper Bann constituency.

(AQW 32010/11-15)

Mr Durkan: Based upon the 1974 ward boundaries - which is how the Department holds such records - the total number of listed buildings in the Upper Bann constituency is 382. The Upper Bann constituency includes Craigavon Borough Council, which includes 207 listed buildings and also seven electoral wards of Banbridge Borough Council (highlighted in bold in the attached table), which contains a further 175 listed buildings. It should be noted that this is being reviewed currently, under the second survey process, and this figure may change again, when all records have been reviewed.

The information that you have sought about these listed buildings may be accessed electronically at the following link www.doeni.gov.uk/niea/other-index/content-databases/content-databases-build.htm. Once you have accepted the terms and conditions of the site, a search may be carried out by Council area – in this case Craigavon and Banbridge (Wards 1 to 7).

You will be aware, however, that there have been boundary changes since 1974, and as a result the figures should not be taken as definitive, in relation to the current boundaries. For that reason I have appended, for your information, a table which shows the number of the listed buildings within each ward of the Craigavon and Banbridge areas.

You may also wish to note that both Craigavon and Banbridge Borough Councils - which are statutory consultees in the listing process - have been provided with a copy of each listing in its area, since the introduction of the legislation in the early 1970s.

Number of Listed buildings in the Craigavon and Banbridge Council Areas

HB14	Craigavon		HB17	Banbridge	
1	The Birches	15	1	Gilford	56
2	Breagh	8	2	Lawrencetown	24
3	Kinnefo	8	3	Loughbrickland	39
4	Kernan	11	4	Seapatrick	12
5	Bleary	12	5	Edenderry	3
6	Waringstown	28	6	Central	17
7	Magheralin	16	7	Ballydown	24
8	Aghagallon	5	8	Annaclone	35
9	Hartfield	1	9	Drumadonnell	12
10	Edgarstown	3	10	Garran	12
11	Woodside	0	11	Croob	10
12	Bachelor's Walk	9	12	Ballyoolymore	12
13	Killycomain	3	13	Quilly	13
14	Annagh	16	14	Skeagh	8
15	Brownstown	0	15	Dromore	32
16	Tavanagh	12			

17	Belle Vue	1			
18	Knocknashane	2			
19	Mourne View	0			
20	Woodville	8			
21	Court	8			
22	Taghnevan	0			
23	Church	17			
24	Parklake	24			
25	Brownlow	0			
	Total	207		Total	310

Challenge Fund

Mr McKay asked the Minister of the Environment, pursuant to AQW 31393/11-15, for a breakdown of the organisations by constituency.

(AQW 32015/11-15)

Mr Durkan: The list of the organisations that applied to the 2014 Challenge Fund, and the constituencies within which they are based is set out in a table attached to this answer. As several organisations are delivering projects throughout Northern Ireland, the constituencies within which each project is delivered have also been detailed. For additional insight into the spread of projects, the entire list of applications received, both successful and unsuccessful, has been included.

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Carrickfergus Gasworks	East Antrim	FLAME Illuminated!	Successful	East Antrim
Carrickfergus Gasworks	East Antrim	Gasing About An Old Flame	Successful	East Antrim
Glens Red Squirrel Group	East Antrim	Garron Tower Wildlife Awareness Project	Successful	East Antrim
Transition Town Whitehead (TTW)	East Antrim	Whitehead's Edible Landscape	Successful	East Antrim
Carrickfergus Community Cultivators	East Antrim	Grow an Allotments Site	Unsuccessful	East Antrim
Glens Angling Club	East Antrim	Glendun River Path Revamp	Successful	East Antrim
Whitehead Community Association (WCA)	East Antrim	Whitehead Community Centre -Asbestos Free Challenge	Unsuccessful	East Antrim
Glenarm Buildings Preservation Trust	East Antrim	Specialist Architectural Team for Seaview Project	Unsuccessful	East Antrim
Learning to Grow	East Antrim	The Water Wheel Project	Unsuccessful	East Antrim
Larne Grammar School	East Antrim	Trees, Twigs & Timber	Successful	East Antrim
Roddensvale School	East Antrim	Roddensvale Bug and Animal Hotel	Successful	East Antrim
Moyle PS	East Antrim	Moyle Enhancing Outdoor Env for Learning	Successful	East Antrim
The Woodland Trust	South Down	Oogley Boogley Trail and Ice House Renovation	Successful	East Antrim

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
The Woodland Trust	South Down	The "Oogly Boogly" Sculpture Trail - discovering nature	Unsuccessful	East Antrim
ARENA/BITC	East Belfast	Business and Biodiversity Charter	Successful	East Belfast
ARENA/BITC	East Belfast	Place for Food Waste - Belfast Pilot	Successful	East Belfast

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Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Climate NI	East Belfast	Climate NI: Building Resilience through Shared Best Practice	Successful	East Belfast
Climate NI	East Belfast	ClimateNI Expertise Directory	Successful	East Belfast
The Conservation Volunteers	East Belfast	Conservation Volunteers: Promoting the Environment	Successful	East Belfast
Sustainable NI	East Belfast	Explaining Sustainability	Successful	East Belfast
Sustainable NI	East Belfast	Northern Ireland Sustainable Food Directory	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	Big Spring Clean Clean-Up Kits	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	Adopt a Spot	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	Northern Ireland Civic Pride Programme	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	Bringing the Rubbish Monster to Éicea-Scoileanna	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	The People's Litter Summit	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	Eco-Schools Inspiration	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	Eco-Schools 20th Anniversary Publication	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	Eco-Home Student Waste Project	Successful	East Belfast
Keep Northern Ireland Beautiful	East Belfast	Marine Rubbish Monster Books	Unsuccessful	East Belfast
TAGIT Fishing Club	East Belfast	Beechhill Regeneration Project	Unsuccessful	East Belfast
Down to Earth Northern Ireland	East Belfast	Woodland burials for Northern Ireland	Unsuccessful	East Belfast

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
St Elizabeth's Parish Church	East Belfast	Cleland Mausoleum Life Extension	Successful	East Belfast

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Church's Ministry of Healing The Mount (CMHTM)	East Belfast	Garden of Respite	Unsuccessful	East Belfast
Knocknagoney Primary School	East Belfast	Growing minds	Successful	East Belfast
Lough View Integrated PS Nursery Unit	East Belfast	Engage Explore Experience and Enjoy your Environment	Successful	East Belfast
Field Studies Council	Fermanagh & South Tyrone	Moving The Knock River	Successful	East Belfast
Glens Red Squirrel Group	East Antrim	Glens of Antrim Red Squirrel Rangers	Successful	East Londonderry
Roe Valley Community Property Ltd	East Londonderry	Limavady Union Workhouse's Final Wall!	Successful	East Londonderry
Roe Angling Limited	East Londonderry	Roe Valley River Habitat Enhancement	Successful	East Londonderry
Ballymaconnelly Renewal Group	East Londonderry	The Lint Dam Access Project	Successful	East Londonderry
Riding For the Disabled Association (Coleraine and District Group) Ltd	East Londonderry	Accessible Sensory Equestrian Trail	Successful	East Londonderry
LCDI	East Londonderry	Green Shed Eco Trail	Successful	East Londonderry
Kylemore Nursery School	East Londonderry	KYLEMORE Parent Child Friendly Spaces	Successful	East Londonderry
Gorran Primary School	East Londonderry	Gorran Growing our own!	Successful	East Londonderry
St Patrick's and St Joseph's PS	East Londonderry	St Patrick's & St Joseph's Environmental Garden	Successful	East Londonderry

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
North Coast Integrated College	East Londonderry	North Coast Integrated College Garden Project	Successful	East Londonderry
National Trust	North Down	Hezlett Community Allotments	Successful	East Londonderry
The Conservation Volunteers	East Belfast	Belle Isle Community Garden	Successful	Fermanagh & South Tyrone
Erne & Melvin Enhancement Co	Fermanagh & South Tyrone	Aquatic Education in the Classroom	Successful	Fermanagh & South Tyrone
Erne & Melvin Enhancement Co	Fermanagh & South Tyrone	Renewable energy for EMEC fish hatchery	Unsuccessful	Fermanagh & South Tyrone
Erne & Melvin Enhancement Co	Fermanagh & South Tyrone	Automised feeding system for EMEC fish hatchery	Unsuccessful	Fermanagh & South Tyrone
Field Studies Council	Fermanagh & South Tyrone	Red Squirrels: Engage, Inform, Conserve	Successful	Fermanagh & South Tyrone
Speedwell Trust	Fermanagh & South Tyrone	Learning Outdoors at Parkanaur	Successful	Fermanagh & South Tyrone

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Speedwell Trust	Fermanagh & South Tyrone	Community Forest Classroom (CFC)	Unsuccessful	Fermanagh & South Tyrone
Speedwell Trust	Fermanagh & South Tyrone	Integrated Environmental Practice	Unsuccessful	Fermanagh & South Tyrone
Enniskillen Angling Club	Fermanagh & South Tyrone	River Enhancement: Earls River	Successful	Fermanagh & South Tyrone
Pettigo and District Angling Association	Fermanagh & South Tyrone	Removing Mink and Housing Dippers	Successful	Fermanagh & South Tyrone
Share Discovery Village	Fermanagh & South Tyrone	SHAREing Food Composting	Successful	Fermanagh & South Tyrone
Positive Futures	Fermanagh & South Tyrone	Willowbridge Organic Community Garden	Successful	Fermanagh & South Tyrone

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Ulster Workhouse and Famine Trust Lisnaskea	Fermanagh & South Tyrone	Options Appraisals for Lisnaskea Workhouse	Successful	Fermanagh & South Tyrone
River Blackwater Catchment Trust (RBCT)	Fermanagh & South Tyrone	Giving Nature A Home on Sliah Beagh	Successful	Fermanagh & South Tyrone
Arc Healthy Living Centre	Fermanagh & South Tyrone	Arc Healthy Living Centre Community Garden & Nature Trail	Unsuccessful	Fermanagh & South Tyrone
Lough Erne Wildfowling Council (LEWC)	Fermanagh & South Tyrone	Lough Erne Wader Recovery Project	Unsuccessful	Fermanagh & South Tyrone
Garrison and Lough Melvin Anglers Association	Fermanagh & South Tyrone	Melvin River Enhancement	Unsuccessful	Fermanagh & South Tyrone
Select Vetsry, St Michael's Parish Church, Clonoe	Fermanagh & South Tyrone	Hall Facilities Project	Unsuccessful	Fermanagh & South Tyrone
Killyhommon PS, Boho	Fermanagh & South Tyrone	Development of school garden sensory area	Successful	Fermanagh & South Tyrone
RSPB	Lagan Valley	Preventing Predation At Lusty Moore and White Island	Unsuccessful	Fermanagh & South Tyrone
National Trust	North Down	Pine Martens of Crom Estate	Successful	Fermanagh & South Tyrone
Hearth/Hearth Revolving Fund	South Belfast	Renovation of Curry's Cottage	Successful	Fermanagh & South Tyrone
Outdoor Recreation Northern Ireland	South Belfast	Clogher Valley Classic Ride	Successful	Fermanagh & South Tyrone
Outdoor Recreation Northern Ireland	South Belfast	Parkanaur Play Trail	Successful	Fermanagh & South Tyrone
Outdoor Recreation Northern Ireland	South Belfast	Parkanaur Heritage Walk	Unsuccessful	Fermanagh & South Tyrone

List of organisations that have benefited from the Challenge Fund 2014

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The Conservation Volunteers	East Belfast	Stamp Out Salmonberry at Gransha!	Successful	Foyle
The Conservation Volunteers	East Belfast	Development of Gransha Green Hub	Successful	Foyle
RAPID	Foyle	Faughan River Monitoring Initiative	Successful	Foyle
RAPID	Foyle	Northwest Geodiversity Audit and Access Plan	Successful	Foyle
Holywell Trust	Foyle	Annesley Malley Natural and Built Heritage Archive Project	Successful	Foyle
Enagh Youth Forum	Foyle	Enagh Growing Together Project	Successful	Foyle
Beech Hill US Navy & Marine Corps Friendship Association	Foyle	Revealing Historic Beech Hill	Successful	Foyle
Creggan Country Park Enterprises Ltd	Foyle	Bats a Fact	Successful	Foyle
COSY Club	Foyle	Paradise Found	Successful	Foyle
Rural Area Partnership in Derry Ltd	Foyle	Conservation of Traditional Stone Pillars and Gates	Unsuccessful	Foyle
Creggan Country Park Enterprises Ltd	Foyle	Better Biodiversity in Creggan Country Park	Successful	Foyle
RESOURCE CENTRE DERRY	Foyle	The 4'R's REUSE WORKSHOP	Successful	Foyle
An Gaelchas	Foyle	Speirghairdin	Successful	Foyle
St Joseph's Craigbane Gac	Foyle	St Joseph's Craigbane Community Garden	Unsuccessful	Foyle
St Columbas PS	Foyle	Newbuildings Gardening Club	Successful	Foyle
Newbuildings PS	Foyle	Our Nature Den	Successful	Foyle
St Mary's PS, Claudy	Foyle	St.Mary's Woodland Access Project	Successful	Foyle

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Foyle View Special School	Foyle	Into the Canopy	Successful	Foyle
Belmont House Special School	Foyle	Dipping for Diversity	Successful	Foyle
St Columbs College, Derry	Foyle	Fresh Air Exercise (FAE) Initiative	Successful	Foyle
Holy Child PS	Foyle	Back to Basics	Successful	Foyle
Groundwork NI	North Belfast	Northwest Forest School Experience	Successful	Foyle

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Saintfield Development Assoc	Lagan Valley	Saintfield Heritage Development Action Plan	Successful	Lagan Valley
Saintfield Development Assoc	Lagan Valley	Saintfield Approach Verge Development Scheme	Unsuccessful	Lagan Valley
Dromore Beekeepers' Association (DBKA)	Lagan Valley	Dromore Bee Habitat Project	Successful	Lagan Valley
Inland Waterways Association of Ireland: Newry & Portadown branch	Lagan Valley	Birds on the box	Successful	Lagan Valley
Burrenbridge Community Group	Lagan Valley	Field Days - Burrenbridge Community Field	Successful	Lagan Valley
Hillsborough and District Cttee	Lagan Valley	Hillsborough Georgian Heritage for All	Successful	Lagan Valley
Voluntary Service Lisburn	Lagan Valley	Development of our Environmental Project	Unsuccessful	Lagan Valley
Lagan Canal Trust	Lagan Valley	Environmental Improvement to Lagan Navigation Sites	Successful	Lagan Valley
Habitat for Humanity Northern Ireland	Lagan Valley	Connect	Unsuccessful	Lagan Valley
St John's Drumnaquoile GAC	Lagan Valley	Drumnaquoile Community Wildlife Garden	Unsuccessful	Lagan Valley
St. Patrick's Primary School	Lagan Valley	Ballynahinch Wildlife Garden	Successful	Lagan Valley

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Ballycarrickmaddy PS	Lagan Valley	Outdoor Sensory Classroom	Successful	Lagan Valley
Pond Park PS	Lagan Valley	Pond Park Primary School Outdoor Classroom	Successful	Lagan Valley
Bunscoil Bheanna Boircha	Lagan Valley	Bunscoil Kitchen and Wildlife Garden	Successful	Lagan Valley
Groundwork NI	North Belfast	Windmill Hill Environmental Enhancement	Successful	Lagan Valley
Bann Valley Community Group	Mid Ulster	Greenlough Crannog Project	Successful	Mid Ulster
Bann Valley Community Group	Mid Ulster	Bann Valley Community Group Road Safety Project	Unsuccessful	Mid Ulster
Carntogher Community Association	Mid Ulster	Accessing Wild Spaces	Successful	Mid Ulster
Carntogher Community Association	Mid Ulster	Drumnaph - Good Learning Habitats	Unsuccessful	Mid Ulster

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Drapers' Towns Partnership Ltd - Sperrins Gateway Landscape Partnership	Mid Ulster	Moyola Salmon and Dollaghan in the Classroom	Successful	Mid Ulster
Drapers' Towns Partnership Ltd - Sperrins Gateway Landscape Partnership	Mid Ulster	Sperrins Gateway Heritage Hedgerows	Successful	Mid Ulster
Drapers' Towns Partnership Ltd - Sperrins Gateway Landscape Partnership	Mid Ulster	The Sperrins Gateway Story of Lime	Successful	Mid Ulster
Lough Neagh Partnership	Mid Ulster	Lough Neagh Wetlands: Natures Classroom Neighbours	Successful	Mid Ulster
Lough Neagh Partnership	Mid Ulster	Conference: 'The current environmental status of Lough Neagh'	Successful	Mid Ulster

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Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Lough Neagh Partnership	Mid Ulster	Lough Neagh Wetlands: 'Un-Lough UR environment'	Successful	Mid Ulster
Lough Neagh Partnership	Mid Ulster	Traad Point Nature Reserve Feasibility Study	Successful	Mid Ulster
Lough Neagh Partnership	Mid Ulster	Creating a strategic and revised LNW LBAP and programme	Unsuccessful	Mid Ulster
Lough Neagh Partnership	Mid Ulster	Lough Neagh Wetlands LBAP: Designed and printed	Unsuccessful	Mid Ulster
Lough Neagh Partnership	Mid Ulster	Lough Neagh Ramsar: On the map but now on the radar	Unsuccessful	Mid Ulster
Lough Neagh Partnership	Mid Ulster	Lough Neagh Lignite Project	Unsuccessful	Mid Ulster
Mid Ulster Enterprises (Creggan) Ltd. (MUE)	Mid Ulster	Wild Woods Outdoor Classroom	Successful	Mid Ulster
Traad Wildlife and Conservation Club	Mid Ulster	Phase 1: Deployment of Traad Point LNR Management Plan	Successful	Mid Ulster
Lough Fea Grouse Conservation Trust	Mid Ulster	Native Red Grouse Restoration Project	Successful	Mid Ulster
Megargy and District Game and Conservation Society	Mid Ulster	Grey Partridge Restoration	Successful	Mid Ulster

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Bann Valley Community Group	Mid Ulster	Greenlough Crannog Project	Successful	Mid Ulster
Donaghmore Horticultural Community	Mid Ulster	Pathway to the Future	Unsuccessful	Mid Ulster
Clady & District Angling Club	Mid Ulster	River Clady Stiles and Footbridges	Unsuccessful	Mid Ulster
Rainey Endowed School	Mid Ulster	Rainey Endowed Rewilding Scheme	Successful	Mid Ulster

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
St Colm's High School	Mid Ulster	Susan's Trail'- Our Biodiversity Trail	Successful	Mid Ulster
Ulster Wildlife	Strangford	Phase 1 - Restoration of Ballynahone Bog	Successful	Mid Ulster
Clanrye Group	Newry & Armagh	Ring of Gullion Red Squirrel Safari	Successful	Newry & Armagh
Friends of Derrymore	Newry & Armagh	Derrymore Interpretation Project	Successful	Newry & Armagh
Cloughoge Nursery Unit, Cloughoge PS	Newry & Armagh	Cloughoge Our Secret Garden Space	Successful	Newry & Armagh
Mullavilly PS	Newry & Armagh	Black Pad Community Environmental Trail	Successful	Newry & Armagh
Northern Ireland Forest School Association	North Belfast	Rostrevor Forest School Project	Unsuccessful	Newry & Armagh
Ballylough	North Antrim	Historical Guide to 10,000 years at Ballylough	Unsuccessful	North Antrim
Ballylough	North Antrim	Ballylough Front Gate Lodge	Unsuccessful	North Antrim
Ballylough	North Antrim	Ballylough NIEA Scheduled Monument Archaeological Dig	Unsuccessful	North Antrim
CCGHT	North Antrim	Bogs of Ballymoney	Successful	North Antrim
CCGHT	North Antrim	Pilot project to kill Ecos willow clones	Successful	North Antrim
CCGHT	North Antrim	Coastal Wildflowers - Portballintrae	Successful	North Antrim
CCGHT	North Antrim	Teaching the Teachers Geology	Successful	North Antrim
CCGHT	North Antrim	Conserving East Strand Dunes	Successful	North Antrim
CCGHT	North Antrim	Glens of Antrim- Heritage and Volunteering	Successful	North Antrim
CCGHT	North Antrim	Bogs of Ballymoney	Unsuccessful	North Antrim

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
CCGHT	North Antrim	Bogs of Ballymoney	Unsuccessful	North Antrim

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Cloghmills Action Team	North Antrim	Filling Bellies not Bins in Cloughmills	Successful	North Antrim
Cloghmills Action Team	North Antrim	Incredible Forest Garden	Successful	North Antrim
Kells Connor & Glenwherry Angling Club	North Antrim	Kells, Connor, Glenwherry Living Rivers Project	Successful	North Antrim
Kells Connor & Glenwherry Angling Club	North Antrim	Dollaghan Forever.	Unsuccessful	North Antrim
Portglenone Enterprise Group	North Antrim	Bats in Portglenone	Successful	North Antrim
Portglenone Enterprise Group	North Antrim	Information panels in Portglenone Forest	Unsuccessful	North Antrim
Portglenone Enterprise Group	North Antrim	Green Gym making a Yurt	Unsuccessful	North Antrim
Portglenone Enterprise Group	North Antrim	Portglenone Garden Project	Unsuccessful	North Antrim
Armoyn Community Association	North Antrim	Armoyn - your place and mine!	Unsuccessful	North Antrim
Rathlin Development & Community Association (RDCA)	North Antrim	Rathlin Island Great Auk Project	Successful	North Antrim
Cushendall Environmental Group	North Antrim	Heart of the Glens	Unsuccessful	North Antrim
Glenravel & District Community and Residents Association	North Antrim	Cargan Urban Forest	Successful	North Antrim
Broughshane Improvement Committee	North Antrim	People, Plants and Pride growing together	Successful	North Antrim
Big Telly Theatre Company	North Antrim	Sound Waves - Portstewart Audio Trail	Unsuccessful	North Antrim
Gracehill Old School Trust	North Antrim	Gracehill Village Square and Pond Restoration	Successful	North Antrim

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Windsor Hill Primary School, Newry	North Antrim	Windsor Hill PS Secret Garden	Successful	North Antrim

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Kilkeel Primary School	North Antrim	Kilkeel PS Community Garden	Successful	North Antrim
Gracehill Primary School	North Antrim	Gracehill A Walk in the Wild Woods	Successful	North Antrim
Ballycastle Integrated PS and Nursery Unit	North Antrim	Ballycastle Integrated Wetland Diversity Area	Successful	North Antrim
Gaelscoil an Chaistil, Ballycastle	North Antrim	Dúchas An Dúlra	Successful	North Antrim
PLACE	North Belfast	Shape Your Place: Doury Road	Unsuccessful	North Antrim
National Trust	North Down	A new place to bee seen	Successful	North Antrim
National Trust	North Down	North Coast heathland and hedges restoration	Successful	North Antrim
National Trust	North Down	Cushendun Community Conservation of Glenmona House	Successful	North Antrim
Forum for Alternative Belfast	North Belfast	Forum Summer School 2013 Publication	Successful	North Belfast
Forum for Alternative Belfast	North Belfast	Forum Summer School Output on City Model	Unsuccessful	North Belfast
Groundwork NI	North Belfast	Colin Glen Community and Wildlife Garden	Successful	North Belfast
Groundwork NI	North Belfast	Railways to Greenways	Successful	North Belfast
Northern Ireland Forest School Association	North Belfast	North West Forest School Project	Unsuccessful	North Belfast
NI Raptor Study Group	North Belfast	Interactive Raptor Education Programme	Successful	North Belfast
NI Raptor Study Group	North Belfast	Printed Raptor Education Programme	Successful	North Belfast
NI Raptor Study Group	North Belfast	Raptor Cam - NIRSG Remote Monitoring & Engagement Tool	Unsuccessful	North Belfast

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Oaklee Homes Group	North Belfast	Solar Panel installation at The Beeches	Unsuccessful	North Belfast
Oaklee Homes Group	North Belfast	Solar Panel installation at Strand Court	Unsuccessful	North Belfast
Oaklee Homes Group	North Belfast	SMART E7 Hot water Controller	Unsuccessful	North Belfast
Oaklee Homes Group	North Belfast	James Court Solar Panel Installation	Unsuccessful	North Belfast
PLACE	North Belfast	Place-Making Podcast	Successful	North Belfast
PLACE	North Belfast	Vacant to Vibrant: Exchange Network	Successful	North Belfast

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
PLACE	North Belfast	PLACE Walking Tours	Successful	North Belfast
PLACE	North Belfast	Introducing Architecture for Key Stage 2	Successful	North Belfast
PLACE	North Belfast	Green Skills Training Feasibility Study	Unsuccessful	North Belfast
Ligoniel Improvement Association	North Belfast	Ligoniel Environmental Rejuvenation	Successful	North Belfast
Ligoniel Improvement Association	North Belfast	Ligoniel Dams and park project	Unsuccessful	North Belfast
Chartered Institute of Environmental Health	North Belfast	Sustainability in the Belfast Food Business	Successful	North Belfast
Friends of Grove Park	North Belfast	Growing Together in Grove	Successful	North Belfast
The Boys' Brigade (Belfast)	North Belfast	B R C Enhancement	Successful	North Belfast
ArtsEkta	North Belfast	Access to Nature	Successful	North Belfast
Marine Conservation Northern Ireland	North Belfast	Elasmobranch Tagging Scheme	Successful	North Belfast
Forum for Alternative Belfast cic	North Belfast	Forum Summer School 2013 Publication	Successful	North Belfast
Ardoyne Association	North Belfast	Ardoyne Avenue Nature & Re-imaging Project	Unsuccessful	North Belfast

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Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
North Belfast Partnership	North Belfast	North Belfast Community Greenway Strategy	Unsuccessful	North Belfast
Forum for Alternative Belfast cic	North Belfast	Forum Summer School Output on City Model	Unsuccessful	North Belfast
GROW	North Belfast	GROW ECOSPACE	Unsuccessful	North Belfast
GROW	North Belfast	UrbanGarden	Unsuccessful	North Belfast
The Conservation Volunteers	East Belfast	Tower Wood Sycamore Removal	Successful	North Down
The Conservation Volunteers	East Belfast	Growing Local Provenance	Successful	North Down
British Trust for Ornithology	North Down	Analysing Gull Movements	Successful	North Down
British Trust for Ornithology	North Down	Aerial Gull Observation Surveying Equipment	Successful	North Down
British Trust for Ornithology	North Down	NI Cuckoo Coordinates	Unsuccessful	North Down
National Trust	North Down	Red Squirrel Education	Successful	North Down

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
National Trust	North Down	Conservation of Strangford Lough Islands	Successful	North Down
Strangford Lough and Lecale Partnership	North Down	Spyball - Marine Life Outreach	Successful	North Down
Strangford Lough and Lecale Partnership	North Down	Strangford Heritage Trail	Successful	North Down
Strangford Lough and Lecale Partnership	North Down	Small stream monitoring and conservation	Unsuccessful	North Down
Strangford Lough and Lecale Partnership	North Down	Wildlife and Built Heritage Mobile Outreach Unit	Unsuccessful	North Down
Fabb (For a Better Bangor)	North Down	Raising Awareness of Bangor's Environment and Heritage	Successful	North Down
Cloughey and District Community Association	North Down	Cloughey Sea Water Quality Tests	Successful	North Down
Millisle Youth Forum	North Down	Cornering the Environment	Successful	North Down

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Natural Copeland	North Down	Over-flying sensitive sites - best practice guidance	Successful	North Down
Camphill Community Glencraig	North Down	Glencraig Woodland Walk	Successful	North Down
marine Conservation Northern Ireland	North Down	Raptor Cam - NIRSG Remote Monitoring & Engagement Tool	Unsuccessful	North Down
Copeland Bird Observatory	North Down	Improving Marine Access to Copeland Bird Observatory	Successful	North Down
Hollywood PS	North Down	Hollywood Sensory & Wildlife garden	Successful	North Down
The Hollywood Rudolf Steiner School	North Down	Rudolf Steiner Forest School Project	Successful	North Down
South Eastern Regional Council	North Down	SERC Woodland Project	Successful	North Down
Ulster Wildlife	Strangford	Revisioning Balloo Wetlands	Successful	North Down
Northern Ireland Freshwater Taskforce	East Belfast	Catchment Synergy Project	Successful	Republic of Ireland
One Million Trees	Republic of Ireland	One Million Trees in One Day	Successful	Republic of Ireland
One Million Trees	Republic of Ireland	One Million Trees in One Day	Unsuccessful	Republic of Ireland

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
One Million Trees	Republic of Ireland	One Million Trees in One Day	Unsuccessful	Republic of Ireland
ECO-UNESCO	Republic of Ireland	YEA '6 Steps to Success' - Local Environmental Action Projects	Successful	Republic of Ireland
Mountaineering Ireland	Republic of Ireland	Northern Ireland's upland environment	Successful	Republic of Ireland
Leave No Trace Ireland	Republic of Ireland	Duke of Edinburgh Leave No Trace environmental awareness programme	Unsuccessful	Republic of Ireland
RSPB	Lagan Valley	Swift - Bird of the Borough	Successful	South Antrim

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EMC2	South Antrim	The Planks from the Bank Ukulele Orchestra	Unsuccessful	South Antrim
EMC3	South Antrim	GROTATOR: revolutionary small-footprint resource re-use greenhouse	Unsuccessful	South Antrim
EMC4	South Antrim	The Story of the Limestone Road	Unsuccessful	South Antrim
Six Mile Water Trust	South Antrim	Nest Boxes along Moylinney Banks	Successful	South Antrim
Six Mile Water Trust	South Antrim	Invasive Alien Species Removal Training	Successful	South Antrim
Parkgate and District Community Group	South Antrim	Parkgate Environmental Enhancement	Successful	South Antrim
Ballynure and District Community Association	South Antrim	Ballynure Riverside Sensory Garden	Successful	South Antrim
Mossley PS	South Antrim	Mossley Polytunnel	Successful	South Antrim
Newtonabbey Educational Guidance Centre	South Antrim	Environmental improvements	Successful	South Antrim
Belfast High School	South Antrim	Replenishment of Trees, Repair to Greenhouse	Successful	South Antrim
Templpatrick PS	South Antrim	TPS Education and Life Learning Eco Garden	Successful	South Antrim
Ballyclare HS Eco Club	South Antrim	Ballyclare Our Living Classroom	Successful	South Antrim
Fairview Primary PS	South Antrim	Ecolympics Fairview Primary School	Successful	South Antrim
Parkhall PS	South Antrim	Parkhall Learning & Growing Together	Successful	South Antrim
Antrim Grammar School	South Antrim	Paper, Plastic, Cans, Recycle, take a stand!	Successful	South Antrim
St Joseph's Primary School	South Antrim	St Joseph's Bringing the classroom outside	Successful	South Antrim

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Creavery PS	South Antrim	Creavery Env Trail & Outdoor Classroom	Successful	South Antrim
Rathenraw Integrated PS	South Antrim	Rathenraw Outdoor Educational Play Equipment	Successful	South Antrim
RSPB	Lagan Valley	Getting close to Nature at RSPB Reserves	Successful	South Belfast
RSPB	Lagan Valley	Digitising Douglas Deane	Successful	South Belfast
National Trust	North Down	Lisnabreeny Biodiversity Habitat Public Access	Successful	South Belfast
Belfast Hills Partnership	South Belfast	Belfast Hills Wildfire Management Plan	Successful	South Belfast
Belfast Hills Partnership	South Belfast	Belfast Hills Swift Towers	Successful	South Belfast
Federation of City Farms & Community Gardens	South Belfast	Training for Wildlife Gardening	Successful	South Belfast
Federation of City Farms & Community Gardens	South Belfast	Training the Trainer in Community Gardening	Successful	South Belfast
Federation of City Farms & Community Gardens	South Belfast	Community Gardens Management Modelling	Successful	South Belfast
Hannahstown Community Assoc	South Belfast	Gateway to Hannahstown Conservation Area	Unsuccessful	South Belfast
Hannahstown Community Assoc	South Belfast	Hannahstown Environmental & Conservation Area	Unsuccessful	South Belfast
Hearth/Hearth Revolving Fund	South Belfast	Quality Streets - Life of a Victorian House	Successful	South Belfast
Hearth/Hearth Revolving Fund	South Belfast	Court Street Regeneration Spring School	Successful	South Belfast
Hearth/Hearth Revolving Fund	South Belfast	Hearth Monitoring Project - Retrofit study	Successful	South Belfast

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Hearth/Hearth Revolving Fund	South Belfast	Hearth Monitoring Project – Stone & Mud wall buildings	Unsuccessful	South Belfast
Hearth/Hearth Revolving Fund	South Belfast	Ormeau Park Veranda Reinstatement	Unsuccessful	South Belfast
Lagan Valley Regional Park	South Belfast	Lock Keeper's Cottage Hedgerows and Orchard	Successful	South Belfast
Lagan Valley Regional Park	South Belfast	Minnowburn Meadow Reclamation	Successful	South Belfast
Lagan Valley Regional Park	South Belfast	LVRP signage phase II- access and path signage	Unsuccessful	South Belfast
Ulster Architectural Heritage Society	South Belfast	Architectural Digital Archive part 2	Successful	South Belfast

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Ulster Architectural Heritage Society	South Belfast	Quality Streets: Homes Through the Ages	Successful	South Belfast
Ulster Architectural Heritage Society	South Belfast	Quality Streets: Cathedral Quarter Heritage	Successful	South Belfast
Blackhead Angling Club	South Belfast	Annacloy River Riparian Improvement	Successful	South Belfast
Belfast Buildings Trust	South Belfast	Carlisle Memorial Enterprise Garden	Successful	South Belfast
Cinemagic	South Belfast	ECO Kids Film Fun	Successful	South Belfast
The Partnership for Action against Wildlife Crime sub-group	South Belfast	Raising public awareness to protect breeding birds	Unsuccessful	South Belfast
Footprints Women's Centre	South Belfast	Conserving our Water Supply	Unsuccessful	South Belfast
Sustrans	South Belfast	Knock Station Platform Conservation Project	Unsuccessful	South Belfast
Colin Glen Trust	South Belfast	Colin Glen Forest Park Lake Development	Successful	South Belfast
St Malachy's PS	South Belfast	Sensory Garden	Successful	South Belfast
National Trust	North Down	Castle Ward's Pine Martens	Successful	South Down

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
National Trust	North Down	Murlough Visitor Use Survey	Successful	South Down
National Trust	North Down	Castle Ward Removing Alien Invasion	Successful	South Down
Outdoor Recreation Northern Ireland	South Belfast	Enhancing the Castlewella Peace Maze	Successful	South Down
Outdoor Recreation Northern Ireland	South Belfast	Bunkers Hill Forest Nature Play Trail and Play Trail Guide	Successful	South Down
Outdoor Recreation Northern Ireland	South Belfast	Play Trail & Guide for Older Children - Tollymore Forest Park	Unsuccessful	South Down
Outdoor Recreation Northern Ireland	South Belfast	Play Trail & Guide for Younger Children - Tollymore Forest Park	Unsuccessful	South Down
Outdoor Recreation Northern Ireland	South Belfast	Play Trail & Guide for Younger Children - Castlewella Forest Park	Unsuccessful	South Down
Outdoor Recreation Northern Ireland	South Belfast	Play Trail & Guide for Older Children - Castlewella Forest Park	Unsuccessful	South Down
Ballyhornan CA	South Down	Ballyhornan Environmental Design Programme	Successful	South Down
Ballyhornan CA	South Down	Ballyhornan Environmental Improvement	Successful	South Down

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Ballyhornan CA	South Down	Ballyhornan Community Environmental Improvement Programme	Unsuccessful	South Down
Greenhill YMCA	South Down	GREENhill Environmental Challenge	Unsuccessful	South Down
Greenhill YMCA	South Down	Environmental Learning Units	Unsuccessful	South Down

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Mournes Heritage Trust	South Down	Mourne Red Squirrel Conservation - Phase 2	Successful	South Down
Mournes Heritage Trust	South Down	Happy Valley Wildfire Damaged Fire Restoration	Successful	South Down
Mournes Heritage Trust	South Down	Granite Trail Interpretation	Successful	South Down
Mournes Heritage Trust	South Down	Conservation Restoration of Wildfire Damaged Forest at Annalong Wood	Unsuccessful	South Down
Glebe House Harmony Community Trust	South Down	Glebe House Nature Area	Successful	South Down
Down Community Arts	South Down	Rural Reclaim	Unsuccessful	South Down
Friends of Isabella	South Down	The Isabella Tower Project	Unsuccessful	South Down
Soroptimist International, Downpatrick and District	South Down	15 minute Climate Change Film	Unsuccessful	South Down
River Valley Development Association Ltd (RVDA)	South Down	Repairing Hanna's Close	Successful	South Down
Butterfly Conservation Northern Ireland	South Down	Conserving Cryptics	Unsuccessful	South Down
Ardaluin Regeneration Trust	South Down	Ardaluin Community Care Farm	Successful	South Down
Strangford Lough and Lecale Partnership	North Down	Portaferry Heritage Trail	Successful	Strangford
Outdoor Recreation Northern Ireland	South Belfast	Tobar Mhuire - Pond Reinstatement	Successful	Strangford
Outdoor Recreation Northern Ireland	South Belfast	Tobar Mhuire - Creating a sheltered space at Mary's Well	Unsuccessful	Strangford
Ulster Wildlife	Strangford	Growing together	Successful	Strangford
Ulster Wildlife	Strangford	Bringing Biodiversity Awareness	Successful	Strangford

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Ulster Wildlife	Strangford	Wildlife in Trust - Dunnyneill Island	Unsuccessful	Strangford
Ulster Wildlife	Strangford	Retrofitted renewables SME eco- office demonstration site	Unsuccessful	Strangford
Alliance Youth Works	East Londonderry	Pollinators Paradise	Successful	Upper Bann
Alliance Youth Works	East Londonderry	Stop, Look and Record	Successful	Upper Bann
Alliance Youth Works	East Londonderry	In the Shadow of Greatness	Unsuccessful	Upper Bann
RSPB	Lagan Valley	Residential volunteering at Portmore Lough Nature Reserve	Unsuccessful	Upper Bann
RSPB	Lagan Valley	Bridging the gap at Portmore Lough	Unsuccessful	Upper Bann
Iveagh Angling Club	Upper Bann	Buffer Strip Creation River Lagan Blackskull	Unsuccessful	Upper Bann
Richmount Rural Community Association	Upper Bann	Richmount ECO project	Successful	Upper Bann
NI at Play	Upper Bann	Adventure Play Project	Unsuccessful	Upper Bann
St Mary's PS, Lurgan	Upper Bann	Wonderful willow project	Successful	Upper Bann
NOW	West Belfast	Keep 'er lit!	Successful	West Belfast
NOW	West Belfast	Planet Champions needed NOW!	Unsuccessful	West Belfast
Upper Andersonstown Community Forum	West Belfast	The ST John the Baptist Community Garden	Successful	West Belfast
West Belfast Partnership Board	West Belfast	West Belfast Partnership Alleyways Project	Successful	West Belfast
Forthspring	West Belfast	Forthspring Gardening Project	Successful	West Belfast
Patrick Sarsfield GAC	West Belfast	Patrick Sarsfields GAC Recycling Initiative	Unsuccessful	West Belfast
Westcourt Centre	West Belfast	Room to Grow.	Unsuccessful	West Belfast

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Suffolk Community Forum	West Belfast	Suffolk Interface Pocket Plots	Successful	West Belfast
Stewartstown Road Regeneration Project	West Belfast	Resource Conservation & Community Education	Unsuccessful	West Belfast
Outdoor Recreation Northern Ireland	South Belfast	Reinstating the Gortin Burn Walk	Unsuccessful	West Tyrone

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Outdoor Recreation Northern Ireland	South Belfast	Gortin Glen Forest Park - Sculpture Trail	Unsuccessful	West Tyrone
Owenkillev Development Co	West Tyrone	Gortin Outdoors Live and Learn	Successful	West Tyrone
Owenkillev Development Co	West Tyrone	Gortin wildlife garden and biodiversity trail	Successful	West Tyrone
Sion Mills Buildings Preservation Trust	West Tyrone	Exhibiting Sion Mills' Built Heritage	Successful	West Tyrone
Sion Mills Buildings Preservation Trust	West Tyrone	Sion Mills Conservation Archives	Unsuccessful	West Tyrone
Killeter & District Development Trust	West Tyrone	Breathing new life into old sites	Successful	West Tyrone
Dennett Anglers Association	West Tyrone	Disabled Anglers Toilet facility (River Dennett)	Unsuccessful	West Tyrone
The Villages Together	West Tyrone	Our Heritage (Scoping Project)	Unsuccessful	West Tyrone
Loughmacrory Community Development Association (LCDA)	West Tyrone	Loughmacrory and Coolnagreana Burn Environmental Restoration	Successful	West Tyrone
Drumduff & Drumnakilly Community Association	West Tyrone	The Green Mill	Unsuccessful	West Tyrone
Eskra Community Association	West Tyrone	Renewable Energy System at Eskra Community Centre	Unsuccessful	West Tyrone
Beragh Care Development Association	West Tyrone	Beragh Community Garden	Successful	West Tyrone

List of organisations that have benefited from the Challenge Fund 2014

Organisation	Organisation Constituency	Projects	Successful / Unsuccessful	Project Constituency
Blacksessiagh Regeneration Group	West Tyrone	Parking Facilities & Carbon Reduction	Unsuccessful	West Tyrone
Playtime, Day Nursery, Playgroup and Out of School Club	West Tyrone	Eskra Out of Schools Wildlife Garden	Successful	West Tyrone
Dromore PS	West Tyrone	Stepping Stones to our wildlife garden	Successful	West Tyrone
Langfield PS	West Tyrone	Waste Reduction Project	Successful	West Tyrone
Cooley PS	West Tyrone	Cooley Woodland Creation	Successful	West Tyrone
Erganagh PS	West Tyrone	Greenfingers	Successful	West Tyrone
St Joseph's PS, Glenmornan	West Tyrone	Little Buds and Buddies Gardening Project	Successful	West Tyrone
Loughash PS	West Tyrone	Ash & Splash Around Loughash	Successful	West Tyrone
St Mary's PS, Strabane	West Tyrone	Outdoor Classroom Strabane	Successful	West Tyrone

Northern Ireland Environment Agency

Mr McMullan asked the Minister of the Environment whether the Northern Ireland Environment Agency plans to restore the inscription on the Glendun Viaduct.

(AQW 32024/11-15)

Mr Durkan: Though a listed building, the Glendun Viaduct is not in the ownership of the DOE and the Department has no power to restore any inscription. I understand that DRD is the current owner of the structure and therefore consideration of the restoration of the inscription would be a matter for that Department.

HGV Road User Levy

Mr Flanagan asked the Minister of the Environment for his assessment of the levy charged for heavy goods vehicles, compared to the cost of administering the scheme.

(AQW 32031/11-15)

Mr Durkan: The HGV Road User Levy tax is being introduced by the London Government. It is an excepted matter under the Northern Ireland Act 1998, and is the responsibility of the Department for Transport in Whitehall. Currently, non-UK registered HGVs do not pay to use the road network in Britain, whereas UK registered HGVs pay charges or tolls in most other European countries.

The Department for Transport (DfT) estimates that the HGV Road User Levy will generate £20 million per annum, with that revenue going to the Exchequer, and that costs will be less than revenue.

For non-UK HGVs, the Levy will be paid through a Foreign Operator Payment System, the design and operation of which DfT has contracted out to a third party supplier. Details of the contract are available on the Contract Finder website. The awarded contract value is in the region of £15 million to December 2018. The system has been designed to enable operators to pay the Levy with the minimum of administration.

For UK registered vehicles the Levy will be administered by the Driver and Vehicle Licensing Agency in Swansea alongside the existing Vehicle Excise Duty (VED) system of renewal reminders and payments processes. Operators will pay the Levy in a single transaction with VED, to avoid unnecessary administration costs.

There is no cost locally to the delivery of the Levy.

HGV Road User Levy

Mr Flanagan asked the Minister of the Environment to outline the process through which any delay or non-implementation of the secondary legislation regarding the heavy goods vehicle levy would (i) impact upon enforcement agencies; and (ii) result in arrest.

(AQW 32033/11-15)

Mr Durkan: The London Government's HGV Road User Levy Act 2013 comes into operation on 1 April 2014, making it a legal requirement for anyone using a HGV over 12 tonnes in weight on roads to have paid a levy. This has been applied by the London Government to roads in the North.

In Britain, non-payment of the Levy will be enforced by the Driver and Vehicle Standards Agency (DVSA) via a system of fixed penalties and penalty deposits. The fixed penalty and penalty deposit scheme allows discharge of the offence without recourse to the court system.

From 1 April 2014 anyone using roads to which the Levy applies without having first paid the Levy would be guilty of an offence and, in the absence of a fixed penalty system in the North may face legal proceedings if they are found using a HGV on roads without paying the Levy. The Driver Vehicle Agency has no powers to arrest anyone committing a road traffic offence and it would therefore be for the PSNI to determine if arrest was warranted dependent on the circumstances of each case.

Lough Neagh: Sand and Gravel Extraction

Mr Agnew asked the Minister of the Environment, in light of the Natura 2000 status of Lough Neagh and the extent, scale and duration of unauthorised minerals extraction, why his Department's has not taken formal enforcement action.

(AQW 32085/11-15)

Mr Durkan: The Department is currently investigating the unauthorised extraction of sand from Lough Neagh. The case reference is T/2014/0012/CA.

Enforcement Investigations require a site inspection (or multiple inspections), background investigations and detailed consideration before formal enforcement action is taken. The decision on what action will be taken is still under consideration.

The Department's approach to the enforcement of planning control is set out in Planning Policy Statement 9.

Planning: Northern Area Plan

Mr McMullan asked the Minister of the Environment when the Northern Area Plan Report will be made available to the public. (AQW 32142/11-15)

Mr Durkan: You will be aware that on 22nd March 2012 at the close of the Independent Examination into the Northern Area Plan Public Examination the Planning Appeals Commission indicated that their report would be presented to the Department by the end of 2013.

I have been informed that the Chief Commissioner, on 20th March 2014, apologised for the delay in producing the report and has advised that it will be presented by the end of May 2014. Once received, I will ask officials to review its contents and I will determine whether it is expedient to make the report publicly available. May I reassure you that I recognise the benefits of making the report publicly available in terms of open and transparent government, and assisting developers to make investment decisions. If the report is to be made publicly available I will make a statement informing Members at that time.

Following full consideration of the report it is my intention that the Northern Area Plan be adopted prior to the transfer of planning powers to the new Councils. After which time, it will then be a matter for the new Causeway Coast and Glens District Council to formulate its own Local Development Plan under the provisions of the Planning Act (Northern Ireland) 2011.

Department of Finance and Personnel

Net Fiscal Balance Report

Mr Flanagan asked the Minister of Finance and Personnel to detail the amount of resources required in order to achieve the Office for National Statistics certification of the Northern Ireland Net Fiscal Balance Report. (AQW 31302/11-15)

Mr Hamilton (The Minister of Finance and Personnel): As National Statistics certification has not been sought, the resources required for this purpose have not been detailed.

Water Bills: DFP

Mr Agnew asked the Minister of Finance and Personnel to detail (i) who audits his Department's water bills; (ii) when his Department's water bill was last audited; (iii) when his Department's water bill will next be audited; (iv) how much money has been saved in the last five years as a result of auditing; and (v) the process for contracting out the auditing of water bills. (AQW 31564/11-15)

Mr Hamilton:

- (i) Properties Division Estate Management Unit is responsible for auditing water bills for my Department.
- (ii) Water bills are audited as and when they are received.
- (iii) Water bills are received for individual properties as per the suppliers billing cycle. Auditing of these bills will continue to be carried out on an ongoing basis.
- (iv) Savings of approximately £13k have been realised through auditing of my Department's water bills over the last five years.
- (v) If auditing of water bills were contracted out this would be done via the NI lead procurement body, DFP Central Procurement Directorate, via a suitable tender competition to provide best value for money.

Special Advisers

Mr Allister asked the Minister of Finance and Personnel to detail (i) whether a review panel has been set up pursuant to Section 3 of the Civil Service (Special Advisers) Act 2013; (ii) how often has it met; and (iii) if the panel's work has been completed. (AQW 31802/11-15)

Mr Hamilton: The information is as follows:

- (i) Yes;
- (ii) 7 times;
- (iii) No.

Flooding: Reparation of Roads and Storm Defences

Mr Weir asked the Minister of Finance and Personnel what are the Barnett Consequentials of the Westminster Government's announcement of additional capital to repair roads and storm defences. (AQW 31845/11-15)

Mr Hamilton: The Chancellor's March Budget confirmed that Northern Ireland will receive £1.8 million Resource DEL and £8.4 million Capital DEL as a result of consequentials arising from flood defence and road repair funding in GB.

As always Barnett allocations are unhypothecated, meaning they are for allocation locally in line with the Executive's priorities.

EU Funding

Mr Agnew asked the Minister of Finance and Personnel to detail how much European funding each Department has drawn down in each of the last 5 years.

(AQW 31950/11-15)

Mr Hamilton: The figures in respect of EU Structural Funds are shown in the table overleaf.

European Union Structural Funds drawn down by Department 2009-1010 through 2013-2014 (to date)

DEPT	2009-10	2010-11	2011-12	2012-13	2013-14	Total
DARD	£1,552,673.03		£1,620,915.95	£1,925,443.73	£586,009.47	£5,685,042.18
DCAL						
DE			£9,383,376.93	£1,849,463.69		£11,232,840.62
DEL	£13,946,829.32	£18,433,092.67	£914,657.40	£16,268,472.63	£26,578,620.49	£76,141,672.51
DETI	£7,848,203.83	£60,961,230.19	£17,809,317.29	£52,938,087.81	£20,366,090.22	£159,922,929.34
DOE	£1,798,665.83	£151,882.38	£913,346.19	£2,494,763.86	£307,981.58	£5,666,639.84
DFP	£6,109,550.91	£3,142,940.46	£6,839,322.73	£8,229,240.82	£1,793,748.72	£26,114,803.64
DHSSPS	£1,328,328.10	£837,632.23	£1,356,360.24	£4,661,430.41	£280,167.78	£8,463,918.76
DOJ						
DRD	£293,666.54	£8,337,935.89	£986,318.41	£1,907,553.34	£6,283,569.03	£17,809,043.21
DSD	£3,782,084.28	£6,098,858.12	£4,730,464.51	£7,267,838.34	£3,474,311.50	£25,353,556.75
OFMDFM	£9,584,352.61	£13,403,763.59	£13,192,097.89	£16,618,515.11	£12,482,824.59	£65,281,553.79
Total	£46,244,354.45	£111,367,335.53	£57,746,177.54	£114,160,809.74	£72,153,323.38	£401,672,000.64

Driver and Vehicle Agency

Mr Campbell asked the Minister of Finance and Personnel following the announcement by the Minister for Transport regarding the closure of the Driver and Vehicle Agency (DVA), will he ensure that the offer of re-training is specifically targeted so that current DVA staff are adequately prepared for posts which may be made available by the Northern Ireland Civil Service by the end of 2014.

(AQW 32029/11-15)

Mr Hamilton: I give my commitment that Corporate Human Resources in my Department will work closely with DOE to establish the details of staff affected by the Department for Transport decision. Corporate HR will collaborate with other departments across the NICS to ensure the effective operation of the policy and procedures to manage staff surpluses, to redeploy to and re-train staff for other duties and to avoid the need for compulsory redundancies.

The Minister for the Environment has confirmed that staff requiring redeployment will be considered for any generic training to enhance their skills as required. In addition, all staff redeployed to new work will receive the specific training necessary for them to carry out their new roles effectively.

Small and Medium-sized Enterprises

Ms Fearon asked the Minister of Finance and Personnel to detail the total amount of bank funding to small and medium sized enterprises in each of the last five consecutive years for which data is available.

(AQW 32058/11-15)

Mr Hamilton: The information is not held.

Business Bank

Ms Fearon asked the Minister of Finance and Personnel whether peer to peer lending by the Business Bank applies locally.

(AQW 32059/11-15)

Mr Hamilton: The Department of Finance and Personnel is not responsible for the Business Bank, so cannot account for the schemes it operates.

Financial Transactions Capital

Mr Swann asked the Minister of Finance and Personnel how much money he has allocated to Financial Transactions Capital in each of the last three years; and to where it has been allocated.

(AQW 32092/11-15)

Mr Hamilton: Financial Transactions Capital was first introduced by HM Treasury in 2012-13. There were therefore no allocations of Financial Transactions Capital in 2011-12.

In 2012-13, £11.8 million was allocated to DSD for housing schemes.

In 2013-14, £15.9 million was allocated to DSD for housing schemes and £25 million was allocated to the University of Ulster for its relocation project.

Department of Health, Social Services and Public Safety

Western Health and Social Care Trust: Private Sector Treatment Spending

Mr Eastwood asked the Minister of Health, Social Services and Public Safety to detail the spending on private sector treatment for patients in the Western Health and Social Care Trust, in each of the last three financial years.

(AQW 30280/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): The spend on private sector treatment by the Western Health and Social Care Trust to assist in delivering improvements in waiting times for access to elective care services, in each of the last three financial years, was as follows:

2012/13 £m	2011/12 £m	2010/11 £m
7.1	7.2	3.8

Ballymena Health and Care Centre

Mr McKay asked the Minister of Health, Social Services and Public Safety (i) whether a Day Term Contractor was paid £259,676.82 in respect of Decant and Enabling Works at the proposed new Health and Care Centre on the Cushendall Road, Ballymena; (ii) to outline the tendering process for the award of this contract; (iii) to detail the (a) number of invoices received; and (b) the value of each invoice; and (iv) to demonstrate the value for money achieved by this contract.

(AQW 30976/11-15)

Mr Poots:

- (i) and (iii) A Contractor has submitted 195 invoices totalling £259,676.82 for works associated with Decanting and Enabling Works in advance of the new Ballymena Health and Care Centre (see Annex A). 182 invoices totalling £246,148.64 have been paid, whilst 13 invoices totalling £13,158.18 have not yet been paid
- (ii) The Contractor has been employed by the Northern Trust (and previously by the United Hospitals Trust) as a Day Term Contractor since 2005 following a Competitive Tender Competition to provide a Building Maintenance and Minor Works Service for the Braid Valley Site. This Contract was for works of a single order value of up to £2,000.00 and was allocated to the Day Term Contractor without a further tendering process.

A number of measures were undertaken in order to manage costs for this contract, including:

- (iv) Issuing written instructions to the Contractor for each job allocated; the Project Manager was on site daily and worked in conjunction with all the Client User Groups on site to ensure that the works were completed to a satisfactory standard; and the Project Manager assessed each invoice to ensure that the costs for labour and materials were appropriate prior to approval of payment. It is not possible to give complete assurance that value for money was achieved as the work was not tendered as one scheme. This issue was included within the Special Investigation report on NHSCT estate services which was produced by BSO Internal Audit and published on 24 January 2014.

Annex A**Spend for Ballymena Health and Care Centre Decant and Enabling Works**

Invoices		
Mar-12	1	£ 993
	2	£ 1,102
	3	£ 1,214
	4	£ 1,256
	5	£ 1,411
	6	£ 1,630
	7	£ 1,691
	8	£ 1,780
	9	£ 1,810
	10	£ 1,847
	11	£ 1,897
	12	£ 1,926
	13	£ 1,938
	14	£ 1,961
	15	£ 1,964
	16	£ 1,976
	17	£ 1,987
	18	£ 1,989
	19	£ 1,996
Jun-12	20	£ 1,865.70
	21	£ 1,479.00
	22	£ 1,984.00
	23	£ 1,437.00
	24	£ 1,750.00
	25	£ 1,862.70
	26	£ 1,797.00
	27	£ 537.40
	28	£ 1,957.20
	29	£ 1,974.30
	30	£ 1,782.50
	31	£ 780.00
Jul-12	32	£ 360.00
	33	£ 730.00
	34	£ 847.00
	35	£ 940.30
	36	£ 984.37
	37	£ 987.50
	38	£ 1,140.70
	39	£ 1,147.00
	40	£ 1,147.90

Invoices		
	41	£ 1,210.00
	42	£ 1,226.50
	43	£ 1,452.00
	44	£ 1,740.12
	45	£ 1,765.40
	46	£ 1,780.46
	47	£ 1,870.00
	48	£ 1,870.00
	49	£ 1,896.50
	50	£ 1,954.30
	51	£ 1,989.00
Aug-12	52	£ 476.30
	53	£ 630.00
	54	£ 670.00
	55	£ 739.00
	56	£ 928.70
	57	£ 984.50
	58	£ 1,150.00
	59	£ 1,216.20
	60	£ 1,420.50
	61	£ 1,436.00
	62	£ 1,572.00
	63	£ 1,682.90
	64	£ 1,750.00
	65	£ 1,790.00
	66	£ 1,837.00
	67	£ 1,841.90
	68	£ 1,974.00
	69	£ 1,976.00
	70	£ 1,995.00
	71	£ 1,995.00
	72	£ 1,995.00
	73	£ 1,995.00
	74	£ 1,995.00
	75	£ 1,995.00
	76	£ 1,995.00
Sep-12	77	£ 1,320.36
	78	£ 1,760.50
	79	£ 1,640.00
	80	£ 1,640.00
	81	£ 1,862.00

Invoices		
	82	£ 950.65
	83	£ 1,460.00
	84	£ 1,780.00
	85	£ 1,895.30
	86	£ 1,754.00
	87	£ 1,212.00
	88	£ 1,436.40
	89	£ 1,992.70
	90	£ 1,418.57
	91	£ 1,650.00
Oct-12	92	£ 684.00
	93	£ 1,700.00
	94	£ 250.00
	95	£ 987.00
	96	£ 1,974.90
	97	£ 418.15
	98	£ 312.00
	99	£ 974.00
	100	£ 1,987.00
	101	£ 1,876.00
	102	£ 947.60
	103	£ 1,889.70
	104	£ 1,994.00
	105	£ 345.00
	106	£ 368.00
	107	£ 328.00
	108	£ 156.00
	109	£ 1,224.00
	110	£ 312.00
	111	£ 630.54
	112	£ 1,792.60
	113	£ 1,824.30
	114	£ 1,763.00
	115	£ 418.15
	116	£ 620.00
	117	£ 1,819.00
	118	£ 860.00
	119	£ 30.00
	120	£ 485.00
	121	£ 228.00

Invoices		
Feb-13	122	£ 1,274.50
	123	£ 624.00
	124	£ 170.00
	125	£ 900.00
	126	£ 367.20
	127	£ 870.00
	128	£ 1,127.00
	129	£ 1,984.00
	130	£ 180.00
	131	£ 1,612.00
	132	£ 638.00
	133	£ 439.50
	134	£ 986.70
	135	£ 1,997.00
	136	£ 892.36
	137	£ 1,150.00
	138	£ 1,842.00
	139	£ 1,437.00
	140	£ 1,607.50
	141	£ 1,694.76
	142	£ 456.00
	143	£ 926.00
	144	£ 340.00
	145	£ 773.00
	146	£ 911.92
	147	£ 669.14
	148	£ 1,951.78
	149	£ 556.07
	150	£ 731.48
	151	£ 1,832.61
	152	£ 1,933.62
	153	£ 1,991.34
	154	£ 1,991.34
	155	£ 1,731.60
	156	£ 1,789.32
	157	£ 1,962.48
	158	£ 1,962.48
	159	£ 1,832.61
	160	£ 1,991.34
	161	£ 1,443.00
	162	£ 1,933.62

Invoices		
Mar-13	163	£ 841.01
	164	£ 307.76
	165	£ 1,729.20
	166	£ 935.95
	167	£ 633.24
	168	£ 1,371.34
	169	£ 1,980.55
	170	£ 1,048.98
	171	£ 1,491.63
	172	£ 554.01
	173	£ 1,427.57
	174	£ 1,987.91
	175	£ 1,964.87
	176	£ 1,308.15
	177	£ 336.36
	178	£ 554.01
	179	£ 1,321.99
	180	£ 1,952.55
	181	£ 1,964.87
	182	£ 1,308.15
Total		£ 246,148.64

Invoices received but not paid:		
Mar-13	1	£ 1,500.00
	2	£ 633.51
	3	£ 530.10
	4	£ 775.78
	5	£ 1,702.26
	6	£ 581.43
	7	£ 586.78
	8	£ 709.10
	9	£ 519.22
	10	£ 1,990.00
	11	£ 1,500.00
	12	£ 1,000.00
	13	£ 1,500.00
Total		£ 13,528.18

Cancer: Unapproved Cancer Drugs

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 31158/11-15, to detail the total cost of all individual funding requests granted for unapproved cancer drugs, in each of the last three years.
(AQW 31742/11-15)

Mr Poots: Information is not available in the form requested prior to 1 January 2012. The information available for 2013/14 is from 1 March 2013 to 31 January 2014. For each of the financial years costs will be allocated by the Board in year, but expenditure may be also incurred in the subsequent year(s) depending on the duration of treatment. Relevant information is set out in the table below.

Year	Number of Cancer IFRs Approved	2011/12 £	2012/13 £	2013/14 £
01/01/12 - 31/03/12	26 (3 months)	96,734	197,582	-
01/04/12 - 31/03/13	93	-	1,021,856	382,020
01/04/13 - 31/01/14	95 (10 months)	-	-	1,141,226
Totals	214	96,734	1,219,438	1,523,246

Pension Schemes Contribution: DHSSPS

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail (i) the amount of money contributed to pension schemes for senior management within his Department; and (ii) the number of employees involved, in the last five years. (AQW 31759/11-15)

Mr Poots: For the purposes of this question, senior management has been interpreted as meaning permanent staff within the Senior Civil Service (SCS).

The table below details, the amount of employer's contributions paid to pension schemes for SCS level within my Department. The numbers of SCS staff in post fluctuated within each of the 5 years specified.

Year	Total amount of Employers Pension contributions paid	Number of Senior Management Staff
2008/2009	£490,147.38	31-34
2009/2010	£507,710.45	30-32
2010/2011	£481,886.51	24-30
2011/2012	£427,583.24	23-28
2012/2013	£452,010.88	23-26

Car Parking: Northern Health and Social Care Trust

Mr Allister asked the Minister of Health, Social Services and Public Safety whether the Northern Health and Social Care Trust's decision to charge staff for car parking was on foot of ministerial guidance or direction. (AQW 31863/11-15)

Mr Poots: DHSSPS policy on car parking provision and management in the Health and Social Care (HSC) sector makes clear that decisions relating to specific HSC site car parking rest with each Health and Social Care Trust.

DHSSPS does not dictate that car parking charging must be applied, but requires that solutions adopted at each site fit the particular needs and circumstances of that site. It is important that the costs required for the provision of maintenance and security of car parking do not impact on the funding for provision of patient services and so Trusts may often consider charging unavoidable.

DHSSPS requires that proposals relating to the introduction of, or changes to, the charging regime for car parking on individual HSC sites, including changes to charging for staff, requires that HSC Trusts must consult locally in respect of:

- the introduction of charges to new or previously free spaces or
- an increase in charges on any site (if the proposed increase is broadly in line with inflation consultation in not required).

Cancer: Bowel Cancer in East Antrim

Mr McMullan asked the Minister of Health, Social Services and Public Safety what action the Northern Health and Social Care Trust and the Health and Social Care Board are taking to improve their capacity to diagnose bowel cancer in East Antrim. (AQW 31926/11-15)

Mr Poots: The Public Health Agency and the Health and Social Care Board have been working with all Trusts to ensure that adequate bowel cancer diagnostic capacity will be available from April 2014 to meet the additional demand for colonoscopy associated with extension of the bowel cancer screening programme. From April 2014 the upper age limit for those invited to attend bowel cancer screening will be raised from 71 to 74 years of age.

The Northern Health and Social Care Trust is responsible for bowel cancer services in the East Antrim area. The Trust has confirmed that it is currently within target for specialist cancer screening assessment and colonoscopy; with plans to increase bowel cancer screening provision in line with the age extension in April 2014.

In addition the Northern Health and Social Care Trust participates in the Farm Families Health Check Programme. This initiative consists of a mobile screening unit which will visit local farmers' markets and rural community events to offer on-the-spot health checks consisting of blood pressure monitoring, BMI, cholesterol check and diabetic screening. In addition, individual lifestyle advice will be given on a range of health issues and onward referral to local support services as required.

Domiciliary Care Services

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail the domiciliary care budget allocation in each of the last five years; and the forecasted budget over the next two years.

(AQW 31949/11-15)

Mr Poots: Domiciliary Care expenditure in each of the last five years is set out in the table below:

2012/13 £'000	2011/12 £'000	2010/11 £'000	2009/10 £'000	2008/09 £'000
213,733	211,316	203,019	200,025	185,630

It is not possible at this time to provide details of the forecasted budget over the next two years.

Ovarian Cancer

Mr Agnew asked the Minister of Health, Social Services and Public Safety what action he is taking to raise awareness of ovarian cancer.

(AQW 31952/11-15)

Mr Poots: The Public Health Agency is planning to run a general awareness campaign about identifying the symptoms of cancer which will prioritise ovarian cancer within the campaign.

I have asked the PHA to convene a workshop with all those stakeholders involved in cancer awareness, including ovarian cancer, to ensure that key people are fully engaged in the process of planning the campaign.

I restate the commitment that I gave on Monday 4th March, at the launch of Ovarian Cancer Awareness Month, that I am committed to raising awareness about ovarian cancer in order to improve the outcomes for patients and their families.

Air Ambulance

Mr Allister asked the Minister of Health, Social Services and Public Safety whether helicopters used by the coastguard are ever licensed to act as air ambulances.

(AQW 31963/11-15)

Mr Poots: There is no dedicated helicopter emergency medical service (HEMS) operating within Northern Ireland. However, a memorandum of understanding (MOU) exists between the Northern Ireland Ambulance Service (NIAS) and the Maritime Coastguard Agency (MCA), which allows NIAS to directly seek support from the MCA for non-maritime incidents e.g. casualties in inaccessible places where a winching facility is required.

The licensing and certification of aircraft used in both HEMS and in air ambulance hospital transfer is a matter for the aviation authorities. I have been assured by the Health and Social Care Board that all aircraft used to transport patients in Northern Ireland are operated in full compliance with the current European Aviation Safety Agency (EASA) and Civil Aviation Authority (CAA) regulations.

DHSSPS: Cost Saving Programmes

Mr McQuillan asked the Minister of Health, Social Services and Public Safety how his Department assesses the merit of supporting cost saving programs.

(AQW 31967/11-15)

Mr Poots:

- That there will no detrimental impact on patient and client care and that the quality of such care will be protected and improved;
- That best practice is being shared across Northern Ireland and that proposals are being treated consistently across organisations, where appropriate,;
- That any necessary community or primary care capacity will be available to pick up the proposed downturn in acute activity;
- That discretionary expenditure and procurement efficiencies have been targeted, with a consistent approach to various initiatives across N Ireland;
- That savings proposals will be evidence based; and

- That savings proposals will be subject to public consultation, as appropriate.

DHSSPS: Cost Saving Programmes

Mr McQuillan asked the Minister of Health, Social Services and Public Safety for his assessment of the importance of cost saving programmes in the Health Service.

(AQW 31968/11-15)

Mr Poots: The delivery of cost savings programmes across the health and social care sector is essential if HSC organisations are to provide value for money in the use of public funds, achieve financial breakeven and meet the increasing demand for services within limited resources. I am committed to the delivery of £139m of savings in 2013/14, in addition to the £185m achieved in 2012/13.

A&E Departments: Waiting Times

Mr Gardiner asked the Minister of Health, Social Services and Public Safety to detail the current waiting times for each hospital Emergency Department.

(AQW 31971/11-15)

Mr Poots: Information on waiting times at emergency care departments for new and unplanned review attendances is published on a monthly basis, with information for February 2014 available to view or download from:

http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm

A&E Departments: Waiting Times

Mr Gardiner asked the Minister of Health, Social Services and Public Safety to detail the waiting times for each hospital Emergency Department in 2010-11.

(AQW 31972/11-15)

Mr Poots: Information on waiting times at emergency care departments for new and unplanned review attendances for 2010/11 is available to view or download from:

http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm

Cystic Fibrosis

Mrs Dobson asked the Minister of Health, Social Services and Public Safety what action he intends to take as a result of the report by the Cystic Fibrosis Trust setting out a series of recommendations aimed at increasing the number of transplants for people with cystic fibrosis and improving their quality of care.

(AQW 31977/11-15)

Mr Poots: While the Cystic Fibrosis Trust report focuses on increasing the number of lung transplants, the only solid organs transplanted in Northern Ireland are kidneys, although there are NI residents awaiting transplantation in other parts of the UK. NHS Blood and Transplant (NHSBT) is the organ donation organisation for the UK, and is responsible for matching and allocating donated organs. Therefore, NHSBT can respond to many of the issues mentioned in the report's 13 recommendations.

NHSBT was involved in the development of the report, and welcomes all initiatives to increase organ donation and improve outcomes for patients in need of a transplant. My Department will continue to work closely with NHSBT in this.

The greatest potential to save and improve the lives of cystic fibrosis (CF) patients requiring lung transplants is to increase organ donation consent rates. The Public Health Agency is currently running a public information campaign aimed at increasing awareness. I would urge everyone to consider signing the organ donor register and, having done so, to discuss their wishes with their family and loved ones.

I would also refer you to my response to Oral Assembly Question 5382/11-15, which sets out recent significant investment to improve CF care.

Cancer: Patient Waiting Times in East Antrim

Mr McMullan asked the Minister of Health, Social Services and Public Safety what action the Northern Health and Social Care Trust and the Health and Social Care Board are taking to improve cancer patients' waiting times in East Antrim.

(AQW 31979/11-15)

Mr Poots: The Northern Health and Social Care Trust is responsible for cancer services in the East Antrim area. I have set performance indicators and a target for access to cancer services to ensure that patients receive the best possible service in the diagnosis and treatment of their condition. The Health and Social Care Board and the Northern Health and Social Care Trust are working closely together to ensure that the diagnosis and treatment of cancer patients in the Northern Trust is undertaken as soon as possible; actions taken include:

- Ensuring appropriate use of suspect cancer red flag referrals. Revised guidance on approaches to 'red flag' urgent referrals from GPs has been issued and this should reduce the number of inappropriate referrals;
- A clinically led stock take of the 'Review of Adult Urology Services', which was completed in 2009 is underway; this exercise will make recommendations to improve access for all urological patients, including cancer patients and reduce waiting times across the region;
- Ensuring timely Inter-Trust Transfers of patients;
- Ensuring that agreed capacity issues are addressed.

Southern Health and Social Care Trust: Donaghcloney Surgery

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail any (i) meetings; or (ii) correspondence he has had with the Southern Health and Social Care Trust regarding financial support for new premises at Donaghcloney Surgery.

(AQW 32025/11-15)

Mr Poots: The premises used by Donaghcloney surgery for the provision of General Medical Services are not Trust owned. The Southern Trust has therefore, not been engaged to date in discussions on plans for a new health centre in this area.

Any proposal for the development of new premises by Donaghcloney surgery, including an application for financial assistance in respect of any proposal, would be raised directly by GPs with the Southern LCG and HSCB who contracts with them and funds accommodation improvements.

The HSCB is developing a Strategic Implementation Plan for Primary Care Infrastructure Development which includes scope for the development of new premises for Donaghcloney surgery and has engaged with the practice to ascertain their requirements. Timing of these new developments will be dependent on business case approval and availability of funding.

Insulin Pumps

Mr Beggs asked the Minister of Health, Social Services and Public Safety to detail (i) the number and value of unfitted insulin pumps; (ii) the date the pumps were purchased; and (iii) when the pumps will become obsolete as a result of the removal of the manufacturers warranty due to excessive storage periods, broken down by Health and Social Care Trust.

(AQW 32034/11-15)

Mr Poots: The information is not collected centrally and was requested from the five Health and Social Care (HSC) Trusts. Their responses are provided below:

(i)

HSC Trust	Number of unfitted insulin pumps	Notes
Belfast	172	136 Adult pumps (75 of which are for upgrades over the next 3 years) 36 Paediatric pumps
Northern	94	30 Roche Combo pumps 23 Animas 2020 pumps 41 Medtronic pumps
South Eastern	100	63 Adult pumps (At least 20 earmarked as replacement pumps) 37 Paediatric pumps (17 replacement pumps for patients whose warranty expires before March 2015 and 20 pumps for new starts)
Southern	116	59 Adult pumps (11 of which are Medtronic 7 Series, 42 of which are Medtronic 5 Series and 6 of which are Roche pumps) 57 Paediatric pumps (All of which are Medtronic 5 Series) (6 Medtronic pumps from the above figures will be allocated to patients as replacements in the next few months)
Western	97	50 Adult pumps 23 Paediatric pumps 24 replacement pumps (These will be required and used for replacing existing pumps in use where warranty ends before 2016/2017)

(i) continued

HSC Trust	Total Cost	Notes
Belfast	Approx. £390,000	Adult pumps costing approximately £300,000 Paediatric pumps costing approximately £2,500 each
Northern	£251,650	Roche Combo pumps costing £75,000 Animas 2020 pumps costing £59,800 Medtronic pumps costing £116,850
South Eastern	Approx. £250,000 + VAT	Funding of £2,500 plus VAT per pump was received from the DHSSPS at time of purchase
Southern	£294,720.48	Medtronic pumps costing £2565.00 each Roche pumps costing £2095.08 each
Western	Approx. £204,400	Approximately £2,800 per pump

(ii)

HSC Trust	Date Purchased	Notes
Belfast	April 2011 and 2012	Adult pumps purchased 2012 Paediatric pumps purchased April 2011
Northern	March 2012	Estimated date of March 2012. These formed part of a regional purchase organised by the PHA
South Eastern	March 2012	Purchased by DHSSPS
Southern	Between 27 January – 26 March 2012	Purchased by the Southern HSC Trust
Western	March 2012	The plan for pump starts was covering a 3-5 year period (2012-2017)

(iii) All HSC Trusts indicated that for those insulin pumps that are in storage, the period of warranty lasts four years from the date of purchase. However, once an insulin pump is allocated to a patient, then the four year warranty starts from the date that the patient commences insulin pump therapy.

Southern Health and Social Care Trust: Glaucoma Patients

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of the waiting times for glaucoma patients who live in the Southern Health and Social Care Trust catchment area.
(AQW 32035/11-15)

Mr Poots: I refer the member to my response to AQW 32036/11-15.

Car Parking: Antrim, Whiteabbey and Causeway Hospitals

Mr A Maginness asked the Minister of Health, Social Services and Public Safety what assessment has been made on the impact on staff of the current proposals for car parking charges at the Antrim, Whiteabbey and Causeway Hospitals.
(AQW 32060/11-15)

Mr Poots: The Northern Health and Social Care Trust engaged with a number of staff and union representatives to discuss the proposed introduction of staff car parking charges at the Antrim Area Hospital and Causeway Hospital sites. The Trust also screened the proposal using the Equality, Good Relations and Human Rights Screening Template and completed an Options Paper setting out the Trust's assessment of the impact these charges will have on staff. This Options Paper is available on the Trust website.

In December 2013, a full consultation exercise with all those affected or potentially affected by the proposal was conducted. This consultation closed on 7 March 2014 and the responses are currently under consideration by the Northern Trust Board.

There are no immediate plans for staff car parking charges at Whiteabbey Hospital and all proposals for staff car parking are subject to the outcome of the consultation.

Car Parking: Antrim, Whiteabbey and Causeway Hospitals

Mr A Maginness asked the Minister of Health, Social Services and Public Safety how much revenue will be raised from the current proposals to introduce car parking charges at the (i) Antrim; (ii) Whiteabbey; and (iii) Causeway Hospitals.

(AQW 32061/11-15)

Mr Poots: The Northern Health Social Care Trust anticipates the following revenue to be raised:

- (i) Antrim Hospital site £117,288;
- (ii) There are no immediate plans for staff car parking charges at Whiteabbey Hospital; and
- (iii) Causeway Hospital site £59,432

Charging should be used for payback on investment and to help cover the cost of the provision and maintenance of car parking including the associated security costs. In the event that there is a surplus, it should be reinvested in patient services.

Domiciliary Care Services

Mr Flanagan asked the Minister of Health, Social Services and Public Safety to detail the (i) number; and (ii) percentage of patients who receive home help or domiciliary care for (a) up to 15; (b) 16 to 30; (c) 31 to 45; (d) 46 to 60; (e) 61 to 75; (f) 76 to 90; (g) 91 to 105; and (h) 105 to 120 minutes per day.

(AQW 32072/11-15)

Mr Poots: The information is not held centrally and was therefore requested from each Health and Social Care (HSC) Trust.

Each of the HSC Trusts indicated that the information is not routinely collected in the format requested and could only be obtained at disproportionate costs.

Community Information Branch within the DHSSPS collects information on domiciliary care service provision during a survey week in September each year. The information includes the number of clients in receipt of domiciliary care and the number of hours and visits provided. It is published in the statistical bulletin 'Domiciliary Care Services for Adults in Northern Ireland'. All editions, including the latest for 2013, can be accessed at the web address below:

http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/statistics_and_research-cib-pub/adult_statistics/statistics_and_research-dom_care_services.htm

DHSSPS: Alcohol and Drug Dependency Strategy

Mr Hussey asked the Minister of Health, Social Services and Public Safety to outline his Department's strategy for supporting people with alcohol and drug dependency in the West Tyrone and Foyle constituencies; (ii) what voluntary agencies are funded by his Department to support the Western Health and Social Care Trust in this area of health; and (iii) what critical intervention service is in place for people at risk of suicide, particularly teenagers, in Londonderry city and the surrounding areas.

(AQW 32100/11-15)

Mr Poots:

- (i) I launched the New Strategic Direction on Alcohol and Drugs Phase 2 in January 2012. Under that Strategy, my Department is committed to preventing and reducing the harm caused by alcohol and drug misuse across all of Northern Ireland, including the Western area.
- (ii) In support of NSD Phase 2, the Public Health Agency works in partnership with the Western Health & Social Care Trust (WHST) and other key statutory, voluntary and community stakeholders in the West Tyrone and Foyle areas to develop and deliver a full range of services for young people and adults, ranging from prevention, education and awareness raising, to early intervention, to treatment and support, to harm reduction and to supporting children who are affected by parental substance misuse. Voluntary agencies funded in the Western area include Northlands, Opportunity Youth (DAISY West), Foyle Haven, DIVERT, Breakthru, SOLACE, and Derry Healthy Cities. A range of projects are also supported, through WHST, by the Big Lottery Fund.

WHST provides a 24:7 Crisis Service in the Northern Sector of the Trust and a 9:00am to 10:30pm service 7 days a week in the Southern Sector of the Trust (this will be moving towards 24:7 in the near future). In addition, a 7 day a week Self-Harm Service is available across the whole Trust area for clients aged 18-65 years managed within Adult Mental Health Services. Three Primary Care Liaison Teams provide services across the Trust area in response to GP referrals for those clients who are in need of mental health interventions. Regionally, the Public Health Agency funds an extensive programme of suicide prevention and associated emotional health and wellbeing projects which are available in the Western area. These include:

- (iii) Lifeline; Card Before You Leave; bereavement support; self-harm counselling and support; training for "community gatekeepers" and for HSC staff; counselling and complementary therapies; and crisis response.

Independent Living Fund

Mr Hussey asked the Minister of Health, Social Services and Public Safety what preparation he has made for the transfer of the Independent Living Fund from Westminster.

(AQW 32101/11-15)

Mr Poots: My Department has taken a number of important early steps in preparing for the closure of the Independent Living Fund. This includes hosting an ILF stakeholder event in June 2013 and establishing an ILF Advisory Group to assist my officials in developing suitable proposals to support ILF users in NI post June 2015.

My officials have also been liaising closely with their colleagues in the other jurisdictions in respect of specific plans for the future support of ILF users in their respective areas.

I intend to launch a public consultation shortly on draft options that have been developed and, following an analysis of consultation responses, I plan to make a formal announcement regarding the future support of ILF users in Northern Ireland in Autumn 2014.

Royal Victoria Hospital: Critical Care Centre

Mr McKinney asked the Minister of Health, Social Services and Public Safety to outline the current projected capital costs of delivering the critical care facility at the Royal Victoria Hospital compared with the original estimates and budget allocation.

(AQW 32124/11-15)

Mr Poots: I can confirm that the projected capital costs of delivering the critical care facility on the Royal Group of Hospitals site are within the budget allocation and approval amount for the project of £151.7m.

Ambulance Response Times

Mr Hazzard asked the Minister of Health, Social Services and Public Safety to detail the ambulance response times for (i) Downpatrick; (ii) Slieve Croob; and (iii) Rowallane electoral wards, broken down by call-out type; and the target response times, for each call-out type.

(AQW 32128/11-15)

Mr Poots: My Department's current performance indicator for ambulance response times is that 72.5% of all Category A (life-threatening) calls are responded to within eight minutes, with no less than 67.5% in any Local Commissioning Group (LCG). Provisional information on the performance against this indicator is detailed in the table below for each month since April 2013.

Percentage of Category A (Life threatening) Calls Responded to Within Eight Minutes, by Local Commissioning Group (April – February 2014)¹

LCG	Apr 2013	May 2013	Jun 2013	July 2013	Aug 2013	Sept 2013
Belfast	75.7%	83.0%	85.0%	83.9%	83.4%	85.9%
Northern	58.0%	58.8%	61.5%	56.6%	62.1%	62.6%
South Eastern	57.2%	66.3%	68.4%	64.1%	65.1%	61.4%
Southern	60.3%	62.6%	63.3%	65.7%	64.4%	63.9%
Western	64.0%	66.8%	66.4%	65.9%	66.1%	72.1%
Northern Ireland	63.8%	68.7%	69.8%	68.4%	69.3%	70.8%

LCG	Oct 2013	Nov 2013	Dec 2013	Jan 2014	Feb 2014
Belfast	84.9%	83.3%	76.9%	78.8%	75.1%
Northern	65.0%	61.4%	59.3%	58.2%	57.0%
South Eastern	68.2%	62.4%	59.6%	58.6%	59.5%
Southern	65.7%	65.7%	60.1%	60.8%	60.2%
Western	71.5%	69.0%	62.9%	66.1%	65.7%
Northern Ireland	72.1%	69.6%	64.7%	65.7%	64.3%

¹ Information is provisional and may be subject to change.

Ambulance Response Times

Mr Hazzard asked the Minister of Health, Social Services and Public Safety what is the average ambulance response time in (i) Strangford; (ii) Downpatrick; (iii) Ardglass; (iv) Newcastle; and (v) Castlewellan.

(AQW 32130/11-15)

Mr Poots: My Department's current performance indicator for ambulance response times is that 72.5% of all Category A (life-threatening) calls are responded to within eight minutes, with no less than 67.5% in any Local Commissioning Group (LCG). Provisional information on the performance against this indicator is detailed in the table below for each month since April 2013.

Percentage of Category A (Life threatening) Calls Responded to Within Eight Minutes, by Local Commissioning Group (April – February 2014)¹

LCG	Apr 2013	May 2013	Jun 2013	July 2013	Aug 2013	Sept 2013
Belfast	75.7%	83.0%	85.0%	83.9%	83.4%	85.9%
Northern	58.0%	58.8%	61.5%	56.6%	62.1%	62.6%
South Eastern	57.2%	66.3%	68.4%	64.1%	65.1%	61.4%
Southern	60.3%	62.6%	63.3%	65.7%	64.4%	63.9%
Western	64.0%	66.8%	66.4%	65.9%	66.1%	72.1%
Northern Ireland	63.8%	68.7%	69.8%	68.4%	69.3%	70.8%

LCG	Oct 2013	Nov 2013	Dec 2013	Jan 2014	Feb 2014
Belfast	84.9%	83.3%	76.9%	78.8%	75.1%
Northern	65.0%	61.4%	59.3%	58.2%	57.0%
South Eastern	68.2%	62.4%	59.6%	58.6%	59.5%
Southern	65.7%	65.7%	60.1%	60.8%	60.2%
Western	71.5%	69.0%	62.9%	66.1%	65.7%
Northern Ireland	72.1%	69.6%	64.7%	65.7%	64.3%

¹ Information is provisional and may be subject to change.

DHSSPS: Statutory Duty of Candour

Mr Allister asked the Minister of Health, Social Services and Public Safety when a statutory duty of candour will be introduced in respect of health care providers.

(AQW 32160/11-15)

Mr Poots: The principles of openness and transparency are fundamental elements of quality. The statutory duty of quality was placed on HSC Trusts as part of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and is further described in the Department's Quality Standards (2006).

A statutory duty of candour is one element of the Francis Report which is under consideration by my Department. It is important to note that the need for candour is already a professional requirement of many individual staff working in the HSC.

Genito-urinary Medicine Clinics

Mr Kinahan asked the Minister of Health, Social Services and Public Safety (i) on average, how many enquiries per week the Genitourinary Medicine clinics in each Health and Social Care Trust receive requesting Sexually Transmitted Infection (STI) testing; (ii) how many patients subsequently receive appointments for STI testing per week; and (iii) what is the target average waiting time for an appointment for STI testing in each clinic.

(AQW 32230/11-15)

Mr Poots: The information requested is not collected by the Department and could only be provided at disproportionate cost.

Cancer: Ovarian Cancer

Mr Weir asked the Minister of Health, Social Services and Public Safety how many women in North Down are diagnosed with ovarian cancer.

(AQW 32237/11-15)

Mr Poots: Latest information provided by the Northern Ireland Cancer Registry indicates that during the five year period from 2008 to 2012, 53 women were diagnosed with ovarian cancer in the North Down assembly area.

Department of Justice

Serious Case Review

Lord Morrow asked the Minister of Justice to provide a copy of the Serious Case Review into Trevor Hamilton.
(AQW 31834/11-15)

Mr Ford (The Minister of Justice): A copy of the report has been placed in the Assembly Library.

Legal Aid:

Lord Morrow asked the Minister of Justice for his assessment of the ruling of Mr Justice Treacy on 27 February 2014 against the Northern Ireland Legal Services Commission in respect of its policy on the late submission of Legal Aid claims; and whether this policy will be reviewed.
(AQW 31835/11-15)

Mr Ford: I refer the member to my answer to his similar question AQW/31753/11-15.

Prison Service: Succession Planning

Lord Morrow asked the Minister of Justice to provide a copy of the Northern Ireland Prison Service strategy for senior governors on succession planning and ongoing investment in development.
(AQW 31837/11-15)

Mr Ford: There is no strategy document. As per previous responses Succession Planning is informed by regular meetings.

Legal Aid: Karen Walsh

Lord Morrow asked the Minister of Justice whether Karen Walsh will receive Legal Aid to appeal her murder conviction, or will she be responsible for any legal fees.
(AQW 31846/11-15)

Mr Ford: It is not known whether Karen Walsh will receive legal aid to appeal her murder conviction. The award of legal aid for appeals is a matter for the Court of Appeal. The application for leave to appeal has been listed for hearing on 28 June 2014 and the Court will normally deal with legal aid applications at the conclusion of the appeal.

If an appeal aid certificate is granted Karen Walsh will not be responsible for any legal fees.

DOJ: Budget

Mr McKay asked the Minister of Justice what consideration he has given to the need for preventative spending within his departmental budget.
(AQW 31855/11-15)

Mr Ford: The Department of Justice supports an early preventative spending approach particularly in helping deliver its objective for building safer communities. This is set out in the Community Safety Strategy 2012 – 2017 and supported by The Strategic Framework for Reducing Offending 2013. Both documents are available on the DOJ web site <http://www.dojni.gov.uk/>.

The overall strategy includes an increased focus on prevention rather than cure – an approach that encourages earlier intervention to reduce the risk of people, particularly young people, coming into contact with the justice system. It also supports efforts to move away from offending and reoffending. The strategy is structured into a number of strands, each of which has a Delivery Plan in place.

In order to support the strategy's aims and objectives, the Department provides funding, including that directed to the Policing and Community Safety Partnership network, to address community safety priorities across Northern Ireland, including the delivery of early intervention initiatives to direct young people from crime. These interventions contribute to the overall well-being of communities and individuals affected by crime, and of those who are at risk of becoming involved in anti-social behaviour or other criminal activity.

The Northern Ireland Prison Service (NIPS) recognises that there are a number of social factors that contribute to levels of offending and reoffending. By having in place a nine pathways model that addresses the needs, strengths and risks of individuals, efforts can be made to reduce levels of reoffending.

Services are available to address accommodation, education, training and employment, mental and physical health, drugs and alcohol, finance (benefits and debt) issues, children and families, attitudes (thinking and behaviours), supporting offenders who have been abused, raped, experienced domestic violence or been involved in prostitution.

NIPS works closely with statutory and Voluntary and Community Sector partners in the delivery of services against the nine pathways model as well as a range of offender behaviour programmes that address a mix of clinical, social, emotional and psychological well being.

Crime: Homophobic Criminal Acts

Mr Allister asked the Minister of Justice to outline the protection, in terms of enhanced sentences, which already exists in respect of homophobic criminal acts.

(AQW 31861/11-15)

Mr Ford: Article 2 of the Criminal Justice (No.2) (Northern Ireland) Order 2004 makes provision for an increase in sentence for offences aggravated by hostility because the victim of the offence is a member, or perceived to be a member, of a racial, religious, or sexual orientation group, or is disabled.

Sentencing within the legislative framework is a matter for the independent judiciary. In making decisions, members of the judiciary are guided by sentencing guidelines which already indicate that, where the offence is motivated by, or demonstrates, hostility on account (or perceived account) of the victim being a member of a racial, religious or sexual orientation group, or the victim's disability or presumed disability, this should be treated as an aggravating factor when deciding the appropriate sentence.

Legal Aid: Family Proceedings Court

Mr Dallat asked the Minister of Justice to detail the cost of (i) Legal Aid; and (ii) Legal Aid relating to the Family Proceedings Court in the last five years.

(AQW 31868/11-15)

Mr Ford: Details of the payments made in respect of Legal Aid for the last five years to 31 March 2013 are detailed in the table below.

Table A: 5 year legal aid spend

Financial Year	Total Cost of Legal Aid (£m)
2008/09	83.1
2009/10	96.9
2010/11	93.3
2011/12	101.5
2012/13	101.0

Table B: ABWOR and Children's Order

Financial Year	ABWOR (£m)	Children's Order (£m)	Total (£m)
2008/09	1.6	5.4	7.0
2009/10	1.8	5.5	7.3
2010/11	1.9	8.0	9.9
2011/12	2.1	9.5	11.6
2012/13	1.7	7.6	9.3

Expenditure in respect of cases relating to the Family Proceedings Court are captured in the column headed Children Order. The expenditure detailed includes fees paid to solicitors, barristers, expert witnesses, disbursements and VAT.

Legal Aid in relation to the Family Proceedings Court also falls within the scope of the Assistance by Way of Representation (ABWOR) Scheme under the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981. The Northern Ireland Legal Services Commission's case management system captures details of the primary proceedings and the information provided in the table has been extracted on that basis. Therefore there will be cases included in the Children Order figures which also involve assistance provided in respect of the Family Homes and Domestic Violence and Domestic Proceedings legislation which is taken in conjunction with Family Proceedings cases. As such fees paid in relation to those elements of the case are included in the overall figures.

Compensation Recovery Unit

Mr Dallat asked the Minister of Justice to detail the total moneys recovered by the Compensation Recovery Unit arising out of cases where a Legal Aid certificate exists, in the last five years.

(AQW 31869/11-15)

Mr Ford: My Department does not record this information. The Compensation Recovery Unit, which is part of the Department for Social Development, does not distinguish between those moneys recouped from legally aided cases and those that are privately funded.

Prison Sentence Tariffs

Mr Weir asked the Minister of Justice whether he plans to introduce 100 year prison sentence tariffs for murder convictions, as proposed by the Prime Minister.

(AQW 31875/11-15)

Mr Ford: My Department is currently carrying out a review of the legislation governing the determination of tariffs where the court has passed a life sentence for murder. The review will take into account arrangements and developments in other jurisdictions, including England and Wales.

Serious Case Reviews: Thomas Ward

Lord Morrow asked the Minister of Justice, in relation to monitoring Thomas Ward, to detail (i) the number of times he was visited by a Designated Risk Manager, or similar, since 20 December 2010 and 1 February 2011; (ii) the date and general venue of each visit; and (iii) the agency and respective staff job title/description that carried out each visit.

(AQW 31891/11-15)

Mr Ford: The Probation Board for Northern Ireland were Mr Ward's Designated Risk Managers during the dates in question. Mr Ward was visited by a Probation Officer at his bail address on 31 December 2010, 12 January 2011 and 29 January 2011. An earlier scheduled visit on 23 December 2010 had to be cancelled because of the severe adverse weather conditions across Northern Ireland during that time.

Crime: EU Directive 2012/29/EU

Mr Allister asked the Minister of Justice how far have Articles 6 and 11 of Directive 2012/29/EU been implemented in Northern Ireland.

(AQW 31909/11-15)

Mr Ford: Northern Ireland is already largely compliant with the EU Directive establishing minimum standards on the rights, support and protection of victims of crime. The Directive, which must be implemented by November 2015, will further strengthen the position of victims, in terms of service provision and rights.

Articles 6 and 11 deal with a victim's right to receive information about their case and rights in the event of a decision not to prosecute. At present, victims are provided with information relating to their case by a range of criminal justice agencies, though primarily by the Police Service of Northern Ireland and the Public Prosecution Service (PPS). The introduction of the Victim and Witness Care Unit is enhancing this service, providing a single point of contact for victims and witnesses for as much of the prosecution process as possible. A case officer will provide a dedicated point of contact for victims from when PPS receive the investigation file through to the outcome of the case.

In terms of Article 11, victims are informed by PPS of any decision not to prosecute, along with reasons for that decision. In more serious cases, they will be given detailed reasons for the decision not to prosecute and in all cases can ask for these. Victims will also receive information on how to ask for a review of the PPS decision not to prosecute, if they are not happy with it.

The EU Victims Directive will primarily be transposed through a new Victim Charter that will be consulted on in the coming months. It will set out the services that victims of crime are entitled to receive as they move through the criminal justice system and the standard of service they can expect to receive. It will clearly set out when victims are entitled to receive information and from whom as well as entitlements in relation to a decision not to prosecute. I intend to publish the Charter by the end of 2014. Subject to the progress of the forthcoming Justice Bill 2014, the Charter should be placed on a statutory footing by November 2015.

Copper: Theft from Building Sites

Mr D McIlveen asked the Minister of Justice what work his Department is doing to combat the theft of copper from building sites.

(AQW 31922/11-15)

Mr Ford: The Department of Justice is working in partnership with a range of statutory organisations and representatives from the waste management industry to respond to the issue of metal theft. That response has included the development and implementation of a Voluntary Code for Scrap Metal Dealers, which recommends a range of new operational checks to reduce the risk of stolen metal being sold through this source. The Code has been in operation since September 2012.

The most recent reported crime figures from the PSNI (up to September 2013) demonstrate a reduction of 23% over the previous 12 months in the number of metal theft offences committed.

My Department remains committed to continue to work together with all concerned to combat metal theft wherever it occurs.

Prisoners: Drug Tests

Lord Morrow asked the Minister of Justice how often the Northern Ireland Prison Service carry out random prisoner drug testing, broken down per prison.

(AQW 31924/11-15)

Mr Ford: In addition to intelligence led, suspicion testing and risk assessment drug tests, on a monthly basis, a minimum of 5% of the population at Maghaberry and Magilligan Prisons will be selected for a random drug test.

At Hydebank Wood, 10% are tested. This reflects the smaller population.

Serious Case Reviews: David Page

Lord Morrow asked the Minister of Justice when the Serious Case Review into David Page will be published.

(AQW 31927/11-15)

Mr Ford: Mr Page's Serious Case Review will be considered for publication by the Strategic Management Board for the Public Protection Arrangements in Northern Ireland once the statutory time limit for avenues of appeal against sentence has passed and the victim has been given the opportunity to read and discuss its contents with officials.

Drugs: Illegal Drugs

Mr Easton asked the Minister of Justice to detail the current legislation on the use of illegal drugs.

(AQW 31937/11-15)

Mr Ford: The Misuse of Drugs Act 1971 ("the Act") which applies across the United Kingdom prohibits the production, import, export, possession and supply of drugs controlled under three classifications: Class A, Class B and Class C.

Drugs listed within each of those classifications are extensive and chemically defined. Broadly speaking Class A includes drugs such as heroin, cocaine, ecstasy and LSD. Class B drugs include amphetamines, barbiturates and cannabis. Class C drugs include tranquillisers, valium and anabolic steroids. Annex A provides the list of substances classified as controlled drugs as set out in Schedule 2 to the Act.

Temporary Drug Banning Orders (TDBOs), effective for up to 12 months, can also be made by the Home Secretary under the Act. TDBOs provide for emerging substances such as "legal highs" that have not yet been assessed by the Advisory Council for the Misuse of Drugs for listing by the Home Secretary. A list of the substances currently subject to Temporary Drug Banning Orders is at the foot of Annex A.

Tables showing the offences and penalties under the Act are provided at Annex B. Import, export, possession and supply of a controlled drug are offences, whether committed online or otherwise.

Annex A

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class A Drugs

1. The following substances and products, namely: —

- (a) Acetorphine; Alfentanil; Allylprodine; Alphacetylmethadol; Alphameprodine; Alphamethadol; Alphaprodine; Anileridine; Benzethidine; Benzylmorphine (3-benzylmorphine); Betacetylmethadol; Betameprodine; Betamethadol; Betaprodine; Bezitramide; Bufotenine; Carfentanil; Clonitazene; Coca leaf; Cocaine; Desomorphine; Dextromoramide; Diamorphine; Diampromide; Diethylthiambutene; Difenoxin (1-(3-cyano-3,3-diphenylpropyl)-4-phenylpiperidine-4-carboxylic acid); Dihydrocodeinone O-carboxymethyloxime; Dihydroetorphine; Dihydromorphine; Dimenoxadole; Dimepheptanol; Dimethylthiambutene; Dioxaphetyl butyrate; Diphenoxylate. Dipipanone; Drotebanol (3,4-dimethoxy-17-methylmorphinan-6 beta, 14-diol); Ecgonine, and any derivative of ecgonine which is convertible to ecgonine or to cocaine; Ethylmethylthiambutene; Eticyclidine; Etonitazene; Etorphine; Etoxadine; Etryptamine; Fentanyl; Fungus (of any kind) which contains psilocin or an ester of psilocin; Furethidine; Hydrocodone; Hydromorphinol; Hydromorphone; Hydroxypethidine; Isomethadone; Ketobemidone; Levomethorphan; Levomoramide; Levophenacetyl morphan; Levorphanol; Lofentanil; Lysergamide; Lysergide and other N-alkyl derivatives of lysergamide; Mescaline; Metazocine; Methadone; Methadyl acetate; Methylamphetamine; Methyl-desorphine; Methyl-dihydromorphine (6-methyl-dihydromorphine); Metopon; Morpheridine; Morphine; Morphine methobromide, morphine N-oxide and other pentavalent nitrogen morphine derivatives; Myrophine. Nicomorphine (3,6-dinicotinoyl-morphine); Noracymethadol; Norlevorphanol; Normethadone; Normorphine; Norpipanone; Opium, whether raw, prepared or medicinal; Oxycodone; Oxymorphone; Pethidine; Phenadoxone; Phenampromide; Phenazocine; Phencyclidine; Phenomorphan; Phenoperidine; Piminodine; Piritrarnide; Poppy-straw and concentrate of poppy-straw; Proheptazine; Properidine (1-methyl-4-phenyl-piperidine-4-carboxylic acid isopropyl ester); Psilocin; Racemethorphan; Racemoramide; Racemorphan; Remifentanil; Rolicyclidine; Sufentanil; Tapentadol Tenocyclidine; Thebacon; Thebaine; Tilidate; Trimeperidine; 4-Bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-Cyano-2-dimethylamino-4,4-diphenylbutane. 4-Cyano-1-methyl-4-phenyl-piperidine; N,N-Diethyltryptamine. N,N-Dimethyltryptamine;

- 2,5-Dimethoxy- α ,4-dimethylphenethylamine; N-Hydroxy-tenamphetamine; 1-Methyl-4-phenylpiperidine-4-carboxylic acid; 2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid; 4-Methyl-aminorex; 4-Phenylpiperidine-4-carboxylic acid ethyl ester.
- (b) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from tryptamine or from a ring-hydroxy tryptamine by substitution at the nitrogen atom of the sidechain with one or more alkyl substituents but no other substituent;
- (ba) the following phenethylamine; derivatives, namely:—
- Allyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-Amino-1-(2,5-dimethoxy-4-methylphenyl)ethanol; 2-Amino-1-(3,4-dimethoxyphenyl)ethanol; Benzyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 4-Bromo- β ,2,5-trimethoxyphenethylamine; N-(4-sec-Butylthio-2,5-dimethoxyphenethyl)hydroxylamine; Cyclopropylmethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)ethylamine; 2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)-1-methylethylamine; 2-(2,5-Dimethoxy-4-methylphenyl)cyclopropylamine; 2-(1,4-Dimethoxy-2-naphthyl)ethylamine; 2-(1,4-Dimethoxy-2-naphthyl)-1-methylethylamine; N-(2,5-Dimethoxy-4-propylthiophenethyl)hydroxylamine; 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)ethylamine; 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)-1-methylethylamine; α , α -Dimethyl-3,4-methylenedioxyphenethylamine; α , α -Dimethyl-3,4-methylenedioxyphenethyl(methyl)amine; Dimethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; N-(4-Ethylthio-2,5-dimethoxyphenethyl)hydroxylamine; 4-Iodo-2,5-dimethoxy- α -methylphenethyl(dimethyl)amine; 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)ethylamine; 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)-1-methylethylamine; 2-(5-Methoxy-2,2-dimethyl-2,3-dihydrobenzofuran-6-yl)-1-methylethylamine; 2-Methoxyethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-(5-Methoxy-2-methyl-2,3-dihydrobenzofuran-6-yl)-1-methylethylamine; β , β -Methoxy-3,4-methylenedioxyphenethylamine; 1-(3,4-Methylenedioxybenzyl)butyl(ethyl)amine; 1-(3,4-Methylenedioxybenzyl)butyl(methyl)amine; 2-(α -Methyl-3,4-methylenedioxyphenethylamino)ethanol- α -Methyl-3,4-methylenedioxyphenethyl(prop-2-ynyl)amine; N-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine; O-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine; α -Methyl-4-(methylthio)phenethylamine; β ,3,4,5-Tetramethoxyphenethylamine; β ,2,5-Trimethoxy-4-methylphenethylamine;
- (c) any compound (not being methoxyphenamine or a compound for the time being specified in sub-paragraph (a) above) structurally derived from phenethylamine, an N-alkylphenethylamine, α -methylphenethylamine, an N-alkyl- α -methylphenethylamine, α -ethylphenethylamine, or an N-alkyl- α -ethylphenethylamine by substitution in the ring to any extent with alkyl, alkoxy, alkylene-dioxy or halide substituents, whether or not further substituted in the ring by one or more other univalent substituents.
- (d) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from fentanyl by modification in any of the following ways, that is to say,—
- by replacement of the phenyl portion of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;
 - by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;
 - by substitution in the piperidine ring with alkyl or alkenyl groups;
 - by substitution in the aniline ring with alkyl, alkoxy, alkylendioxy, halogeno or haloalkyl groups;
 - by substitution at the 4-position of the piperidine ring with any alkoxycarbonyl or alkoxyalkyl or acyloxy group;
 - by replacement of the N-propionyl group by another acyl group;
- (e) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from pethidine by modification in any of the following ways, that is to say,
- by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;
 - by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;
 - by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;
 - by replacement of the 4-ethoxycarbonyl by any other alkoxycarbonyl or any alkoxyalkyl or acyloxy group;
 - by formation of an N-oxide or of a quaternary base.
- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 above not being dextromethorphan or dextrorphan.
- 3 Any ester or ether of a substance for the time being specified in paragraph 1 or 2 which is not listed as a Class B drug.
- 4 Any salt of a substance for the time being specified in any of paragraphs 1 to 3 above.

- 5 Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 4 above.
- 6 Any preparation designed for administration by injection which includes a substance or product for the time being specified in any of paragraphs 1 to 3 of the list of Class B drugs.

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class B Drugs

The following substances and products, namely:

- 1 —
- (a) Acetyldihydrocodeine; Amphetamine; Cannabinol; Cannabinol derivatives; Cannabis and cannabis resin; Codeine; Dihydrocodeine; Ethylmorphine (3-ethylmorphine); Glutethimide; Lefetamine; Mecloqualone; Methaqualone; Methcathinone; a-Methylphenethylhydroxylamine; Methylphenidate; Methylphenobarbitone; Nicotine; Nicodicodeine (6-nicotinoyldihydrocodeine); Norcodeine; Pentazocine; Phenmetrazine; Pholcodine; Propiram; Zipeprol; 2-((Dimethylamino)methyl)-1-(3-hydroxyphenyl)cyclohexanol
- (aa) Any compound (not being bupropion, cathinone, diethylpropion, pyrovalerone or a compound for the time being specified in sub-paragraph (a) above) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways, that is to say,
- (i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
- (ii) by substitution at the 3-position with an alkyl substituent;
- (iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.
- (ab) Any compound structurally derived from 2-aminopropan-1-one by substitution at the 1-position with any monocyclic, or fused polycyclic ring system (not being a phenyl ring or alkylendioxyphenyl ring system), whether or not the compound is further modified in any of the following ways, that is to say,
- (i) by substitution in the ring system to any extent with alkyl, alkoxy, haloalkyl or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
- (ii) by substitution at the 3-position with an alkyl substituent;
- (iii) by substitution at the 2-amino nitrogen atom with alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.
- (ac) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say,
- (i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups;
- (ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group;
- (iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group
- (b) any 5, 5 distributed barbituric acid
- (c) [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1, 2, 3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.
- [9-Hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5, 6, 6a, 7, 8, 9, 10, 10a-octahydrophenanthridin-1-yl] acetate.
- [9-Hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5, 6, 6a, 7, 8, 9, 10, 10a-octahydrophenanthridin-1-yl] acetate.
- 9-(Hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol.
- Any compound structurally derived from 3-(1-naphthoyl)indole, 3-(2-naphthoyl) indole, 1H-indol-3-yl-(1-naphthyl) methane or 1H-indol-3-yl-(2-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl) ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.
- Any compound structurally derived from 3-(1-naphthoyl)pyrrole or 3-(2-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 1-(1-naphthylmethylene)indene or 1-(2-naphthylmethylene)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Nabilone.

Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the cyclohexyl ring to any extent.

Any compound structurally derived from 3-benzoylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 3-(1-adamantyl)indole or 3-(2-adamantyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent.

Any compound structurally derived from 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent.

- (d) 1-Phenylcyclohexylamine or any compound (not being ketamine, tiletamine or a compound for the time being specified in paragraph 1(a) of the list of Class A drugs) structurally derived from 1-phenylcyclohexylamine or 2-amino-2-phenylcyclohexanone by modification in any of the following ways, that is to say,
- (i) by substitution at the nitrogen atom to any extent by alkyl, alkenyl or hydroxyalkyl groups, or replacement of the amino group with a 1-piperidyl, 1-pyrrolidyl or 1-azepyl group, whether or not the nitrogen containing ring is further substituted by one or more alkyl groups;
 - (ii) by substitution in the phenyl ring to any extent by amino, alkyl, hydroxy, alkoxy or halide substituents, whether or not further substituted in the phenyl ring to any extent;
 - (iii) by substitution in the cyclohexyl or cyclohexanone ring by one or more alkyl substituents;
 - (iv) by replacement of the phenyl ring with a thienyl ring.

2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 of the list of Class B drugs.

2A. Any ester or ether of cannabinol or of a cannabinol derivative or of a substance for the time being specified in paragraph 1(ac), (c) or (d) of the list of Class B drugs.

3 Any salt of a substance for the time being specified in paragraph 1, 2 or 2A of the list of Class B drugs.

4 Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 3 of the list of Class B drugs, not being a preparation falling within paragraph 6 of the list of Class A drugs.

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class C Drugs

1. The following substances, namely:—

- (a) Alprazolam; Amineptine; Aminorex; Benzphetamine; Bromazepam; Brotizolam; 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one; Buprenorphine; Camazepam; Cathine; Cathinone; Chlordiazepoxide; Chlorphentermine; Clobazam; Clonazepam; Clorazepic acid; Clotiazepam; Cloxazolam; Delorazepam; Dextropropoxyphene; Diazepam; Diethylpropion; Estazolam; Ethchlorvynol; Ethinamate; Ethyl loflazepate; Fencamfamin; Fenethylline; Fenproporex; Fludiazepam; Flunitrazepam; Flurazepam; Gamma-butyrolactone; Halazepam; Haloxazolam; 4-Hydroxy-n-butyric acid; Ketamine; Ketazolam; Loprazolam; Lorazepam; Lormetazepam; Mazindol; Medazepam; Mefenorex; Mephentermine; Meprobamate; Mesocarb; Methpyrrolone; Midazolam; Nimetazepam; Nitrazepam; Nordazepam; Oxazepam; Oxazolam; Pemoline; Phendimetrazine; Phentermine; Pinazepam; Prazepam; Pyrovalerone; Temazepam; Tetrazepam; Triazolam; N-Ethylamphetamine; Zolpidem.
- (b) 5 α -Androstane-3,17-diol; Androst-4-ene-3,17-diol; 1-Androstenediol; 1-Androstenedione 4-Androstene-3,17-dione; 5-Androstenedione; 5-Androstene-3,17-diol; Atamestane; Bolandiol; Bolasterone; Bolazine;

- Boldenone; Boldione; Bolenol; Bolmantalate; 1,4–Butanediol; Calusterone; 4-Chloromethandienone; Clostebol; Danazol; Desoxymethyltestosterone Drostanolone; Enestebol; Epitiostanol; Ethyloestrenol; Fluoxymesterone; Formebolone; Furazabol; Gestrinone; 3–Hydroxy–5 α –androstane–17–one. Mebolazine; Mepitiostane; Mesabolone; Mestanolone; Mesterolone; Methandienone; Methandiol; Methenolone; Methyltestosterone; Metribolone; Mibolerone; Nandrolone; 19–Norandrostenedione; 19–Nor-4-Androstene-3, 17-dione; 19–Norandrosterone; 19–Nor-5-Androstene-3, 17-diol; Norboletone; Norclostebol; Norethandrolone; 19–Noretiocholanolone; Oripavine; Ovandrotone; Oxabolone; Oxandrolone; Oxymesterone; Oxymetholone; Pipradrol; Prasterone; Propetandrol; Prostanazol; Quinbolone; Roxibolone; Silandrone; Stanolone; Stanozolol; Stenbolone; Testosterone; Tetrahydrogestrinone; Thiomesterone; Trenbolone.
- (c) any compound (not being Trilostane or a compound for the time being specified in sub-paragraph (b) above) structurally derived from 17-hydroxyandrostane-3-one or from 17-hydroxyestrane-3-one by modification in any of the following ways, that is to say,
- (i) by further substitution at position 17 by a methyl or ethyl group;
 - (ii) by substitution to any extent at one or more of positions 1, 2, 4, 6, 7, 9, 11 or 16, but at no other position;
 - (iii) by unsaturation in the carbocyclic ring system to any extent, provided that there are no more than two ethylenic bonds in any one carbocyclic ring;
 - (iv) by fusion of ring A with a heterocyclic system;
- (ca) 1-benzylpiperazine or any compound structurally derived from 1-benzylpiperazine or 1-phenylpiperazine by modification in any of the following ways—
- by substitution at the second nitrogen atom of the piperazine ring with alkyl, benzyl, haloalkyl or phenyl groups;
- (ii) by substitution in the aromatic ring to any extent with alkyl, alkoxy, alkylendioxy, halide or haloalkyl groups.
- (d) any substance which is an ester or ether (or, where more than one hydroxyl function is available, both an ester and an ether) of a substance specified in sub-paragraph (b) or described in sub-paragraph (c) above;
- (e) Chorionic Gonadotrophin (HCG). Clenbuterol. Non-human chorionic gonadotrophin. Somatotropin. Somatrem. Somatropin. Zeranol. Zilpaterol.
- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 of the list of Class C drugs not being phenylpropanolamine.
- 3 Any salt of a substance for the time being specified in paragraph 1 or 2 of the list of Class C drugs.
- 4 Any preparation or other product containing a substance for the time being specified in any of paragraphs 1 to 3 of the list of Class C drugs.

Meaning of certain expressions used in the description of classified drugs

“cannabinol derivatives” means the following substances, except where contained in cannabis or cannabis resin, namely tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives;

“coca leaf” means the leaf of any plant of the genus *Erythroxylon* from whose leaves cocaine can be extracted either directly or by chemical transformation;

“concentrate of poppy-straw” means the material produced when poppy-straw has entered into a process for the concentration of its alkaloids;

“medicinal opium” means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;

“opium poppy” means the plant of the species *Papaver somniferum* L.;

“poppy straw” means all parts, except the seeds, of the opium poppy after mowing;

“raw opium” includes powdered or granulated opium but does not include medicinal opium.

Substances subject to a Temporary Drug Banning Order (for 12 months from 10 June 2013)

2-(4-Iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe);

2-(4-Bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25B-NBOMe);

2-(2,5-Dimethoxy-4-methylphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25D-NBOMe);

2-(4-Chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25C-NBOMe);

1-(Benzofuran-5-yl)-propan-2-amine and its N-methyl derivatives

(5-APB);

1-(Benzofuran-6-yl)-propan-2-amine and its N-methyl derivatives

(6-APB);

1-(2,3-Dihydro-1-benzofuran-5-yl)-propan-2-amine and its N-methyl derivatives (5-APDB);

1-(2,3-Dihydro-1-benzofuran-6-yl)-propan-2-amine and its N-methyl derivatives (6-APDB);

2-(1H-Indol-5-yl)-1-methylethylamine (5-IT);

2-(1H-Indol-6-yl)-1-methylethylamine (6-IT).

N.B. Some of the simple derivatives of the temporarily banned drugs listed above are controlled (stereoisomers and salts, including salts of the stereoisomers).

Annex B

Penalties for Offences in relation to Controlled Substances Schedule 4 to the Misuse of Drugs Act 1971

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 4(2)	Production, or being concerned in the production, of a controlled drug.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 4(3)	Supplying or offering to supply a controlled drug or being concerned in the doing of either activity by another.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 5(2)	Having possession of a controlled drug.	(a) Summary	6 months or £400, or both.	3 months or £2,500, or both.	3 months or £1,000, or both.	
		(b) On indictment	7 years or a fine, or both.	5 years or a fine, or both.	2 years or a fine, or both.	
Section 5(3)	Having possession of a controlled drug with intent to supply it to another.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 6(2)	Cultivation of cannabis plant.	(a) Summary				6 months or £400, or both.
		(b) On indictment				14 years or a fine, or both.

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 8	Being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 9	Offences relating to opium.	(a) Summary				6 months or £400, or both.
		On indictment				14 years or a fine, or both.
Section 9A.	Prohibition of supply etc. of articles for administering or preparing controlled drugs.	Summary				6 months or level 5 on the standard scale, or both.
Section 11(2)	Contravention of directions relating to safe custody of controlled drugs.	(a) summary				6 months or £400, or both.
		(b) On indictment				2 years or a fine, or both.
Section 12(6)	Contravention of direction prohibiting practitioner etc. from possessing, supplying etc. controlled drugs.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 13(3)	Contravention of direction prohibiting practitioner etc. from prescribing, supplying etc. controlled drugs.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 17(3)	Failure to comply with notice requiring information relating to prescribing, supply etc. of drugs.	Summary				level 3 on the standard scale.

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 17(4)	Giving false information in purported compliance with notice requiring information relating to prescribing, supply etc. of drugs.	(a) Summary				6 months or £400, or both.
		(b) On indictment				2 years or a fine, or both.
Section 18(1)	Contravention of regulations (other than regulations relating to addicts).	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(2)	Contravention of terms of licence or other authority (other than licence issued under regulations relating to addicts).	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(3)	Giving false information in purported compliance with obligation to give information imposed under or by virtue of regulations.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(4)	Giving false information, or producing document etc. containing false statement etc., for purposes of obtaining issue or renewal of a licence or other authority.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 20	Assisting in or inducing commission outside United Kingdom of an offence punishable under a corresponding law.	(a) Summary				6 months or £400, or both
		(b) On indictment				14 years or a fine, or both.

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 23(4)	Obstructing exercise of powers of search etc. or concealing books, drugs etc.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.

Drugs: Illegal Drugs

Mr Easton asked the Minister of Justice to detail the sentences available for people caught taking or selling illegal drugs. (AQW 31938/11-15)

Mr Ford: The Misuse of Drugs Act 1971 ("the Act") which applies across the United Kingdom prohibits the production, import, export, possession and supply of drugs controlled under three classifications: Class A, Class B and Class C.

Drugs listed within each of those classifications are extensive and chemically defined. Broadly speaking Class A includes drugs such as heroin, cocaine, ecstasy and LSD. Class B drugs include amphetamines, barbiturates and cannabis. Class C drugs include tranquillisers, valium and anabolic steroids. Annex A provides the list of substances classified as controlled drugs as set out in Schedule 2 to the Act.

Temporary Drug Banning Orders (TDBOs), effective for up to 12 months, can also be made by the Home Secretary under the Act. TDBOs provide for emerging substances such as "legal highs" that have not yet been assessed by the Advisory Council for the Misuse of Drugs for listing by the Home Secretary. A list of the substances currently subject to Temporary Drug Banning Orders is at the foot of Annex A.

Tables showing the offences and penalties under the Act are provided at Annex B. Import, export, possession and supply of a controlled drug are offences, whether committed online or otherwise.

Annex A

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class A Drugs

1. The following substances and products, namely: —

- (a) Acetorphine; Alfentanil; Allylprodine; Alphacetylmetadol; Alphameprodine; Alphamethadol; Alphaprodine; Anileridine; Benzethidine; Benzylmorphine (3-benzylmorphine); Betacetylmetadol; Betameprodine; Betamethadol; Betaprodine; Bezitramide; Bufotenine; Carfentanil; Clonitazene; Coca leaf; Cocaine; Desomorphine; Dextromoramide; Diamorphine; Diampromide; Diethylthiambutene; Difenoxin (1-(3-cyano-3,3-diphenylpropyl) -4-phenylpiperidine-4-carboxylic acid); Dihydrocodeinone O-carboxymethylloxime; Dihydroetorphine; Dihydromorphine; Dimenoxadole; Dimepheptanol; Dimethylthiambutene; Dioxaphetyl butyrate; Diphenoxylate. Dipipanone; Droterbanol (3,4-dimethoxy-17-methylmorphinan-6 beta, 14-diol); Ecgonine, and any derivative of ecgonine which is convertible to ecgonine or to cocaine; Ethylmethylthiambutene; Eticyclidine; Etonitazene; Etorphine; Etorphine; Etryptamine; Fentanyl; Fungus (of any kind) which contains psilocin or an ester of psilocin; Furethidine; Hydrocodone; Hydromorphanol; Hydromorphone; Hydroxypethidine; Isomethadone; Ketobemidone; Levomethorphan; Levomoramide; Levophenacetyl morphan; Levorphanol; Lofentanil; Lysergamide; Lysergide and other N-alkyl derivatives of lysergamide; Mescaline; Metazocine; Methadone; Methadyl acetate; Methylamphetamine; Methyl-desorphine; Methyl-dihydromorphine (6-methyl-dihydromorphine); Metopon; Morpheridine; Morphine; Morphine methobromide, morphine N-oxide and other pentavalent nitrogen morphine derivatives; Myrophine. Nicomorphine (3,6-dinicotinoyl-morphine); Noracetylmetadol; Norlevorphanol; Normethadone; Normorphine; Norpipanone; Opium, whether raw, prepared or medicinal; Oxycodone; Oxymorphone; Pethidine; Phenadoxone; Phenampromide; Phenazocine; Phencyclidine; Phenomorphan; Phenoperidine; Piminodine; Piritramide; Poppy-straw and concentrate of poppy-straw; Proheptazine; Properidine (1-methyl-4-phenyl-piperidine-4-carboxylic acid isopropyl ester); Psilocin; Racemethorphan; Racemoramide; Racemorphan; Remifentanil; Rolicyclidine; Sufentanil; Tapentadol Tenocyclidine; Thebacon; Thebaine; Tilidate; Trimeperidine; 4-Bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-Cyano-2-dimethylamino-4,4-diphenylbutane. 4-Cyano-1-methyl-4-phenyl-piperidine; N,N-Diethyltryptamine. N,N-Dimethyltryptamine; 2,5-Dimethoxy-alpha,4-dimethylphenethylamine; N-Hydroxy-tenamphetamine; 1-Methyl-4-phenylpiperidine-4-carboxylic acid; 2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid; 4-Methyl-aminorex; 4-Phenylpiperidine-4-carboxylic acid ethyl ester.

- (b) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from tryptamine or from a ring-hydroxy tryptamine by substitution at the nitrogen atom of the sidechain with one or more alkyl substituents but no other substituent;
- (ba) the following phenethylamine; derivatives, namely:—
- Allyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-Amino-1-(2,5-dimethoxy-4-methylphenyl)ethanol; 2-Amino-1-(3,4-dimethoxyphenyl)ethanol; Benzyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 4-Bromo- β ,2,5-trimethoxyphenethylamine; N-(4-sec-Butylthio-2,5-dimethoxyphenethyl)hydroxylamine; Cyclopropylmethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)ethylamine; 2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)-1-methylethylamine; 2-(2,5-Dimethoxy-4-methylphenyl)cyclopropylamine; 2-(1,4-Dimethoxy-2-naphthyl)ethylamine; 2-(1,4-Dimethoxy-2-naphthyl)-1-methylethylamine; N-(2,5-Dimethoxy-4-propylthiophenethyl)hydroxylamine; 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)ethylamine; 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)-1-methylethylamine; α , α -Dimethyl-3,4-methylenedioxyphenethylamine; α , α -Dimethyl-3,4-methylenedioxyphenethyl(methyl)amine; Dimethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; N-(4-Ethylthio-2,5-dimethoxyphenethyl)hydroxylamine; 4-Iodo-2,5-dimethoxy- α -methylphenethyl(dimethyl)amine; 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)ethylamine; 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)-1-methylethylamine; 2-(5-Methoxy-2,2-dimethyl-2,3-dihydrobenzofuran-6-yl)-1-methylethylamine; 2-Methoxyethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-(5-Methoxy-2-methyl-2,3-dihydrobenzofuran-6-yl)-1-methylethylamine; β ;Methoxy-3,4-methylenedioxyphenethylamine; 1-(3,4-Methylenedioxybenzyl)butyl(ethyl)amine; 1-(3,4-Methylenedioxybenzyl)butyl(methyl)amine; 2-(α -Methyl-3,4-methylenedioxyphenethylamino)ethanol α -Methyl-3,4-methylenedioxyphenethyl(prop-2-ynyl)amine; N-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine; O-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine; α -Methyl-4-(methylthio)phenethylamine; β ,3,4,5-Tetramethoxyphenethylamine; β ,2,5-Trimethoxy-4-methylphenethylamine;
- (c) any compound (not being methoxyphenamine or a compound for the time being specified in sub-paragraph (a) above) structurally derived from phenethylamine, an N-alkylphenethylamine, alpha-methylphenethylamine, an N-alkyl-alpha-methylphenethylamine, alpha-ethylphenethylamine, or an N-alkyl-alpha-ethylphenethylamine by substitution in the ring to any extent with alkyl, alkoxy, alkylene- dioxy or halide substituents, whether or not further substituted in the ring by one or more other univalent substituents.
- (d) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from fentanyl by modification in any of the following ways, that is to say,—
- by replacement of the phenyl portion of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;
 - by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;
 - by substitution in the piperidine ring with alkyl or alkenyl groups;
 - by substitution in the aniline ring with alkyl, alkoxy, alkylendioxy, halogeno or haloalkyl groups;
 - by substitution at the 4-position of the piperidine ring with any alkoxycarbonyl or alkoxyalkyl or acyloxy group;
 - by replacement of the N-propionyl group by another acyl group;
- (e) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from pethidine by modification in any of the following ways, that is to say,
- by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;
 - by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;
 - by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;
 - by replacement of the 4-ethoxycarbonyl by any other alkoxycarbonyl or any alkoxyalkyl or acyloxy group;
 - by formation of an N-oxide or of a quaternary base.
- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 above not being dextromethorphan or dextrorphan.
- 3 Any ester or ether of a substance for the time being specified in paragraph 1 or 2 which is not listed as a Class B drug.
- 4 Any salt of a substance for the time being specified in any of paragraphs 1 to 3 above.
- 5 Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 4 above.

- 6 Any preparation designed for administration by injection which includes a substance or product for the time being specified in any of paragraphs 1 to 3 of the list of Class B drugs.

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class B Drugs

The following substances and products, namely:

- 1 —
- (a) Acetyldihydrocodeine; Amphetamine; Cannabinol; Cannabinol derivatives; Cannabis and cannabis resin; Codeine; Dihydrocodeine; Ethylmorphine (3-ethylmorphine); Glutethimide; Lefetamine; Mecloqualone; Methaqualone; Methcathinone; *a*-Methylphenethylhydroxylamine; Methylphenidate; Methylphenobarbitone; Nicodine; Nicodicodine (6-nicotinoyldihydrocodeine); Norcodeine; Pentazocine; Phenmetrazine; Pholcodine; Propiram; Zipeprol; 2-((Dimethylamino)methyl)-1-(3-hydroxyphenyl)cyclohexanol
 - (aa) Any compound (not being bupropion, cathinone, diethylpropion, pyrovalerone or a compound for the time being specified in sub-paragraph (a) above) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways, that is to say,
 - (i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
 - (ii) by substitution at the 3-position with an alkyl substituent;
 - (iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.
 - (ab) Any compound structurally derived from 2-aminopropan-1-one by substitution at the 1-position with any monocyclic, or fused polycyclic ring system (not being a phenyl ring or alkylendioxyphenyl ring system), whether or not the compound is further modified in any of the following ways, that is to say,
 - (i) by substitution in the ring system to any extent with alkyl, alkoxy, haloalkyl or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
 - (ii) by substitution at the 3-position with an alkyl substituent;
 - (iii) by substitution at the 2-amino nitrogen atom with alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.
 - (ac) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say,
 - (i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups;
 - (ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group;
 - (iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group
 - (b) any 5, 5 distributed barbituric acid
 - (c) [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1, 2, 3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.
- [9-Hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5, 6, 6a, 7, 8, 9, 10, 10a-octahydrophenanthridin-1-yl] acetate.
- [9-Hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5, 6, 6a, 7, 8, 9, 10, 10a-octahydrophenanthridin-1-yl] acetate.
- 9-(Hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol.
- Any compound structurally derived from 3-(1-naphthoyl)indole, 3-(2-naphthoyl) indole, 1H-indol-3-yl-(1-naphthyl) methane or 1H-indol-3-yl-(2-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl) ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.
- Any compound structurally derived from 3-(1-naphthoyl)pyrrole or 3-(2-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.
- Any compound structurally derived from 1-(1-naphthylmethylene)indene or 1-(2-naphthylmethylene)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl,

cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Nabilone.

Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the cyclohexyl ring to any extent.

Any compound structurally derived from 3-benzoylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 3-(1-adamantyl)indole or 3-(2-adamantyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent.

Any compound structurally derived from 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent.

- (d) 1-Phenylcyclohexylamine or any compound (not being ketamine, tiletamine or a compound for the time being specified in paragraph 1(a) of the list of Class A drugs) structurally derived from 1-phenylcyclohexylamine or 2-amino-2-phenylcyclohexanone by modification in any of the following ways, that is to say,
- (i) by substitution at the nitrogen atom to any extent by alkyl, alkenyl or hydroxyalkyl groups, or replacement of the amino group with a 1-piperidyl, 1-pyrrolidyl or 1-azepyl group, whether or not the nitrogen containing ring is further substituted by one or more alkyl groups;
 - (ii) by substitution in the phenyl ring to any extent by amino, alkyl, hydroxy, alkoxy or halide substituents, whether or not further substituted in the phenyl ring to any extent;
 - (iii) by substitution in the cyclohexyl or cyclohexanone ring by one or more alkyl substituents;
 - (iv) by replacement of the phenyl ring with a thienyl ring.

2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 of the list of Class B drugs.

2A. Any ester or ether of cannabinol or of a cannabinol derivative or of a substance for the time being specified in paragraph 1(ac), (c) or (d) of the list of Class B drugs.

3 Any salt of a substance for the time being specified in paragraph 1, 2 or 2A of the list of Class B drugs.

4 Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 3 of the list of Class B drugs, not being a preparation falling within paragraph 6 of the list of Class A drugs.

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class C Drugs

1. The following substances, namely:—

- (a) Alprazolam; Amineptine; Aminorex; Benzphetamine; Bromazepam; Brotizolam; 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one; Buprenorphine; Camazepam; Cathine; Cathinone; Chlordiazepoxide; Chlorphentermine; Clobazam; Clonazepam; Clorazepic acid; Clotiazepam; Cloxazolam; Delorazepam; Dextropropoxyphene; Diazepam; Diethylpropion; Estazolam; Ethchlorvynol; Ethinamate; Ethyl loflazepate; Fencamfamin; Fenethylline; Fenproporex; Fludiazepam; Flunitrazepam; Flurazepam; Gamma-butyrolactone; Halazepam; Haloxazolam; 4-Hydroxy-n-butyric acid; Ketamine; Ketazolam; Loprazolam; Lorazepam; Lormetazepam; Mazindol; Medazepam; Mefenorex; Mephentermine; Meprobamate; Mesocarb; Methpyrrolone; Midazolam; Nimetazepam; Nitrazepam; Nordazepam; Oxazepam; Oxazolam; Pemoline; Phendimetrazine; Phentermine; Pinazepam; Prazepam; Pyrovalerone; Temazepam; Tetrazepam; Triazolam; N-Ethylamphetamine; Zolpidem.
- (b) 5 α -Androstane-3,17-diol; Androst-4-ene-3,17-diol; 1-Androstenediol; 1-Androstenedione 4-Androstene-3,17-dione; 5-Androstenedione; 5-Androstene-3, 17-diol; Atamestane; Bolandiol; Bolasterone; Bolazine; Boldenone; Boldione; Bolenol; Bolmantalate; 1,4-Butanediol; Calusterone; 4-Chloromethandienone; Clostebol; Danazol; Desoxymethyltestosterone Drostanolone; Enestebol; Epitiostanol; Ethylloestrenol;

- Fluoxymesterone; Formebolone; Furazabol; Gestrinone; 3-Hydroxy-5 α -androstane-17-one. Mebolazine; Mepitiostane; Mesabolone; Mestanolone; Mesterolone; Methandienone; Methandiol; Methenolone; Methyltestosterone; Metribolone; Mibolerone; Nandrolone; 19-Norandrostenedione; 19-Nor-4-Androstene-3, 17-dione; 19-Norandrosterone; 19-Nor-5-Androstene-3, 17-diol; Norboletone; Norclostebol; Norethandrolone; 19-Noretiocholanolone; Oripavine; Ovandrotone; Oxabolone; Oxandrolone; Oxymesterone; Oxymetholone; Pipradrol; Prasterone; Propetandrol; Prostanazol; Quinbolone; Roxibolone; Silandrone; Stanolone; Stanozolol; Stenbolone; Testosterone; Tetrahydrogestrinone; Thiomesterone; Trenbolone.
- (c) any compound (not being Trilostane or a compound for the time being specified in sub-paragraph (b) above) structurally derived from 17-hydroxyandrostane-3-one or from 17-hydroxyestrane-3-one by modification in any of the following ways, that is to say,
- (i) by further substitution at position 17 by a methyl or ethyl group;
 - (ii) by substitution to any extent at one or more of positions 1, 2, 4, 6, 7, 9, 11 or 16, but at no other position;
 - (iii) by unsaturation in the carbocyclic ring system to any extent, provided that there are no more than two ethylenic bonds in any one carbocyclic ring;
 - (iv) by fusion of ring A with a heterocyclic system;
- (ca) 1-benzylpiperazine or any compound structurally derived from 1-benzylpiperazine or 1-phenylpiperazine by modification in any of the following ways—
- by substitution at the second nitrogen atom of the piperazine ring with alkyl, benzyl, haloalkyl or phenyl groups;
- (ii) by substitution in the aromatic ring to any extent with alkyl, alkoxy, alkylendioxy, halide or haloalkyl groups.
- (d) any substance which is an ester or ether (or, where more than one hydroxyl function is available, both an ester and an ether) of a substance specified in sub-paragraph (b) or described in sub-paragraph (c) above;
- (e) Chorionic Gonadotrophin (HCG). Clenbuterol. Non-human chorionic gonadotrophin. Somatotropin. Somatrem. Somatropin. Zeranol. Zilpaterol.
- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 of the list of Class C drugs not being phenylpropanolamine.
- 3 Any salt of a substance for the time being specified in paragraph 1 or 2 of the list of Class C drugs.
- 4 Any preparation or other product containing a substance for the time being specified in any of paragraphs 1 to 3 of the list of Class C drugs.

Meaning of certain expressions used in the description of classified drugs

“cannabinol derivatives” means the following substances, except where contained in cannabis or cannabis resin, namely tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives;

“coca leaf” means the leaf of any plant of the genus *Erythroxylon* from whose leaves cocaine can be extracted either directly or by chemical transformation;

“concentrate of poppy-straw” means the material produced when poppy-straw has entered into a process for the concentration of its alkaloids;

“medicinal opium” means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;

“opium poppy” means the plant of the species *Papaver somniferum* L.;

“poppy straw” means all parts, except the seeds, of the opium poppy after mowing;

“raw opium” includes powdered or granulated opium but does not include medicinal opium.

Substances subject to a Temporary Drug Banning Order (for 12 months from 10 June 2013)

2-(4-Iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe);

2-(4-Bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25B-NBOMe);

2-(2,5-Dimethoxy-4-methylphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25D-NBOMe);

2-(4-Chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25C-NBOMe);

1-(Benzofuran-5-yl)-propan-2-amine and its N-methyl derivatives

(5-APB);

1-(Benzofuran-6-yl)-propan-2-amine and its N-methyl derivatives

(6-APB);

1-(2,3-Dihydro-1-benzofuran-5-yl)-propan-2-amine and its N-methyl derivatives (5-APDB);

1-(2,3-Dihydro-1-benzofuran-6-yl)-propan-2-amine and its N-methyl derivatives (6-APDB);

2-(1H-Indol-5-yl)-1-methylethylamine (5-IT);

2-(1H-Indol-6-yl)-1-methylethylamine (6-IT).

N.B. Some of the simple derivatives of the temporarily banned drugs listed above are controlled (stereoisomers and salts, including salts of the stereoisomers).

Annex B

Penalties for Offences in relation to Controlled Substances Schedule 4 to the Misuse of Drugs Act 1971

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 4(2)	Production, or being concerned in the production, of a controlled drug.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 4(3)	Supplying or offering to supply a controlled drug or being concerned in the doing of either activity by another.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 5(2)	Having possession of a controlled drug.	(a) Summary	6 months or £400, or both.	3 months or £2,500, or both.	3 months or £1,000, or both.	
		(b) On indictment	7 years or a fine, or both.	5 years or a fine, or both.	2 years or a fine, or both.	
Section 5(3)	Having possession of a controlled drug with intent to supply it to another.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 6(2)	Cultivation of cannabis plant.	(a) Summary				6 months or £400, or both.
		(b) On indictment				14 years or a fine, or both.
Section 8	Being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 9	Offences relating to opium.	(a) Summary				6 months or £400, or both.
		On indictment				14 years or a fine, or both.
Section 9A.	Prohibition of supply etc. of articles for administering or preparing controlled drugs.	Summary				6 months or level 5 on the standard scale, or both.
Section 11(2)	Contravention of directions relating to safe custody of controlled drugs.	(a) summary				6 months or £400, or both.
		(b) On indictment				2 years or a fine, or both.
Section 12(6)	Contravention of direction prohibiting practitioner etc. from possessing, supplying etc. controlled drugs.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 13(3)	Contravention of direction prohibiting practitioner etc. from prescribing, supplying etc. controlled drugs.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 17(3)	Failure to comply with notice requiring information relating to prescribing, supply etc. of drugs.	Summary				level 3 on the standard scale.
Section 17(4)	Giving false information in purported compliance with notice requiring information relating to prescribing, supply etc. of drugs.	(a) Summary				6 months or £400, or both.
		(b) On indictment				2 years or a fine, or both.

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 18(1)	Contravention of regulations (other than regulations relating to addicts).	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(2)	Contravention of terms of licence or other authority (other than licence issued under regulations relating to addicts).	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(3)	Giving false information in purported compliance with obligation to give information imposed under or by virtue of regulations.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(4)	Giving false information, or producing document etc. containing false statement etc., for purposes of obtaining issue or renewal of a licence or other authority.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 20	Assisting in or inducing commission outside United Kingdom of an offence punishable under a corresponding law.	(a) Summary				6 months or £400, or both
		(b) On indictment				14 years or a fine, or both.
Section 23(4)	Obstructing exercise of powers of search etc. or concealing books, drugs etc.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.

Drugs: Drug Abuse

Mr Easton asked the Minister of Justice how he is cooperating with the Department of Health, Social Services and Public Safety to tackle drug abuse.

(AQW 31939/11-15)

Mr Ford: The Department of Justice is a major contributor to the outcomes included in the New Strategic Direction for Alcohol and Drugs 2011 – 16, a strategy led by Department of Health, Social Services and Public Safety.

Criminal Justice organisations have a key role to play in addressing priorities in this Strategy which relate to alcohol and drug related crime and anti-social behaviour and reducing the availability of illicit drugs. Work to tackle these issues is taken forward through a range of structures including the Organised Crime Task Force, Policing and Community Safety Partnerships and the Law and Criminal Justice Advisory Group.

In addition, the Department of Justice is one of the lead partners in the Drug and Alcohol Management Information System (DAMIS). Within this system, those working in community, voluntary and statutory organisations are encouraged to report new drugs or new drug trends, so that, if appropriate, this information can be shared with all frontline staff in both the health and justice sectors, thus improving the response to new and developing drug situations across Northern Ireland.

It has been recognised that partnership working is key to progressing the overall aim of the NSD which is to reduce the level of alcohol- and drug- related harm in Northern Ireland. I am committed to joint working to tackle these issues through a partnership approach.

Drugs: Illegal Drugs

Mr Easton asked the Minister of Justice whether his Department has powers to prevent people buying drugs or illegal highs online.

(AQW 31940/11-15)

Mr Ford: The Misuse of Drugs Act 1971 ("the Act") which applies across the United Kingdom prohibits the production, import, export, possession and supply of drugs controlled under three classifications: Class A, Class B and Class C.

Drugs listed within each of those classifications are extensive and chemically defined. Broadly speaking Class A includes drugs such as heroin, cocaine, ecstasy and LSD. Class B drugs include amphetamines, barbiturates and cannabis. Class C drugs include tranquillisers, valium and anabolic steroids. Annex A provides the list of substances classified as controlled drugs as set out in Schedule 2 to the Act.

Temporary Drug Banning Orders (TDBOs), effective for up to 12 months, can also be made by the Home Secretary under the Act. TDBOs provide for emerging substances such as "legal highs" that have not yet been assessed by the Advisory Council for the Misuse of Drugs for listing by the Home Secretary. A list of the substances currently subject to Temporary Drug Banning Orders is at the foot of Annex A.

Tables showing the offences and penalties under the Act are provided at Annex B. Import, export, possession and supply of a controlled drug are offences, whether committed online or otherwise.

Annex A

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class A Drugs

1. The following substances and products, namely: —

- (a) Acetorphine; Alfentanil; Allylprodine; Alphacetylmetadol; Alphameprodine; Alphamethadol; Alphaprodine; Anileridine; Benzethidine; Benzylmorphine (3-benzylmorphine); Betacetylmetadol; Betameprodine; Betamethadol; Betaprodine; Bezitramide; Bufotenine; Carfentanil; Clonitazene; Coca leaf; Cocaine; Desomorphine; Dextromoramide; Diamorphine; Diampromide; Diethylthiambutene; Difenoxin (1-(3-cyano-3,3-diphenylpropyl)-4-phenylpiperidine-4-carboxylic acid); Dihydrocodeinone O-carboxymethyloxime; Dihydroetorphine; Dihydromorphine; Dimenoxadole; Dimepheptanol; Dimethylthiambutene; Dioxaphetyl butyrate; Diphenoxylate. Dipipanone; Drotebanol (3,4-dimethoxy-17-methylmorphinan-6 beta, 14-diol); Ecgonine, and any derivative of ecgonine which is convertible to ecgonine or to cocaine; Ethylmethylthiambutene; Eticyclidine; Etonitazene; Etorphine; Etoxidrine; Etryptamine; Fentanyl; Fungus (of any kind) which contains psilocin or an ester of psilocin; Furethidine; Hydrocodone; Hydromorphanol; Hydromorphone; Hydroxypethidine; Isomethadone; Ketobemidone; Levomethorphan; Levomoramide; Levophenacetyl morphan; Levorphanol; Lofentanil; Lysergamide; Lysergide and other N-alkyl derivatives of lysergamide; Mescaline; Metazocine; Methadone; Methadyl acetate; Methylamphetamine; Methyl-desorphine; Methyl dihydromorphine (6-methyl dihydromorphine); Metopon; Morpheridine; Morphine; Morphine methobromide, morphine N-oxide and other pentavalent nitrogen morphine derivatives; Myrophine. Nicomorphine (3,6-dinicotinoyl-morphine); Noracetylmetadol; Norlevorphanol; Normethadone; Normorphine; Norpipanone; Opium, whether raw, prepared or medicinal; Oxycodone; Oxymorphone; Pethidine; Phenadoxone; Phenampromide; Phenazocine; Phencyclidine; Phenomorphan; Phenoperidine; Piminodine; Piritramide; Poppy-straw and concentrate of poppy-straw; Proheptazine; Properidine (1-methyl-4-phenyl-piperidine-4-carboxylic acid isopropyl ester); Psilocin; Racemethorphan; Racemoramide;

Racemorphan; Remifentanyl; Rolicyclidine; Sufentanyl; Tapentadol Tenocyclidine; Thebacon; Thebaine; Tilidate; Trimeperidine; 4-Bromo-2,5-dimethoxy- α -methylphenethylamine; 4-Cyano-2-dimethylamino-4,4-diphenylbutane. 4-Cyano-1-methyl-4-phenyl-piperidine; N,N-Diethyltryptamine. N,N-Dimethyltryptamine; 2,5-Dimethoxy- α ,4-dimethylphenethylamine; N-Hydroxy-tenamphetamine; 1-Methyl-4-phenylpiperidine-4-carboxylic acid; 2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid; 4-Methyl-aminorex; 4-Phenylpiperidine-4-carboxylic acid ethyl ester.

- (b) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from tryptamine or from a ring-hydroxy tryptamine by substitution at the nitrogen atom of the sidechain with one or more alkyl substituents but no other substituent;
- (ba) the following phenethylamine; derivatives, namely:—
- Allyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-Amino-1-(2,5-dimethoxy-4-methylphenyl)ethanol; 2-Amino-1-(3,4-dimethoxyphenyl)ethanol; Benzyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 4-Bromo- β ,2,5-trimethoxyphenethylamine; N-(4-sec-Butylthio-2,5-dimethoxyphenethyl)hydroxylamine; Cyclopropylmethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)ethylamine; 2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)-1-methylethylamine; 2-(2,5-Dimethoxy-4-methylphenyl)cyclopropylamine; 2-(1,4-Dimethoxy-2-naphthyl)ethylamine; 2-(1,4-Dimethoxy-2-naphthyl)-1-methylethylamine; N-(2,5-Dimethoxy-4-propylthiophenethyl)hydroxylamine; 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)ethylamine; 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)-1-methylethylamine; α , α -Dimethyl-3,4-methylenedioxyphenethylamine; α , α -Dimethyl-3,4-methylenedioxyphenethyl(methyl)amine; Dimethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; N-(4-Ethylthio-2,5-dimethoxyphenethyl)hydroxylamine; 4-Iodo-2,5-dimethoxy- α -methylphenethyl(dimethyl)amine; 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)ethylamine; 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)-1-methylethylamine; 2-(5-Methoxy-2,2-dimethyl-2,3-dihydrobenzofuran-6-yl)-1-methylethylamine; 2-Methoxyethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-(5-Methoxy-2-methyl-2,3-dihydrobenzofuran-6-yl)-1-methylethylamine; β ;Methoxy-3,4-methylenedioxyphenethylamine; 1-(3,4-Methylenedioxybenzyl)butyl(ethyl)amine; 1-(3,4-Methylenedioxybenzyl)butyl(methyl)amine; 2-(α -Methyl-3,4-methylenedioxyphenethylamino)ethanol- α -Methyl-3,4-methylenedioxyphenethyl(prop-2-ynyl)amine; N-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine; O-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine; α -Methyl-4-(methylthio)phenethylamine; β ,3,4,5-Tetramethoxyphenethylamine; β ,2,5-Trimethoxy-4-methylphenethylamine;
- (c) any compound (not being methoxyphenamine or a compound for the time being specified in sub-paragraph (a) above) structurally derived from phenethylamine, an N-alkylphenethylamine, α -methylphenethylamine, an N-alkyl- α -methylphenethylamine, α -ethylphenethylamine, or an N-alkyl- α -ethylphenethylamine by substitution in the ring to any extent with alkyl, alkoxy, alkylene-dioxy or halide substituents, whether or not further substituted in the ring by one or more other univalent substituents.
- (d) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from fentanyl by modification in any of the following ways, that is to say,—
- by replacement of the phenyl portion of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;
 - by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;
 - by substitution in the piperidine ring with alkyl or alkenyl groups;
 - by substitution in the aniline ring with alkyl, alkoxy, alkylendioxy, halogeno or haloalkyl groups;
 - by substitution at the 4-position of the piperidine ring with any alkoxycarbonyl or alkoxyalkyl or acyloxy group;
 - by replacement of the N-propionyl group by another acyl group;
- (e) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from pethidine by modification in any of the following ways, that is to say,
- by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;
 - by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;
 - by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;
 - by replacement of the 4-ethoxycarbonyl by any other alkoxycarbonyl or any alkoxyalkyl or acyloxy group;
 - by formation of an N-oxide or of a quaternary base.

- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 above not being dextromethorphan or dextrorphan.

- 3 Any ester or ether of a substance for the time being specified in paragraph 1 or 2 which is not listed as a Class B drug.
- 4 Any salt of a substance for the time being specified in any of paragraphs 1 to 3 above.
- 5 Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 4 above.
- 6 Any preparation designed for administration by injection which includes a substance or product for the time being specified in any of paragraphs 1 to 3 of the list of Class B drugs.

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class B Drugs

The following substances and products, namely:

- 1 —
 - (a) Acetyldihydrocodeine; Amphetamine; Cannabinol; Cannabinol derivatives; Cannabis and cannabis resin; Codeine; Dihydrocodeine; Ethylmorphine (3-ethylmorphine); Glutethimide; Lefetamine; Mecloqualone; Methaqualone; Methcathinone; a-Methylphenethylhydroxylamine; Methylphenidate; Methylphenobarbitone; Nicodine; Nicodicodine (6-nicotinoyldihydrocodeine); Norcodeine; Pentazocine; Phenmetrazine; Pholcodine; Propiram; Zipeprol; 2-((Dimethylamino)methyl)-1-(3-hydroxyphenyl)cyclohexanol
 - (aa) Any compound (not being bupropion, cathinone, diethylpropion, pyrovalerone or a compound for the time being specified in sub-paragraph (a) above) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways, that is to say,
 - (i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
 - (ii) by substitution at the 3-position with an alkyl substituent;
 - (iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.
 - (ab) Any compound structurally derived from 2-aminopropan-1-one by substitution at the 1-position with any monocyclic, or fused polycyclic ring system (not being a phenyl ring or alkylendioxyphenyl ring system), whether or not the compound is further modified in any of the following ways, that is to say,
 - (i) by substitution in the ring system to any extent with alkyl, alkoxy, haloalkyl or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
 - (ii) by substitution at the 3-position with an alkyl substituent;
 - (iii) by substitution at the 2-amino nitrogen atom with alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.
 - (ac) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say,
 - (i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups;
 - (ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group;
 - (iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group
 - (b) any 5, 5 distributed barbituric acid
 - (c) [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1, 2, 3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.
 [9-Hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5, 6, 6a, 7, 8, 9, 10, 10a-octahydrophenanthridin-1-yl] acetate.
 [9-Hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5, 6, 6a, 7, 8, 9, 10, 10a-octahydrophenanthridin-1-yl] acetate.
 9-(Hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol.
 Any compound structurally derived from 3-(1-naphthoyl)indole, 3-(2-naphthoyl) indole, 1H-indol-3-yl-(1-naphthyl) methane or 1H-indol-3-yl-(2-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl) ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.
 Any compound structurally derived from 3-(1-naphthoyl)pyrrole or 3-(2-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl,

(N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 1-(1-naphthylmethylene)indene or 1-(2-naphthylmethylene)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Nabilone.

Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the cyclohexyl ring to any extent.

Any compound structurally derived from 3-benzoylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 3-(1-adamantyl)indole or 3-(2-adamantyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent.

Any compound structurally derived from 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent.

- (d) 1-Phenylcyclohexylamine or any compound (not being ketamine, tiletamine or a compound for the time being specified in paragraph 1(a) of the list of Class A drugs) structurally derived from 1-phenylcyclohexylamine or 2-amino-2-phenylcyclohexanone by modification in any of the following ways, that is to say,
 - (i) by substitution at the nitrogen atom to any extent by alkyl, alkenyl or hydroxyalkyl groups, or replacement of the amino group with a 1-piperidyl, 1-pyrrolidyl or 1-azepyl group, whether or not the nitrogen containing ring is further substituted by one or more alkyl groups;
 - (ii) by substitution in the phenyl ring to any extent by amino, alkyl, hydroxy, alkoxy or halide substituents, whether or not further substituted in the phenyl ring to any extent;
 - (iii) by substitution in the cyclohexyl or cyclohexanone ring by one or more alkyl substituents;
 - (iv) by replacement of the phenyl ring with a thienyl ring.
- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 of the list of Class B drugs.
- 2A. Any ester or ether of cannabinol or of a cannabinol derivative or of a substance for the time being specified in paragraph 1(ac), (c) or (d) of the list of Class B drugs.
- 3 Any salt of a substance for the time being specified in paragraph 1, 2 or 2A of the list of Class B drugs.
- 4 Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 3 of the list of Class B drugs, not being a preparation falling within paragraph 6 of the list of Class A drugs.

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class C Drugs

1. The following substances, namely:—
 - (a) Alprazolam; Amineptine; Aminorex; Benzphetamine; Bromazepam; Brotizolam; 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one; Buprenorphine; Camazepam; Cathine; Cathinone; Chlordiazepoxide; Chlorphentermine; Clobazam; Clonazepam; Clorazepic acid; Clotiazepam; Cloxazolam; Delorazepam; Dextropropoxyphene; Diazepam; Diethylpropion; Estazolam; Ethchlorvynol; Ethinamate; Ethyl loflazepate; Fencamfamin; Fenethylline; Fenproporex; Fludiazepam; Flunitrazepam; Flurazepam; Gamma-butyrolactone; Halazepam; Haloxazolam; 4-Hydroxy-n-butyric acid; Ketamine; Ketazolam; Loprazolam; Lorazepam; Lormetazepam; Mazindol; Medazepam; Mefenorex; Mephentermine; Meprobamate; Mesocarb; Methpyrlyone; Midazolam; Nimetazepam; Nitrazepam; Nordazepam; Oxazepam; Oxazolam; Pemoline; Phendimetrazine; Phentermine; Pinazepam; Prazepam; Pyrovalerone; Temazepam; Tetrazepam; Triazolam; N-Ethylamphetamine; Zolpidem.

- (b) 5 α -Androstane-3,17-diol; Androst-4-ene-3,17-diol; 1-Androstenediol; 1-Androstenedione 4-Androstene-3,17-dione; 5-Androstenedione; 5-Androstene-3,17-diol; Atamestane; Bolandiol; Bolasterone; Bolazine; Boldenone; Boldione; Bolenol; Bolmantalate; 1,4-Butanediol; Calusterone; 4-Chloromethandienone; Clostebol; Danazol; Desoxymethyltestosterone Drostanolone; Enestebol; Epitiostanol; Ethyloestrenol; Fluoxymesterone; Formebolone; Furazabol; Gestrinone; 3-Hydroxy-5 α -androstan-17-one. Mebolazine; Mepitiostane; Mesabolone; Mestanolone; Mesterolone; Methandienone; Methandiol; Methenolone; Methyltestosterone; Metribolone; Mibolerone; Nandrolone; 19-Norandrostenedione; 19-Nor-4-Androstene-3,17-dione; 19-Norandrosterone; 19-Nor-5-Androstene-3,17-diol; Norboletone; Norclostebol; Norethandrolone; 19-Noretiocholanolone; Oripavine; Ovandrotone; Oxabolone; Oxandrolone; Oxymesterone; Oxymetholone; Pipradrol; Prasterone; Propetandrol; Prostanazol; Quinbolone; Roxibolone; Silandrone; Stanolone; Stanozolol; Stenbolone; Testosterone; Tetrahydrogestrinone; Thiomesterone; Trenbolone.
- (c) any compound (not being Trilostane or a compound for the time being specified in sub-paragraph (b) above) structurally derived from 17-hydroxyandrostane-3-one or from 17-hydroxyestrane-3-one by modification in any of the following ways, that is to say,
- (i) by further substitution at position 17 by a methyl or ethyl group;
 - (ii) by substitution to any extent at one or more of positions 1, 2, 4, 6, 7, 9, 11 or 16, but at no other position;
 - (iii) by unsaturation in the carbocyclic ring system to any extent, provided that there are no more than two ethylenic bonds in any one carbocyclic ring;
 - (iv) by fusion of ring A with a heterocyclic system;
- (ca) 1-benzylpiperazine or any compound structurally derived from 1-benzylpiperazine or 1-phenylpiperazine by modification in any of the following ways—
- by substitution at the second nitrogen atom of the piperazine ring with alkyl, benzyl, haloalkyl or phenyl groups;
- (ii) by substitution in the aromatic ring to any extent with alkyl, alkoxy, alkylendioxy, halide or haloalkyl groups.
- (d) any substance which is an ester or ether (or, where more than one hydroxyl function is available, both an ester and an ether) of a substance specified in sub-paragraph (b) or described in sub-paragraph (c) above;
- (e) Chorionic Gonadotrophin (HCG). Clenbuterol. Non-human chorionic gonadotrophin. Somatotropin. Somatrem. Somatropin. Zeranol. Zilpaterol.
- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 of the list of Class C drugs not being phenylpropanolamine.
- 3 Any salt of a substance for the time being specified in paragraph 1 or 2 of the list of Class C drugs.
- 4 Any preparation or other product containing a substance for the time being specified in any of paragraphs 1 to 3 of the list of Class C drugs.

Meaning of certain expressions used in the description of classified drugs

“cannabinol derivatives” means the following substances, except where contained in cannabis or cannabis resin, namely tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives;

“coca leaf” means the leaf of any plant of the genus *Erythroxylon* from whose leaves cocaine can be extracted either directly or by chemical transformation;

“concentrate of poppy-straw” means the material produced when poppy-straw has entered into a process for the concentration of its alkaloids;

“medicinal opium” means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;

“opium poppy” means the plant of the species *Papaver somniferum* L.;

“poppy straw” means all parts, except the seeds, of the opium poppy after mowing;

“raw opium” includes powdered or granulated opium but does not include medicinal opium.

Substances subject to a Temporary Drug Banning Order (for 12 months from 10 June 2013)

2-(4-Iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine	(25I-NBOMe);
2-(4-Bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine	(25B-NBOMe);
2-(2,5-Dimethoxy-4-methylphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine	(25D-NBOMe);
2-(4-Chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine	(25C-NBOMe);

1-(Benzofuran-5-yl)-propan-2-amine and its N-methyl derivatives

(5-APB);

1-(Benzofuran-6-yl)-propan-2-amine and its N-methyl derivatives

(6-APB);

1-(2,3-Dihydro-1-benzofuran-5-yl)-propan-2-amine and its N-methyl derivatives (5-APDB);

1-(2,3-Dihydro-1-benzofuran-6-yl)-propan-2-amine and its N-methyl derivatives (6-APDB);

2-(1H-Indol-5-yl)-1-methylethylamine (5-IT);

2-(1H-Indol-6-yl)-1-methylethylamine (6-IT).

N.B. Some of the simple derivatives of the temporarily banned drugs listed above are controlled (stereoisomers and salts, including salts of the stereoisomers).

Annex B

Penalties for Offences in relation to Controlled Substances Schedule 4 to the Misuse of Drugs Act 1971

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 4(2)	Production, or being concerned in the production, of a controlled drug.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 4(3)	Supplying or offering to supply a controlled drug or being concerned in the doing of either activity by another.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 5(2)	Having possession of a controlled drug.	(a) Summary	6 months or £400, or both.	3 months or £2,500, or both.	3 months or £1,000, or both.	
		(b) On indictment	7 years or a fine, or both.	5 years or a fine, or both.	2 years or a fine, or both.	
Section 5(3)	Having possession of a controlled drug with intent to supply it to another.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 6(2)	Cultivation of cannabis plant.	(a) Summary				6 months or £400, or both.
		(b) On indictment				14 years or a fine, or both.

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 8	Being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 9	Offences relating to opium.	(a) Summary				6 months or £400, or both.
		On indictment				14 years or a fine, or both.
Section 9A.	Prohibition of supply etc. of articles for administering or preparing controlled drugs.	Summary				6 months or level 5 on the standard scale, or both.
Section 11(2)	Contravention of directions relating to safe custody of controlled drugs.	(a) summary				6 months or £400, or both.
		(b) On indictment				2 years or a fine, or both.
Section 12(6)	Contravention of direction prohibiting practitioner etc. from possessing, supplying etc. controlled drugs.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 13(3)	Contravention of direction prohibiting practitioner etc. from prescribing, supplying etc. controlled drugs.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 17(3)	Failure to comply with notice requiring information relating to prescribing, supply etc. of drugs.	Summary				level 3 on the standard scale.

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 17(4)	Giving false information in purported compliance with notice requiring information relating to prescribing, supply etc. of drugs.	(a) Summary				6 months or £400, or both.
		(b) On indictment				2 years or a fine, or both.
Section 18(1)	Contravention of regulations (other than regulations relating to addicts).	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(2)	Contravention of terms of licence or other authority (other than licence issued under regulations relating to addicts).	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(3)	Giving false information in purported compliance with obligation to give information imposed under or by virtue of regulations.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(4)	Giving false information, or producing document etc. containing false statement etc., for purposes of obtaining issue or renewal of a licence or other authority.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 20	Assisting in or inducing commission outside United Kingdom of an offence punishable under a corresponding law.	(a) Summary				6 months or £400, or both
		(b) On indictment				14 years or a fine, or both.

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 23(4)	Obstructing exercise of powers of search etc. or concealing books, drugs etc.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.

Drugs: Illegal Drugs

Mr Easton asked the Minister of Justice to detail all the illegal drugs that people can be prosecuted for possession. (AQW 31941/11-15)

Mr Ford: The Misuse of Drugs Act 1971 ("the Act") which applies across the United Kingdom prohibits the production, import, export, possession and supply of drugs controlled under three classifications: Class A, Class B and Class C.

Drugs listed within each of those classifications are extensive and chemically defined. Broadly speaking Class A includes drugs such as heroin, cocaine, ecstasy and LSD. Class B drugs include amphetamines, barbiturates and cannabis. Class C drugs include tranquillisers, valium and anabolic steroids. Annex A provides the list of substances classified as controlled drugs as set out in Schedule 2 to the Act.

Temporary Drug Banning Orders (TDBOs), effective for up to 12 months, can also be made by the Home Secretary under the Act. TDBOs provide for emerging substances such as "legal highs" that have not yet been assessed by the Advisory Council for the Misuse of Drugs for listing by the Home Secretary. A list of the substances currently subject to Temporary Drug Banning Orders is at the foot of Annex A.

Tables showing the offences and penalties under the Act are provided at Annex B. Import, export, possession and supply of a controlled drug are offences, whether committed online or otherwise.

Annex A

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class A Drugs

1. The following substances and products, namely: —

- (a) Acetorphine; Alfentanil; Allylprodine; Alphacetylmetadol; Alphameprodine; Alphamethadol; Alphaprodine; Anileridine; Benzethidine; Benzylmorphine (3-benzylmorphine); Betacetylmetadol; Betameprodine; Betamethadol; Betaprodine; Bezitramide; Bufotenine; Carfentanil; Clonitazene; Coca leaf; Cocaine; Desomorphine; Dextromoramide; Diamorphine; Diampromide; Diethylthiambutene; Difenoxin (1-(3-cyano-3,3-diphenylpropyl) -4-phenylpiperidine-4-carboxylic acid); Dihydrocodeinone O-carboxymethylloxime; Dihydroetorphine; Dihydromorphine; Dimenoxadole; Dimepheptanol; Dimethylthiambutene; Dioxaphetyl butyrate; Diphenoxylate. Dipipanone; Droterbanol (3,4-dimethoxy-17-methylmorphinan-6 beta, 14-diol); Ecgonine, and any derivative of ecgonine which is convertible to ecgonine or to cocaine; Ethylmethylthiambutene; Eticyclidine; Etonitazene; Etorphine; Etoteridine; Etryptamine; Fentanyl; Fungus (of any kind) which contains psilocin or an ester of psilocin; Furethidine; Hydrocodone; Hydromorphanol; Hydromorphone; Hydroxypethidine; Isomethadone; Ketobemidone; Levomethorphan; Levomoramide; Levophenacetyl morphan; Levorphanol; Lofentanil; Lysergamide; Lysergide and other N-alkyl derivatives of lysergamide; Mescaline; Metazocine; Methadone; Methadyl acetate; Methylamphetamine; Methyl-desorphine; Methyl-dihydromorphine (6-methyl-dihydromorphine); Metopon; Morpheridine; Morphine; Morphine methobromide, morphine N-oxide and other pentavalent nitrogen morphine derivatives; Myrophine. Nicomorphine (3,6-dinicotinoyl-morphine); Noracymethadol; Norlevorphanol; Normethadone; Normorphine; Norpipanone; Opium, whether raw, prepared or medicinal; Oxycodone; Oxymorphone; Pethidine; Phenadoxone; Phenampromide; Phenazocine; Phencyclidine; Phenomorphan; Phenoperidine; Piminodine; Piritramide; Poppy-straw and concentrate of poppy-straw; Proheptazine; Properidine (1-methyl-4-phenyl-piperidine-4-carboxylic acid isopropyl ester); Psilocin; Racemethorphan; Racemoramide; Racemorphan; Remifentanil; Rolicyclidine; Sufentanil; Tapentadol Tenocyclidine; Thebacon; Thebaine; Tilidate; Trimeperidine; 4-Bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-Cyano-2-dimethylamino-4,4-diphenylbutane. 4-Cyano-1-methyl-4-phenyl-piperidine; N,N-Diethyltryptamine. N,N-Dimethyltryptamine; 2,5-Dimethoxy-alpha,4-dimethylphenethylamine; N-Hydroxy-tenamphetamine; 1-Methyl-4-phenylpiperidine-4-carboxylic acid; 2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid; 4-Methyl-aminorex; 4-Phenylpiperidine-4-carboxylic acid ethyl ester.

- (b) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from tryptamine or from a ring-hydroxy tryptamine by substitution at the nitrogen atom of the sidechain with one or more alkyl substituents but no other substituent;
- (ba) the following phenethylamine; derivatives, namely:—
- Allyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-Amino-1-(2,5-dimethoxy-4-methylphenyl)ethanol; 2-Amino-1-(3,4-dimethoxyphenyl)ethanol; Benzyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 4-Bromo- β ,2,5-trimethoxyphenethylamine; N-(4-sec-Butylthio-2,5-dimethoxyphenethyl)hydroxylamine; Cyclopropylmethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)ethylamine; 2-(4,7-Dimethoxy-2,3-dihydro-1H-indan-5-yl)-1-methylethylamine; 2-(2,5-Dimethoxy-4-methylphenyl)cyclopropylamine; 2-(1,4-Dimethoxy-2-naphthyl)ethylamine; 2-(1,4-Dimethoxy-2-naphthyl)-1-methylethylamine; N-(2,5-Dimethoxy-4-propylthiophenethyl)hydroxylamine; 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)ethylamine; 2-(1,4-Dimethoxy-5,6,7,8-tetrahydro-2-naphthyl)-1-methylethylamine; α , α -Dimethyl-3,4-methylenedioxyphenethylamine; α , α -Dimethyl-3,4-methylenedioxyphenethyl(methyl)amine; Dimethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; N-(4-Ethylthio-2,5-dimethoxyphenethyl)hydroxylamine; 4-Iodo-2,5-dimethoxy- α -methylphenethyl(dimethyl)amine; 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)ethylamine; 2-(1,4-Methano-5,8-dimethoxy-1,2,3,4-tetrahydro-6-naphthyl)-1-methylethylamine; 2-(5-Methoxy-2,2-dimethyl-2,3-dihydrobenzofuran-6-yl)-1-methylethylamine; 2-Methoxyethyl(α -methyl-3,4-methylenedioxyphenethyl)amine; 2-(5-Methoxy-2-methyl-2,3-dihydrobenzofuran-6-yl)-1-methylethylamine; β ;Methoxy-3,4-methylenedioxyphenethylamine; 1-(3,4-Methylenedioxybenzyl)butyl(ethyl)amine; 1-(3,4-Methylenedioxybenzyl)butyl(methyl)amine; 2-(α -Methyl-3,4-methylenedioxyphenethylamino)ethanol- α -Methyl-3,4-methylenedioxyphenethyl(prop-2-ynyl)amine; N-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine; O-Methyl-N-(α -methyl-3,4-methylenedioxyphenethyl)hydroxylamine; α -Methyl-4-(methylthio)phenethylamine; β ,3,4,5-Tetramethoxyphenethylamine; β ,2,5-Trimethoxy-4-methylphenethylamine;
- (c) any compound (not being methoxyphenamine or a compound for the time being specified in sub-paragraph (a) above) structurally derived from phenethylamine, an N-alkylphenethylamine, alpha-methylphenethylamine, an N-alkyl-alpha-methylphenethylamine, alpha-ethylphenethylamine, or an N-alkyl-alpha-ethylphenethylamine by substitution in the ring to any extent with alkyl, alkoxy, alkylene-dioxy or halide substituents, whether or not further substituted in the ring by one or more other univalent substituents.
- (d) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from fentanyl by modification in any of the following ways, that is to say,—
- by replacement of the phenyl portion of the phenethyl group by any heteromonocycle whether or not further substituted in the heterocycle;
 - by substitution in the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halogeno, haloalkyl, amino or nitro groups;
 - by substitution in the piperidine ring with alkyl or alkenyl groups;
 - by substitution in the aniline ring with alkyl, alkoxy, alkylendioxy, halogeno or haloalkyl groups;
 - by substitution at the 4-position of the piperidine ring with any alkoxycarbonyl or alkoxyalkyl or acyloxy group;
 - by replacement of the N-propionyl group by another acyl group;
- (e) any compound (not being a compound for the time being specified in sub-paragraph (a) above) structurally derived from pethidine by modification in any of the following ways, that is to say,
- by replacement of the 1-methyl group by an acyl, alkyl whether or not unsaturated, benzyl or phenethyl group, whether or not further substituted;
 - by substitution in the piperidine ring with alkyl or alkenyl groups or with a propano bridge, whether or not further substituted;
 - by substitution in the 4-phenyl ring with alkyl, alkoxy, aryloxy, halogeno or haloalkyl groups;
 - by replacement of the 4-ethoxycarbonyl by any other alkoxycarbonyl or any alkoxyalkyl or acyloxy group;
 - by formation of an N-oxide or of a quaternary base.
- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 above not being dextromethorphan or dextrorphan.
- 3 Any ester or ether of a substance for the time being specified in paragraph 1 or 2 which is not listed as a Class B drug.
- 4 Any salt of a substance for the time being specified in any of paragraphs 1 to 3 above.
- 5 Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 4 above.

- 6 Any preparation designed for administration by injection which includes a substance or product for the time being specified in any of paragraphs 1 to 3 of the list of Class B drugs.

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class B Drugs

The following substances and products, namely:

1 —

- (a) Acetyldihydrocodeine; Amphetamine; Cannabinol; Cannabinol derivatives; Cannabis and cannabis resin; Codeine; Dihydrocodeine; Ethylmorphine (3-ethylmorphine); Glutethimide; Lefetamine; Mecloqualone; Methaqualone; Methcathinone; *a*-Methylphenethylhydroxylamine; Methylphenidate; Methylphenobarbitone; Nicodine; Nicodicodine (6-nicotinoyldihydrocodeine); Norcodeine; Pentazocine; Phenmetrazine; Pholcodine; Propiram; Zipeprol; 2-((Dimethylamino)methyl)-1-(3-hydroxyphenyl)cyclohexanol
- (aa) Any compound (not being bupropion, cathinone, diethylpropion, pyrovalerone or a compound for the time being specified in sub-paragraph (a) above) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways, that is to say,
 - (i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
 - (ii) by substitution at the 3-position with an alkyl substituent;
 - (iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.
- (ab) Any compound structurally derived from 2-aminopropan-1-one by substitution at the 1-position with any monocyclic, or fused polycyclic ring system (not being a phenyl ring or alkylendioxyphenyl ring system), whether or not the compound is further modified in any of the following ways, that is to say,
 - (i) by substitution in the ring system to any extent with alkyl, alkoxy, haloalkyl or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
 - (ii) by substitution at the 3-position with an alkyl substituent;
 - (iii) by substitution at the 2-amino nitrogen atom with alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.
- (ac) Any compound (not being pipradrol) structurally derived from piperidine, pyrrolidine, azepane, morpholine or pyridine by substitution at a ring carbon atom with a diphenylmethyl group, whether or not the compound is further modified in any of the following ways, that is to say,
 - (i) by substitution in any of the phenyl rings to any extent with alkyl, alkoxy, haloalkyl or halide groups;
 - (ii) by substitution at the methyl carbon atom with an alkyl, hydroxyalkyl or hydroxy group;
 - (iii) by substitution at the ring nitrogen atom with an alkyl, alkenyl, haloalkyl or hydroxyalkyl group
- (b) any 5, 5 distributed barbituric acid
- (c) [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1, 2, 3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.

[9-Hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5, 6, 6a, 7, 8, 9, 10, 10a-octahydrophenanthridin-1-yl] acetate.

[9-Hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-5, 6, 6a, 7, 8, 9, 10, 10a-octahydrophenanthridin-1-yl] acetate.

9-(Hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[*c*]chromen-1-ol.

Any compound structurally derived from 3-(1-naphthoyl)indole, 3-(2-naphthoyl) indole, 1H-indol-3-yl-(1-naphthyl) methane or 1H-indol-3-yl-(2-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl) ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 3-(1-naphthoyl)pyrrole or 3-(2-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Any compound structurally derived from 1-(1-naphthylmethylene)indene or 1-(2-naphthylmethylene)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl,

cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Nabilone.

Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the cyclohexyl ring to any extent.

Any compound structurally derived from 3-benzoylindole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

Any compound structurally derived from 3-(1-adamantyl)indole or 3-(2-adamantyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring to any extent.

Any compound structurally derived from 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent.

- (d) 1-Phenylcyclohexylamine or any compound (not being ketamine, tiletamine or a compound for the time being specified in paragraph 1(a) of the list of Class A drugs) structurally derived from 1-phenylcyclohexylamine or 2-amino-2-phenylcyclohexanone by modification in any of the following ways, that is to say,
- (i) by substitution at the nitrogen atom to any extent by alkyl, alkenyl or hydroxyalkyl groups, or replacement of the amino group with a 1-piperidyl, 1-pyrrolidyl or 1-azepyl group, whether or not the nitrogen containing ring is further substituted by one or more alkyl groups;
 - (ii) by substitution in the phenyl ring to any extent by amino, alkyl, hydroxy, alkoxy or halide substituents, whether or not further substituted in the phenyl ring to any extent;
 - (iii) by substitution in the cyclohexyl or cyclohexanone ring by one or more alkyl substituents;
 - (iv) by replacement of the phenyl ring with a thienyl ring.

2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 of the list of Class B drugs.

2A. Any ester or ether of cannabinol or of a cannabinol derivative or of a substance for the time being specified in paragraph 1(ac), (c) or (d) of the list of Class B drugs.

3 Any salt of a substance for the time being specified in paragraph 1, 2 or 2A of the list of Class B drugs.

4 Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 3 of the list of Class B drugs, not being a preparation falling within paragraph 6 of the list of Class A drugs.

List of Controlled Drugs classified in Schedule 2 to the Misuse of Drugs Act 1971

Class C Drugs

1. The following substances, namely:—

- (a) Alprazolam; Amineptine; Aminorex; Benzphetamine; Bromazepam; Brotizolam; 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one; Buprenorphine; Camazepam; Cathine; Cathinone; Chlordiazepoxide; Chlorphentermine; Clobazam; Clonazepam; Clorazepic acid; Clotiazepam; Cloxazolam; Delorazepam; Dextropropoxyphene; Diazepam; Diethylpropion; Estazolam; Ethchlorvynol; Ethinamate; Ethyl loflazepate; Fencamfamin; Fenethylline; Fenproporex; Fludiazepam; Flunitrazepam; Flurazepam; Gamma-butyrolactone; Halazepam; Haloxazolam; 4-Hydroxy-n-butyric acid; Ketamine; Ketazolam; Loprazolam; Lorazepam; Lormetazepam; Mazindol; Medazepam; Mefenorex; Mephentermine; Meprobamate; Mesocarb; Methpyrrolone; Midazolam; Nimetazepam; Nitrazepam; Nordazepam; Oxazepam; Oxazolam; Pemoline; Phendimetrazine; Phentermine; Pinazepam; Prazepam; Pyrovalerone; Temazepam; Tetrazepam; Triazolam; N-Ethylamphetamine; Zolpidem.
- (b) 5 α -Androstane-3,17-diol; Androst-4-ene-3,17-diol; 1-Androstenediol; 1-Androstenedione 4-Androstene-3,17-dione; 5-Androstenedione; 5-Androstene-3, 17-diol; Atamestane; Bolandiol; Bolasterone; Bolazine; Boldenone; Boldione; Bolenol; Bolmantalate; 1,4-Butanediol; Calusterone; 4-Chloromethandienone; Clostebol; Danazol; Desoxymethyltestosterone Drostanolone; Enestebol; Epitostanol; Ethylloestrenol;

- Fluoxymesterone; Formebolone; Furazabol; Gestrinone; 3-Hydroxy-5 α -androstane-17-one. Mebolazine; Mepitiostane; Mesabolone; Mestanolone; Mesterolone; Methandienone; Methandiol; Methenolone; Methyltestosterone; Metribolone; Mibolerone; Nandrolone; 19-Norandrostenedione; 19-Nor-4-Androstene-3, 17-dione; 19-Norandrosterone; 19-Nor-5-Androstene-3, 17-diol; Norboletone; Norclostebol; Norethandrolone; 19-Noretiocholanolone; Oripavine; Ovandrotone; Oxabolone; Oxandrolone; Oxymesterone; Oxymetholone; Pipradrol; Prasterone; Propetandrol; Prostanazol; Quinbolone; Roxibolone; Silandrone; Stanolone; Stanozolol; Stenbolone; Testosterone; Tetrahydrogestrinone; Thiomesterone; Trenbolone.
- (c) any compound (not being Trilostane or a compound for the time being specified in sub-paragraph (b) above) structurally derived from 17-hydroxyandrostane-3-one or from 17-hydroxyestrane-3-one by modification in any of the following ways, that is to say,
- by further substitution at position 17 by a methyl or ethyl group;
 - by substitution to any extent at one or more of positions 1, 2, 4, 6, 7, 9, 11 or 16, but at no other position;
 - by unsaturation in the carbocyclic ring system to any extent, provided that there are no more than two ethylenic bonds in any one carbocyclic ring;
 - by fusion of ring A with a heterocyclic system;
- (ca) 1-benzylpiperazine or any compound structurally derived from 1-benzylpiperazine or 1-phenylpiperazine by modification in any of the following ways—
- by substitution at the second nitrogen atom of the piperazine ring with alkyl, benzyl, haloalkyl or phenyl groups;
- by substitution in the aromatic ring to any extent with alkyl, alkoxy, alkylendioxy, halide or haloalkyl groups.
- (d) any substance which is an ester or ether (or, where more than one hydroxyl function is available, both an ester and an ether) of a substance specified in sub-paragraph (b) or described in sub-paragraph (c) above;
- (e) Chorionic Gonadotrophin (HCG). Clenbuterol. Non-human chorionic gonadotrophin. Somatotropin. Somatrem. Somatropin. Zeranol. Zilpaterol.
- 2 Any stereoisomeric form of a substance for the time being specified in paragraph 1 of the list of Class C drugs not being phenylpropanolamine.
- 3 Any salt of a substance for the time being specified in paragraph 1 or 2 of the list of Class C drugs.
- 4 Any preparation or other product containing a substance for the time being specified in any of paragraphs 1 to 3 of the list of Class C drugs.

Meaning of certain expressions used in the description of classified drugs

“cannabinol derivatives” means the following substances, except where contained in cannabis or cannabis resin, namely tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives;

“coca leaf” means the leaf of any plant of the genus *Erythroxylon* from whose leaves cocaine can be extracted either directly or by chemical transformation;

“concentrate of poppy-straw” means the material produced when poppy-straw has entered into a process for the concentration of its alkaloids;

“medicinal opium” means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;

“opium poppy” means the plant of the species *Papaver somniferum* L.;

“poppy straw” means all parts, except the seeds, of the opium poppy after mowing;

“raw opium” includes powdered or granulated opium but does not include medicinal opium.

Substances subject to a Temporary Drug Banning Order (for 12 months from 10 June 2013)

2-(4-Iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe);

2-(4-Bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25B-NBOMe);

2-(2,5-Dimethoxy-4-methylphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25D-NBOMe);

2-(4-Chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (25C-NBOMe);

1-(Benzofuran-5-yl)-propan-2-amine and its N-methyl derivatives

(5-APB);

1-(Benzofuran-6-yl)-propan-2-amine and its N-methyl derivatives

(6-APB);

1-(2,3-Dihydro-1-benzofuran-5-yl)-propan-2-amine and its N-methyl derivatives (5-APDB);

1-(2,3-Dihydro-1-benzofuran-6-yl)-propan-2-amine and its N-methyl derivatives (6-APDB);

2-(1H-Indol-5-yl)-1-methylethylamine (5-IT);

2-(1H-Indol-6-yl)-1-methylethylamine (6-IT).

N.B. Some of the simple derivatives of the temporarily banned drugs listed above are controlled (stereoisomers and salts, including salts of the stereoisomers).

Annex B

Penalties for Offences in relation to Controlled Substances Schedule 4 to the Misuse of Drugs Act 1971

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 4(2)	Production, or being concerned in the production, of a controlled drug.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 4(3)	Supplying or offering to supply a controlled drug or being concerned in the doing of either activity by another.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 5(2)	Having possession of a controlled drug.	(a) Summary	6 months or £400, or both.	3 months or £2,500, or both.	3 months or £1,000, or both.	
		(b) On indictment	7 years or a fine, or both.	5 years or a fine, or both.	2 years or a fine, or both.	
Section 5(3)	Having possession of a controlled drug with intent to supply it to another.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	Life or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 6(2)	Cultivation of cannabis plant.	(a) Summary				6 months or £400, or both.
		(b) On indictment				14 years or a fine, or both.
Section 8	Being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 9	Offences relating to opium.	(a) Summary				6 months or £400, or both.
		On indictment				14 years or a fine, or both.
Section 9A.	Prohibition of supply etc. of articles for administering or preparing controlled drugs.	Summary				6 months or level 5 on the standard scale, or both.
Section 11(2)	Contravention of directions relating to safe custody of controlled drugs.	(a) summary				6 months or £400, or both.
		(b) On indictment				2 years or a fine, or both.
Section 12(6)	Contravention of direction prohibiting practitioner etc. from possessing, supplying etc. controlled drugs.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 13(3)	Contravention of direction prohibiting practitioner etc. from prescribing, supplying etc. controlled drugs.	(a) Summary	6 months or £400, or both.	6 months or £400, or both.	3 months or £2,500, or both.	
		(b) On indictment	14 years or a fine, or both.	14 years or a fine, or both.	14 years or a fine, or both.	
Section 17(3)	Failure to comply with notice requiring information relating to prescribing, supply etc. of drugs.	Summary				level 3 on the standard scale.
Section 17(4)	Giving false information in purported compliance with notice requiring information relating to prescribing, supply etc. of drugs.	(a) Summary				6 months or £400, or both.
		(b) On indictment				2 years or a fine, or both.

Section	General Nature of Offence	Mode of Prosecution	Maximum penalty			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 18(1)	Contravention of regulations (other than regulations relating to addicts).	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(2)	Contravention of terms of licence or other authority (other than licence issued under regulations relating to addicts).	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(3)	Giving false information in purported compliance with obligation to give information imposed under or by virtue of regulations.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 18(4)	Giving false information, or producing document etc. containing false statement etc., for purposes of obtaining issue or renewal of a licence or other authority.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.
Section 20	Assisting in or inducing commission outside United Kingdom of an offence punishable under a corresponding law.	(a) Summary				6 months or £400, or both
		(b) On indictment				14 years or a fine, or both.
Section 23(4)	Obstructing exercise of powers of search etc. or concealing books, drugs etc.	(a) Summary				6 months or £400, or both
		(b) On indictment				2 years or a fine, or both.

Legal Aid: Karen Walsh

Lord Morrow asked the Minister of Justice to detail the cost of Legal Aid for Karen Walsh, prior to the appeal proceedings being launched, broken down by (i) law firm; (ii) Junior Counsel; (iii) Senior Counsel; and (iv) all other costs.

(AQW 31976/11-15)

Mr Ford: Karen Walsh changed her legal team during the course of her original trial.

Legal Aid was initially granted on 12 May 2010 for representation by Solicitor, Junior Counsel and Senior Counsel with Very High Cost Certificate status being granted, and consequently the fees were determined by the Taxing Master.

The original solicitor has been paid £77,614.94 (including VAT of £9162.85 and disbursements totalling £22,637.82).

The original Junior Counsel has been paid £25,508.36 (including VAT of £4251.39).

The original Senior Counsel has been paid £60,111.90 (including VAT of £10,018.65).

The defendant subsequently transferred instructions to a new legal team. A further Legal Aid certificate was granted on 6 May 2011 for representation by Solicitor, Junior Counsel and Senior Counsel and consequently the fees payable are determined in accordance with the standard fees set out in the Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2011.

The new solicitor has been paid £65,405.19 (including VAT of £9255.33 and disbursements totalling £9873.22).

The new Led Junior Counsel has been paid £12,730.56 (including VAT of £2121.76).

The new Leading Junior Counsel has been paid £18,159.00 (including VAT of £3026.50).

Prisoners: Gambling Addiction

Mr Moutray asked the Minister of Justice what support is given to prisoners with a gambling addiction.

(AQW 32011/11-15)

Mr Ford: Arrangements have been agreed for Gamblers Anonymous to commence delivering sessions to any prisoner with a gambling addiction at Maghaberry and Magilligan.

At Hydebank Wood, if an individual is identified as having a gambling addiction upon committal, their Sentence Manager can contact Gamblers Anonymous on their behalf and arrange for them to see the person.

Bail

Lord Morrow asked the Minister of Justice, in the last twelve months, how many people formally remanded in custody and previously refused bail have been granted bail due to unreasonable delay of judicial process, broken down by court division.

(AQW 32018/11-15)

Mr Ford: The granting of bail is a judicial decision and the reasons for granting bail are not recorded by the court, therefore, this information is not available.

On-the-runs

Mr McGlone asked the Minister of Justice, pursuant to AQW 31804/11-15, what enquiries he has made in order to establish that no past or present employee of the Northern Ireland Prison Service or the Probation Board of Northern Ireland is aware of any undertakings of (a) amnesty; (b) immunity; or (c) implied immunity from prosecution given to (i) any former or serving members of the security forces; (ii) any person who has acted as an agent of the security forces or British Government intelligence services; and (iii) and member of a paramilitary organisation.

(AQW 32028/11-15)

Mr Ford: I am not aware of any such undertakings. I anticipate that Lady Justice Hallett will seek to answer such questions in the course of her review of the so-called "OTR administrative scheme".

Conviction: Sentence Remission

Lord Morrow asked the Minister of Justice to detail the offences on conviction that are exempt from 50 per cent remission; and how this affects indeterminate sentences with a stated minimum tariff.

(AQW 32062/11-15)

Mr Ford: The Criminal Justice (Northern Ireland) Order 2008 introduced a new Determinate Custodial Sentence (DCS) comprising two distinct parts - a custodial term followed by a period of compulsory post-release supervision – and applies to sentences of 12 months or more, for offences committed on or after 1 April 2009. Where the court has determined that a DCS of 12 months or more is the appropriate sentence, the custody and licence parts of the sentence are set by the court. The custody part may be no more than 50% of the entire sentence but may be less and is not subject to 50% remission. The prisoner serves the whole of the custody part in prison. On release offenders are subject to licence conditions, breach of which can lead to immediate recall to custody.

The Order also provided a new sentencing regime for dangerous offenders convicted of specified sexual or violent offences committed on or after 15 May 2008. Under these provisions, if an offender has been convicted of a serious sexual or violent offence specified in Schedule 1 of the Order, and has been assessed as dangerous (posing a significant risk of serious harm by the commission of further such offences), he/she will receive a discretionary life sentence, an Indeterminate Custodial Sentence (ICS), or an Extended Custodial Sentence (ECS). If a life sentence is not available or the court considers such a sentence is not justified, the court will consider the imposition of an ICS. The offender will only receive an ICS if the court considers that an ECS would not be adequate to protect the public from serious harm. When imposing an ICS the court will specify a minimum term or tariff which the offender is required to serve in custody before becoming eligible for release. The tariff must be at least 2 years. On expiry of the tariff period, release will be discretionary and determined by the Parole Commissioners on the basis of stringent risk assessment. If necessary, the offender could be detained indefinitely. If released, the offender will be subject to licence conditions for at least 10 years but for longer if necessary. Breach of conditions can lead to immediate recall to custody.

Where a dangerous offender has been convicted of a sexual or violent offence specified in Schedule 2 of the Order, the court will impose an ECS. This sentence will be a determinate sentence with a custodial part of at least one year. In addition to the custodial part, courts will set extended supervision periods of up to five years for violent offenders and up to eight years for sexual offenders. Offenders will become eligible for consideration for release at the half way point of the custodial part. Release will be on the direction of the Parole Commissioners and will be on the basis of stringent risk assessment. The offender could, if necessary, be detained until the end of the custodial part of the sentence. Once released, the offender will be subject to licence conditions for an extended period. Breach of conditions can lead to immediate recall to custody. If recalled the offender could be detained for the remainder of the custodial part plus the extended supervision period.

Hydebank Wood: Governor

Lord Morrow asked the Minister of Justice, pursuant to AQW 31666/11-15, whether he was fully briefed in this matter prior to, during, and following disciplinary proceedings, secondment and proposed return and take-up of post; and to detail the dates of all meetings he or his staff attended in relation to this matter.
(AQW 32063/11-15)

Mr Ford: Matters of Workforce Planning are dealt with by Officials in NICS Departments and Agencies as employers; as such there is no provision for Ministerial involvement in the process.

Maghaberry Prison: Deputy Governor

Lord Morrow asked the Minister of Justice, pursuant to AQW 31666/11-15, to detail (i) how long the post of Deputy Governor of Maghaberry Prison has been in existence; (ii) whether the post previously had a different title; (iii) the number of people that have previously been in post; (iv) whether this role was created for the former Governor of Hydebank Wood, and if so, on what date; and (v) why the post was not advertised or an internal trawl carried out.
(AQW 32064/11-15)

Mr Ford:

- (i) The post of Deputy Governor of Maghaberry Prison has been in existence since early 1987.
- (ii) The post has not had a different title.
- (iii) Eleven individuals have held the post of Deputy Governor at Maghaberry Prison to date.
- (iv) This role was not created for the former Governor of Hydebank Wood.
- (v) The post was not advertised or an internal trawl carried out as operational needs are being met via the succession planning process within the Northern Ireland Prison Service.

Animal Cruelty

Mr Weir asked the Minister of Justice to detail the number of animal cruelty cases that have resulted in a (i) conviction; (ii) conviction involving suspended sentence; and (iii) conviction involving immediate custody, in each of the last five years.
(AQW 32075/11-15)

Mr Ford: Animal cruelty offences span a number of statutes. During the period in question, offences were prosecuted under the Welfare of Animals Act (Northern Ireland) 1972, repealed under the Welfare of Animals Act (Northern Ireland) 2011 and the Wildlife (Northern Ireland) Order 1985.

The table below gives the number of convictions for animal cruelty for the calendar years 2008 to 2012, the latest year for which data are available.

Convictions for animal cruelty in all courts, 2008 - 2012

Year	Convictions involving immediate custody	Convictions involving suspended sentence	All Convictions
2008	0	6	17
2009	1	2	11
2010	3	3	23
2011	2	8	36
2012	1	7	30

Note: Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

The figures provided relate to convictions for all classifications of the offence specified.

Royal Ulster Constabulary George Cross Widows' Association

Mr Allister asked the Minister of Justice why funding has been withdrawn by his Department to the Royal Ulster Constabulary George Cross Widows' Association, effective from 31 March 2013; and what alternative arrangements have been made.
(AQW 32077/11-15)

Mr Ford: As part of a Departmental review of Arm's Length Bodies, the Royal Ulster Constabulary George Cross Widows' Association was subject to a classification exercise to determine its status. In February 2013, the Department of Finance and Personnel's Classification Assessment Committee determined the Association's classification as being in the private sector.

As a result of the DFP decision, my Department had no mechanism to provide public funds to a private sector organisation except through the grant application process. Departmental officials met with representatives of the Association in April and May 2013 to explain the impact of the DFP decision and to advise the Association of potential alternative arrangements, including a grant application to the Department.

Departmental officials worked with the Association to develop a grant application which meets the Department's strategic objectives, ensures value for money and is affordable. An initial grant application was submitted in November 2013, but the Department was unable to assess the application as it was incomplete. Officials met with representatives from the Association on three separate occasions and have requested a further revised application. To date, none has been received.

Legal Aid

Mr Weir asked the Minister of Justice how many meetings he has had with (i) The Law Society of Northern Ireland; (ii) the Bar Council; and (iii) legal firms regarding Legal Aid provision, in the last twelve months.
(AQW 32079/11-15)

Mr Ford: In the last twelve months I have held meetings with representatives from (i) the Law Society of Northern Ireland on four occasions; (ii) representatives from the Bar Council on one occasion and (iii) representatives from legal firms on one occasion, regarding Legal Aid provision. My officials continue to engage on an ongoing basis with the representative bodies of the legal profession regarding the reforms to Legal Aid.

Courthouses: Bangor Courthouse

Mr Weir asked the Minister of Justice for an update on the plans for the site of the former Bangor Courthouse.
(AQW 32080/11-15)

Mr Ford: The Northern Ireland Courts and Tribunals Service (NICTS) has been working closely with Land and Property Services (LPS) to seek alternative uses for Bangor courthouse following its closure on 31 March 2013. The Department of Finance and Personnel guidelines on the Disposal of Surplus Public Sector Property in Northern Ireland are being followed.

The Department for Social Development (DSD) has recently developed a policy framework to support government, non-departmental public bodies and other agencies to consider the means by which community and voluntary sector organisations can be engaged when disposing of surplus public assets. A Community Asset Transfer application has been made to DSD and my Department is working with DSD to clarify the processes underpinning the Community Asset Transfer. A decision as to whether or not to place Bangor Courthouse on the open market for sale will be taken once this clarification has been obtained and fully considered.

Hydebank Wood: Governor

Lord Morrow asked the Minister of Justice, pursuant to AQW 31745/11-15, to detail how long the costs have been covered by expenses by the Northern Ireland Prison Service, broken down by date of commencement to proposed conclusion.
(AQW 32091/11-15)

Mr Ford: The secondment commenced on 16 September 2013 for a period of 9 to 12 months, although the period of the secondment can be changed by agreement. The Northern Ireland Prison Service is meeting the associated expenses for the duration of the secondment.

Animal Cruelty

Mr Easton asked the Minister of Justice to detail the number of people that have been prosecuted for animal cruelty offences, in each of the last five years.

(AQW 32145/11-15)

Mr Ford: Animal cruelty offences span a number of statutes. During the period in question, offences were prosecuted under the Welfare of Animals Act (Northern Ireland) 1972, repealed under the Welfare of Animals Act (Northern Ireland) 2011 and the Wildlife (Northern Ireland) Order 1985.

The Department does not currently hold information on the numbers of prosecutions for animal cruelty over the period specified. However, the table below gives the number of convictions for animal cruelty for the calendar years 2008 to 2012, the latest year for which data are available.

Convictions for animal cruelty offences in all courts, 2008 - 2012

Year	Convictions
2008	17
2009	11
2010	23
2011	36
2012	30

Note: Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

The figures provided relate to convictions for all classifications of the offence specified.

Department for Regional Development

Speed Limits: Bangor

Mr Agnew asked the Minister for Regional Development what consideration has he given to introducing a 20mph speed limit in urban areas in Bangor.

(AQW 31021/11-15)

Mr Kennedy (The Minister for Regional Development): My Department has introduced traffic calming measures across a number of locations in Bangor.

Sites with physical traffic calming measures have the effect of generally lowering speeds to around 20mph without the need to implement an additional layer of control through the introduction of legislation and signing.

However, in line with current policy, the introduction of 20mph signed-only schemes is underway and my Department, in conjunction with the PSNI, has selected five sites in Northern Ireland to implement these pilots. Officials are presently notifying the relevant local councils and will shortly be commencing the necessary legislative procedures.

These pilots will be closely monitored in 'before and after' studies to assess their effectiveness at keeping speeds low and their impact on the local community. If successful, additional sites, including those in Bangor, could be considered where the location is deemed appropriate.

Roadworks: Road Opening and Re-instatement

Mr McNarry asked the Minister for Regional Development to detail (i) the number; and (ii) the cost of fines imposed on companies and utility providers which have engaged in road opening and subsequent re-instatement over the last three years in (a) the Strangford constituency; and (b) across Northern Ireland.

(AQW 31175/11-15)

Mr Kennedy: Fines in relation to street works are imposed by the Courts upon successful prosecution of a street works undertaker for an offence under the Street Works (Northern Ireland) Order 1995.

Prosecutions are taken where a street works undertaker has created a danger to the public either by failure to adequately sign, light and guard the works (Article 25 of the Order) or by failure to reinstate the road opening in accordance with the approved specification (Article 31 of the Order).

There have been no prosecutions of street works undertakers relating to street works in the Strangford constituency over the last three years, and no fines have been imposed.

Across Northern Ireland fines have been imposed for a total of 9 offences in the last three years. Fines ranged from £200 to £750 and totalled £2,650.

Flood-resilient Measures: Newcastle

Mr Rogers asked the Minister for Regional Development what flood resilient measures his Department is taking to prevent future flooding incidents the Mourne View Estates on the Dundrum Road, Newcastle.

(AQW 31807/11-15)

Mr Kennedy: NI Water has recently upgraded the pumping station which serves the Mourneview area as part of a £14 million investment in infrastructure in Newcastle since 2007. Despite the significant recent investment, the risk of flooding cannot be eliminated and severe rainfall will always have the potential to overwhelm drainage systems, whether public or private.

I have asked NI Water to consider potential measures which could reduce flooding in the Mourneview Estate area and am advised that detailed investigations and a feasibility study are due to be completed by April 2014. However, I can give no guarantee that practical measures can be found or that the necessary funding can be secured.

Millennium Way Project

Mr Moutray asked the Minister for Regional Development, pursuant to AQW 30030/11-15, when the Millennium Way project will (i) begin; and (ii) be completed.

(AQW 31815/11-15)

Mr Kennedy: I am pleased to be able to confirm that Planning Approval has been granted for the proposal.

My officials are continuing to progress technical aspects of the design and meetings with affected landowners are taking place to describe and explain the impact of the proposal.

Due to the number of landowners affected, the project is likely to require a Vesting Order and a Public Inquiry may also be required, to determine if the level of land take identified is appropriate.

It is estimated the scheme should take four to six months to construct. However, progression of the proposal onto my Department's Construction Programme and a start date for construction remains subject to the proposal continuing to have a satisfactory economic appraisal, clearing the statutory procedures and funding being made available in future budget settlements.

Pension Schemes Contribution: DRD

Mr Dallat asked the Minister for Regional Development to detail (i) the amount of money contributed to pension schemes for senior management within Translink; and (ii) the number of employees involved, in the last five years.

(AQW 31819/11-15)

Mr Kennedy: Translink has advised that the employer pension contributions for senior management for the last five years, along with related headcount at the year-ends, are as follows:

	2008/09	2009/10	2010/11	2011/12	2012/13
Employer pension contributions	£497,652	£518,800	£629,126	£523,880	£551,763
Number of employees at year end	36	36	35	37	39

Senior Managers are those who are in the most senior positions within the organisation according to the Translink pay banding system. This includes all those above Band 2 in Operations (Bus and Rail), Engineering, Signalling, Safety, IT, Marketing, Human Resources, Finance, Infrastructure, Structures, etc. There are four pay bands in Translink.

Belfast Harbour Commissioners

Mr McNarry asked the Minister for Regional Development to detail the impact on his budget and budgetary priorities of the anticipated £40 million from the Belfast Harbour Commissioners that will not be forthcoming.

(AQW 31826/11-15)

Mr Kennedy: I refer the Member to my previous answers on 21st June 2013 (AQW 24050/11-15) and 22nd November 2013 (AQW 28089/11-15). To date there has been no impact on my Department's budget and budgetary priorities as the £20 million for 2013-14 was provided in full by the Executive through the in-year monitoring rounds in recognition of the approach agreed by the Budget Review Group. I intend to adopt a similar approach to addressing the financial pressure for 2014-15.

Belfast Harbour Commissioners

Mr McNarry asked the Minister for Regional Development what plans he had for the £40 million expected from the Belfast Harbour Commissioners.

(AQW 31827/11-15)

Mr Kennedy: The £40 million release of value from the Belfast Harbour Commissioners (BHC) was not intended to benefit my Department specifically, rather it was to provide additional resources to the Northern Ireland Block. However, my Department's budget was reduced by £20 million in 2013-14 and 2014-15, with the intention that the £20 million received from BHC in each of those years would make good that reduction. In accordance with the approach agreed by the Budget Review Group, the £20 million for 2013-14 was allocated by the Executive through in-year monitoring rounds.

As the same position exists in 2014-15, I will again be seeking the £20 million pressure to be met by the Executive through the in-year monitoring process.

Belfast Harbour Commissioners

Mr McNarry asked the Minister for Regional Development what new opportunities are open to him to enter into positive negotiations with Belfast Harbour Commissioners, and other interested parties, similar to those discussions previously which arrived at an expectancy of a £40 million contribution to his Department.

(AQW 31828/11-15)

Mr Kennedy: The Budget Review Group agreed that the Department should work collaboratively with Belfast Harbour Commissioners on release of value projects. I anticipate continuing this collaborative approach in such a way that Belfast Port's competitiveness will continue to improve and that it will continue to make the substantial contribution to the development of the Northern Ireland economy that it has done for many years.

Bus Lane: Oxford Street

Mrs Cochrane asked the Minister for Regional Development for his assessment of the impact the Oxford Street bus lane, operational between 7am and 7pm from Monday to Saturday, has had on traffic flow in Belfast city centre since its introduction in July 2012.

(AQW 31839/11-15)

Mr Kennedy: The Oxford Street bus lane is one of the 13 bus lanes introduced on core city centre streets as part of the traffic management measures implemented in the city centre under the Belfast on the Move project.

The aim of the project was to create a more accessible city centre where public transport is given a higher priority and the streets are designed to better meet the needs of everyone. Early indications are positive, however, in order to measure the impacts of the project, detailed surveys were undertaken late last year. The results of these surveys are currently being analysed and compared with data from surveys undertaken prior to the start of the project. This will provide a detailed assessment of the performance of the project and show how traffic flows have changed on key city centre streets. The results of these surveys, and the before and after comparisons, will be made available in the near future.

I have asked officials to send you a copy of the Report as soon as it is available.

Roads: A5 Underground Communication Ducts

Mr Flanagan asked the Minister for Regional Development what provision has been made in the A5 road scheme to install underground communication ducts.

(AQW 31849/11-15)

Mr Kennedy: There is no provision made within the proposed A5WTC road scheme to install underground communication ducts. It is considered more appropriate and safer for all such services to be provided within the existing road network as this removes any potential conflict with and delay to high speed strategic traffic.

Roads: Uncompleted Roads

Mr Kinahan asked the Minister for Regional Development whether measures have been put in place to assist people in relation to roads which were classified as private and not completed.

(AQW 31871/11-15)

Mr Kennedy: My Department does not have responsibility for private roads which were not pre-determined for adoption at the planning approval stage. However, under Article 9 of the Private Streets (NI) Order 1980, it is possible for owners or occupiers to offer such roads for adoption, if they are brought up to the appropriate standards.

Sewerage Infrastructure: Millisle

Mr Easton asked the Minister for Regional Development for an update on the new sewerage infrastructure proposed for Millisle.

(AQW 31877/11-15)

Mr Kennedy: Northern Ireland Water plans to upgrade the sewerage system in Millisle to improve water standards and to reduce the risk of out of sewer flooding. The work 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, the construction of a new wastewater pumping sewer and a new emergency overflow, and other associated pipe laying work. It is estimated that the project will cost £1.4m.

Project design is substantially complete and the planning application recently received the approval of Ards Borough Council.

Legal negotiations in connection with purchasing a site for the replacement pumping station with the two existing landowners, Ards Borough Council and Crown Estates, have taken longer than expected. Northern Ireland Water is working to complete the purchase as soon as possible so that construction can get under way.

Subject to NIW obtaining all necessary statutory approvals and the satisfactory completion of all necessary lands and procurement procedures, it is currently estimated that construction work will commence in early 2015 and finish in early 2016.

Footpaths: Donaghadee

Mr Easton asked the Minister for Regional Development whether there are plans to replace the footpaths in the Victoria Gardens area of Donaghadee.

(AQW 31878/11-15)

Mr Kennedy: I am pleased to confirm my Department currently has a scheme under consideration for inclusion in the works programme for 2014/15, to reconstruct the main footways in the Victoria Gardens area of Donaghadee. The content of the 2014/15 work programme, which is still to be finalised, will take account of level of funding made available and the relative priorities of the schemes under consideration.

Road Safety: Vision Zero Policy

Mr McKay asked the Minister for Regional Development whether he has considered working with the Minister of the Environment to introduce a vision zero policy, similar to that in Sweden.

(AQW 31901/11-15)

Mr Kennedy: I meet regularly with the Minister of the Environment to discuss road safety issues. These include meetings of the Ministerial Road Safety Forum and the North South Ministerial Council Transport Sectoral. My officials also liaise regularly with their counterparts in the Department of the Environment on road safety matters.

An official from my Department was seconded to the Swedish Road Administration, Vägverket, to learn more about its approach, which is based around the principle of Safe Systems. This approach/principle considers the interaction of the components of the road system, such as vehicles, infrastructure, driver and other road user behaviours, rather than implementing individual countermeasures in relative isolation.

The current Northern Ireland Road Safety Strategy to 2020, to which my Department is a key contributor is, like the vision zero policy, based on the principles of Safe Systems.

Traffic Attendants: Belfast

Mr McGimpsey asked the Minister for Regional Development to detail the number of traffic wardens employed in Belfast, in each of the last five years.

(AQW 31904/11-15)

Mr Kennedy: Details of the number of Traffic Attendants employed in Belfast, in each of the last five years, are provided in the table below. For ease of comparison, figures are provided for the same date over the five year period:

Date	Number of Belfast Traffic Attendants
31/12/2009	49
31/12/2010	47
31/12/2011	51
31/12/2012	45
31/12/2013	46

Minister for Regional Development: Meeting with Jan Gehl

Mr McKay asked the Minister for Regional Development to outline the issues discussed, and resulting benefits, from his meeting with Jan Gehl.

(AQW 31907/11-15)

Mr Kennedy: I was very pleased to meet with Jan Gehl, a founding partner of Gehl Architects, during my recent study visit to Copenhagen and Malmo.

Jan Gehl led a very lively discussion on the theme of 'Cities for People', and highlighted a number of world cities, including Melbourne, New York and Moscow where significant work has been undertaken to encourage higher levels of walking and cycling and greater engagement in the public realm. Jan Gehl talked about the world's most liveable cities, of which Copenhagen is ranked number one and highlighted the criteria which is applied to generate this ranking.

The meeting was hugely beneficial because it presented valuable examples of the types of transport planning and innovative urban design interventions that have worked well elsewhere. It confirmed to me that my Department is making positive strides toward creating an environment which invites people to walk and cycle as much as possible. That is my vision for Northern Ireland and I am committed to making it happen.

DRD: Budget

Mr McKay asked the Minister for Regional Development what consideration he has given to the need for preventative spending within his departmental budget.

(AQW 31916/11-15)

Mr Kennedy: My Department undertakes a range of measures within the Departmental budget that would fall within the definition of preventative spending measures. Examples of measures are detailed in the table below.

Transport Related Measures	Link with preventative spending measure
Accessible Transport Strategy	<p>The vision of this strategy is to "have an accessible transport system that enables older people and people with disabilities to participate more fully in society, enjoy greater independence and experience a better quality of life". The strategy is delivered via an action plan. Examples of initiatives designed to improve the level of accessible transport are:</p> <ul style="list-style-type: none"> ■ Accessible vehicles used by Translink; ■ Rural Transport Fund; ■ Transport Programmes for People with Disabilities; and ■ Concessionary fares
Active Travel Strategy	<p>The aim of the strategy is to put walking and cycling at the heart of local transport, public health and well-being and wider government strategies for the benefit of society, the environment and the economy by eg improving the health and well-being through more active lifestyles.</p>
Walk to School Initiatives	<p>Promotes walking and cycling to school with contribution to the general well being of the school population encouraging a healthy lifestyle. To support this initiative infrastructure measures have also been introduced around schools under Local Transport Safety Measures Programme.</p>
Local Transport Safety Measures Programme.	<p>These measures contribute to healthy sustainable and safe physical environments and supportive services. To support Walk to school initiatives.</p>
DRD Health and Well Being Programme.	<p>The Department has introduced a Health and Well Being Programme that includes a range of initiatives designed to encourage staff to look after their health, reduce the risk of mental and physical illness and promote long-term physical, emotional and psychological well being.</p>
Provision of good quality drinking water, and the safe disposal of sewage (Northern Ireland Water)	<p>Both aspects are central to long-term physical, social, emotional and psychological well-being of the population of Northern Ireland.</p>

Car Parking: Coalisland

Lord Morrow asked the Minister for Regional Development to outline the objections raised by councillors to Roads Service in relation to introducing parking regulations and attendants in Coalisland.

(AQW 31928/11-15)

Mr Kennedy: Parking restrictions in Coalisland were reviewed in 2006 and my Department no longer holds information, including details of objections to the introduction of parking regulations and attendants, which has been disposed off in accordance with Northern Ireland Civil Service information management policies.

However, I can confirm my officials are currently in discussions with Dungannon and South Tyrone Borough Councillors, Dungannon Town Centre Manager, traders and members of a Coalisland regeneration group, regarding proposals to provide

waiting restrictions, loading facilities and disabled parking facilities in Coalisland. The current discussions are informal and are not part of a public consultation exercise and therefore formal objections have not been raised.

Roads: Enniskillen Bypass

Mr Flanagan asked the Minister for Regional Development what progress has been made on the Enniskillen Bypass.
(AQW 32001/11-15)

Mr Kennedy: Development work on the A4 Enniskillen Southern Bypass is continuing within the finite capital resource available and I hope to be in a position to announce the 'preferred route alignment' later this year. I am very aware of the significance of this very worthwhile project and the benefits it will bring to the town of Enniskillen and the surrounding area. Whilst I remain committed to delivering the Enniskillen Southern Bypass, the timescale for delivery will be dependent upon future budget allocations.

Railways: Lurgan Railway Station

Mr Moutray asked the Minister for Regional Development what plans his Department has to include Lurgan Railway Station as a stop on the Enterprise line.
(AQW 32009/11-15)

Mr Kennedy: The current railway timetable is designed to offer excellent connecting services between Lurgan and Portadown meaning Lurgan passengers can travel to/from Portadown on local train service to connect with/from an Enterprise service at Portadown. In order to continue to make the Enterprise service a fast, competitive and attractive choice for Cross-Border travel, NI Railways must minimise the number of stops applied to Enterprise trains to ensure that they continue to deliver a speedy end to end journey time for the majority of customers.

Traffic Attendants: North Down

Mr Weir asked the Minister for Regional Development to detail the number of traffic wardens employed in North Down, in each of the last five years.
(AQW 32020/11-15)

Mr Kennedy: Details of the number of Traffic Attendants employed in North Down, covering Bangor and Newtownards, in each of the last five years, are provided in the table below. For ease of comparison, figures are provided for the same date over the five year period:

Date	Number of Bangor Traffic Attendants	Number of Newtownards Traffic Attendants
31/12/2009	8	7
31/12/2010	8	7
31/12/2011	7	6
31/12/2012	6	6
31/12/2013	5	6

In addition, one Traffic Attendant is employed from within the NSL Belfast base to cover Holywood.

Roads: North Down Coastal Roads

Mr Weir asked the Minister for Regional Development, pursuant to AQW 30931/11-15, to detail the proposed timeframe for the detailed inspections.
(AQW 32021/11-15)

Mr Kennedy: Detailed inspections of roads damaged during the recent storms should be completed in North Down by the end of June 2014.

Roads: North Down Coastal Roads

Mr Weir asked the Minister for Regional Development, pursuant to AQW 30931/11-15, how much of the £1.4m is attributable to roads in North Down.
(AQW 32022/11-15)

Mr Kennedy: The estimated cost of repairs to roads in North Down damaged during storms this year is expected to be in the region of £50,000 to £70,000.

KPL Contracts

Mr McGlone asked the Minister for Regional Development, in relation to contracts previously held by KPL Contracts that have been transferred to another firm, whether Transfer of Undertakings (Protection of Employment) Regulations extend to former employees of KPL Contracts.

(AQW 32191/11-15)

Mr Kennedy: KPL Contracts Ltd. entered administration on 21 February 2014, with all staff being made redundant on 22 February 2014. Whitemountain Quarries Ltd. was appointed as the successor contractor for a number of my Department's Street Lighting and Maintenance Contracts, previously held by KPL Contracts, on 3 March 2014.

Whether the Transfer of Undertakings (Protection of Employment) Regulations applies to a particular situation is a complex legal issue, which requires an in-depth understanding of how the preceding contractor's workforce was structured and their current employment status.

Responsibility for ensuring the Regulations are complied with in contractor to contractor transfer situations rests with the companies involved. My Department is therefore unable to make any assertions on the application of the Regulations.

Department for Social Development

Fort George

Mr Eastwood asked the Minister for Social Development to detail the service delivered in the contract awarded to WYG Nolan Ryan Tweeds (NI) Limited relating to consultancy services for remediation at Fort George in February 2012.

(AQW 31683/11-15)

Mr McCausland (The Minister for Social Development): WYG Nolan Ryan Tweeds (NI) Limited are contracted to appraise remediation options and prepare a remediation strategy for Fort George which meets the approval of the Northern Ireland Environment Agency, the Environmental Health department of the City Council of Londonderry and DOE Planning Service.

When the necessary statutory approvals have been obtained, WYG Nolan Ryan Tweeds (NI) Limited will, in conjunction with DFP's Central Procurement Directorate, prepare a detailed tender specification for the remediation works, procure a suitable Contractor for those works and manage the Contractor appointed to undertake them. When the works have been completed, the firm will provide verification that the conditions attached to the planning approvals by the Northern Ireland Environment Agency have been met.

State Pension

Mr Campbell asked the Minister for Social Development what plans there to inform people, particularly females, that do not have the minimum requirement of 35 years National Insurance Contributions (NIC) for a full pension, in advance of their expected retirement age in 2016, that they can make additional NIC purchases to ensure a higher single tier pension.

(AQW 31781/11-15)

Mr McCausland: The introduction of the new single-tier State Pension is subject to Executive and Assembly approval.

The Department for Work and Pensions provides a service to people in the United Kingdom which enables them to request a State Pension statement. This statement contains an estimate of the State Pension they may get based on their National Insurance contributions record as it stands at the time statement is produced.

The State Pension statement service will continue for those reaching State Pension age before April 2016. Once the new Single Tier Pension is implemented in April 2016 the State Pension statement will contain the Single Tier Pension starting amount and explain how future qualifying years may build on this. The Department for Work and Pensions are assessing the feasibility of providing individualised information to people on outcomes under the new Single Tier Pension in advance of implementation. The intention is that this would be available following Royal Assent to the Great Britain Pensions Bill 2014 to people who reach State Pension age on or after 6th April 2016. Any information provided to people in Northern Ireland in these circumstances will also contain a qualification to advise the equivalent Northern Ireland Pensions Bill that contains these changes is subject to the approval of the Northern Ireland Assembly.

For people who reach State Pension age on or after 6 April 2016 and who are affected by these changes, Her Majesty's Revenue and Customs have extended the time limits for paying voluntary contributions up to 5th April 2023 for the tax years 2006/07 to 2015/16.

Housing Associations: Properties

Mr Campbell asked the Minister for Social Development, pursuant to AQW 31159/11-15, to detail the approximate number of properties that will be (i) under construction; and (ii) completed by 31 March 2015, broken down by Housing Associations.

(AQW 31782/11-15)

Mr McCausland:

- (i) 2,000 new social housing units are targeted to be started on-site in 2014/15. It is not possible at this stage to apportion these units amongst housing associations; however in the 2012/13 programme year, 78% of the 1,379 units started on-site were delivered by 4 housing associations (Apex, Clanmil, Fold and Oaklee). It is anticipated that around 70% of the current programme year (2013/14) will be delivered by the same 4 housing associations.
- (ii) At present the projected number of social housing units to complete in the 2014/15 SHDP year is approximately 1,600.

Double Glazing: Housing Executive Properties

Mrs Dobson asked the Minister for Social Development why some Housing Executive properties which have existing double glazing are getting new double glazed fitted before other properties which still have single glazed windows.

(AQW 31813/11-15)

Mr McCausland: The Programme for Government target is to have double glazed windows installed in all Housing Executive properties by 2015. No Housing Executive property with existing double glazed windows will get new double glazing before those properties with single glazed windows.

DSD: Travel Allowance

Mrs Dobson asked the Minister for Social Development whether his Department make any travel allowance payments to people on low wages; and if so, to detail the criteria for such payments.

(AQW 31814/11-15)

Mr McCausland: The Social Security Agency administers the Health Service Low Income Scheme on behalf of the Department of Health, Social Services and Public Safety. Under this scheme a person on low wages can apply to the Social Security Agency for a Health Exemption Certificate to confirm if they are entitled to help with Hospital travel costs. The assessment of such applications is based on a claimant's circumstances and income and the amount awarded will differ depending on their individual circumstances.

Persons whose income is £15,276 or less and who are in receipt of Working Tax Credit with the disability or severe disability element and/or Child Tax Credit are automatically entitled to full help as they hold a Tax Credit Exemption Certificate.

Payment for Hospital travel costs is made by the Health Service hospital or clinic attended by the claimant.

Under the Regulated Social Fund scheme a person on low wages receiving Housing Benefit, Working Tax Credit which includes a disability or severe disability element, or Child Tax Credit at a rate higher than the family element at the date of application may qualify for a Funeral Payment which can include the reasonable costs of one return journey within the United Kingdom for the responsible person to either arrange or attend the funeral.

A person on low wages can also apply to the Discretionary Social Fund for a Crisis Loan for travelling expenses. However, an award would only be made where it is clear from the outset that no other person or body will meet the need for the travelling expenses and it is determined that there is a serious risk to the health and safety of the claimant or their dependants.

Housing: Private Rented Accommodation in North Down

Mr Weir asked the Minister for Social Development to detail the number of households in North Down in private rented accommodation; and how many of these households are in receipt of Housing Benefit.

(AQW 31860/11-15)

Mr McCausland: The information is not available in the format requested because my Department does not record the number of households in private rented accommodation.

However the Housing Executive has advised that there were 2,270 private sector Housing Benefit claims in their Bangor District -area as at 1 March 2014.

Housing Executive: Staff

Mr Campbell asked the Minister for Social Development to detail the number of people who (i) applied for; (ii) were offered; and (iii) were appointed to posts with the Northern Ireland Housing Executive in the two years (a) prior to; and (b) since September 2011, broken down by (i) Protestant;

(ii) Roman Catholic; and

(iii) others.

(AQW 31897/11-15)

Mr McCausland: The Housing Executive have provided a table which details the figures in relation to the religious composition of applicants, successful applicants and new starts within the Housing Executive for the period requested: -

Date	Applicants			Successful			New Starts		
	P	RC	NK	P	RC	NK	P	RC	NK
01/09/09-31/12/09	15	13	-	* 10	* 10	-	* 10	19	* 10
01/01/10-31/12/10	798	713	177	120	92	18	47	40	11
01/01/11-31/12/11	571	550	100	67	98	13	57	37	20
01/01/12-31/12/12	142	107	31	* 10	11	* 10	22	34	13
01/01/13-31/12/13	487	418	101	30	25	* 10	16	26	10

P – Protestant

RC – Roman Catholic

NK – Not Known

* 10 - For data protection purposes, where a number is less than 10, the exact figure is not provided.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

DSD: Budget

Mr McKay asked the Minister for Social Development what consideration he has given to the need for preventative spending within his departmental budget.

(AQW 31917/11-15)

Mr McCausland: In the 2011 Assembly Research paper, preventative spending is, among other things, described as an intervention or programme designed to promote long-term physical, social, emotional and psychological wellbeing. In DSD, our vision is 'helping people change their lives for the better'. This is about improving the quality of life and well-being of our society and aligns with the Executive's Programme for Government theme of building a better future.

Given this definition my department's total expenditure could be deemed to be preventative. Specific examples however would be the support that is provided to people with a disability through the social security system, to help them lead independent lives in the community and the provision of our supporting people programme which supports many people who are elderly or have mental health or learning difficulties and who would otherwise be in some form of residential care.

Our maintenance programmes for social housing and our warm homes initiatives also contribute to people's wellbeing as do our major urban regeneration and neighbourhood renewal programmes. The extensive provision of greenways, cycle routes and sports facilities have contributed to a more active lifestyle, improving health and wellbeing and preventing spend on health issues. And of course the money collected for children under our child maintenance programme makes a real difference to the lives of children whose parents are no longer together.

As you can see therefore, I am already committing significant expenditure to preventative measures.

Housing: Newbuild Social Housing in East Antrim

Mr McMullan asked the Minister for Social Development, pursuant to AQW 31479/11-15, to list the schemes and sites referred to in his answer.

(AQW 31919/11-15)

Mr McCausland: The Housing Executive has advised of the following schemes in the Social Housing Development Programme (SHDP) for the East Antrim constituency:-

2013/14

- Drumalla Park, Carnlough - Phase 2, seven units
- Sunnylands Avenue/ Sunnylands Grove, Carrickfergus - 12 units

2014/15

- Governor's Place, Carrickfergus – 16 units
- Irish Quarter West and private land at Irish Quarter West, Carrickfergus – 23 units
- Davy's St./ Stannus Place, Carrickfergus – 12 units
- YLC Prince's Gardens, Larne – 12 units
- Greenisland Frail Elderly replacement (91 Shore Road, Greenisland) – 32 units

It should be noted that the scheme at 4-6 Cheston Street, Carrickfergus has been abandoned resulting in the loss of one scheme of six units from the SHDP.

2015/16

- 5-7 Woodburn, Carrickfergus – 30 units
- Lower Woodburn, Carrickfergus – 10 units
- McKeens Avenue, Carrickfergus – 11 units

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: Social Housing Redevelopment Projects in South Belfast

Mr McGimpsey asked the Minister for Social Development to detail the social housing redevelopment projects under consideration in South Belfast; and the related expenditure.

(AQW 31931/11-15)

Mr McCausland: The Housing Executive has advised that while there are no redevelopment projects proposed or under consideration in South Belfast, social housing schemes are planned which are associated with redevelopment areas in South Belfast as follows.

1. Village Urban Renewal Area: 27 new social homes.

A third phase of 27 new social homes is being developed by Fold Housing Association. The costs for this scheme, which is scheduled to commence at the end of March 2014, are as follows: -

- Total scheme costs £2,897,406
- Total HAG investment £1,349,828 (including public subsidy)
- Total Private Finance £1,547,578

2. Rehabilitate 13 long term vacant dwellings.

A scheme to rehabilitate 13 long term vacant dwellings is being developed by Fold Housing. The costs for this scheme, which is scheduled to commence at the end of March 2014, are as follows: -

- Total scheme costs £1,181,312
- Total HAG investment £557,698 (including public subsidy)
- Total Private Finance £623,614

A scheme for new social homes within the Donegall Pass Redevelopment Area (Posnett Street) is currently in the Social Housing Development Programme for 2014/15. However, as it is still unclear how many new social housing units may be delivered at this location it is not possible to provide estimated costs at this stage.

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: Help-to-Buy Scheme

Mr D McIlveen asked the Minister for Social Development, pursuant to AQW 31401/11-15, what discussions he has had with HM Treasury to ensure that Northern Ireland specific data is available.

(AQW 31933/11-15)

Mr McCausland: My Department has had a number of discussions with HM Treasury to request Northern Ireland specific data on the Help to Buy Mortgage Guarantee scheme.

HM Treasury officials advise that they are currently exploring publishing statistics on the scheme on a quarterly basis, to include a regional breakdown of lending. As the scheme is still in its early days, this is not yet available but my officials continue to liaise with their HM Treasury colleagues to ensure it is produced as soon as possible.

Housing: Regeneration Scheme in Ballymena

Mr McKay asked the Minister for Social Development why the Housing Executive has instructed their land and property services to start negotiations to buy properties in the Camberwell Way, Victoria Park, Alexandra Park and Sandown Park areas of Ballymena before the Pilot Regeneration forum has met to discuss the future development of the area.

(AQW 31953/11-15)

Mr McCausland: The Housing Executive has been engaged in a programme of demolition and regeneration at Doury Road and the current demolition scheme is part of that programme.

The Board of the Housing Executive approved the proposal to acquire 22 privately owned dwellings in August 2013, and to date the owners of 16 of the 22 dwellings have indicated a willingness to sell their property.

Proposals for the demolition and regeneration of Doury Road will form a key part of the work of the Building Successful Communities Forum which will include local community representatives. The first meeting of this forum will be held in April.

Housing: Regeneration Scheme in Ballymena

Mr McKay asked the Minister for Social Development why letters have been sent to residents of the Doury Road, Ballymena about the possibility of being moved out of their homes before the Pilot Regeneration forum has met to discuss the future development of the area.

(AQW 31954/11-15)

Mr McCausland: The Board of the Housing Executive agreed in August 2013 to demolish 40 dwellings on the Doury Road estate. Once that decision was made the residents became eligible for priority status for re-housing and for home loss and disturbance payments. It was incumbent on the NIHE to notify residents of these entitlements in a timely manner.

Plans for demolition and regeneration of the Doury Road will be taken forward through the Building Successful Communities Programme. Residents of Doury Road will be key stakeholders on the Forum, which will be established in April 2014, to take forward this Programme.

Furthermore, the NIHE has assured me that they will take a phased and managed approach to this work and consideration will be given to those residents who prefer to remain onsite during the refurbishment work.

Housing: Regeneration Scheme in Ballymena

Mr McKay asked the Minister for Social Development whether the Housing Executive has any plans to repaint derelict properties in the Doury Road area of Ballymena.

(AQW 31955/11-15)

Mr McCausland: The Housing Executive has advised that they have no plans to repaint any derelict properties in the Doury Road area of Ballymena. They have further advised that they have some properties at the bottom of the estate which are included in an external cyclical maintenance scheme for 2015 but none of those are derelict.

Housing: Regeneration Scheme in Ballymena

Mr McKay asked the Minister for Social Development what work has been carried out to date on the Doury Road Pilot in Ballymena.

(AQW 31957/11-15)

Mr McCausland: A regeneration officer has been appointed to support the work of the Building Successful Communities Forum in Doury Road. They have met with key stakeholders including local MLAs, NIHE, statutory organisations and community representatives with an interest in the Doury Road Area to prepare an initial report of the current housing stock and amenities and identify current and previous interventions in the area.

A list of members for the Building Successful Communities Programme Forum has been developed and invitation letters have been issued for the first Forum meeting in April.

Helm and Triangle Housing Associations have also been appointed to take the lead in all housing related regeneration agreed by the Forum.

Housing: Termination of Tenancy in East Antrim

Mr McMullan asked the Minister for Social Development, in each of the last three years, how many (i) Housing Executive; and (ii) housing association tenants in East Antrim have lost their tenancies for allowing their property to be used for illegal activities; and to list the relevant activity.

(AQW 31959/11-15)

Mr McCausland: In relation to (i) and (ii) both the Housing Executive and the Housing Associations have confirmed that no tenants in East Antrim lost their tenancies for the reason outlined in the question.

Housing: Social Housing Plans for Moyle

Mr McMullan asked the Minister for Social Development to outline the social housing plans for the (i) Glenarriffe; (ii) Glenann; and (iii) Glendun district electoral divisions.

(AQW 31961/11-15)

Mr McCausland: The Housing Executive advises that the information is not available in the format requested because it does not record information on housing association new social housing by Electoral Divisions.

However, information on the Social Housing Development Programme is available by District Council Area, and the Housing Executive advises that the Glenarriff, Glenann and Glendun Electoral Divisions fall within the Moyle District Council area. They advise there are no schemes in the Social Housing Development Programme 2013/14 in the Moyle District Council area. However, there are three schemes for 40 units in the Social Housing Development Programme 2014/15 in the Moyle District Council area. There are no schemes in the Social Housing Development Programme for 2015/16 or 2016/17 in the Moyle District Council area.

Gambling: Remote Gambling Operator Licensing

Mr Allister asked the Minister for Social Development whether he intends to introduce licensing for remote gambling operators that take bets from people in Northern Ireland; and if not, for his assessment of the fact that Northern Ireland would be the only part of UK and Ireland not planning to offer such consumer protection.

(AQW 31962/11-15)

Mr McCausland: The Gambling (Licensing and Advertising) Bill, currently progressing through Westminster, contains provisions which will require all remote gambling operators who wish to advertise to Northern Ireland consumers to obtain a licence from the Gambling Commission in Great Britain. These provisions will ensure that Northern Ireland consumers have the same protection as other British consumers in this regard. The Assembly approved a Legislative Consent Motion in respect of this Bill on 17 June 2013.

ATOS Healthcare

Lord Morrow asked the Minister for Social Development how many complaints his Department has received about Atos Healthcare.

(AQW 31970/11-15)

Mr McCausland: Atos Healthcare started providing medical support services to the Department for Social Development on 20 June 2011. Atos Healthcare have carried out 109,761 medical assessments from June 11 to 28 February 14. 388 complaints have been received by my Department about Atos Healthcare during this period. This represents a complaint rate of 0.35%, when compared against the number of medical assessments performed.

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 Servicing

Mr Frew asked the Minister for Social Development, pursuant to AQW 31337/11-15, to detail the standard operating procedures of an inspector when ensuring a boiler has been properly serviced.

(AQW 31999/11-15)

Mr McCausland: The Housing Executive has advised that under their heating contract, contractors must service all boilers in line with manufacturer's operating and maintenance instructions. The Housing Executive's qualified inspectors will also inspect the external and internal components of the boilers to ensure that they have been repaired, replaced or serviced in line with manufacturer's recommendations and that boiler combustion settings are adjusted for optimum use.

Jobseekers Allowance

Mrs Overend asked the Minister for Social Development how long a returning UK National must have stayed in the UK following time spent abroad for work or travel before being eligible to claim Jobseekers Allowance.

(AQW 32037/11-15)

Mr McCausland: On 1 January 2014, in addition to the Habitual Residence Test, a new residency condition was introduced both here in Northern Ireland and in Great Britain which requires European Economic Area nationals and returning United Kingdom nationals claiming Income-Based Jobseekers Allowance to prove that they have lived in the United Kingdom or the Common Travel Area (the Channel Islands, Isle of Man and Republic of Ireland) for the 3 month period prior to making their claim. A United Kingdom national must therefore provide sufficient evidence that they have been living in the United Kingdom or the Common Travel Area for the previous 3 months prior to their claim for Income-Based Jobseekers Allowance.

Housing Fraud

Mr Campbell asked the Minister for Social Development whether he has been made aware of any calls by public representatives for the Committee for Social Development to set up an inquiry into Housing Fraud following the BBC Spotlight programme of 11 March 2014.

(AQW 32157/11-15)

Mr McCausland: No, I am not aware of any calls by public representatives for the Committee for Social Development to set up an inquiry into Housing Fraud following the BBC Spotlight programme of 11 March 2014.

Neighbourhood Renewal Partnerships: North Down

Mr Weir asked the Minister for Social Development to detail the budget for each Neighbourhood Renewal Partnership in North Down in 2014/15.

(AQW 32185/11-15)

Mr McCausland: There is one Neighbourhood Renewal Partnership in North Down – Kilcooley. The budget for 2014/15 currently stands at £283,727.14.

Carer's Allowance

Mr I McCrea asked the Minister for Social Development to detail the rationale behind paying £59.75 per week for a minimum of 35 hours care to those applying for a Carer's Allowance.

(AQW 32190/11-15)

Mr McCausland: Carer's Allowance is a non-contributory benefit available to people who provide substantial care, of at least 35 hours a week, to a severely disabled person. The person being cared for must be receiving Disability Living Allowance care component (highest or middle rate), Armed Forces Independence Payment, Attendance Allowance or Constant Attendance Allowance at the appropriate rate.

Receipt of Carer's Allowance is not equated to the amount of actual care provided. The 35 hour minimum care requirement to gain entitlement to the benefit is only associated with the minimum amount of care that a severely disabled person would be expected to need. Carer's Allowance provides a carer with some independent income that recognises some of the sacrifices that have to be made in taking on the responsibility of caring for a severely disabled person, whilst the extra costs which arise as the result of disability are recognised through the award of Disability Living Allowance, Armed Forces Independence Payment, Attendance Allowance or Constant Attendance Allowance to the person with disabilities.

The primary purpose of Carer's Allowance is to provide a measure of financial support for people who give up the opportunity of full-time employment in order to provide regular and substantial care for a severely disabled person. It is not, and was never intended to be, a carer's wage or a payment for the services of caring. It is also not intended to replace lost or forgone earnings in their entirety.

Carer's Allowance is protected by the Consumer Price Index and is set to rise to £61.35 per week from April 2014. Apart from the annual up-rating of benefits, there are no current plans to change the rate of Carer's Allowance.

Enniskillen Town Centre Master Plan

Mr Flanagan asked the Minister for Social Development for an update on the implementation of the Enniskillen Town Centre Master Plan.

(AQW 32198/11-15)

Mr McCausland: The Enniskillen Masterplan was launched in November 2012 and this document sets out a vision for the future development (over a 15 to 20 year timeframe) of the town centre. The plan set out 24 separate regeneration actions, their priority and the potential delivery partners for each action. The Enniskillen Public Realm scheme was identified as the key regeneration activity for delivery in the 1 – 3 year time frame. This scheme is currently at the economic appraisal stage with a number of outstanding issues being addressed by Fermanagh District Council. My Department is also advancing the Enniskillen Castle Basin (Riverside Walk) Public Realm scheme, which is projected to spend £1.6m in the next financial year.

Jobseekers Allowance

Mr Eastwood asked the Minister for Social Development what welfare assistance is available for local people who are returning from short periods of vacation or work abroad if they do not satisfy the newly introduced Job Seekers Allowance Habitual Residency Test.

(AQW 32274/11-15)

Mr McCausland: From 1 January 2014, returning United Kingdom nationals who claim income based Jobseeker's Allowance are required to prove that they have been resident in the United Kingdom for the three month period preceding their claim to benefit in addition to satisfying the normal Habitual Residence Test. Claimants who have not been resident for three months will not be entitled to income based Jobseeker's Allowance.

A person who is disallowed income based Jobseekers Allowance can apply for a Social Fund Crisis Loan. Crisis Loans are repayable, interest free and designed to assist people who need to meet expenses in an emergency or as a consequence of a disaster. They are available to anyone aged 16 or over where they are the only means of preventing a serious risk to health and safety and a person does not need to be in receipt of benefit to apply. Entitlement to a Crisis Loan is determined by a

Decision Maker who will take account of the relevant Departmental Directions and each person's individual circumstances.

Benefits: Finance for Medical Advice

Mr Cree asked the Minister for Social Development to provide details of the scheme which seeks to provide finance for benefit claimants to pay for medical advice for use in contesting their benefits refusal at a tribunal.

(AQW 32281/11-15)

Mr McCausland: There is no scheme within my Department to provide finance for benefit claimants to pay for medical advice for use in contesting their benefits refusal at a tribunal.

Northern Ireland Assembly Commission

Northern Ireland Assembly: Internships for People with Disabilities

Lord Morrow asked the Assembly Commission to outline what internships are available through the Assembly for people with disabilities.

(AQW 31958/11-15)

Mrs Cochrane (The Representative of the Assembly Commission): Although the Assembly Commission does not operate specific internships that are solely available for people with disabilities, it does operate the following work based programmes which are available to people with disabilities. They are:-

The Assembly's work experience programme for schools is organised by the Education Service. The programme runs from January to the start of Easter Recess. Applications are accepted from all schools for approximately 30 places per year.

The Assembly's Bursary Programme which is a partnership with Queen's University Belfast for student placements. The Assembly awards approximately 7 bursaries per year.

Northern Ireland Assembly: MLA Travel and Accommodation Costs, St Patrick's Day

Mr Lunn asked the Assembly Commission to detail the total cost of sending MLAs to the USA in March 2014 for St. Patrick's Day events.

(AQW 32053/11-15)

Mrs Cochrane (The Representative of the Assembly Commission): Six MLAs (five from the Committee on Standards and Privileges and one from the Committee for the Office of the First Minister and deputy First Minister) travelled to the USA in March 2014. However, only the visit by the MLA representing the Committee for the Office of the First Minister and deputy First Minister was arranged to attend St Patrick's Day events. The five MLAs from the Committee on Standards and Privileges attended Washington as part of the Committee's review of the Code of Conduct. The total costs are set out below:

	OFMdFM Committee	S&P Committee	Total
Flights	£1,117	£5,871	£6,988
Car Hire	£0	£46	£46
Hotel Accommodation	£767	£3,250	£4,017
Total	£1,884	£9,167	£11,051

Northern Ireland Assembly: Art Exhibition Policy

Mr Allister asked the Assembly Commission whether it has given any consideration to holding an exhibition of art and other materials owned by the Assembly which are currently being held in storage.

(AQW 32162/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): The Assembly Commission's current Exhibition Policy requires the Assembly Commission to agree an annual schedule for exhibitions in the Great Hall at its first meeting of each year with all other exhibitions in Parliament Buildings being covered by the signature of 3 Members. The Assembly Commission agreed the 2014 exhibition schedule in January of this year which includes a Commission initiative marking local writers. The 2014 schedule does not include an exhibition of art and artefacts held in storage by the Assembly but this can be considered in the preparation for the 2015 exhibition schedule which will commence after a review of the current exhibition policy.

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.

Northern Ireland Assembly

Revised Written Answers

Department for Social Development

In Bound Volume 91, page WA 331, please replace AQW 30097/11-15 with:

Gambling: Bookmakers

Mr Allister asked the Minister for Social Development to detail the number of licensed betting shops; and how this compares with five years ago.

(AQW 30097/11-15)

Mr McCausland (The Minister for Social Development): My Department does not hold details of the number of licensed betting shops. Records provided to my Department by the courts indicate that 324 bookmaking office licences have been issued in 2013/14 to date; the corresponding figure for 2008/09 was 359.

Department of Culture, Arts and Leisure

In Bound Volume 92, page WA 213, please replace AQW 30963/11-15 with:

IÚR FM: Foras na Gaeilge

Mr D Bradley asked the Minister of Culture, Arts and Leisure to detail how much money IÚR-fm received from Foras na Gaeilge, including a breakdown of how it was spent.

(AQW 30963/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Foras na Gaeilge have confirmed that they have provided no funding to IÚR FM radio station.

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Journal of Proceedings

Minutes of Proceedings

Northern Ireland Assembly

Monday 10 March 2014

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Matter of the Day

2.1 Paralympic gold for Kelly Gallagher

Mr Séan Rogers made a statement, under Standing Order 24, in relation to paralympic gold for Kelly Gallagher. Other Members were also called to speak on the matter.

3. Public Petition

3.1 Public Petition – Crumlin Supports Shared Education

Mr Danny Kinahan was granted leave, in accordance with Standing Order 22, to present a Public Petition entitled Crumlin Supports Shared Education.

4. Executive Committee Business

4.1 Final Stage – Carrier Bags Bill (NIA 20/11-15)

The Minister of the Environment, Mr Mark H Durkan, moved that the Final Stage of the Carrier Bags Bill (NIA 20/11-15) do now pass.

Debate ensued.

The Deputy Speaker (Mr Beggs) took the Chair.

The Carrier Bags Bill (NIA 20/11-15) passed Final Stage with cross-community support *nemine contradicente*.

5. Private Members' Business

5.1 Motion – Women in Politics

Proposed:

That this Assembly recognises the lack of female representation in politics and public life; further recognises the positive outcomes that result in tackling this inequality, when support and training programmes are put in place to encourage more female candidates to stand in elections; and calls for the introduction of a training and support programme to encourage more female candidates to stand for election.

Ms J McCann

Ms C Ruane

Ms M Fearon

Mr R McCartney

Debate ensued.

The Question being put, the Motion was **carried** without division.

The Deputy Speaker (Mr Dallat) took the Chair.

6. Question Time

6.1 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

6.2 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Simon Hamilton.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

7. Private Members' Business (Cont'd)

7.1 Motion – Legal Highs

Proposed:

That this Assembly expresses concern at the open sale of psychoactive substances known as "legal highs" which are being sold under false pretences, by using disclaimers such as "not fit for human consumption", when in reality young people are becoming addicted to them; notes the damage such substances cause to the lives of young people; and calls on the Minister of Justice to bring forward proposals, including pursuing emergency legislation, to restrict the sale of these substances.

Mr T Buchanan

Mr A McQuillan

Debate ensued.

The Question being put, the Motion was **carried** without division.

8. Adjournment

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 5.03pm.

Mr William Hay

The Speaker

10 March 2014

Northern Ireland Assembly

Papers Presented to the Assembly on 5 – 10 March 2014

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 Social Security Agency Social Fund Account for the year ended 31 March 2013 (NIAO)

The Annual Report of the Certification Officer for Northern Ireland 2012-2013 (DEL)

Civil Service Compensation Scheme (Amendment) Scheme (Northern Ireland) 2014 (DFP)

Principal Civil Service Pension Scheme (Amendment) Scheme (Northern Ireland) 2014 (DFP)

Report on the consultation in relation to Civil Service Compensation Scheme modifications, 05 March 2014 (DFP)

5. Assembly Reports

The Northern Ireland Assembly Members' Pension Fund Annual Report and Accounts Period 1 April 2012 – 31 March 2013 (NIA 158/11-15) Human Resources Office

6. Statutory Rules

S. R. 2014/49 The Social Security Revaluation of Earnings Factors Order (Northern Ireland) 2014 (DSD)

S. R. 2014/50 The Social Security Pensions (Low Earnings Threshold) Order (Northern Ireland) 2014 (DSD)

S. R. 2014/51 The Social Security Pensions (Flat Rate Accrual Amount) Order (Northern Ireland) 2014 (DSD)

S. R. 2014/52 The Domestic Energy Efficiency Grants (Amendment) Regulations (Northern Ireland) 2014 (DSD)

S. R. 2014/55 The Salaries (Assembly Ombudsman and Commissioner for Complaints) Order (Northern Ireland) 2014 (OFMDFM)

S. R. 2014/56 The Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2014 (DHSSPS)

S. R. 2014/57 The New Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2014 (DHSSPS)

S. R. 2014/58 The Zoonoses (Fees) (Amendment) Regulations (Northern Ireland) 2014 (DARD)

S. R. 2014/59 The Health and Personal Social Services (Superannuation), Health and Social Care (Pension Scheme) (Amendment) Regulations (Northern Ireland) 2014 (DHSSPS)

S. R. 2014/61 The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order (Northern Ireland) 2014 (DSD)

S. R. 2014/64 The Legal Aid (General) (Amendment) Regulations (Northern Ireland) 2014 (DOJ)

S. R. 2014/65 The Statutory Sick Pay (Maintenance of Records) (Revocation) Regulations (Northern Ireland) 2014 (DSD)

S. R. 2014/67 The Valuation (Telecommunications, Natural Gas and Water) (Amendment) Regulations (Northern Ireland) 2014 (DFP)

S. R. 2014/68 The Rates (Small Business Hereditament Relief) (Amendment) Regulations (Northern Ireland) 2014 (DFP)

S. R. 2014/69 The Rates (Unoccupied Hereditaments) (Amendment) Regulations (Northern Ireland) 2014 (DFP)

S. R. 2014/70 The Teachers' Superannuation (Amendment) (No.2) Regulations (Northern Ireland) 2014 (DE)

S. R. 2014/00 The CRC Energy Efficiency Scheme (Amendment) Order 2014 (DOE)

For Information Only:

S. R. 2014/54 The Importation of Animals (Amendment) Order (Northern Ireland) 2014 (DARD)

7. Written Ministerial Statements

Diversity in Public Appointments (DRD)

8. Consultation Documents

Shadow Arrangements and draft Local Government (Transitional, Supplementary and Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014 - Consultation Document (DOE)

The Draft Northern Ireland Local Government Code of Conduct for Councillors - Consultation Document (DOE)

Consultation on Implementation of Articles 15 and 13 of the Energy Efficiency Directive (2012/27EU) (DETI)

9. Departmental Publications

10. Agency Publications

11. Westminster Publications

The CRC Energy Efficiency Scheme (Amendment) Order 2014 (Privy Council Office)

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 11 March 2014

The Assembly met at 10.30am, Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Executive Committee Business

2.1 Statement – Evaluation and Assessment

The Minister of Education, Mr John O'Dowd, made a statement regarding evaluation and assessment, following which he replied to questions.

2.2 Statement – Progress Update on Transforming Your Care

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding a progress update on Transforming Your Care, following which he replied to questions.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

3. Private Members' Business

3.1 Motion – Drawdown of European Funds

Proposed:

That this Assembly notes the significant funding available for drawdown within the European Union; commends the Minister for Regional Development for leading the Northern Ireland Executive in the successful drawdown of competitive funding; further notes with grave concern the imbalance in the drawdown of European funds for economic development between Northern Ireland and the Republic of Ireland under the Framework 7 Programme, whereby Assembly research statistics show that while Northern Ireland secured €35 per capita, the equivalent in the Republic was €590; and calls on the First Minister and deputy First Minister to take steps to ensure an increased drawdown of competitive European funds across Departments, in addition to identifying an appropriate region of the EU against which Northern Ireland can benchmark its performance.

*Mr M Nesbitt
Mrs S Overend*

3.2 Amendment

Proposed:

Leave out all after 'commends' and insert:

'the Executive for setting an increased target for our drawdown; further commends those Ministers who have been successful in securing significant funding to date; and calls on the Executive to ensure that they maximise all potential funding opportunities from Europe.'

*Ms M Fearon
Ms B McGahan
Mr A Maskey*

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.

4. Question Time

4.1 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Edwin Poots.

4.2 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

The Deputy Speaker (Mr Beggs) took the Chair.

5. Private Members' Business (cont'd)

5.1 Motion – Drawdown of European Funds

Debate resumed on the Motion.

The Question being put, the Amendment was **made** (Division).

The Question being put, the Motion as amended, was **carried** without division.

5.2 Motion – BBC Spotlight Programme on Waste Disposal

Proposed:

That this Assembly recognises the issues raised in the recently broadcast BBC Spotlight investigation into illegal waste disposal and other irregularities; and calls on the Minister of the Environment to establish an independent public inquiry into waste disposal in the North West to ensure that public confidence is restored and to allay concerns that other illegal waste disposal sites remain undetected.

Mr R McCartney

Mr C Boylan

Mr B McElduff

Mr I Milne

5.3 Amendment

Proposed:

Insert after 'West':

'and the rest of Northern Ireland, including the role unauthorised quarries and related planning enforcement issues played in facilitating environmental crime,'

Mr S Agnew

Debate ensued.

The Deputy Speaker (Mr Dallat) took the Chair.

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion as amended, was **carried** without division.

6. Adjournment

Mr Robin Swann spoke to his topic regarding school absenteeism in North Antrim.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 7.09pm.

Mr William Hay

The Speaker

11 March 2014

Northern Ireland Assembly

11 March 2014

Division

Motion – Drawdown of European Funds – Amendment

Proposed:

Leave out all after 'commends' and insert:

'the Executive for setting an increased target for our drawdown; further commends those Ministers who have been successful in securing significant funding to date; and calls on the Executive to ensure that they maximise all potential funding opportunities from Europe.'

Ms M Fearon

Ms B McGahan

Mr A Maskey

The Question was put and the Assembly divided.

Ayes: 72

Noes: 11

AYES

Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dallat, Mr Dickson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr D McIlveen, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr McAleer and Mr McKay.

NOES

Mr Agnew, Mr Allister, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Noes: Mr Cree and Mrs Overend.

The Amendment was **made**.

Northern Ireland Assembly

Papers Presented to the Assembly on 11 March 2014

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. 2014/45 The Rail Vehicle Accessibility Regulations (Northern Ireland) 2014 (DRD)

S. R. 2014/46 The Vehicle Accessibility (Applications for Exemption Orders) Regulations (Northern Ireland) 2014 (DRD)

S. R. 2014/66 The Common Agricultural Policy Single Payment and Support Schemes (Amendment) Regulations (Northern Ireland) 2014 (DARD)

S. R. 2014/73 The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2014 (DSD)

For Information Only:

7. Written Ministerial Statements
 8. Consultation Documents
 9. Departmental Publications
- Monitoring the impact of recent measures affecting Housing Benefit and Local Housing Allowances in the private rented sector in Northern Ireland: Final Report March 2014 (DSD)
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 5 March 2014

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	09.10.13	3.12.13	10.02.14	18.02.14	
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14		

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	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14			
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14

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 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14					
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Tuesday 18 March 2014 and Wednesday 19 March 2014

The Assembly met at 10.30am, 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 11 March 2014 to the Public Service Pension Act (Northern Ireland) 2014.

3. Matter of the Day

3.1 Death of Lord Ballyedmond

Mr Séan Rogers made a statement, under Standing Order 24, in relation to the death of Lord Ballyedmond. Other Members were also called to speak on the matter.

4. Executive Committee Business

4.1 Statement – North South Ministerial Council Meeting in Aquaculture and Marine Sectoral Format

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the North South Ministerial Council Meeting in Aquaculture and Marine Sectoral Format, following which she replied to questions.

4.2 Consideration Stage – Local Government Bill (NIA 28/11-15)

A valid Petition of Concern was presented in relation to Amendment 63 under Standing Order 28, on Friday 14 March 2014 (Appendix 1). A valid Petition of Concern was also presented in relation to Amendments 37, 63, 64, 65 and 66 under Standing Order 28, on Tuesday 18 March 2014 (Appendix 2).

The Minister of the Environment, Mr Mark H Durkan, moved the Consideration Stage of the Local Government Bill (NIA 28/11-15).

115 amendments were tabled to the Bill, as well as notice of the Minister's intention to oppose the question that Clauses 3 to 9 and Schedules 1 and 2 stand part of the Bill.

Clauses

The question being put, it was agreed without division that Clause 1 stand part of the Bill.

Debate ensued.

The sitting was suspended at 12.28pm.

The sitting resumed at 1.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.

Debate resumed on the Bill.

The debate was suspended for Question Time.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

5. Question Time

5.1 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

5.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

5.3 Assembly Commission

Questions were put to, and answered by, members of the Assembly Commission.

The Speaker took the Chair.

6. Question for Urgent Oral Answer

6.1 DVA Job Losses

The Minister of the Environment, Mr Mark H Durkan, responded to a Question for Urgent Oral Answer tabled by Mr Cathal Ó hOisín.

6.2 Desertcreat Training Facility Update

The Minister of Justice, Mr David Ford, responded to a Question for Urgent Oral Answer tabled by Mrs Sandra Overend.

7. Executive Committee Business (cont'd)

7.1 Consideration Stage – Local Government Bill (NIA 28/11-15)

Debate resumed on the Bill.

The Deputy Speaker (Mr Dallat) took the Chair.

The Deputy Speaker (Mr Beggs) took the Chair.

After debate, Amendments 1 to 3 to Clause 2 were made without division.

The question being put, it was agreed without division that Clause 2 as amended stand part of the Bill.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

After debate, the question that Clause 3 stand part of the Bill was negated (Division 1).

After debate, the question that Clause 4 stand part of the Bill was negated without division.

After debate, the question that Clause 5 stand part of the Bill was negated without division.

After debate, the question that Clause 6 stand part of the Bill was negated without division.

After debate, the question that Clause 7 stand part of the Bill was negated without division.

After debate, the question that Clause 8 stand part of the Bill was negated without division.

After debate, the question that Clause 9 stand part of the Bill was negated without division.

After debate, Amendment 4 inserting new Clause 9A was made without division and it was agreed that the new clause stand part of the Bill.

After debate, Amendment 5 inserting new Clause 9B was made without division and it was agreed that the new clause stand part of the Bill.

After debate, Amendments 6 and 7 to Clause 10 were made without division.

The question being put, it was agreed without division that Clause 10 as amended stand part of the Bill.

The Speaker took the Chair.

The sitting was suspended at 9.52pm.

The sitting resumed at 10.30am on Wednesday 19 March 2014, with the Speaker in the Chair.

Debate resumed on the Bill.

After debate, Amendment 8 to Clause 11 was **made** without division.

The question being put, it was **agreed** without division that Clause 11 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 12 to 22 stand part of the Bill.

After debate, Amendment 9 to Clause 23 was **made** (Division 2).

The question being put, it was **agreed** without division that Clause 23 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clause 24 stand part of the Bill.

After debate, Amendment 10 to Clause 25 was **made** without division.

As Amendment 10 was made, Amendment 11 was not called.

After debate, Amendments 12 and 13 to Clause 25 were **made** without division.

The question being put, it was **agreed** without division that Clause 25 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 26 to 33 stand part of the Bill.

After debate, Amendments 14 and 15 to Clause 34 were **made** without division.

The question being put, it was **agreed** without division that Clause 34 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 35 to 43 stand part of the Bill.

After debate, Amendment 16 to Clause 44 was **negatived** (Division 3).

The question being put, it was **agreed** without division that Clause 44 stand part of the Bill.

After debate, Amendment 17 to Clause 45 was **negatived** (Division 4).

As Amendment 17 was not made, Amendment 18 was not called.

After debate, Amendment 19 to Clause 45 was **made** without division.

The question being put, it was **agreed** without division that Clause 45 as amended stand part of the Bill.

After debate, Amendment 20 to Clause 46 was **negatived** without division.

The question being put, it was **agreed** without division that Clause 46 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 47 stand part of the Bill.

After debate, Amendment 21 to Clause 48 was **made** without division.

The question being put, it was **agreed** without division that Clause 48 as amended stand part of the Bill.

After debate, Amendment 22 inserting new Clause 48A was **made** (Division 5) and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 23 to Clause 49 was **made** without division.

The question being put, it was **agreed** without division that Clause 49 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 50 to 57 stand part of the Bill.

After debate, Amendment 24 to Clause 58 was **made** without division.

The question being put, it was **agreed** without division that Clause 58 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 59 to 61 stand part of the Bill.

After debate, Amendments 25 and 26 to Clause 62 were **made** without division.

The question being put, it was **agreed** without division that Clause 62 as amended stand part of the Bill.

After debate, Amendment 27 to Clause 63 was **made** without division.

The question being put, it was **agreed** without division that Clause 63 as amended stand part of the Bill.

After debate, Amendments 28 to 30 to Clause 64 were **made** without division.

The question being put, it was **agreed** without division that Clause 64 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 65 and 66 stand part of the Bill.

After debate, Amendments 31 to 34 to Clause 67 were **made** without division.

The question being put, it was **agreed** without division that Clause 67 as amended stand part of the Bill.

After debate, Amendment 35 to Clause 68 was **made** without division.

The question being put, it was **agreed** without division that Clause 68 as amended stand part of the Bill.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

The sitting was suspended at 1.17pm.

The sitting resumed at 1.51pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.

After debate, Amendment 36 inserting new Clause 68A was **negatived** (Division 6).

The Deputy Speaker (Mr Beggs) took the Chair.

After debate, Amendment 37 to Clause 69 was **negatived** on a cross-community vote (Division 7).

After debate, Amendments 38 and 39 to Clause 69 were **made** without division.

The question being put, it was **agreed** without division that Clause 69 as amended stand part of the Bill.

After debate, Amendment 40 to Clause 70 was **negatived** without division.

The question being put, it was **agreed** without division that Clause 70 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 71 to 73 stand part of the Bill.

After debate, Amendment 41 to Clause 74 was **made** without division.

The question being put, it was **agreed** without division that Clause 74 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clause 75 stand part of the Bill.

After debate, Amendment 42 to Clause 76 was **made** (Division 8).

As Amendment 42 was made, Amendment 43 was not called.

The question being put, it was **agreed** without division that Clause 76 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clause 77 stand part of the Bill.

After debate, Amendment 44 to Clause 78 was **made** without division.

The question being put, it was **agreed** without division that Clause 78 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 79 to 84 stand part of the Bill.

After debate, Amendments 45 and 46 to Clause 85 were **made** without division.

The question being put, it was **agreed** without division that Clause 85 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 86 to 94 stand part of the Bill.

After debate, Amendment 47 to Clause 95 was **made** without division.

The question being put, it was **agreed** without division that Clause 95 as amended stand part of the Bill.

After debate, Amendments 48 and 49 to Clause 96 were **made** without division.

The question being put, it was **agreed** without division that Clause 96 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clause 97 stand part of the Bill.

After debate, Amendments 50 to 55 Clause 98 were **made** without division.

The question being put, it was **agreed** without division that Clause 98 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clause 99 stand part of the Bill.

After debate, Amendment 56 to Clause 100 was **made** without division.

The question being put, it was **agreed** without division that Clause 100 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 101 to 105 stand part of the Bill.

After debate, Amendments 57, 58, 59, 60 and 61 to Clause 106 were **made** without division.

The question being put, it was **agreed** without division that Clause 106 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 107 to 109 stand part of the Bill.

After debate, Amendment 62 inserting new Clause 109A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The Speaker took the Chair.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

The Speaker took the Chair.

After debate, Amendment 63 inserting new Clause 109A was **negatived** on a cross-community vote (Division 9).

After debate, Amendment 64 inserting new Clause 109A was **negatived** on a cross-community vote (Division 10).

After debate, Amendment 65 inserting new Clause 109B was **negatived** on a cross-community vote (Division 11).

After debate, Amendment 66 inserting new Clause 109C was **negatived** on a cross-community vote (Division 12).

The question being put, it was **agreed** without division that Clause 110 stand part of the Bill.

After debate, Amendment 67 to Clause 111 was **made** without division.

The question being put, it was **agreed** without division that Clause 111 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 112 and 113 stand part of the Bill.

After debate, Amendment 68 to Clause 114 was **negatived** (Division 13).

The question being put, it was **agreed** without division that Clause 114 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 115 stand part of the Bill.

After debate, Amendment 69 inserting new Clause 115A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 116 and 117 stand part of the Bill.

After debate, Amendment 70 inserting new Clause 117A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 118 and 119 stand part of the Bill.

After debate, Amendment 71 inserting new Clause 119A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question being put, it was **agreed** without division that Clause 120 stand part of the Bill.

After debate, Amendments 72 to 77 to Clause 121 were **made** without division.

The question being put, it was **agreed** without division that Clause 121 as amended stand part of the Bill.

After debate, Amendments 78, 79 and 80 to Clause 122 were **made** without division.

The question being put, it was **agreed** without division that Clause 122 as amended stand part of the Bill.

After debate, Amendment 81 to Clause 123 was **made** without division.

The question being put, it was **agreed** without division that Clause 123 as amended stand part of the Bill.

After debate, Amendment 82 inserting new Clause 123A was **negatived** (Division 14).

After debate, Amendment 83 inserting new Clause 123A was **made** (Division 15) and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendments 84, 85 and 86 to Clause 124 were **made** without division.

The question being put, it was **agreed** without division that Clause 124 as amended stand part of the Bill.

After debate, Amendments 87, 88, 89, 90, 91, 92, 93 and 94 to Clause 125 were **made** without division.

The question being put, it was **agreed** without division that Clause 125 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 126 to 128 stand part of the Bill.

Schedules

After debate, the question that Schedule 1 stand part of the Bill was **negatived** without division.

After debate, the question that Schedule 2 stand part of the Bill was **negatived** without division.

After debate, Amendment 95 to Schedule 3 was **negatived** (Division 16).

As Amendment 95 was not made, Amendment 96 was not called.

After debate, Amendment 97 to Schedule 3 was **made** (Division 17).

As Amendment 95 was not made, Amendments 98 and 99 were not called.

After debate, Amendment 100 to Schedule 3 was **made** without division.

The question being put, it was **agreed** without division that Schedule 3 as amended stand part of the Bill.

After debate, Amendment 101 to Schedule 4 was **made** without division.

The question being put, it was **agreed** without division that Schedule 4 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Schedules 5 to 8 stand part of the Bill.

After debate, Amendment 102 to Schedule 9 was **made** without division.

The question being put, it was **agreed** without division that Schedule 9 as amended stand part of the Bill.

After debate, Amendment 103 to Schedule 10 was **made** without division.

The question being put, it was **agreed** without division that Schedule 10 as amended stand part of the Bill.

After debate, Amendments 104, 105 and 106 to Schedule 11 were **made** without division.

The question being put, it was **agreed** without division that Schedule 11 as amended stand part of the Bill.

After debate, Amendments 107, 108, 109, 110, 111, 112, 113, 114 and 115 to Schedule 12 were **made** without division.

The question being put, it was **agreed** without division that Schedule 12 as amended stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

The Local Government Bill (NIA 28/11-15) stood referred to the Speaker.

8. Adjournment

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 10.53pm.

Mr William Hay
The Speaker

19 March 2014

Appendix 1

Northern Ireland Assembly

The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Friday 14 March 2014 in relation to Amendment 63 proposed to the Local Government Bill (NIA 28/11-15).

- | | |
|-----------------------|--------------------------|
| ■ Mr Sydney Anderson | ■ Mr William Irwin |
| ■ Mr Jonathan Bell | ■ Mr Nelson McCausland |
| ■ Ms Paula Bradley | ■ Mr Ian McCrea |
| ■ Mr Thomas Buchanan | ■ Mr David McIlveen |
| ■ Mrs Pam Cameron | ■ 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 |
| ■ Mr William Humphrey | |

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 Tuesday 18 March 2014 in relation to Amendments 37, 63, 64, 65, 66 proposed to the Local Government Bill (NIA 28/11-15).

- | | |
|------------------------|-------------------------|
| ■ Ms Caitriona Ruane | ■ Ms Carál Ní Chuilín |
| ■ Mr Raymond McCartney | ■ Mr Daithí McKay |
| ■ Mr Barry McElduff | ■ Mr Sean Lynch |
| ■ Mr Chris Hazzard | ■ Mr John O'Dowd |
| ■ Mrs Michelle O'Neill | ■ Mr Rosaleen McCorley |
| ■ Mr Alex Maskey | ■ Ms Jennifer McCann |
| ■ Mr Bronwym McGahan | ■ Mr Martin McGuinness |
| ■ Mr Maeve McLaughlin | ■ Mr Séan Rogers |
| ■ Mr Mickey Brady | ■ Mr Pat Ramsey |
| ■ Mr Fra McCann | ■ Mrs Karen McKeivitt |
| ■ Mr Gerry Kelly | ■ Mr Colum Eastwood |
| ■ Mr Pat Sheehan | ■ Mr Mark Durkan |
| ■ Mr Cathal Boylan | ■ Mr Alex Attwood |
| ■ Mr Phil Flanagan | ■ Mr Joe Byrne |
| ■ Ms Michaela Boyle | ■ Dr Alastair McDonnell |
| ■ Ms Megan Fearon | ■ Mr Patsy McGlone |
| ■ Mr Cathal Ó Hoisín | ■ Mr Fearghal McKinney |
| ■ Mr Ian Milne | ■ Mr Dominic Bradley |
| ■ Mr Oliver McMullan | ■ Mr Alban Maginness |
| ■ Mr Declan McAleer | ■ Mrs Dolores Kelly |

Northern Ireland Assembly

18 March 2014

Division 1

Consideration Stage – Local Government Bill (NIA 28/11-15) – Clause 3

The Question was put and the Assembly divided.

Ayes: 12

Noes: 80

AYES

Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McKinney and Mr Rogers.

The Question was **negatived**.

Northern Ireland Assembly

19 March 2014

Division 2

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 9

Proposed:

Clause 23, Page 10, Line 11

Leave out lines 11 to 13 and insert -

‘a committee system unless the council decides to operate executive arrangements or prescribed arrangements’

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 47

Noes: 46

AYES

Mr Agnew, Mr Allister, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Cree, Mr Dickson, Mrs Dobson, Mr Elliott, Dr Farry, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr McCausland, Mr I McCrea, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McNarry, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr P Ramsey, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Eastwood and Mr Wells.

The Amendment was **made**.

Northern Ireland Assembly

19 March 2014

Division 3

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 16

Proposed:

Clause 44, Page 23, Line 40

Leave out 'Standing orders must' and insert 'The Department must by order'

Mr T Elliott

Mr D Kinahan

The Question was put and the Assembly divided.

Ayes: 20

Noes: 77

AYES

Mr Allister, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Elliott, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Agnew, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr McNarry, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr G Robinson and Mr Rogers.

The Amendment **fell**.

Northern Ireland Assembly

19 March 2014

Division 4

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 17

Proposed:

Clause 45, Page 24, Line 16

At end insert -

‘(1A) The Department must appoint a panel of solicitors for the purposes of providing an opinion if requested under subsection (2).’

Mr T Elliott

Mr D Kinahan

The Question was put and the Assembly divided.

Ayes: 46

Noes: 50

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, 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 Boylan and Mr Milne.

The Amendment **fell**.

Northern Ireland Assembly

19 March 2014

Division 5

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 22

Proposed:

New Clause

After clause 48, insert -

‘Audio recording of meetings

48A.—(1) So far as is reasonably practicable, a council must make an audio recording of so much of any meeting of the council as is open to the public and the recording must be available to the public at the offices of the council until the expiration of the period of six years from the date of the meeting and published on the council website until the expiration of the period of two years from the date of the meeting.

(2) This section does not apply in relation to meetings of any committee or sub-committee of the council.’

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 62

Noes: 34

AYES

Mr Agnew, Mr Allister, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, 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, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

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

Tellers for the Noes: Mr Anderson and Mr G Robinson.

The Amendment was **made**.

Northern Ireland Assembly

19 March 2014

Division 6

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 36

Proposed:

New Clause

After clause 68 insert -

‘PART 9A

GENERAL DUTY TO PROMOTE SHARED USE OF THE PUBLIC REALM

General duty to promote shared use of the public realm

68A. A council must in exercising its functions promote shared use of the public realm between persons of different religious belief, political opinion or racial group so far as is consistent with the proper exercise of those functions.’

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 21

Noes: 74

AYES

Mr Agnew, Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Allister, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ni Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Boylan and Mr G Robinson.

The Amendment **fell**.

Northern Ireland Assembly

19 March 2014

Division 7

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 37

Proposed:

Clause 69, Page 40, Line 25

At end insert –

‘(iv) equality and good relations between the categories of persons listed in section 75 of the Northern Ireland Act 1998.’

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 53

Noes: 42

AYES

Unionist:

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Other:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Nationalist:

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilin, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist:

Mr Allister, Mr McCallister, Mr B McCrea.

Tellers for the Noes: Mr Milne and Ms Ruane.

Total votes	95	Total Ayes	53	[55.8%]
Nationalist Vote	39	Nationalist Ayes	0	[0.0%]
Unionist Votes	47	Unionist Ayes	44	[93.6%]
Other Votes	9	Other Ayes	9	[100.0%]

The Amendment **fell** on a cross-community vote.

Northern Ireland Assembly

19 March 2014

Division 8

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 42

Proposed:

Clause 76, Page 44, Line 3

Leave out from 'ensure' to 'taken' and insert -

'(a) seek the participation of and encourage the persons mentioned in subsection (2) to express their views and (b) take those views'

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 69

Noes: 26

AYES

Mr Agnew, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Allister, Mr Attwood, Mr D Bradley, Mr Byrne, Mr Copeland, Mr Cree, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.

Tellers for the Noes: Mr Kennedy and Mr McGlone.

The Amendment was **made**.

Northern Ireland Assembly

19 March 2014

Division 9

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 63

Proposed:

New Clause

After clause 109 insert -

‘PART 14A

FLYING OF FLAGS AT COUNCIL OFFICES

Flying of flags at council offices other than a bespoke council flag

109A.—(1) The Union flag and any other flag shall be flown at the main office of any council on the days on which and at the times at which they are required to be flown according to the UK Government department responsible for designating the days for the flying of flags on UK Government buildings in Northern Ireland.

(2) Except as provided in this Part, no flag shall be flown at any council offices at any time.’

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 9

Noes: 86

AYES

Unionist:

Mr McCallister, Mr B McCrea.

Other:

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Ms Lo and Mr Lyttle.

NOES

Nationalist:

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist:

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McKinney and Mr Milne.

Total votes	95	Total Ayes	9	[9.5%]
Nationalist Vote	40	Nationalist Ayes	0	[0.0%]
Unionist Votes	48	Unionist Ayes	2	[4.2%]
Other Votes	7	Other Ayes	7	[100.0%]

The Amendment **fell** on a cross-community vote.

Northern Ireland Assembly

19 March 2014

Division 10

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 64

Proposed:

' New Clause

After clause 109 insert -

'PART 14A

FLYING OF FLAGS AT COUNCIL OFFICES

Flying of flags at council offices

109A.—(1) The Union flag shall be flown at the offices of any council as a minimum on the days on which and at the times at which they are required to be flown at United Kingdom government buildings in Northern Ireland.

(2) Except as provided in this Part, no national flag of any other country shall be flown at any council offices at any time.'

Mr T Elliott

Mr D Kinahan

The Question was put and the Assembly divided.

Ayes: 46

Noes: 47

AYES

Unionist:

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Nationalist:

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Other:

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr McKinney and Mr Milne.

Total votes	93	Total Ayes	46	[49.5%]
Nationalist Vote	40	Nationalist Ayes	0	[0.0%]
Unionist Votes	46	Unionist Ayes	46	[100.0%]
Other Votes	7	Other Ayes	0	[0.0%]

The following Members voted in both Lobbies and are therefore not counted in the result: Mr McCallister, Mr B McCrea.

The Amendment **fell** on a cross-community vote

Northern Ireland Assembly

19 March 2014

Division 11

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 65

Proposed:

New Clause

After clause 109 insert -

'The flying of bespoke flags for the district council at council offices

109B.—(1) A council may commission and adopt a flag for use which represents the council district.

(2) The adoption of a flag for the council district must be adopted by resolution of the council passed by qualified majority.

(3) This flag may be flown from the council offices on any day that the council decides.

(4) Nothing in this section should be taken to prevent the flying of flags as specified elsewhere in this Act.'

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 9

Noes: 86

AYES

Unionist:

Mr McCallister, Mr B McCrea.

Other:

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Nationalist:

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, 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.

Unionist:

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McKinney and Mr Milne.

Total votes	95	Total Ayes	9	[9.5%]
Nationalist Vote	40	Nationalist Ayes	0	[0.0%]
Unionist Votes	48	Unionist Ayes	2	[4.2%]
Other Votes	7	Other Ayes	7	[100.0%]

The Amendment **fell** on a cross-community vote

Northern Ireland Assembly

19 March 2014

Division 12

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 66

Proposed:

New Clause

After clause 109 insert –

‘Flying of the Union flag at Belfast City Council offices

109C. The Union flag shall be flown at Belfast City Council offices every day.’

Mr T Elliott

Mr D Kinahan

The Question was put and the Assembly divided.

Ayes: 46

Noes: 49

AYES

Unionist:

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Nationalist:

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist:

Mr McCallister, Mr B McCrea.

Other:

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr McKinney and Mr Milne.

Total votes	95	Total Ayes	46	[48.4%]
Nationalist Vote	40	Nationalist Ayes	0	[0.0%]
Unionist Votes	48	Unionist Ayes	46	[95.8%]
Other Votes	7	Other Ayes	0	[0.0%]

The Amendment **fell** on a cross-community vote

Northern Ireland Assembly

19 March 2014

Division 13

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 68

Proposed:

Clause 114, Page 63, Line 34

After '(2A)' insert 'for a rates convergence period lasting a minimum of three years'

Mr T Elliott

Mr D Kinahan

The Question was put and the Assembly divided.

Ayes: 46

Noes: 47

AYES

Mr Allister, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr Hussey, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Anderson and Mr G Robinson.

The Amendment **fell**.

Northern Ireland Assembly

19 March 2014

Division 14

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 82

Proposed:

New Clause

After clause 123 insert –

‘Appointment of chair and vice-chair of district policing and community safety partnerships

123A.—(1) Schedule 2 of the Justice Act (Northern Ireland) 2011 (c.24) is amended as follows.

(2) After paragraph 10(2)(b) insert—

“(c) In this sub-paragraph, “in turn” means in order of size, with size being determined by the number of seats won by each political party in the previous local government election, with the largest first, second largest second and so on. Where the number of seats won by two or more political parties is equal, the number of first preference votes cast in the council district for the parties at the last local government election shall be used to determine the order in which each of those parties shall hold the relevant position.”’

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 43

Noes: 51

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Copeland, Mr Cree, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Gardiner, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, 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, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.

Tellers for the Noes: Mr McKinney and Mr Milne.

The Amendment **fell**.

Northern Ireland Assembly

19 March 2014

Division 15

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 83

Proposed:

New Clause

After clause 123 insert –

‘Council websites

Council websites

123A. The Department must by regulations specify a standard format for the domain names of council websites.’

Mr T Elliott

Mr D Kinahan

The Question was put and the Assembly divided.

Ayes: 53

Noes: 40

AYES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, 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 McKinney and Mr Milne.

The Amendment was **made**.

Northern Ireland Assembly

19 March 2014

Division 16

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 95

Proposed:

Schedule 3, Page 74, Line 6

Leave out 'unless' and insert 'only if'

Ms A Lo

Mr S Dickson

The Question was put and the Assembly divided.

Ayes: 9

Noes: 84

AYES

Mr Allister, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lyttle, Mr McCallister, Mr B McCrea.

Tellers for the Ayes: Mr Dickson and Ms Lo.

NOES

Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McKinney and Mr Milne.

The Amendment **fell**.

Northern Ireland Assembly

19 March 2014

Division 17

Consideration Stage – Local Government Bill (NIA 28/11-15) – Amendment 97

Proposed:

Schedule 3, Page 75, Line 33

At end insert -

‘(3) This paragraph does not apply in relation to a position of responsibility specified at section 10(1)(e) (member of a cabinet-style executive of the council) or section 10(1)(f) (external representative of the council).’

*Mr P Weir
Ms P Cameron
Mr I McCrea
Lord Morrow*

The Question was put and the Assembly divided.

Ayes: 70

Noes: 22

AYES

Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Copeland, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Anderson and Mr G Robinson.

NOES

Mr Allister, Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lyttle, Mr McCallister, Mr B McCrea, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Tellers for the Noes: Mr A Maginness and Mr McKinney.

The Amendment was **carried**.

Local Government Bill

Annotated Marshalled List of Amendments

Consideration Stage

Tuesday 18 March 2014

Amendments tabled up to 9.30am Thursday, 13 March 2014 and selected for debate

The Bill will be considered in the following order-

Clauses, Schedules and Long Title

Amendment 1 [Made without division]

Clause 2, Page 1, Line 14

Leave out 'council's code of conduct' and insert 'Northern Ireland Local Government Code of Conduct for Councillors'

Minister of the Environment

Amendment 2 [Made without division]

Clause 2, Page 1, Line 17

After 'that' insert 'from 30th April 2015'

Chair, Committee for the Environment

Amendment 3 [Made without division]

Clause 2, Page 1, Line 17

After 'available' insert 'on its website and'

Mr Tom Elliott

Mr Danny Kinahan

Clause 3 [Question that Clause 3 stand part negated on division]

The Minister of the Environment gives notice of his intention to oppose the question that Clause 3 stand part of the Bill.

Minister of the Environment

Clause 4 [Question that Clause 4 stand part negated without division]

The Minister of the Environment gives notice of his intention to oppose the question that Clause 4 stand part of the Bill.

Minister of the Environment

Clause 5 [Question that Clause 5 stand part negated without division]

The Minister of the Environment gives notice of his intention to oppose the question that Clause 5 stand part of the Bill.

Minister of the Environment

Clause 6 [Question that Clause 6 stand part negated without division]

The Minister of the Environment gives notice of his intention to oppose the question that Clause 6 stand part of the Bill.

Minister of the Environment

Clause 7 [Question that Clause 7 stand part negated without division]

The Minister of the Environment gives notice of his intention to oppose the question that Clause 7 stand part of the Bill.

Minister of the Environment

Clause 8 [Question that Clause 8 stand part negated without division]

The Minister of the Environment gives notice of his intention to oppose the question that Clause 8 stand part of the Bill.

Minister of the Environment

Clause 9 [Question that Clause 9 stand part negated without division]

The Minister of the Environment gives notice of his intention to oppose the question that Clause 9 stand part of the Bill.

Minister of the Environment

Amendment 4 [Made without division]

New Clause

After clause 9 insert -

'Disqualifications For Being Councillors'

9A. A member of—

- (a) the Assembly;
- (b) the House of Commons; or
- (c) the European Parliament,

is disqualified for being a councillor.'

Minister of the Environment

Amendment 5 [Made without division]

New Clause

After clause 9 insert -

'Power to exempt offices and employments from disqualification'

9B. In section 4(1)(a) of the Local Government Act (Northern Ireland) 1972 (disqualifications), for the words from "place of profit" to "council" there shall be substituted the words "employment appointments to which are made by a council if it is a prescribed office or employment".'

Minister of the Environment

Amendment 6 [Made without division]**Clause 10**, Page 5, Line 25

Leave out 'subsection (1)(f)' and insert 'this Act'

*Minister of the Environment***Amendment 7** [Made without division]**Clause 10**, Page 5, Line 26

Leave out 'prescribed public body or other association' and insert 'public body'

*Minister of the Environment***Amendment 8** [Made without division]**Clause 11**, Page 5, Line 38

At end insert -

'() making a determination under section 13(1) of the Local Government Finance Act (Northern Ireland) 2011 (affordable borrowing limit) and monitoring an amount determined under that subsection;'

*Minister of the Environment***Amendment 9** [Made on division]**Clause 23**, Page 10, Line 11

Leave out lines 11 to 13 and insert -

'a committee system unless the council decides to operate executive arrangements or prescribed arrangements'

*Ms Anna Lo**Mr Stewart Dickson***Amendment 10** [Made without division]**Clause 25**, Page 11, Line 29

Leave out subsection (3) and insert -

'(3) The chair and deputy chair of the council shall be non-voting members of the executive and shall be disregarded for the purpose of subsections (4) and (5).'

*Chair, Committee for the Environment***Amendment 11** [Not called]**Clause 25**, Page 11, Line 29

Leave out 'not'

*Mr Tom Elliott**Mr Danny Kinahan***Amendment 12** [Made without division]**Clause 25**, Page 11, Line 31

Leave out 'four' and insert 'six'

*Chair, Committee for the Environment***Amendment 13** [Made without division]**Clause 25**, Page 11, Line 34

Leave out 'four' and insert 'six'

*Chair, Committee for the Environment***Amendment 14** [Made without division]**Clause 34**, Page 18, Line 9

Leave out 'an excluded' and insert 'a prescribed'

*Minister of the Environment***Amendment 15** [Made without division]**Clause 34**, Page 18, Line 17

Leave out subsection (4)

*Minister of the Environment***Amendment 16** [Negatived on division]**Clause 44**, Page 23, Line 40

Leave out 'Standing orders must' and insert 'The Department must by order'

*Mr Tom Elliott**Mr Danny Kinahan***Amendment 17** [Negatived on division]**Clause 45**, Page 24, Line 16

At end insert -

'(1A) The Department must appoint a panel of solicitors for the purposes of providing an opinion if requested under subsection (2).'

*Mr Tom Elliott**Mr Danny Kinahan***Amendment 18** [Not called]**Clause 45**, Page 24, Line 18

Leave out 'a practising barrister or solicitor' and insert 'the panel of solicitors appointed under subsection (1A)'

*Mr Tom Elliott**Mr Danny Kinahan*

Amendment 19 [Made without division]**Clause 45**, Page 24, Line 20

At end insert -

‘and the process by which a legal opinion is obtained in subsection (2)’

Mr Peter Weir
Ms Pam Cameron
Mr Ian McCrea
Lord Morrow of Clogher Valley

Amendment 20 [Negatived without division]**Clause 46**, Page 25, Line 37

Leave out line 37 and insert -

‘(7) So far as is reasonably practicable, a council shall facilitate—’

Ms Anna Lo
Mr Stewart Dickson

Amendment 21 [Made without division]**Clause 48**, Page 27, Line 28

After ‘must’, insert -

‘as soon as is reasonably practicable’

Ms Anna Lo
Mr Stewart Dickson

Amendment 22 [Made on division]**New Clause**

After clause 48, insert -

‘Audio recording of meetings

48A.—(1) So far as is reasonably practicable, a council must make an audio recording of so much of any meeting of the council as is open to the public and the recording must be available to the public at the offices of the council until the expiration of the period of six years from the date of the meeting and published on the council website until the expiration of the period of two years from the date of the meeting.

(2) This section does not apply in relation to meetings of any committee or sub-committee of the council.’

Ms Anna Lo
Mr Stewart Dickson

Amendment 23 [Made without division]**Clause 49**, Page 28, Line 18

At end insert -

‘(6) A council must put on its website any document which is open to inspection under subsection (1).’

Ms Anna Lo
Mr Stewart Dickson

Amendment 24 [Made without division]**Clause 58**, Page 33, Line 17

At end insert -

‘(1A) Instead of, or in addition to, conducting an investigation under this section, the Commissioner may take such action as appears to the Commissioner to be desirable to deal with any particular case falling within subsection (1).’

Minister of the Environment

Amendment 25 [Made without division]**Clause 62**, Page 36, Line 36

At end insert -

‘(13) A person who is censured, suspended or disqualified by the Commissioner as mentioned in subsection (3) may appeal to the High Court if the High Court gives the person leave to do so.’

Chair, Committee for the Environment

Amendment 26 [Made without division]**Clause 62**, Page 36, Line 36

At end insert -

‘(14) An appeal under subsection (13) may be made on one or more of the following grounds—

- (a) that the Commissioner’s decision was based on an error of law;
- (b) that there has been procedural impropriety in the conduct of the investigation under section 58;
- (c) that the Commissioner has acted unreasonably in the exercise of the Commissioner’s discretion;
- (d) that the Commissioner’s decision was not supported by the facts found to be proved by the Commissioner;
- (e) that the sanction imposed was excessive.’

Chair, Committee for the Environment

Amendment 27 [Made without division]**Clause 63**, Page 37, Line 29

At end insert -

‘(9) A person who is suspended (or partially suspended) by the Commissioner by notice as mentioned in subsection (1) may appeal to the High Court if the High Court gives the person leave to do so.’

Chair, Committee for the Environment

Amendment 28 [Made without division]**Clause 64**, Page 37, Line 37

Leave out from 'and' to the end of line 38

*Minister of the Environment***Amendment 29** [Made without division]**Clause 64**, Page 38, Line 5

Leave out from 'and' to the end of line 8

*Minister of the Environment***Amendment 30** [Made without division]**Clause 64**, Page 38

Leave out subsection (6)

*Minister of the Environment***Amendment 31** [Made without division]**Clause 67**, Page 39, Line 23

Leave out subsection (2)

*Minister of the Environment***Amendment 32** [Made without division]**Clause 67**, Page 39, Line 28

Leave out 'Commissioner' and insert 'Department'

*Minister of the Environment***Amendment 33** [Made without division]**Clause 67**, Page 39, Line 28

Leave out ' , with the approval of the Department of Finance and Personnel ,'

*Minister of the Environment***Amendment 34** [Made without division]**Clause 67**, Page 39, Line 30

Leave out from 'may be prescribed' to the end of line 35 and insert 'the Department, after consultation in accordance with subsection (3A), considers appropriate.

(3A) The Department must consult—

(a) councils; and

(b) such associations or bodies representative of councils as appear to the Department to be appropriate, about the manner in which the amount mentioned in subsection (3) is to be apportioned.

(3B) The Department may deduct from any grant payable under section 27A of the Local Government Finance Act (Northern Ireland) 2011 to a council for a financial year the amount apportioned to it under subsection (3).'

*Minister of the Environment***Amendment 35** [Made without division]**Clause 68**, Page 40, Line 11

At end insert -

'(5) Where a councillor who is suspended otherwise than partially or is disqualified under this Part is also a member of any other public body (whether as an external representative of the council or otherwise), the councillor is also suspended or disqualified from being a member of that body and any committee or sub-committee of that body.

(6) Any reference in this Part to a councillor being partially suspended from being a councillor includes a reference to the councillor being partially suspended from being a member of any other public body of which the councillor is a member (whether as an external representative of the council or otherwise) and the reference in subsection (2) to particular functions or particular responsibilities as a councillor includes particular functions or particular responsibilities as a member of that body.'

*Minister of the Environment***Amendment 36** [Negatived on division]**New Clause**

After clause 68 insert -

PART 9A**GENERAL DUTY TO PROMOTE SHARED USE OF THE PUBLIC REALM****General duty to promote shared use of the public realm**

68A. A council must in exercising its functions promote shared use of the public realm between persons of different religious belief, political opinion or racial group so far as is consistent with the proper exercise of those functions.'

*Ms Anna Lo**Mr Stewart Dickson***Amendment 37** [Negatived on division]**Clause 69**, Page 40, Line 25

At end insert -

'(iv) equality and good relations between the categories of persons listed in section 75 of the Northern Ireland Act 1998.'

*Ms Anna Lo**Mr Stewart Dickson*

Amendment 38 [Made without division]**Clause 69**, Page 40, Line 29

After 'partners' insert -

'(including actions and functions related to the planning, provision and improvement of public services)'

*Ms Anna Lo**Mr Stewart Dickson***Amendment 39** [Made without division]**Clause 69**, Page 40, Line 30

At end insert -

'(2A) In subsection (2)(a)—

(a) the reference to improving the social well-being of the district includes promoting equality of opportunity in accordance with section 75 of the Northern Ireland Act 1998; and

(b) the reference to improving the economic well-being of the district includes tackling poverty, social exclusion and patterns of deprivation;

and expressions used in this subsection and in section 28E of that Act (Executive Committee's strategy relating to poverty, social exclusion etc.) have the same meaning as in that section.'

*Minister of the Environment***Amendment 40** [Negated without division]**Clause 70**, Page 41, Line 3

At end insert -

'(1A) The bodies or persons specified under subsection (1) must include representation from the community and voluntary sector and businesses.'

*Ms Anna Lo**Mr Stewart Dickson***Amendment 41** [Made without division]**Clause 74**, Page 43, Line 22

Leave out 'towards' and insert 'and outcomes achieved in'

*Ms Anna Lo**Mr Stewart Dickson***Amendment 42** [Made on division]**Clause 76**, Page 44, Line 3

Leave out from 'ensure' to 'taken' and insert -

'(a) seek the participation of and encourage the persons mentioned in subsection (2) to express their views and (b) take those views'

*Ms Anna Lo**Mr Stewart Dickson***Amendment 43** [Not called]**Clause 76**, Page 44, Line 3

At end insert 'reasonable'

*Minister of the Environment***Amendment 44** [Made without division]**Clause 78**, Page 45, Line 7

Leave out 'aim to'

*Minister of the Environment***Amendment 45** [Made without division]**Clause 85**, Page 48, Line 33

Leave out from 'then' to 'overlap,' and insert -

'it shall seek to remove or reduce that overlap, taking into account the views of the bodies exercising the overlapping powers.'

(2A) For the purposes of subsection (2)'

*Mr Tom Elliott**Mr Danny Kinahan***Amendment 46** [Made without division]**Clause 85**, Page 48, Line 41

At end insert -

'(5) Before the Department makes an order under this section it must consult—

(a) such associations or bodies representative of councils;

(b) such associations or bodies representative of officers of councils; and

(c) such other persons or bodies,

as appear to the Department to be appropriate.

(6) If, following consultation under subsection (5), the Department proposes to make an order under this section it must lay before the Assembly a document explaining the proposals and, in particular—

(a) setting them out in the form of a draft order; and

(b) giving details of consultation under subsection (5).

(7) Where a document relating to proposals is laid before the Assembly under subsection (6), no draft of an order under this section to give effect to the proposals (with or without modification) is to be laid before the Assembly until after the expiry of the statutory period beginning with the day on which the document was laid.

(8) In preparing a draft order under this section the Department must consider any representations made during the period mentioned in

subsection (7).

(9) A draft order laid before the Assembly in accordance with section 125(3) must be accompanied by a statement of the Department giving details of—

- (a) any representations considered in accordance with subsection (8); and
- (b) any changes made to the proposals contained in the document laid before the Assembly under subsection (6).'

Minister of the Environment

Amendment 47 [Made without division]

Clause 95, Page 53, Line 34

Leave out '31st October' and insert '30th September'

Minister of the Environment

Amendment 48 [Made without division]

Clause 96, Page 54, Line 13

Leave out '(1) to (5)'

Minister of the Environment

Amendment 49 [Made without division]

Clause 96, Page 54, Line 15

Leave out 'under section 95(6)' and insert 'by the Department about the council's duties under that section'

Minister of the Environment

Amendment 50 [Made without division]

Clause 98, Page 54, Line 25

After 'Each financial year, the' insert 'Department, after consultation with the local government auditor, must determine which councils are to be councils in respect of which subsection (1A) applies in that financial year.

(1A) Each financial year, the'

Minister of the Environment

Amendment 51 [Made without division]

Clause 98, Page 54, Line 26

After 'each council' insert 'to which this subsection applies in that financial year'

Minister of the Environment

Amendment 52 [Made without division]

Clause 98, Page 54, Line 31

Leave out '(1) to (5)'

Minister of the Environment

Amendment 53 [Made without division]

Clause 98, Page 54, Line 33

Leave out 'under section 95(6)' and insert 'by the Department about the council's duties under that section'

Minister of the Environment

Amendment 54 [Made without division]

Clause 98, Page 55, Line 1

Leave out 'under section 95(6)' and insert 'by the Department about the council's duties under section 95'

Minister of the Environment

Amendment 55 [Made without division]

Clause 98, Page 55, Line 20

At end insert -

'(5) In subsection (4) "specified" means specified in a direction under that subsection.'

Minister of the Environment

Amendment 56 [Made without division]

Clause 100, Page 56, Line 4

At end insert ', unless no such reports have been issued in respect of that council during that financial year'

Minister of the Environment

Amendment 57 [Made without division]

Clause 106, Page 60, Line 6

Leave out 'appointed by the Department'

Minister of the Environment

Amendment 58 [Made without division]

Clause 106, Page 60, Line 7

At end insert -

'(c) a maximum of 5 representatives of such representative body or association of the district councils as appear to the Department to be appropriate,'

Mr Peter Weir

Ms Anna Lo

Mr Cathal Boylan

Amendment 59 [Made without division]

Clause 106, Page 60, Line 8

Leave out '(4)' and insert '(3A)'

Minister of the Environment

Amendment 60 [Made without division]**Clause 106**, Page 60, Line 8

At end insert -

‘(3A) Each council may nominate a councillor to serve as a member of the Panel.’

*Minister of the Environment***Amendment 61** [Made without division]**Clause 106**, Page 60, Line 9

Leave out subsection (4)

*Minister of the Environment***Amendment 62** [Made without division]**New Clause**

After clause 109 insert -

‘International obligations**109A.**—(1) If any Northern Ireland department considers that any action proposed to be taken by a council would be incompatible with any international obligations, that department may direct that the proposed action must not be taken.

(2) If any Northern Ireland department considers that any action capable of being taken by a council is required for the purpose of giving effect to any international obligations, that department may direct that the action shall be taken.

(3) A direction under this section must give the reasons for making the direction and may make provision having retrospective effect.

(4) In this section “international obligations” has the same meaning as in the Northern Ireland Act 1998.’

*Minister of the Environment***Amendment 63** [Negatived on division]**New Clause**

After clause 109 insert -

‘PART 14A**FLYING OF FLAGS AT COUNCIL OFFICES****Flying of flags at council offices other than a bespoke council flag****109A.**—(1) The Union flag and any other flag shall be flown at the main office of any council on the days on which and at the times at which they are required to be flown according to the UK Government department responsible for designating the days for the flying of flags on UK Government buildings in Northern Ireland.

(2) Except as provided in this Part, no flag shall be flown at any council offices at any time.’

*Ms Anna Lo**Mr Stewart Dickson***Amendment 64** [Negatived on division]**New Clause**

After clause 109 insert -

‘PART 14A**FLYING OF FLAGS AT COUNCIL OFFICES****1. Flying of flags at council offices****109A.**—(1) The Union flag shall be flown at the offices of any council as a minimum on the days on which and at the times at which they are required to be flown at United Kingdom government buildings in Northern Ireland.

(2) Except as provided in this Part, no national flag of any other country shall be flown at any council offices at any time.’

*Mr Tom Elliott**Mr Danny Kinahan***Amendment 65** [Negatived on division]**New Clause**

After clause 109 insert -

‘The flying of bespoke flags for the district council at council offices**109B.**—(1) A council may commission and adopt a flag for use which represents the council district.

(2) The adoption of a flag for the council district must be adopted by resolution of the council passed by qualified majority.

(3) This flag may be flown from the council offices on any day that the council decides.

(4) Nothing in this section should be taken to prevent the flying of flags as specified elsewhere in this Act.’

*Ms Anna Lo**Mr Stewart Dickson***Amendment 66** [Negatived on division]**New Clause**

After clause 109 insert -

‘Flying of the Union flag at Belfast City Council offices**109C.** The Union flag shall be flown at Belfast City Council offices every day.’*Mr Tom Elliott**Mr Danny Kinahan***Amendment 67** [Made without division]**Clause 111**, Page 62, Line 25

Leave out ‘Article’ and insert ‘Articles 18(1) and’

Minister of the Environment

Amendment 68 [Negatived on division]**Clause 114**, Page 63, Line 34

After ‘(2A)’ insert ‘for a rates convergence period lasting a minimum of three years’

*Mr Tom Elliott
Mr Danny Kinahan***Amendment 69** [Made without division]**New Clause**

After clause 115 insert -

*‘Transferred functions grant***Transferred functions grant****115A.**—(1) In the Local Government Finance Act (Northern Ireland) 2011, after section 27 (rates support grant) there shall be inserted the following section—**“Transferred functions grant****27A.**—(1) The Department shall for any prescribed financial year make a grant under this section to councils.

(2) In this section “transferred functions grant” means the grant payable under this section for any financial year.

(3) The transferred functions grant is payable only to a council which is a new council within the meaning of Part 2 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010.

(4) The amount of the transferred functions grant payable to a council for any financial year is the amount equal to the difference between—

(2) (a) the amount of the product of the district rate for that year (within the meaning of the Rates (Northern Ireland) Order 1977) so far as it relates to the rateable net annual values of the hereditaments in the district of that council; and

(3) (b) the amount which would have been the amount of that product if the total of the rateable net annual values of the hereditaments in the district of that council had been increased by a prescribed amount.

(5) Subsection (4) is subject to section 28 (reductions in grants) and to section 67(3B) of the Local Government Act (Northern Ireland) 2014.

(6) Payments in respect of transferred functions grant shall be made to a council at such times as the Department may determine.”.

(2) In section 28 of that Act (reductions in grants), in subsections (2)(a) and (6)(b) and in the heading for “or 27” there shall be substituted “, 27 or 27A”.

*Minister of the Environment***Amendment 70** [Made without division]**New Clause**

After clause 117 insert -

*‘Payments for special purposes etc.***Payments for special purposes and public appeals****117A.** In the Local Government Finance Act (Northern Ireland) 2011 the following provisions cease to have effect—

(a) section 37 (payments for special purposes);

(b) section 38 (restrictions on power to make payments under section 37); and

(c) section 40 (limit on expenditure on payments under section 37 and on public appeals).’

*Minister of the Environment***Amendment 71** [Made without division]**New Clause**

After clause 119 insert -

*‘Power to dissolve Local Government Staff Commission***Power to dissolve the Local Government Staff Commission for Northern Ireland****119A.** In section 40 of the Local Government Act (Northern Ireland) 1972 (Staff Commission), after subsection (8) there shall be added the following subsection—

“(9) The Department may by order make provision for, and in connection with, the dissolution of the Staff Commission and such an order may—

(4) (a) provide for the transfer of the functions, assets and liabilities of the Staff Commission to any other body or person; and

(5) (b) contain such incidental, consequential, transitional or supplementary provisions (including the modification or repeal of any statutory provision (including a provision of this Act)) as appear to the Department to be necessary or expedient.

(10) An order must not be made under subsection (9) unless a draft of the order has been laid before, and approved by resolution of, the Assembly.”.

*Minister of the Environment***Amendment 72** [Made without division]**Clause 121**, Page 66, Line 14

Leave out subsections (1) to (3) and insert -

‘121.—(1) The power conferred by subsection (4) is exercisable where it appears to any Northern Ireland department necessary or expedient as mentioned in section 123(1) or (2).’*Minister of the Environment***Amendment 73** [Made without division]**Clause 121**, Page 66, Line 27

Leave out ‘paragraph (c) of section 123(1)’ and insert ‘section 123(2)’

Minister of the Environment

Amendment 74 [Made without division]**Clause 121**, Page 66, Line 30

At end insert -

‘(6A) The Department of Culture, Arts and Leisure may make one or more schemes for the transfer of designated assets or liabilities of the Board of Trustees of the National Museums and Galleries of Northern Ireland relating to Armagh County Museum to the council for the district of Armagh, Banbridge and Craigavon.’

*Minister of the Environment***Amendment 75** [Made without division]**Clause 121**, Page 66, Line 40

Leave out from ‘means’ to ‘that’ in line 42

*Minister of the Environment***Amendment 76** [Made without division]**Clause 121**, Page 67, Line 1

Leave out ‘it’

*Minister of the Environment***Amendment 77** [Made without division]**Clause 121**, Page 67, Line 3

Leave out ‘it’

*Minister of the Environment***Amendment 78** [Made without division]**Clause 122**, Page 67, Line 11

Leave out from ‘means’ to ‘includes’ in line 15 and insert ‘includes the Local Government Staff Commission and’

*Minister of the Environment***Amendment 79** [Made without division]**Clause 122**, Page 67, Line 18

(a) Leave out from ‘Act’ to the end of line 22 and insert -

‘or any other Act mentioned in subsection (1) of section 123;

(b) any transfer of functions or any statutory provision falling within paragraph (a) or (b) of subsection (2) of that section.’

*Minister of the Environment***Amendment 80** [Made without division]**Clause 122**, Page 67, Line 28

At end insert -

‘(4A) Subsection (4) does not preclude the payment of compensation if it forms part of a severance arrangement which has been sanctioned by the Department. The Department must satisfy itself that the arrangement is reasonable.’

*Mr Peter Weir**Ms Pam Cameron**Mr Ian McCrea**Lord Morrow of Clogher Valley***Amendment 81** [Made without division]**Clause 123**, Page 68, Line 12

(b) Leave out from ‘order’ to ‘order’ in line 38 and insert -

(c) ‘regulations make such incidental, consequential, transitional or supplemental provision as appears to the Department to be necessary or expedient for the purposes of, or otherwise in connection with—

(a) this Act;

(b) the Local Government (Boundaries) Act (Northern Ireland) 2008; or

(c) the Planning Act (Northern Ireland) 2011.

(2) Any Northern Ireland department may by regulations make such incidental, consequential, transitional or supplemental provision as appears to that department to be necessary or expedient for the purposes of, or otherwise in connection with—

(a) any transfer of functions to a local government body, whether they are functions of that department or not, coming into operation on or before 1st April 2015; or

(b) any statutory provision coming into operation on or before 1st April 2015 which confers functions on a local government body, whether this is expressed as transfer of functions or not.

(3) In this section “local government body” includes the Northern Ireland Housing Executive.

(4) Nothing in this section is to be taken as limiting the generality of any other statutory provision (including a provision of this Act) and nothing in any other statutory provision (including a provision of this Act) is to be taken as limiting the generality of this section.

(5) Regulations under this section which amend any statutory provision must not be made unless a draft of the regulations’

Minister of the Environment

Amendment 82 [Negated on division]**New Clause**

After clause 123 insert -

‘Appointment of chair and vice-chair of district policing and community safety partnerships

123A.—(1) Schedule 2 of the Justice Act (Northern Ireland) 2011 (c.24) is amended as follows.

(2) After paragraph 10(2)(b) insert—

- (6) “(c) In this sub-paragraph, “in turn” means in order of size, with size being determined by the number of seats won by each political party in the previous local government election, with the largest first, second largest second and so on. Where the number of seats won by two or more political parties is equal, the number of first preference votes cast in the council district for the parties at the last local government election shall be used to determine the order in which each of those parties shall hold the relevant position.”.’

*Ms Anna Lo
Mr Stewart Dickson*

Amendment 83 [Made on division]**New Clause**

After clause 123 insert -

‘Council websites

Council websites

123A. The Department must by regulations specify a standard format for the domain names of council websites.’

*Mr Tom Elliott
Mr Danny Kinahan*

Amendment 84 [Made without division]

Clause 124, Page 69, Line 12

At end insert -

“‘external representative”, in relation to a council, has the meaning given by section 10(4);’

Minister of the Environment

Amendment 85 [Made without division]

Clause 124, Page 69, Line 17

(d) At end insert -

“‘local government body” means a local government body within the meaning of Part 2 of the Local Government (Northern Ireland) Order 2005;’

Minister of the Environment

Amendment 86 [Made without division]

Clause 124, Page 69, Line 27

Leave out ‘section 103’ and insert ‘sections 103 and 123’

Minister of the Environment

Amendment 87 [Made without division]

Clause 125, Page 70, Line 5

Leave out ‘making’ and insert ‘a Northern Ireland department makes’

Minister of the Environment

Amendment 88 [Made without division]

Clause 125, Page 70, Line 6

Leave out ‘the Department’ and insert ‘it’

Minister of the Environment

Amendment 89 [Made without division]

Clause 125, Page 70, Line 10

Leave out ‘the Department’ and insert ‘it’

Minister of the Environment

Amendment 90 [Made without division]

Clause 125, Page 70, Line 12

Leave out ‘made by the Department’ and insert ‘under this Act’

Minister of the Environment

Amendment 91 [Made without division]

Clause 125, Page 70, Line 27

At end insert -

‘() section 51;

() section 54;’

Minister of the Environment

Amendment 92 [Made without division]

Clause 125, Page 70

Leave out line 33

Minister of the Environment

Amendment 93 [Made without division]**Clause 125**, Page 70, Line 34

At end insert -

‘(m) paragraph 4A of Schedule 4’

*Chair, Committee for the Environment***Amendment 94** [Made without division]**Clause 125**, Page 70, Line 40

Leave out ‘Department’ and insert ‘Northern Ireland department making them’

*Minister of the Environment***Schedule 1** [Question that Schedule 1 stand part negated without division]*The Minister of the Environment gives notice of his intention to oppose the question that Schedule 1 stand part of the Bill.**Minister of the Environment***Schedule 2** [Question that Schedule 2 stand part negated without division]*The Minister of the Environment gives notice of his intention to oppose the question that Schedule 2 stand part of the Bill.**Minister of the Environment***Amendment 95** [Negated on division]**Schedule 3**, Page 74, Line 6

Leave out ‘unless’ and insert ‘only if’

*Ms Anna Lo**Mr Stewart Dickson***Amendment 96** [Not called]**Schedule 3**, Page 74, Line 8

Leave out ‘applies’ and insert ‘does not apply’

*Ms Anna Lo**Mr Stewart Dickson***Amendment 97** [Made on division]**Schedule 3**, Page 75, Line 33

At end insert -

‘(3) This paragraph does not apply in relation to a position of responsibility specified at section 10(1)(e) (member of a cabinet-style executive of the council) or section 10(1)(f) (external representative of the council).’

*Mr Peter Weir**Ms Pam Cameron**Mr Ian McCrea**Lord Morrow of Clogher Valley***Amendment 98** [Not called]**Schedule 3**, Page 76, Line 18

Leave out ‘only if’ and insert ‘unless’

*Ms Anna Lo**Mr Stewart Dickson***Amendment 99** [Not called]**Schedule 3**, Page 76, Line 18

Leave out ‘so decides’ and insert ‘decides otherwise’

*Ms Anna Lo**Mr Stewart Dickson***Amendment 100** [Made without division]**Schedule 3**, Page 79, Line 12

At end insert -

‘(6A) In this Schedule “term”, in relation to a member of a cabinet-style executive of the council, means the period beginning with the date of the meeting at which the nomination is made and ending when the members of the council retire by virtue of section 11(2)(c) of the 1962 Act.’

*Mr Peter Weir**Ms Pam Cameron**Mr Ian McCrea**Lord Morrow of Clogher Valley***Amendment 101** [Made without division]**Schedule 4**, Page 80, Line 28

At end insert -

‘4A. Regulations shall provide for the application of paragraphs 2 to 4 in circumstances where a council decides to appoint more than one Committee.’

*Chair, Committee for the Environment***Amendment 102** [Made without division]**Schedule 9**, Page 89

Leave out line 20

Minister of the Environment

Amendment 103 [Made without division]**Schedule 10**, Page 91, Line 19

Leave out 'Northern Ireland department concerned' and insert 'transferee'

*Minister of the Environment***Amendment 104** [Made without division]**Schedule 11**, Page 92, Line 25

At end insert -

'Local Government Act (Northern Ireland) 1972 (c.9)

[A1]. In section 9 (vacation of office on account of non-attendance)—

(a) in subsection (1), for "and (3)" substitute "to (4)";

(b) after subsection (3) add—

“(4) Any period during which a councillor is suspended or partially suspended under Part 9 of the Local Government Act (Northern Ireland) 2014 is to be disregarded for the purpose of calculating the period of six months under subsection (1) (and accordingly—

(7) (a) a period during which a councillor fails to attend meetings of the council that falls immediately before, and

(8) (b) a period during which a councillor fails to attend meetings of the council that falls immediately after,

a period of suspension or partial suspension are to be treated as consecutive).”.

[A2]. In section 42 (councillors not to be appointed officers)—

(a) after “paid office” insert “office which is prescribed under section 4(1)(a)”;

(b) omit subsection (2).

[A3]. In section 143 (orders and regulations), for “115(2A)” substitute “4(1)(a) or 115(2A)”.

[A4]. In Part 1 of Schedule 1 (declaration of councillor on acceptance of office), for “be guided by the Northern Ireland code of local government conduct” substitute “observe the Northern Ireland Local Government Code of Conduct for Councillors (as revised from time to time)”.

*Minister of the Environment***Amendment 105** [Made without division]**Schedule 11**, Page 92

Leave out lines 26 to 34

*Minister of the Environment***Amendment 106** [Made without division]**Schedule 11**, Page 93, Line 8

At end insert -

'Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c.7)

3A. In section 17 (power to modify legislation), in subsection (2) in the definition of “local government legislation”, after paragraph (cc) insert—

(9) “(cd) the Local Government Act (Northern Ireland) 2014;”.

*Minister of the Environment***Amendment 107** [Made without division]**Schedule 12**, Page 93, Line 16

In the second column leave out ‘Sections 3’ and insert -

‘In section 4(1)(b)(i) and (ii), the words “or interim order”.

Section 7A.

Sections 11’

*Minister of the Environment***Amendment 108** [Made without division]**Schedule 12**, Page 93, Line 18

In the second column at end insert -

‘Section 42(2).’

*Minister of the Environment***Amendment 109** [Made without division]**Schedule 12**, Page 93, Line 19

In the second column at end insert -

‘In section 104(1), the words “any other council or”, and in both places where they occur the words “the other council or, as the case may be,”.’

*Minister of the Environment***Amendment 110** [Made without division]**Schedule 12**, Page 93, Line 26

In the second column leave out ‘Articles 29’ and insert ‘Article 29(1).

Articles 31’

*Minister of the Environment***Amendment 111** [Made without division]**Schedule 12**, Page 93

Leave out lines 30 to 33

Minister of the Environment

Amendment 112 [Made without division]

Schedule 12, Page 93, Line 33

At end insert -

‘The Local Government (Best Value) The whole Act.’
Act (Northern Ireland) 2002 (c.4)

Minister of the Environment

Amendment 113 [Made without division]

Schedule 12, Page 93, Line 33

At end insert -

‘The Local Government (Northern Ireland)

Order 2005 (N.I. 18)

In Article 5(1), (2), (4), (5), (6) and (8), the word “chief”,

In Article 25(1), the word “chief”.

In Article 26, in paragraph (2) the words “Department or the chief” in the second place where they occur and in paragraph (3) the word “concerned”.

Article 28(2) and (3).’

Minister of the Environment

Amendment 114 [Made without division]

Schedule 12, Page 94, Line 9

At end insert -

‘In section 13(3), the words “of a statutory transition committee”.

Minister of the Environment

Amendment 115 [Made without division]

Schedule 12, Page 94, Line 13

In the second column at the beginning insert -

‘Sections 37 and 38.

In section 39, the words “Subject to section 40,”.

Section 40.’

Minister of the Environment

Northern Ireland Assembly

Papers Presented to the Assembly on 12 - 19 March 2014

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

Legislative Consent Memorandum Consumer Rights Bill (DETI)

National Museums Northern Ireland Annual Report and Accounts 2012-2013 (DCAL)

5. Assembly Reports

6. Statutory Rules

S. R. 2014/74 The Control of Major Accident Hazards (Amendment) Regulations (Northern Ireland) 2014 (DETI)

S. R. 2014/75 The Guaranteed Minimum Pensions Increase Order (Northern Ireland) 2014 (DSD)

S. R. 2014/78 The Social Security Benefits Up-rating Order (Northern Ireland) 2014 (DSD)

S. R. 2014/79 The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations (Northern Ireland) 2014 (DSD)

S. R. 2014/80 The Social Security Benefits Up-rating Regulations (Northern Ireland) 2014 (DSD)

S. R. 2014/81 The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order (Northern Ireland) 2014 (DSD)

S. R. 2014/87 The Education (Student Loan) (Repayment) (Amendment) Regulations (Northern Ireland) 2014 (DEL)

S. R. 2014/89 The Occupational and Personal Pension Schemes (Automatic Enrolment) (Amendment) Regulations (Northern Ireland) 2014 (DSD)

For Information Only:

S. R. 2014/72 The Parking Places, Loading Bay and Waiting Restrictions (Newcastle) Order (Northern Ireland) 2014 (DRD)

S. R. 2014/83 The Parking Places on Roads (Londonderry) (Amendment) Order (Northern Ireland) 2014 (DRD)

S. R. 2014/85 The Roads (Speed Limit) Order (Northern Ireland) 2014 (DRD)

7. Written Ministerial Statements

Local Government Reform Programme: Councillors' Remuneration and final scheme of allowances (DOE)

Emergency Departments (DHSSPS)

8. Consultation Documents

Consultation Document on the Development of a Sexual Orientation Strategy and Action Plan (OFMDFM)

Fine Collection and Enforcement in Northern Ireland: A Department of Justice Consultation (DOJ)

9. Departmental Publications

Final Outturn Report 2012-13 (DFP)

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 19 March 2014

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	09.10.13	3.12.13	10.02.14	18.02.14	
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14		

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	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14			
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14

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 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14					
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 24 March 2014

The Assembly met at noon, the Principal Deputy Speaker (Mr McLaughlin) in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

2.1 Royal Assent

The Principal Deputy Speaker informed Members that Royal Assent had been signified on 19 March 2014 to the Budget Act (Northern Ireland) 2014.

3. Executive Committee Business

3.1 Statement – North South Ministerial Council in Special EU Programmes Sectoral format

The Minister of Finance and Personnel, Mr Simon Hamilton, made a statement regarding the North South Ministerial Council Meeting in Special EU Programmes Sectoral format, following which he replied to questions.

The Deputy Speaker (Mr Dallat) took the Chair.

4. Private Members' Business

4.1 Motion – Fostering Services

Proposed:

That this Assembly welcomes the recent Regulation and Quality Improvement Authority report on statutory fostering services and its recommendations; notes with concern the lack of a retention and support strategy for foster carers and the identified need for more investment to transform foster care to a modern, highly skilled, child-centred service; further notes the continued need to fully value the role of carers in looking after the most vulnerable children; and calls on the Minister of Health, Social Services and Public Safety to outline his plans and programme of investment to meet the needs of fostering services.

Miss M McIlveen

Mr J Wells

Debate ensued.

The Question being put, the Motion was **carried** without division.

The sitting was suspended at 1.53pm for Question Time.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) 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 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness. The junior Minister, Ms Jennifer McCann, also answered a number of questions.

6. Private Members' Business (Cont'd)

6.1 Motion – Housing Crisis

Proposed:

That this Assembly notes with concern that, in March 2013, there were 41,356 applicants registered on the social housing waiting list, with 22,414 deemed to be in housing stress and 9,878 accepted as statutorily homeless; further notes the Programme for Government 11-15 commitment to deliver 8,000 social and affordable homes will not match the current level of need; and calls on the Minister for Social Development to begin to tackle the housing crisis by committing to deliver an additional 4,000 social and affordable homes by the end of the current Programme for Government 11-15 period.

Mrs D Kelly

Mr A Maginness

6.2 Amendment 1

Proposed:

Leave out all after 'homeless' and insert:

'and that some social housing falls below an expected quality and that this exacerbates the housing crisis; further notes the Programme for Government 11-15 commitment to deliver 8,000 social and affordable homes will not match the current level of need; believes that the segregation of housing contributes to an inflexible supply of housing and therefore to the housing crisis; calls on the Minister for Social Development to begin to tackle the housing crisis by committing to deliver an additional 4,000 social and affordable homes by the end of the current Programme for Government period; and further calls for the introduction of legislation to facilitate shared housing and the role it can play in tackling the housing crisis.'

Mr S Dickson

Mr C Lyttle

6.3 Amendment 2

Proposed:

Leave out all after the first 'homes' and insert:

'which was deemed by the Northern Ireland Housing Executive to meet identified need; and calls on the Minister for Social Development to continue working with the Housing Association movement to increase its capacity to provide an additional 1000 social and affordable homes over the Programme for Government period whilst also providing additional services to tenants.'

Ms P Bradley

Mr G Campbell

Mr T Clarke

Mr S Wilson

Debate ensued.

The Speaker took the Chair.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

The Question being put, Amendment No. 1 was **made** (Division 1).

As Amendment No. 1 was made, the Question on Amendment No. 2 was not put.

The Question being put, the Motion, as amended, was **carried** without division.

7. Executive Committee Business

7.1 **Motion – The draft Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) Order (Northern Ireland) 2014**

Proposed:

That the draft Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) Order (Northern Ireland) 2014 be approved.

Minister of Justice

Debate ensued.

The Question being put, the Motion was **carried** without division.

8. Adjournment

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 5.35pm.

Mr William Hay

The Speaker

24 March 2014

Northern Ireland Assembly

24 March 2014

Division

Motion – Housing Crisis – Amendment 1

Proposed:

Leave out all after 'homeless' and insert:

'and that some social housing falls below an expected quality and that this exacerbates the housing crisis; further notes the Programme for Government 11-15 commitment to deliver 8,000 social and affordable homes will not match the current level of need; believes that the segregation of housing contributes to an inflexible supply of housing and therefore to the housing crisis; calls on the Minister for Social Development to begin to tackle the housing crisis by committing to deliver an additional 4,000 social and affordable homes by the end of the current Programme for Government period; and further calls for the introduction of legislation to facilitate shared housing and the role it can play in tackling the housing crisis.'

Mr S Dickson

Mr C Lyttle

The Question was put and the Assembly divided.

Ayes: 54

Noes: 34

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dallat, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Flanagan, Mr Ford, Mr Gardiner, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, 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, Mr P Ramsey, Mr Rogers, Mr Sheehan, Mr Swann.

Tellers for the Ayes: Mr McCarthy and Mr Rogers.

NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, 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.

The Amendment was **made**.

Northern Ireland Assembly

Papers Presented to the Assembly on 20 – 24 March 2014

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

DFP Minute on the Direction of Accruing Resources for the year ending 31 March 2014 (DFP)

Northern Ireland Audit Office Belfast Metropolitan College's Titanic Quarter PPP Project (NIAO)

Human Rights Guidance for the Northern Ireland Prison Service Conditions of Imprisonment by the Attorney General for Northern Ireland (Attorney General for Northern Ireland)

Human Rights Guidance for the Public Prosecution Service by the Attorney General for Northern Ireland (Attorney General for Northern Ireland)

5. Assembly Reports

6. Statutory Rules

S. R. 2014/82 The Annesborough Road, Lurgan (Abandonment) Order (Northern Ireland) 2014 (DRD)

S. R. 2014/86 The Agriculture (Student fees) (Amendment) Regulations (Northern Ireland) 2014 (DARD)

S. R. 2014/92 The Single Common Market Organisation (Consequential Amendments) Regulations (Northern Ireland) 2014 (DARD)

S. R. 2014/93 The Occupational Pensions Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2014 (DSD)

S. R. 2014/96 The Sea Fishing (Financial Assistance to Fishing Boats) Scheme Regulations (Northern Ireland) 2014 (DARD)

For Information Only:

S. R. 2014/76 (C.3) The Pensions (2008 No.2) (Commencement No.11) Order (Northern Ireland) 2014 (DSD)

S. R. 2014/84 The One-Way Traffic (Portrush) (Amendment) Order (Northern Ireland) 2014 (DRD)

7. Written Ministerial Statements

Deagentisation of Rivers Agency - DARD

8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 25 March 2014

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 Further Consideration Stage - Licensing of Pavement Cafés Bill (NIA 24/11-15)

The Minister for Social Development, Mr Nelson McCausland, moved the Further Consideration Stage of the Licensing of Pavement Cafés Bill (NIA 24/11-15).

No amendments were tabled to the Bill.

The Licensing of Pavement Cafés Bill (NIA 24/11-15) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

3. Private Members' Business

3.1 Motion – Sporting Facilities for People with Disabilities and Special Needs

Proposed:

That this Assembly notes the lack of sporting facilities for people with special needs and disabilities; and calls on the Minister of Culture, Arts and Leisure, the Minister of the Environment and local authorities to work with Disability Sport NI and Sport NI to carry out comprehensive research to evaluate the existence and suitability of sporting facilities in all the new local council areas.

Mr O McMullan

Mr C Ó hOisín

Ms R McCorley

Debate ensued.

The Question being put, the Motion was **carried** without division.

3.2 Motion – Freedom of Religious Belief

Proposed:

That this Assembly expresses concern at the persecution of Christians in many countries around the world and, in particular, the threat of execution of 33 Christians in North Korea for their beliefs; and calls on HM Government to exhaust all diplomatic options and influence to secure greater freedom of religious belief and worship throughout the world.

Mrs A Foster

Mr J Wells

Mr M Storey

Mr R Newton

Debate ensued.

The sitting was suspended at 12.28pm.

The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.

4. Question Time

4.1 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

4.2 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

The Deputy Speaker (Mr Dallat) took the Chair.

5. Private Members' Business (cont'd)

5.1 Motion – Freedom of Religious Belief

Debate resumed on the Motion.

The Question being put, the Motion was **carried** without division.

6. Adjournment

Mr Trevor Clarke spoke to his topic regarding Creavery Primary School.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 4.24pm.

Mr William Hay

The Speaker

25 March 2014

Northern Ireland Assembly

Papers Presented to the Assembly on 25 March 2014

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. 2014/91 The Trewmount Close, Killyman, Dungannon (Abandonment) Order (Northern Ireland) 2014 (DRD)

For Information Only:

S. R. 2014/88 The Employment Relations (Northern Ireland) Order 1999 (Blacklists) Regulations (Northern Ireland) 2014 (DEL)

S. R. 2014/90 The Parking and Waiting Restrictions (Strabane) (Amendment) Order (Northern Ireland) 2014 (DRD)

S. R. 2014/94 The Road Races (Croft Hill Climb) Order (Northern Ireland) 2014 (DRD)

7. Written Ministerial Statements

A31 Magherafelt Bypass – Announcement of Making of Vesting Order and Commencement of Procurement (DRD)

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 26 March 2014

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	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14		

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	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14			
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14					
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14

**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 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14					
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

