



Northern Ireland  
Assembly

# OFFICIAL REPORT (Hansard) and JOURNAL OF PROCEEDINGS

Volume 101

(19 January 2015 to 12 February 2015)



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# Assembly Members

Agnew, Steven (North Down)	McAleer, Declan (West Tyrone)
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Anderson, Sydney (Upper Bann)	McCann, Fra (West Belfast)
Attwood, Alex (West Belfast)	McCann, Ms Jennifer (West Belfast)
Beggs, Roy (East Antrim)	McCarthy, Kieran (Strangford)
Bell, Jonathan (Strangford)	McCartney, Raymond (Foyle)
Boylan, Cathal (Newry and Armagh)	McCausland, Nelson (North Belfast)
Boyle, Ms Michaela (West Tyrone)	McCorley, Ms Rosaleen (West Belfast)
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Bradley, Ms Paula (North Belfast)	McCrea, Ian (Mid Ulster)
Brady, Mickey (Newry and Armagh)	McDonnell, Dr Alasdair (South Belfast)
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Byrne, Joe (West Tyrone)	McGahan, Ms Bronwyn (Fermanagh and South Tyrone)
Cameron, Mrs Pam (South Antrim)	McGimpsey, Michael (South Belfast)
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Durkan, Mark H (Foyle)	Maginness, Alban (North Belfast)
Easton, Alex (North Down)	Maskey, Alex (West Belfast)
Eastwood, Colum (Foyle)	Milne, Ian (Mid Ulster)
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Gardiner, Samuel (Upper Bann)	Ó Muilleoir, Máirtín (South Belfast)
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Givan, Paul (Lagan Valley)	Overend, Mrs Sandra (Mid Ulster)
Hale, Mrs Brenda (Lagan Valley)	Poots, Edwin (Lagan Valley)
Hamilton, Simon (Strangford)	Ramsey, Pat (Foyle)
Hazzard, Christopher (South Down)	Robinson, George (East Londonderry)
Hilditch, David (East Antrim)	Robinson, Peter (East Belfast)
Humphrey, William (North Belfast)	Rogers, Sean (South Down)
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Irwin, William (Newry and Armagh)	Ruane, Ms Caitríona (South Down)
Kelly, Mrs Dolores (Upper Bann)	Sheehan, Pat (West Belfast)
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Kinahan, Danny (South Antrim)	Sugden, Ms Claire (East Londonderry)
Lo, Ms Anna (South Belfast)	Swann, Robin (North Antrim)
Lunn, Trevor (Lagan Valley)	Weir, Peter (North Down)
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Minister for Regional Development .....	Mr Danny Kennedy
Minister for Social Development.....	Mr Mervyn Storey
Minister of Agriculture and Rural Development .....	Mrs Michelle O'Neill
Minister of Culture, Arts and Leisure .....	Ms Carál Ní Chuilín
Minister of Education .....	Mr John O'Dowd
Minister of Enterprise, Trade and Investment.....	Mrs Arlene Foster
Minister of the Environment.....	Mr Mark Durkan
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Minister of Health, Social Services and Public Safety .....	Mr Jim Wells
Minister of Justice.....	Mr David Ford

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Office of the First Minister and deputy First Minister .....	Mr Jonathan Bell
	Ms Jennifer McCann

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# Official Report (Hansard)



# Assembly Sittings





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# Northern Ireland Assembly

**Monday 19 January 2015**

*The Assembly met at 12.00 noon (Mr Deputy Speaker [Mr Dallat] in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

### **Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Bill: Royal Assent**

**Mr Deputy Speaker (Mr Dallat):** Order. Before we proceed to today's business, I wish to inform the House that the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Bill received Royal Assent on Tuesday 13 January. It will be known as the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

Members may also be aware that the Business Committee met earlier today and agreed to some changes to today's plenary business. A revised Order Paper and indicative timings have been issued. In short, the election to fill the vacant position of Deputy Speaker and the subsequent election of Principal Deputy Speaker are now scheduled for tomorrow, and a motion to suspend Standing Order 21 has also been scheduled for tomorrow to facilitate that business. I hope that is all clear.

### **Public Petition: Dromore Central Primary School**

**Mr Deputy Speaker (Mr Dallat):** Mrs Brenda Hale has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak.

**Mrs Hale:** Thank you, Mr Deputy Speaker. I present this petition on behalf of all at Dromore Central Primary School. I thank the parents, the children and, indeed, the local community of Dromore for helping to support this petition. The sheer numbers of local people who have shown their support during this campaign powerfully indicates that the residents of Dromore and the surrounding areas will not settle for second best when it comes to the education of their children and grandchildren.

Dromore Central Primary School, as well as some of the other schools I will mention, lies on the A1 Belfast to Dublin corridor, which has been host to some of the biggest housing and economic development projects in the last 10 years. That growth is best reflected in the need for local primary-school places. Brontë Primary School was opened in 2000. By 2007, the school had to add an additional two classrooms. Fair Hill Primary School in Kinallen was opened in 1997. In 2006, it was extended by two classrooms, with an additional mobile, and, in 2014, a further two classrooms were added. Donacloney Primary School also had to be extended considerably in 2014. The Minister of Education stated that that extension was consistent with the increasing demand for primary-school places in the area. When we consider the schools in the Southern Education and Library Board region, specifically those within the five-mile radius of Dromore, it becomes apparent that all the schools have reached their full capacity for admission intake.

Indeed, such schools as Ballydown, the Bronte and Dromore have had to turn pupils away over recent years. Unfortunately, that begs me to question the decision-making capabilities of the Southern Board when it comes to making sound economic and financial assessments in relation to projected growth, creating the capacity to meet that growth and giving due consideration to the needs of the local and surrounding communities.

It is clear that there would be no financial risk to the Southern Board, the Department or to any other education board if we planned new schools and developments with a 10% spare capacity, similar to that in England. Extra capacity is not a financial risk if planned correctly.

On 16 May 2014, and again on 27 June, the interim chief executive, Mr Gavin Boyd, expressed his support for

the 28-base class school when he was presented with evidence to show that an additional 341 houses were agreed for the development area. In the case of Dromore Central Primary School, the major financial risk is that the Southern Board and the Department will have to pay over the odds to extend the school at a later stage, as has already been seen from similar case studies in the area. I call on the Minister of Education to reflect on the decisions taken to date, to consider the wider economic reasons for extending at this time and to ask the South Eastern Education and Library Board why no development proposal was ever presented with a firm financial risk assessment. I ask that the Minister give an assurance that the curb on enrolment is not a clear intention to ensure that the school is no longer viable to meet future demand.

*Mrs Hale moved forward and laid the petition on the Table.*

**Mr Deputy Speaker (Mr Dallat):** I will forward the petition to the Minister of Education and also a copy to the Committee. Thank you.

**Mr Dickson:** On a point of order, Mr Deputy Speaker. Over the weekend, a Member of the Assembly, Mr Sammy Wilson, tweeted what I consider to be an offensive remark about the Assembly's Commissioner for Standards and also made a further offensive remark with regard to an international campaign, in that he described the Commissioner for Standards as a "jihadist" and he described himself as forming a campaign for "Je suis Sammy". I wish to report the matter to the Office of the Speaker for investigation and also to inform the Speaker that I have written to the Speaker in another place about this matter.

**Mr Deputy Speaker (Mr Dallat):** The Member knows well that that is not a matter for the Speaker. He is long enough here to know how, if he has a complaint, he should go about making it.

**Lord Morrow:** Further to that point of order. Does a matter that is raised on the Floor of the Assembly but which transpires not to be a point of order go on the record?

**Mr Deputy Speaker (Mr Dallat):** Of course, like every other democracy in the world, Hansard is here and the matter is on the record. Although it is not for me to presume why somebody should do something, I imagine that the Member wanted it on the record.

## Ministerial Statement

### Public Expenditure: 2014-15 January Monitoring and Budget 2015-16

**Mr Hamilton (The Minister of Finance and Personnel):**

Mr Deputy Speaker, I am pleased to be able to present to the House the Executive's agreed Budget for 2015-16 and the result of the 2014-15 January monitoring round.

On 23 December 2014, the Stormont House Agreement was published, paving a new way forward for the Executive and a fresh start for politics in Northern Ireland. Its success or failure will depend on the faithful implementation of what was agreed by the parties across a range of issues.

Last Thursday, the Executive passed their first big test of this new era. This Budget, and the agreement reached on welfare reform, puts the Executive's finances back on a long-term and sustainable basis; it also paves the way for allowing Northern Ireland to set its own rate of corporation tax. I trust that the willingness to compromise and the determination to succeed and to meet deadlines that have made the Budget possible will set the tone when other aspects of the Stormont House Agreement come to be implemented.

The challenging financial circumstances that the Executive had to contend with this year and next are well documented. Our overall spending power has fallen by over £1 billion since 2010. Next year's resource budget has been reduced by 1·6% in real terms, meaning that our ability to pay for the day-to-day running of public services like schools and hospitals has been curtailed when demand for those and other services remains high. The years ahead look equally challenging, with Office for Budget Responsibility (OBR) projections suggesting that Northern Ireland could see its resource departmental expenditure limit (DEL) fall by a further 13% in real terms by the end of the decade.

Such circumstances would challenge the ability of any Government to agree a Budget. Never before has Northern Ireland had to contend with budgetary pressures of this magnitude. That we have been able to agree a Budget for next year, and have done so well in advance of the end of January, is an achievement many thought beyond our reach.

Our draft Budget illustrated the difficulty of our task. Over £200 million in reductions were required across Departments to meet many of the pressures facing the Executive. Members will recall that the draft Budget contained no surplus funding to be distributed at the final Budget stage, aside from the £30 million change fund. However, a number of factors, large and small, have combined to result in a much-improved budgetary position. The Chancellor's autumn statement resulted in the Executive receiving £67 million more in resource DEL, £5·7 million in capital DEL and £1·3 million of financial transactions capital for next year.

The Stormont House Agreement provides the Executive with additional funding and flexibilities in 2015-16. Those include up to £50 million additional capital DEL for new shared and integrated education projects; flexibility to use £200 million of reinvestment and reform initiative (RRI) borrowing for a voluntary exit scheme; an additional £100 million of borrowing for capital projects; and up to £30

million of resource DEL for the funding of bodies to deal with the past.

Her Majesty's Government are still intent on enforcing the payment of £114 million for the non-implementation of welfare reform. That amount will be deducted from our Budget at the beginning of the new financial year. If the implementation of welfare reform is completed, as expected, during 2015-16, the relevant portion of the £114 million reduction will be returned to the Executive in-year.

The draft Budget set aside £70 million to fund a package of measures to mitigate the worst impacts of welfare reform. An assessment of the requirements for next year has been made, and, based on the assumption that welfare reform will be implemented halfway through 2015-16, it is anticipated that £26.9 million will be required. That funding will be transferred to DSD in June monitoring to be held in a ring-fenced manner for the various welfare reform initiatives. The revised costing of welfare reform measures therefore provides £43.1 million of additional funding for allocation in the final Budget.

Flexibility was provided to fund the £114 million from the capital budget. As Departments will have already commenced planning on the basis of the draft Budget capital position, the Executive have agreed not to alter that fundamentally in order to repay the full £114 million from capital. However, a £57 million capital to resource switch has been granted as part of the final Budget on the assumption that welfare reform will be introduced halfway through next year. That position may be further refined in-year. The Stormont House Agreement also confirmed that the £100 million reserve claim in 2014-15 may be repaid from capital receipts. That reflects the draft Budget position.

The ring-fenced funding included in the Stormont House Agreement for bodies dealing with the past and for shared and integrated education projects is being held centrally, as proposed expenditure will require the agreement of the Executive and the UK Government. Allocations will then be made through the in-year monitoring process. Further additional funding is available to the Executive due to revised assumptions and updated forecasts. That includes an increase of £1.3 million in regional rates income and a £5.9 million reduction in RRI interest repayments. In the draft Budget, the Executive set aside £133.2 million to cover increased costs arising from the revaluation of public-sector pension schemes. Those costs have been finalised after work between my Department and the Government Actuary's Department (GAD), resulting in a reduction in the pressure of £10.7 million.

Some capital reduced requirements were identified during the consultation period, and those have been factored into the final Budget position. They include some £5.7 million of increased capital receipts, £27.5 million of financial transactions capital from DETI and £46 million of capital DEL from DCAL for the regional stadia. In view of the circumstances in which the stadia funding was surrendered, I can confirm that I will support any in-year emerging capital infrastructure pressures relating to stadia emanating from DCAL in the 2015-16 monitoring round process.

In the draft Budget, £10.7 million of resource DEL and £8 million of capital DEL was held centrally for match funding for the EU Peace programme and INTERREG. The

majority of that funding has been allocated to the relevant Departments. There has been some delay on the final agreement for some projects. Therefore, a residual amount has been held centrally to allocate as part of the in-year monitoring process.

Finally, DSD has requested the reclassification of £2.7 million of expenditure from resource DEL to capital DEL as a consequence of expenditure being incorrectly classified in its resource DEL baseline.

## 12.15 pm

As a result of all the adjustments I have just detailed, the funding available for allocation at final Budget stage amounts to £73.7 million resource DEL and £28.8 million ring-fenced financial transactions capital. There is a small overcommitment of £2.3 million in conventional capital DEL to be managed in-year.

The draft Budget also set aside £30 million for an Executive change fund. The aim of the fund was to encourage Departments to bid for projects that were reform-orientated and innovative, focused on early intervention and prevention or involved cross-departmental collaboration. The fund was oversubscribed by five times its value, illustrating its value and the commitment of Ministers to the principles of reform. Bids were assessed and scored, and the 19 successful ones are outlined in the attached tables.

Before moving to the further allocations agreed by the Executive, I want to say something about the Assembly Ombudsman, the Northern Ireland Audit Office and the Northern Ireland Assembly, all of which were protected from reductions at draft Budget stage. At that time it was made clear that, in times when the broad public sector was under such pressure, there would be a clear expectation from the Executive and the general public that these institutions would also provide some degree of savings.

Unfortunately, with the exception of the ombudsman, who at least tried to identify some savings, that has not been the case, and I and Executive colleagues have been dismayed by the attitude taken by these bodies. I do not believe that these institutions are run so efficiently that they cannot play some part in keeping budgets to a minimal level. Therefore, the Executive have agreed to reduce the Northern Ireland Audit Office, Assembly Ombudsman and the Northern Ireland Assembly Commission's budgets by 5%.

In the interests of fairness, it is only right that minor Departments that had faced significant reductions in the draft Budget should have their reductions limited to a similar level. Therefore, the funding released by applying a relatively small reduction to the previously protected bodies has been returned to the NI Utility Regulator, the Food Standards Agency and the Public Prosecution Service. As a result, the adjustments made to the non-ministerial Departments will have no impact on the levels of funding available to other Departments. It will, however, ensure that all minor bodies are making a contribution to reducing public expenditure.

The central pillars in constructing this Budget for 2015-16 were the protection of key front-line health and education services, investments that underpin economic growth in Northern Ireland and putting in place the foundations for the reform and restructuring of our public sector. These

important priorities are reflected in the various allocations agreed by the Executive. The Programme for Government commits us to:

*"Delivering high quality and efficient public services".*

In spite of the dual pressures of less public spending than we would like and the growing demands of our people, we ought to be proud of the many achievements Departments have made. Those achievements can only be maintained and built on if the Executive prioritises key services in their Budget allocations. That, Mr Deputy Speaker, is what we have done.

No clearer can that be seen than in our commitment to health and education. I can confirm the £200 million increase in spending for the Department of Health, Social Services and Public Safety originally outlined in the draft Budget. Health will also receive a further £4 million from the change fund for five projects, including the all-island congenital cardiac service model. This additional £204 million reflects the Executive's determination to protect front-line services in the health sector and sees a final Budget outcome for health that is some 3·4% higher than last year.

The Executive are also committed to assessing the performance of DHSSPS in the short and longer term. As an initial step, my Department will provide an assessment of the performance of DHSSPS as part of its monitoring round scrutiny over 2015-16 to ensure that its plans for remaining within budget are robust and attainable. In the longer term, the intention is to progress the health sector review through a case study to be undertaken as part of the ongoing OECD review of public-sector reform in Northern Ireland. The flexibilities previously granted to DHSSPS in monitoring rounds will continue for 2015-16, subject to the outcome of the assessments undertaken.

The Department of Education receives £63 million — as well as a change fund allocation of £1·6 million for nurture units — in extra funding on top of that already allocated in the draft Budget.

This reflects not only the Executive's commitment to a high-quality education system that contributes to the success of our economy and society, but is a recognition of responses to our public consultation. I trust that this sizeable, additional allocation will permit much of the pressures facing classrooms across Northern Ireland to be alleviated. The Departments of Health and Education will account for 65% of all resource expenditure in Northern Ireland next year.

One other significant allocation that I wish to highlight relates to the Department of Justice. During my bilaterals with Departments, I discussed with the Chief Constable the pressures facing the Police Service of Northern Ireland. I am pleased to say that the Executive have agreed to a further £20 million going to the Department of Justice, which is especially to meet pressures on the PSNI. This will assist the Chief Constable in taking forward recruitment plans next year and ensure that the impact of reductions on policing and public safety is lessened.

The Executive's number one priority remains growing a sustainable economy. That requires us to devote resources, insofar as we can within the constraints we face, to investment in economic infrastructure, skills development and job creation.

The Executive's economic strategy is working: the economy as a whole is growing; unemployment is falling; and confidence is creeping back. It is critical, therefore, that the Executive continue to concentrate investments on areas of expenditure that assist and support our economy as it recovers.

I indicated in the draft Budget that close to £20 million of support to small businesses would be provided through the continuation of the small business rate relief scheme. Members will recall that, in my draft Budget statement, I announced my intention to create a Northern Ireland investment fund. This fund would be primed with financial transactions capital and would seek to work with the European Investment Bank to leverage in additional finance that could be targeted towards much-needed investment in infrastructure, such as energy efficiency, renewables and social housing.

I am pleased that the Executive have endorsed the allocation of a further £28·8 million of financial transactions capital to the Northern Ireland investment fund, meaning that £40·9 million will be in the fund next year.

The Department of Enterprise, Trade and Investment was one of only two Departments to experience an increase in the draft Budget for 2015-16. After discussions with my colleague the economy Minister, I am convinced of the need for a further uplift in expenditure in her Department so that the impressive work that she and Invest Northern Ireland have done to attract so much investment to Northern Ireland can continue. DETI receives £3 million, which goes to Invest NI, as well as £7·4 million in change fund allocations, including one for collaborative skills development that the Department will undertake alongside the Department for Employment and Learning.

I made it clear in the House that the departmental allocation in the draft Budget that satisfied me least was that to the Department for Employment and Learning. The final Budget sees DEL receiving £33·2 million in additional funding. This is made up of £20 million in recognition of the work our universities and colleges do in building a skilled workforce, and £13·2 million of successful change fund bids, including joint work with the Department of Education to provide maths and English essential skills for 14- to 16-year-olds, the aforementioned collaborative skills development with DETI, the United Youth programme pilot, apprenticeships and youth training.

As public spending remains under pressure for the foreseeable future, it will be important that the Executive pursue and seek to realise innovative funding solutions that help to meet our objectives. The House will know of my long-standing support for the third sector in Northern Ireland. Many of our charities, community organisations and social enterprises play a crucial role in working with government to deliver key services, particularly to the most marginalised and hard to reach in our society.

I am sure we are all in agreement in wanting to see the third sector increase its activity. To that end, it is my intention to bring forward to the Executive a paper proposing the creation of a social innovation fund that will allow social enterprises, charities, faith-based organisations and community groups to access loan financing that will enable them to expand the good work that they do. It is my hope that this fund will be able to utilise £5 million of funding from dormant accounts and,



much like the investment fund, be constructed in such a way that it will be able to draw in additional finance that could see a total of £10 million in the fund.

Other allocations have been made to Departments to meet a range of pressures. These include £2 million to the Department of Agriculture and Rural Development for its Going for Growth strategy and its HQ relocation; £2 million to the Department of Culture, Arts and Leisure to deal with pressures relating to NI Screen, Cinemagic, the Public Record Office of Northern Ireland (PRONI) and the production of the outline business case for the subregional stadia; £5 million for the Department for Regional Development for Translink town bus services and road repair programmes; £1.9 million to the Department of the Environment for the local government derating grant; £3.1 million for the Department for Social Development to reinstate reductions applied to the social fund and to fund the National Citizen Service; and £1.5 million to OFMDFM for victims' services.

I want to particularly highlight the allocation of £10 million for Together: Building a United Community. That funding will be held centrally and will be allocated as part of the June monitoring round to projects that will help the Executive to deliver on their commitment to improving community relations and building a united and shared society.

Whilst it is undoubtedly the case that our Budget is in better shape because of the financial package associated with the Stormont House Agreement, agreement between the Executive parties on welfare reform, and Barnett consequentials flowing from the Chancellor's autumn statement, that does not mean that the challenges facing public spending in Northern Ireland have evaporated. At the time of the draft Budget, I warned that pressure on public expenditure would inevitably result in a change to the shape and nature of our public sector. That remains true. Despite our ability as an Executive to allocate, in this final Budget, an additional £150 million of funding over and above the allocations in the draft Budget, with a resultant drop in resource spending of only £60 million next year, it would be a misjudgement to believe that we can take our foot off the pedal of reform. Having a better Budget than we might have dared to imagine six months ago does not mean that difficult decisions can be avoided. Reform and restructuring remain as relevant now as they did before.

As indicated at the draft Budget stage, the Executive will shortly adopt a comprehensive programme of public sector reform and restructuring, which will encompass a wide range of strategies. The Executive continue to consider the detail of that reform and restructuring plan, but it builds upon the five Executive parties' submission to Her Majesty's Government during the recent Stormont House negotiations, which outlined our agreement to reduce the public sector workforce in Northern Ireland by 20,000 posts over the next four years through a combination of measures, such as a voluntary exit scheme and recruitment freezes. The flexibilities agreed in the Stormont House Agreement to utilise up to £200 million of RRI borrowing to pay for a voluntary exit scheme in 2015-16 will greatly assist the Executive in their aims and, by 2018-19, will yield an estimated £500 million annual saving to our Budget after the available £700 million has been invested.

The Executive have also agreed the January monitoring round for 2014-15. The Assembly knows only too well how demanding this year has been for our Budget. In-year resource DEL reductions of 4.4% for all Departments except Health and Education were needed, along with a call on the reserve of £100 million, for us to try to live within our means. We exited the October monitoring round with a £24.7 million resource DEL and a £12.8 million capital DEL overcommitment, which meant that the risk of us breaching our Budget was still very real.

A number of adjustments have impacted upon our financial position. A Budget exchange scheme adjustment in 2014-15, based on the recently determined 2013-14 final out-turn position, showed an additional underspend in 2013-14 of £4.1 million resource DEL, thereby providing additional funding in 2014-15. On capital DEL, the underspend was £0.1 million less, creating a small pressure.

The Chancellor's autumn statement provided Barnett consequentials for 2014-15 of £0.8 million of resource DEL and £0.8 million of capital DEL. I have also recently been notified that the Executive will receive a Barnett consequential that amounts to £10.9 million as a result of the Chancellor of the Exchequer's announcement of a freeze to council tax in England in 2014-15. The latest regional rate forecast indicated that income this year is expected to be £0.5 million less than was anticipated at the October monitoring round, creating a pressure to be addressed in this round.

There have also been a number of small easements in respect of RRI borrowing interest payments, EU match funding, statutory salaries and cash management charges, amounting to £5.1 million resource DEL and £2.4 million capital DEL. The impact of those changes was to reduce the starting overcommitment for the January monitoring round to £4.4 million of resource DEL and £9.7 million of capital DEL. Departments declared reduced requirements in this monitoring round of £30.5 million resource DEL and £40.4 million capital DEL. Full details are included in the tables provided.

### 12.30 pm

This monitoring round also provides the last opportunity for adjustments to the schools and further education end-year flexibility (EYF) schemes. On the schools EYF scheme, I confirm that the Department of Education has not declared any adjustment to the £5 million resource DEL drawn down under the terms of this scheme back in the June monitoring round. As a consequence, the schools EYF stock that is carried into 2015-16 will be £41.7 million. There has been no drawdown in 2014-15 under the restricted end-year flexibility scheme for further education (FE) colleges. In addition, the Department for Employment and Learning has advised that, as part of the current monitoring round, it plans to add £8.3 million to that stock. As a consequence, the FE college EYF stock carried forward into 2015-16 will be £14.3 million.

A number of internal reallocations agreed by the Executive in this monitoring round are included for information in the tables accompanying this statement. The Executive also agreed a number of reclassifications between the resource and capital categories in this round. There were reclassifications between the ring-fenced and non-ring-fenced resource DEL categories. Those reclassifications are also shown in the tables.

All the above issues impacted on the amount of resources available to the Executive in this monitoring round. Taking into account the starting position, the reduced requirements and reclassifications resulted in £28.1 million of resource DEL and £23.2 million capital DEL being available to the Executive. Against the available resources, the Departments submitted bids amounting to £62.4 million for resource DEL and £48.3 million for capital DEL. Those bids are also detailed in the tables.

Before coming to the allocations agreed, I will also update Members on the position on ring-fenced financial transactions capital (FTC) funding. Members will recall that that funding can be used only for the purpose of providing loans to, or equity investment in, the private sector. Following the October monitoring round, some £35.2 million of financial transactions capital remained unallocated. However, due to delay in the implementation of the GP and dentist loan scheme, the Department of Health has surrendered £5 million in this round. In addition, slippage in the Northern Ireland Science Park development has resulted in DETI declaring a reduced requirement of £0.4 million. That now leaves £40.6 million available for allocation.

My officials have been working closely with Departments to identify schemes that could use that type of funding. As a result of that work, I am pleased to announce that the Executive agreed to provide £38.5 million of financial transactions capital funding to the University of Ulster to assist in financing its greater Belfast development scheme. That is in addition to the £35 million previously provided. It is a strategically significant project for the city of Belfast and, indeed, the whole of Northern Ireland. I believe that it is important that the Executive have demonstrated their continued support through provision of that additional financing. The Executive have also agreed to allocate £2.1 million of ring-fenced financial transactions capital to DETI to support its growth loan fund. Following those allocations, all the financial transactions capital funding available to the Executive this year has now been allocated.

The Executive agreed allocations totalling £14.2 million of resource DEL and £27.2 million of capital DEL. Those allocations are detailed in the tables, and I will highlight only a few of the main ones. On the resource DEL side, there is £0.6 million to DCAL for sporting events and to help save the Ulster Orchestra. DETI will receive £2.2 million to meet pressures in Invest NI and the Northern Ireland Tourist Board. DRD will receive £5.2 million for street lighting and roads maintenance, and OFMDFM will receive £4.5 million to support the Delivering Social Change programme and the Victims and Survivors Service.

Capital DEL allocations include DSD receiving £7 million for investment in the social housing stock. The Department of Education will receive £5.4 million towards the purchase of a school site and to provide for updating of schools IT equipment under the C2k programme. DFP will get £6.4 million to advance our asset management strategy, DRD will receive £3 million for roads structural maintenance, and DHSSPS will receive £3.3 million for investment in medical equipment, ICT and health and safety.

Members will have noted that the Executive have agreed a £3.2 million resource DEL allocation in this round for the Delivering Social Change programme. That has been

supplemented by £2.1 million of funding identified by OFMDFM, which has confirmed the following allocations under the Delivering Social Change programme to be processed in this monitoring round.

There is £0.8 million to DHSSPS for the family support and parenting support programmes; £2.6 million to the Department of Education for the literacy and numeracy programme; £1.9 million to DSD for nurture units and the social enterprise programme; and £0.02 million to DOE for the play and leisure programme. Those transactions totalling £5.3 million will be handled as technical transfers rather than allocations. Following those transactions, no centrally held funding relating to the social investment fund, the Delivering Social Change programme or the childcare strategy remains unallocated in this year.

The Executive now exit the January monitoring round with £13.9 million of resource expenditure unallocated, whilst, on capital investment, there is an overcommitment of £4 million. I believe that that level of capital investment overcommitment is perfectly manageable, given historic patterns of underspend. I very much hope that the £13.9 million resource expenditure that is unallocated can be carried forward under the budget exchange scheme to help to address pressures in 2015-16.

However, Members should note that the Minister for Regional Development has indicated that his Department is likely to overspend on resource DEL in the current year, with the latest estimate of the pressure amounting to £13 million. The potential overspend is a consequence of the Minister's failure to address in full the £20 million gap in his budget as a consequence of value not being released from Belfast port as planned at the time of the last Budget. The Minister for Regional Development has been aware of that pressure for some time, and he should have taken the actions necessary to address it at the start of the financial year. It is absolutely unacceptable for Ministers to manage their budgets in the expectation of additional funding being secured through the Executive's in-year monitoring process. To offset the risk that an overspend by DRD will cause the Northern Ireland Executive to exceed their HM Treasury control total on resource DEL, the Executive have agreed not to allocate £13.9 million resource expenditure in this round.

I intend to monitor closely the financial position across Departments over the remaining months of this financial year to ensure that carry-forward of funding under the budget exchange scheme is maximised and that no funding is lost to Northern Ireland. Executive colleagues have agreed to cooperate fully in that task. Given the significant challenges that have faced the Executive's resource DEL in 2014-15, I am pleased to report that the Executive are now on course to live within Her Majesty's Treasury control totals this year.

There is no such thing as the perfect Budget, but, in the challenging circumstances in which the Executive found themselves, this represents a good deal for the people of Northern Ireland. US Treasury Secretary Jack Lew once said:

*"The budget is not just a collection of numbers, but an expression of our values and aspirations."*

This Budget aims to mirror the values and aspirations of the people of Northern Ireland. It is a Budget that deals

with many of our pressures, reflects our priorities and prepares for the future. It is a Budget that underpins the economic growth that Northern Ireland has been experiencing and prepares us for the devolution of corporation tax with sizeable investments in job creation and skills development.

It is a Budget that prioritises our key public services, with over £200 million more for health and a significant uplift for education compared to the draft Budget position. It is a Budget that puts us on the path to reforming and restructuring our public sector in readiness for what will be tough times ahead. Above all, it is a Budget and a January monitoring round for the people of Northern Ireland. It is keeping rates down, maintaining household taxes at the lowest levels in the whole of the United Kingdom, retaining supports like concessionary fares for the elderly and still investing in necessary, everyday public services like health, schools and street lighting.

Over the past year or more, budgetary, financial and welfare reform issues have been the cause of much disharmony and division in the Assembly. There were times when I thought that the Executive might breach their Budget or that agreement on a Budget for next year would prove impossible. A budget is the cornerstone upon which any government programme is built; without an agreed budget, no administration can function. With some imagination, some innovation, some compromise and, above all, a lot of effort and endeavour, we have found a way through our immediate problems. This Budget is agreeing a way forward for next year with a focus on key front-line public services, aiding economic growth and pointing the way towards reform and restructuring; it represents an opportunity, at the beginning of a new year, for a fresh start for the Assembly and the Executive.

Let no one be in any doubt that, whilst the Budget that I present today is infinitely better for our public services and our economy than we could have hoped for, tough times lie ahead. In many respects, the most difficult decisions on public spending have yet to come. No one wants cuts, but, in agreeing this Budget, we have done the right thing. We have accepted the realities that we face and have done what we can to protect and support what is important to our people.

"Tough choices and difficult decisions" was how I characterised the Budget, and it would seem that they were too tough and too difficult for some. Opposition is easy, and saying no when you know that you do not need to say yes is hardly tough or difficult. However, those who failed to find the courage to back the Budget, those who took a narrow departmental or party political view, those who called for compromise only to vote against it because they did not get their way and those who want to adopt the cynical position of claiming clean hands on cuts while all the time remaining in the Executive have exposed their inability to lead in challenging times. Anyone can vote for more money when times are good. It takes real leadership to say yes when the decisions are difficult.

Those who say no to the Budget are well within their rights to do so. However, the people of Northern Ireland need to know that, when challenged to come forward with alternative proposals to the Budget presented to them, those Ministers who voted no said nothing. They were happy to criticise, Mr Deputy Speaker, but not so keen to produce credible alternatives.

Sometimes, I think that we forget the degree of progress that we have made. Today, we enjoy a degree of peace and political stability that was denied to several previous generations. Contrary to the criticism from some quarters, this Executive have achieved much. Devolution has allowed us to transform Northern Ireland into a magnet for international investment, and we are increasingly a venue for world-renowned events. Locally elected politicians in this place have also been able to pursue policies that are in the interests of our people, such as keeping household taxes low, prioritising health and education, and securing the power to lower the rate of corporation tax.

Agreeing the Budget was as big a test as any that our Administration have passed since the restoration of devolution. No Budget would have meant no Stormont. It may not be ideal or to everyone's satisfaction, but agreeing it in the context of severe pressures on public spending represents a sign of growing maturity. It should act as a stimulus as we step into a future that is full of challenge.

Let us use this agreed Budget, with its focus on public services, the economy and reform, to renew and redouble our efforts to make progress and keep Northern Ireland moving forward. I commend the Executive's agreed Budget for 2015-16 to the House.

**Some Members:** Hear, hear.

**Mr Deputy Speaker (Mr Dallat):** Before we move to the first question, I wish to inform the House that the Speaker has agreed to a request from the Minister of Agriculture and Rural Development to reschedule the ministerial statement on the outcome of the December 2014 meeting of the Fisheries Council until Tuesday 20 January. Revised indicative timings will be issued accordingly.

Before I call the first questioner, I inform the House that a very large number of Members have put their names down to ask questions. I am sure that Members agree with me that as many Members as possible should be allowed to do that. For that reason, I ask Members to ensure that their question — I emphasise "question" — is brief and relates to the ministerial statement.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the statement. It is clearly good news for our schools, our universities and health. I also welcome the fact that this place is taking a cut, because the public feel that we and the Assembly should feel some pain in the Budget for the year ahead.

Minister, the Minister for Regional Development has often alleged that you are threatening to knock his lights out, so I welcome the £2 million that will go towards street lighting. Do you agree that it is not sustainable for opposition Ministers to want to have their cake and eat it every time that they mismanage their budget? Do you also agree that it is not MLAs who need training courses, and that perhaps it is some of the Ministers who act like cuckoos within the Executive who need some training?

**12.45 pm**

**Mr Hamilton:** I thank the Chairman for his welcome for the Budget. I look forward to working with him and the Committee over the next number of weeks. The agreement of a Budget and the announcement of it in the House is

only the start of a process that will take us through most of February. I look forward to working with the Committee in respect of that.

A particular problem has arisen in the Department for Regional Development. It would seem that whatever the problem, the Minister for Regional Development wants to make it everybody else's problem, instead of getting on with doing his job, which is looking after his budget and taking the difficult decisions, which we all have to take, within his budget. He entered this year knowing that there was a £20 million pressure. There is a whole history as to why that pressure is there, and I could argue, as I am sure colleagues could argue, that the Minister and the Department did not act vigorously enough in trying to pursue value from the port. That, of course, has not materialised, resulting in a pressure. However, no Minister should behave at the start of the year as if they have more money in the budget than they actually have. As a Minister, you should not be spending to a budget line that is inflated, in his case by £20 million, and then come to the Executive in-year and expect that pressure to be met.

If we go back to the October monitoring round, we exited that, as I highlighted in my statement, with an overcommitment on the resource side of nearly £25 million, and there was a very real risk that the Executive, as a whole, could breach their Budget, and that would have been an unacceptable and untenable position to be in. The bid made by the Minister for Regional Development could not, at that time, be made. However, whether it could or could not be made is immaterial. As guardian of the public finances, I could not go to the Executive and ask for the Executive's agreement to support Ministers who have behaved irresponsibly in the management of their budget; that is simply not acceptable. If I were to do that, I would have to be careful that it was not setting a dangerous precedent, so I was not prepared to go down that road.

The Minister has known for a long time that he has had pressures in his Department and has failed to take decisive action early enough. You only have to look at the situation where he has £20 million worth of a reported pressure, and he was bidding for £18 million to address that in the January monitoring round, knowing way back at the start of the year that he had that pressure and that he was only taking out costs, supposedly, of £2 million. In my view, that does not show decisive or quick enough action on the part of the roads Minister to deal with the problem that he had right from the start of the financial year.

**Mr Deputy Speaker (Mr Dallat):** Members, I have allowed some latitude to the Chairman of the Committee. That does not apply to anyone else. While I would not, in any way, curtail the Minister's responses, it would be helpful, too, if they could be brief.

**Mr Weir:** I congratulate the Minister on his statement. In the interests of brevity, does the Minister believe that the £30 million that has been set aside for the change fund will be successful?

**Mr Hamilton:** In the interests of brevity, Mr Deputy Speaker, I am tempted just to say yes. However, I think that it has. The change fund, which had been set aside in the draft Budget to encourage bids by Ministers for reform-orientated, innovative projects, cross-departmental collaborative projects, and early intervention and prevention work, has been vindicated by the fact that there

was over five times subscription for the funds. Obviously, we have to run that through a process. I think that you will see from the tables that are attached to the statement that virtually every Department has succeeded in one way or another.

Now, we will have to examine whether there is utility for that moving forward. My argument is that in times when money is less and pressure is increasing, that is exactly the time when you want to devote more, or as much as you possibly can, of your resources to being innovative and reform orientated, to work across Departments to deal with very difficult problems and to focus on early intervention and prevention. It is certainly something that was worthwhile, and Members will see from the bids that were met that some very good bids were agreed to. It might be worthwhile for the Executive to look at that for the future as well.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. What I welcome about the Minister's statement is his Damascus-like conversion.

He previously told us there was no more money available; there was no point talking to the British Government. Well, he has spoken to them — all the parties have spoken to them — and apparently there is. I am glad he has taken his lead from the SDLP.

My question to the Minister is in relation to the additional money for education. Will the money go to front-line services to ensure that services, especially for children with special educational needs and with literacy and numeracy difficulties, are maintained, and that pupil:teacher ratios remain at their current level?

**Mr Hamilton:** If I had listened to the SDLP for financial advice, I would probably have been arrested for trying to sell the City of Derry Airport, which does not belong to the Northern Ireland Executive, so I will not listen to the advice of his party.

No one ever said that there was never going to be more money. What I and colleagues made clear was that there would be no more money for welfare reform, and that is the case. Barnett consequentials flowing from decisions taken by the Chancellor and Government in Westminster always come through. There is always additional money: sometimes the amount is small; sometimes it is medium or large. In this case, it has been incredibly beneficial to the Executive by easing a lot of the pressures, not least in education, which the Member outlined.

Given the serious and significant campaign that was levied over the last number of weeks, the Executive expects the Minister of Education to use the sizeable allocation of £63 million that he has received. Of course, the Member's own Minister in the Executive voted against it. So, the Member welcomes it here today, and sent his colleague into the Executive last week to vote against an allocation of £63 million in additional funding for education. The Executive, like the community, expects the Minister to use that sizeable allocation, which is over a third of all available additional funding, to ease those pressures in the classroom, which so many of us hear about through principals and boards of governors in our constituencies.

**Mr Cree:** I thank the Minister for outlining his many figures, although I would like to have had them earlier than this morning. I ask you to answer three points very quickly.



They refer to novel switches, for example, resource to DEL, resource to capital, the Northern Ireland investment fund, including the transactions capital funding. Have these all now been approved by Treasury and can they therefore be used going forward?

**Mr Hamilton:** The Member may be a little confused about where switches are taking place between capital and resource and resource and capital. We received agreement as part of the Stormont House Agreement to switch capital into resource to pay off the £100 million claim on the reserve this year so that we could live within our means. We also have the flexibility now to use capital to pay off the £114 million welfare penalty, which, unfortunately, is still there for next year. Work continues in respect of the Northern Ireland investment fund. We are just about to appoint a consultancy to work up various business plans and operating plans and so forth; that has received approval from Treasury. Before we commit to any FTC scheme, we go to Treasury to ensure that it is within their rules, and this one is. I am very pleased that we have been able to increase the allocation to the investment fund to some £40 million, all of which will not be spent in the next financial year, but will be invested over several years as we leverage in as much as an estimated £1 billion funding for infrastructure projects in the energy, housing and other sectors.

**Mrs Cochrane:** The Budget is balanced on a 100% cuts basis, and most other governments would never consider that approach. Indeed, the OECD recommends a 70:30 split between spending cuts and revenue raising. Does the Minister agree with the OECD recommendations and also with me that the current approach is unsustainable and that the Executive needs to consider fair and progressive revenue raising so as to prevent deeper cuts to our public services, which ultimately will affect our most vulnerable?

**Mr Hamilton:** I commend the bravery of the Alliance Party in continuing to be a party that wants to see household taxes increase in Northern Ireland. I am very proud of the fact that, since the restoration of devolution in 2007, the Executive have maintained our record of having the lowest household taxes in the UK. I think that it is right, with the pressures that people, householders and businesses in Northern Ireland are facing, that we continue, insofar as we can, to maintain that policy. I am very pleased by the fact that, even though it has been a very challenging and difficult Budget, we have been able to do that.

The Alliance Party is probably a lone voice in some respects in wanting to see revenue raising increased in Northern Ireland. Terms like "revenue raising" are used almost euphemistically; it means tax increases. That is what the Alliance Party is proposing at a time of real pressure on households and businesses. The Alliance Party, here in this House and its Ministers last week in the Executive, called for the introduction of water charges, significant increases in the regional rate and the elimination of schemes such as concessionary fares for the elderly.

I encourage the Alliance Party, over the next number of months in particular, to tell the people of Northern Ireland that it is in favour of water charges, an increase in the regional rate and, as its Ministers outlined last week, looking at eliminating schemes like concessionary fares. If the Alliance Party does not remind the people of Northern Ireland that those are its policies, we sure as hell will.

**Mr Campbell:** I thank the Minister for his statement. Given what he has said, it appears that there will still be significant challenges across a range of Departments. Specifically, in relation to Agriculture and Rural Development, will the Finance Minister confirm that the procedure for the relocation of the DARD headquarters will be able to proceed on schedule, which, up until a few weeks ago, you, Deputy Speaker, and others were fully in support of?

**Mr Hamilton:** I would never deny that difficult decisions will still have to be made by all Ministers — even those Ministers who, as shown in the table in the statement, will see their departmental allocation increase in percentage terms next year. Those Departments will still face a degree of pressure and will have to cut back on some of the things that they deliver.

In a Budget that has reductions for most Departments, DARD, with a reduction of 4%, is not doing as badly as others. I met the Agriculture Minister a couple of weeks ago and talked through a range of issues that her Department was facing. It was a very productive meeting. I am pleased that we are able to make a further allocation of about £1 million for the Department's relocation to Ballykelly. While there are obviously serious personnel issues that have to be worked through in terms of staff in Dundonald House — that has to be treated with the greatest of sensitivity — I am happy to support the relocation to Ballykelly in the way that we have.

I have heard some parties represented in the House and on the Executive claim that ending the relocation to Ballykelly would somehow be the panacea that would solve all our budgetary problems. As the Member will know, and as the House should know, the significant cost at the outset is a capital cost. We could always do with more capital money, but capital is not where the real pressure will be next year; it will be on the resource side of the Budget.

The cost to move to Ballykelly is around £27 million. The cost to refurbish Dundonald House, which is a building that is on its last legs and needs to be refitted, would be around £22 million or £23 million, so the saving, such as it is, on capital would be less than £5 million. We are dealing with a Budget problem that is not a capital problem per se but a resource one, and £4 million of capital will not solve all our Budget problems. I am happy to support the policy, which will be welcomed widely across the Member's constituency and neighbouring constituencies.

**Ms Maeve McLaughlin:** I thank the Minister for his statement today. I welcome the £204 million allocation to Health and, particularly, the additional focus on the all-Ireland children's heart services model.

#### 1.00 pm

I note that the Minister said that he is committed to assessing performance in Health and, in particular, to progressing a health sector review. Given your comments, Minister, about the mismanagement of the Health budget, maybe you could clarify to the House where that mismanagement lies. Also, where the unallocated money in the January monitoring round is concerned, can I ask the Minister to indicate his commitment to the expansion of the university at Magee?

**Mr Hamilton:** That is an eclectic bunch of questions, Mr Deputy Speaker. I am very pleased to be able to increase the allocation to the Department of Health by £204 million next year. That represents roughly a 3-5% increase in its allocation compared with this year. The Health Minister, if he were here, would be the first to say that he would have taken much more in allocations than £204 million, and, in different circumstances, I would have liked to be able to give more money to Health. It is important that, with such a significant allocation, which is close to 50% of our total resource expenditure next year, going to the Department of Health alone, that money goes where it needs to. It is also important that the Department spends within its plans, because, even though it got that 3-5% increase, there will be pressures. It is important, therefore, that it lives within its means, as, indeed, all Departments should live within their means. I am confident that the work that the Department and the Minister undertook subsequent to last year has ensured that there is greater control at the centre over the trusts and what they are spending on a day-to-day basis.

My Department, at the outset, will monitor its plans to ensure that they are robust and deliverable, but, in the longer term, as the House will know, we have engaged the OECD to carry out a wider review of the public sector in Northern Ireland. One of the case studies that we have now identified for it to look at is health in Northern Ireland. It will take a longer-term view of what we are doing and benchmark that against other OECD member states. With the OECD's history and record of working with Northern Ireland on education and some projects taken forward by OFMDFM, I think that that is a useful opportunity to use that expertise and that international benchmarking to judge where we are and where need to go.

**Mr Deputy Speaker (Mr Dallat):** I need to remind Members, please, that they should ask one brief question.

**Miss M McIlveen:** I welcome the Minister's statement, and I am delighted that he has listened to the education sector's concerns. I also seek assurance that the £63 million allocation to the Department of Education will actually go to the aggregated schools budget. Could I also ask the Minister what alternatives those voting against the Budget had to ease —

**Mr Deputy Speaker (Mr Dallat):** Could I ask Members to ask one question?

**Miss M McIlveen:** — the pressures on education? That was only one question.

**Mr Hamilton:** I think it was; I counted only one there. The answer to the second subpart of the Member's question is simple: no alternatives were put forward. I followed the debate that the Member brought to the House last week on education budgets and trying to get as much of the budget as possible into the front line, which we would all define as the classroom. I agree with that. I listened to all parties in the House call for that to be the case and for increases in expenditure on education.

When we got to the Executive last week, a paper was put for a £63 million allocation. Again, like all Ministers, the Minister sitting opposite would have taken more if it had been available, but I am sure that, in the circumstances, he will accept that this is a generous and significant increase compared with his draft Budget position. I heard all parties call for more money, which is what we provided, but the

three smaller parties on the Executive all proceeded to vote against it without putting forward a single alternative suggestion on how we might find more money or where we might take money from to get more to Education or to Health or whatever it might be.

This morning, I received correspondence from the Education Minister that confirms that an additional £80 million will be allocated to the aggregated schools budget next year. Preschool provision will see its funding restored to ensure that the Programme for Government (PFG) commitment can be delivered and that an additional £2 million over the draft Budget figure will be allocated to the education and library boards' youth services. So, it is obviously worth the Member in her Committee capacity taking that forward with the Minister to discuss where he will be prioritising from within his own budget.

I think that we can see from the £63 million allocation and the decisions that the Education Minister himself has taken that the aggregated schools budget and, therefore, the schools' front line of education, which is the classroom, is being protected as best we can in very difficult circumstances.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire seo inniu. I welcome the Minister's statement.

The Minister has stated that funding for regional stadia has been returned. Will he confirm whether funds for Casement Park's redevelopment will be available in the future?

**Mr Hamilton:** I made it clear in my statement and to the Executive last week that we understand the circumstances in which the regional stadia project — the Casement Park project in particular — cannot proceed at this time. It remains an Executive commitment to invest in Casement Park, just as we have invested in Windsor Park and Ravenhill. What I have committed to, the Executive have agreed and I have outlined again today is that, should it be required — if a successful planning application proceeds — I will favourably look upon and meet any in-year capital bids for Casement Park and, indeed, other stadia projects.

There is also money allocated to the Culture Minister to allow her to proceed with outline business cases for the subregional stadia, so, while there is not the allocation there, which will disappoint many, the commitment is there to fulfil the other commitment that the Executive have made to take that project forward.

**Mr Ramsey:** I thank the Minister for presenting his paper today. The Minister made the very broad statement that unemployment is falling: I am sure that he will agree with me that many in the north-west, including in your constituency, Deputy Speaker, will resent and be angered by that. In light of the Executive decision to set up a small Executive group to look at regional balance, particularly in the north-west, will the Minister outline to the House the importance of ensuring that that is resourced effectively to make a difference?

**Mr Hamilton:** I am getting a sense of déjà vu. Our economy is improving across Northern Ireland as a whole, and unemployment is falling. I accept that, whilst the economy is doing better, there are areas that could do even better, and I accept that the north-west has a legacy of particular issues that we are still working through, that

will prove difficult to resolve and that will require effort on the part of all of us, not just the Executive but the private sector and others. Resenting the fact that unemployment as a whole across Northern Ireland is falling is something that the Member and his party may wish to reflect on. Unemployment across Northern Ireland is falling; there are more people getting into work. The Member shakes his head. It is a verifiable fact, produced independently by NISRA, that unemployment in Northern Ireland is going down. That is a good thing. We as an Executive and a society now need to ensure as best we can that the benefits of economic growth are felt far and wide across Northern Ireland.

There has been an undoubted commitment by the Executive to Londonderry and the north-west, whether it is in relation to the City of Culture or in trying to attract investors. We cannot force investors to invest anywhere, but we have tried to encourage, as best we can, people to go to the north-west. That has been manifested in significant FDI projects and, indeed, the expansion of indigenous companies in that area. The first enterprise zone in Northern Ireland is located in the north-west as well. There are many things that the Executive have pursued to assist and support that area.

The Member asks for more money, knowing the Budget that we have, when his party votes against that Budget and does not come forward with a single alternative that would help me or Executive colleagues to find more money or to reprioritise existing budgets. If I may say so, it is a part of Northern Ireland that has seen a lot of attention — I would not deny that it deserves that attention and requires continued attention — but there are other parts of Northern Ireland that have suffered in different ways down through the years and continue to have particular problems that would love a fraction of the attention that the Executive have given to the north-west of Northern Ireland.

**Mr Kinahan:** I thank the Minister for his statement, particularly for the moneys going to education. I am glad that they are going to the front line. My question is in regard to the DOE capital budget. Will the Minister explain why there is £50 million of FTC funding allocated for the Arc21 project, if it commences, when his party, especially locally, seems to be against it? What exactly is his party's position on Arc21?

**Mr Hamilton:** My position on Arc21 is simple: I am happy for councils in the east of Northern Ireland to come together to work on waste-management issues. That is quite easy to give an opinion on. On the particular allocation of FTC to Arc21, I can say that the project has not been taken forward by me or my Department. The Member will know that there is an allocation of roughly £160 million of FTC in the next financial year. Given our experience this year, where we struggled to spend a £60 million allocation — I am happy to admit that — we are looking for a lot of larger projects to soak up the cash next year.

The allocation comes on the back of work that was done between the Department of the Environment and the Strategic Investment Board to develop the project or to have input to it. It was their assessment that it could be supported by financial transactions capital. In some senses, it is an indicative allocation, because, as the Member will know, no planning permission has been granted for the scheme yet. Therefore, there is a degree

of risk in making the allocation that the project does not go forward for whatever reason. I made it clear to the Environment Minister at negotiations around the draft Budget that, irrespective of the allocation that he received and however that came, if there were a reason that the project could not proceed, I would not expect him to find a project on which to spend the money that has been allocated to his Department.

Like all projects, it depends very much on planning permission and other legalities, but it has been taken forward — I reiterate this point — at the behest of the Environment Minister and the Strategic Investment Board, which developed the input to it.

**Mr Girvan:** I thank the Minister for his statement and appreciate that it is up to each Minister to decide how they break up and prioritise the budget in their Department. In the light of the comments made, is it necessary to proceed with the voluntary exit scheme, given the proximity of the spend between this year and last year? There is very little difference.

**Mr Hamilton:** We can continue to talk about the need to reform and restructure our public sector in lots of different ways, with the main aspect of that being a fairly large voluntary exit scheme that we now have the flexibility to fund to the tune of £200 million next year. The Executive have agreed to do that. When you look at the numbers, which are, more or less, in cash terms the same for next year as they were for this year, you might think that the pressure to do that has lifted. It has not, both in the short term and in the long term.

The Executive and the Assembly need to remain focused on reform and restructuring, because, next year, some Departments are doing better than others. Perhaps the pressure has eased for them somewhat, but some Departments, including my own, still face reductions of close to 10%. Those Departments will still have to make savings by reducing their headcount. Therefore, a voluntary exit scheme that will realise some savings next year but make more savings in future years is absolutely essential for those Departments.

None of us knows what the future holds for the Budget, but the Office for Budget Responsibility projections are that times will get tougher and tighter. Therefore, even the Departments that may think that they are doing better now will still probably need to access a voluntary exit scheme this year to plan for future years. It is very much about looking to the future. We know that we have difficulties coming down the track that we need to concentrate on in continuing to reform and restructure our public sector.

**Mr I McCrea:** I, too, welcome the Minister's statement. In the blue Budget booklet that the Minister has released, he refers to £53.3 million of funding being allocated to the community safety college at Desertcreat. Can he tell us what stage that process is at and what future funding is required to take it forward? Does he not feel that it is rank hypocrisy for those who did not support the Budget to call for finances to be made available for it?

**Mr Hamilton:** Lots of hypocritical positions have been taken on the Budget. By the way, Mr Deputy Speaker, I think that this document is teal rather than blue, but we will not argue over that.

I know that the community safety college is a project dear to the Member's heart.

**Mr Campbell:** That is pedantry.

**Mr Hamilton:** I am being accused of pedantry by Mr Campbell, and he is probably right.

I know that the Desertcreat Community Safety College project has frustrated the Member, because we have spoken about it several times. Its non-movement has frustrated him, as it has frustrated other elected representatives and, indeed, the wider community in Mid Ulster. It is still allocated in the Department of Justice capital budget for next year, but he and I know that there is work required in terms of the size and scale of any project that might be taken forward on that site.

**1.15 pm**

The Executive remain committed to locating a Community Safety College in that area, but obviously work has to be done across Departments — Health and Justice primary amongst them — to make sure that that continues, in whatever guise or shape. It does still require flexibility to be given by the Treasury as regards accessing the funding that has been sitting there on a flexible basis for the last number of years, so that it can be spent on that project if indeed it goes forward in the next financial year.

**Mr Dickson:** The Minister has told the House today that other Ministers were not so keen to provide credible alternatives. Will he not simply agree with me that his Budget could have been substantially braver when it came to revenue raising? We are not just talking about water charges; we are talking about constituents who tell me that they are willing, in the circumstances, to pay prescription charges.

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

**Mr Dickson:** They are willing to forgo their bus passes. The reality is that this Minister is stripping jobs from DARD and from east Belfast.

**Mr Deputy Speaker (Mr Dallat):** I plead with Members to ask brief questions and not to make statements.

**Mr Hamilton:** I do not think there was a question there, Deputy Speaker. As I said to the Member's colleague, I am very content for the Alliance Party, if it wishes, to continue to characterise itself as a high-tax party, because that is what it is. That is what it is coming forward with, and that is what it is suggesting. It wants water charges, at a cost of probably £400 or £500, to hit every household in Northern Ireland. It wants to see rate bills increase significantly. It wants to see things such as the concessionary fares scheme disappear. To be fair, I have been critical of other parties for not coming forward with alternatives. Of the three Executive parties who voted against, at least the Alliance Party came forward with an alternative. I have said over recent days that the Budget is not perfect — it is certainly not the Budget that I would have brought forward had it been up to me — but at least we know that, if it had been just up to the Alliance Party, it would have been a Budget built on water charges, higher rates and the end of such schemes as concessionary fares.

**Mr Ross:** The Minister has announced a £20 million allocation for the Department of Justice, to be used for

policing budgets. Is that money to be specifically used for policing, and, if so, what pressures on the policing budget can be lifted because of it?

**Mr Hamilton:** It is specifically an allocation of a further £20 million for the PSNI budget, as opposed to the whole of the Department of Justice. It is deliberately so, because there are other significant pressures, as the Member will know in his capacity as Chair of the Justice Committee, particularly around legal aid. It is not that I do not recognise that the Minister of Justice has a pressure in respect of legal aid. Whether we like the idea of spending more on legal aid than the rest of the United Kingdom or not, it is still a monetary pressure that his Department faces, and it needs to be dealt with. I have offered my support to the Minister in bringing forward means and measures that would deal with at least some of the pressures in respect of legal aid, and I am sure the Committee will hear that in due course.

The allocation to the police comes from the Minister himself highlighting particular problems in the policing budget and the Chief Constable, whom I met, outlining the pressures that his service — our service, I suppose — would face next year if it did not get additional support. I am happy to be able to allocate £20 million. It is not all that the Chief Constable was looking for — I think he was looking for closer to £27 million or £28 million — but he has assured me that it will allow him to continue with his plans for police recruitment next year and to ensure that some of the worst effects of reductions on the policing budget and how it affects people and public safety will certainly be lessened considerably.

**Mr McKinney:** I welcome the broad focus on protecting key public services. When it comes to health, the Minister said that there was an Executive:

*"determination to protect front-line services".*

Does the Minister accept that that remains very ill defined? There is no better illustration than the arm's-length body the NIFRS. The Northern Ireland Fire and Rescue Service is excluded, when it clearly performs a critical front-line role.

**Mr Hamilton:** The Member's point is not unreasonable. His party has an amendment for debate later in the week on this matter. Defining the front line has been a difficult problem and will remain so. We all understand, in our own heads, what the front line and core services are. There can be difficulties in decoupling that completely, with the need to have some degree of management and administration to make what happens on the front line — in the classroom, the hospital or wherever — actually happen. I think it is difficult to define. This Budget shows that there is a commitment on the part of the Executive to those key services that every single one of us, and most of our constituents, would judge as being key services, which are health, with an additional £204 million, and a boost of over £60 million for the education budget compared with its draft Budget position.

Of course, we would like to have seen more going into key services. We would like to see more going to the front line, however that is defined, but our position was not helped. In the face of very difficult circumstances, I think I have made a good fist of it.

**Mrs Dobson:** I also note the Minister's optimism as regards the allocation for health. Let us face reality: the



health trusts have been ordered to make an additional £130 million cash-releasing efficiencies and productivity gains next year. Can the Minister give a commitment that the scenes of earlier this year, when each of our trusts had to make stringent in-year cuts to make emergency funding available, will not be repeated next year?

**Mr Hamilton:** The Health Minister would be the first to say that he would like to have had more money coming out of this Budget, but I think he understands, appreciates and is mature enough to realise that that is not possible. Indeed, he welcomed the extra £204 million he has received, whilst acknowledging that he could have used more.

It is not wrong for us to expect our trusts to continue to make efficiencies and savings on an ongoing basis. I admire the fact that the current Minister and, indeed, his predecessor, have been able to release, over the last four years, close to half a billion pounds back into the front line of health due to eroding inefficiencies in the system.

It ill behoves the Member and, indeed, her party to come forward — as undoubtedly they will today and in future times — and demand more for health, and that more money be given to health, and not come forward in the Executive, where it matters, with a single solitary alternative as to how we might finance health or find more money for health, education or whatever it might be. When the Member is criticising what we are giving to health in this Budget, she needs to bear in mind that her party and her Minister did not come forward with an alternative proposal on where more money might be found for health.

**Mr Clarke:** I thank the Finance Minister for his allocations towards town bus services, street lighting and road repairs. Is he content that the allocations he has made today, which bizarrely have not been supported by the Minister for potholes and broken street lights, will bring about jobs, give security to the vulnerable and help the isolated in our rural towns?

**Mr Hamilton:** I thank the Member for his question. I commend him for his work as Chair of the Regional Development Committee in the job he has been doing along with the other Committee members in exposing some of the waste and inefficiency in the Department for Regional Development. We have been told by the Minister that there are untold pressures being faced; so severe that the lights cannot be kept on.

I agree with the Member. We should never forget, as far as the investments made in our roads infrastructure are concerned, the sizeable investments not just next year but this year. In the last four years, we have spent over £400 million on our road maintenance programmes, which included, in the year before last, a record investment for one year. Not only does that support our economy, through being able to get goods to market more quickly, but it helps people in local areas to get about more easily and provides a boost for our economy through the employment it brings to local firms that are doing that work. I hope that some of the allocations made in the January monitoring round and the allocations made for next year can continue to allow that to happen.

**Mr Buchanan:** I welcome the Minister's announcement that no financial transactions capital will be lost this year due to a substantial allocation to the University of Ulster. Is the Minister satisfied that all Departments are doing their best to ensure that this source of capital is utilised?

**Mr Hamilton:** I join the Member in welcoming the allocation to the Ulster University of additional financial transactions capital. In some ways, whilst I welcome it, it is worrying at the same time — not worrying in and of itself, because I think that it is a very good, fantastic project that will breathe renewed life into that part of North Belfast and will reap benefits for the whole of Belfast and Northern Ireland, but worrying because, with FTC allocations of around £100 million over the past number of years, the Ulster University — I need to get used to calling it that now — will have accounted for close to three quarters of our total FTC allocations. Clearly, it will not, on a continual basis, require FTC to soak up this new source of capital that we have. That is why we created the investment fund; not just because it is absolutely a good thing to do in the longer term but because it is a vehicle by which we can spend FTC on an ongoing basis if it becomes available in-year.

I do think that other Departments need to come forward with more projects. A lot of the projects that have been taken forward have been because of the impetus and drive that is coming from my Department. There are some exceptions. For example, DETI has been very good in bringing forward various small FTC-ready projects. Other Departments need to step up to the plate. The private sector itself — the very people for whom FTC was designed — also needs to come forward with more projects. I have seen a few coming through the system that have been small in nature. We need to see some of those bigger projects, particularly regeneration projects, coming forward and seeking FTC as an option to finance them.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas agus as a chuid freagraí. I thank the Minister for his statement. I heard his comments earlier about the extra allocations to education. To come back to that point, will the Minister therefore guarantee that pupil:teacher ratios in schools will now be protected in light of that investment?

**Mr Hamilton:** I have enough to do doing my own job. I will not take on responsibility for the Education Minister or indeed for any other Minister. The £63 million allocation, which I was happy to propose and which the Member's party voted against in the Executive last week, will go a long way to relieving a range of pressures, not least those pressures on the classroom. As I outlined in my response to Miss McIlveen's question, the Education Minister has written to me today to outline how he will move the Education budget from draft budget to final budget position. He will put a further £80 million into the aggregated schools budget, which, as I understand it from the figures that have been handed to me, will do a lot to relieve the pressures that various principals and boards of governors across Northern Ireland and in all constituencies were coming forward and talking about. That is sufficient enough investment to ensure that the worst of what was being talked about for the next academic year will not now arise.

**Mr Spratt:** I thank the Minister for his statement. Will the allocation to the Ulster Orchestra in the January monitoring round be enough to save the orchestra in the long run?

**Mr Hamilton:** I am glad that the Member has raised this issue because it allows me perhaps to expand more than I was able to in the statement. There is only one allocation,

which is the January monitoring allocation, to the Ulster Orchestra. I understand that it should be sufficient to get it through its current financial problems, which have been well publicised. It does not deal with the longer term. I can assure the Member and those across Northern Ireland who are interested, not least the orchestra itself, that we will continue to work with DCAL. DCAL is in the lead on this in bringing forward a longer-term sustainable plan. There are many ways in which I think we can do that. We are looking at some options that have arisen, even in the last few days, that would allow the orchestra to move forward on a more sustainable footing. Whilst it is maybe not viewed by many as the most important thing that we fund as an Executive, it is obviously important as part of our overall tapestry of the arts and culture. It is something that we are able to have and say that we have here in Northern Ireland and it supports the economy in a broad sense. That is something that I am very pleased to be able to announce today. We will continue to work to ensure that there is a longer-term strategy to save the orchestra.

### 1.30 pm

**Mr Lunn:** I welcome the £63 million. It will obviously be a big relief to hard-pressed principals everywhere throughout the education system. However, in the Minister's own words, it is a good example of finding:

*"a way through our immediate problems."*

Does he agree with me that since, in his own words, Health and Education account for 65% of the total resource payments and the:

*"Executive is ... committed to assessing the performance of DHSSPS",*

it would be a good idea also to assess the performance of the Department of Education, which is in sore need of a root-and-branch reform?

**Mr Hamilton:** You will not get much disagreement on this side of the House for the need to conduct such an assessment, as we would in any Department. I hope that Ministers, irrespective of what party they belong to, want to ensure that the money the Executive allocate to them through the Budget process is spent as efficiently as possible. The Minister of Education is obviously in the middle of reforming, in the sense that he is reducing to one the number of education boards in Northern Ireland. I hope that that yields savings and greater efficiencies as we move forward. I think that there are a lot of areas in which work can be done. I discussed with Mr McKinney what the front line in education is. Whilst playing an important role in the overall system, clearly, savings can be made in school meals and in some aspects of school transportation. I encourage the Minister of Education, as I encourage all Ministers, to continue to do that type of work on an ongoing basis.

The Department of Education had a piece of work on standards done by the OECD, which is obviously carrying out its review of the whole of the public sector in Northern Ireland. In a situation where 65% of our Budget goes on health and education alone, the OECD would not be conducting a very good review if it did not, as well as concentrate on health, also do some work with education. I am keen to encourage that. The Minister sits on my Executive subcommittee on improving public services,

which is taking forward the OECD work, as well as other reform measures.

**Mrs D Kelly:** I wonder, Minister, whether you can give us any indication of when the penalty for welfare reform will have to be paid and whether there is any further information that you can give us on the mitigating factors and flexibilities obtained.

**Mr Hamilton:** I did not include in the statement that there will be a slight change to how the Treasury will handle that. In the current year, the Treasury will take the penalty out mid-year, but this year it is taking it out at the start of the financial year, so we are losing £114 million from our starting position. That adjusted our draft Budget position and had to be dealt with. Obviously, we are able to deal with the entirety of that through capital budget. The Executive have agreed to deal with half of it through a capital-to-revenue switch, and the other half we have dealt with as an overcommitment. We believe that, now that there is agreement across the House — including by the Member's party — to take forward the welfare reform legislation with adaptations to suit Northern Ireland, legislation will be in place halfway through the year. We will therefore receive back half that penalty and will be able to use it in year. So, we have made that overcommitment, which I think is prudent. That does not, unfortunately, bring back the £100 million that has been lost to date because of the SDLP and Sinn Féin's inability to move forward earlier on welfare reform legislation. I will leave the detail of what is in the package of measures to the Social Development Minister who, I hope, will bring welfare legislation to the House in the next couple of weeks.

**Mr Allister:** Although the Minister does not mention it in his statement, can he confirm that, under this Budget, the level of public debt in Northern Ireland will rise to an all-time high that in 2015-16 will be £1.8 billion? That puts Northern Ireland in the unenviable position of carrying the heaviest debt per head of population of any of the devolved regions, and that is money that has to be paid back.

**Mr Hamilton:** This is probably not the place to get into too much of the detail on that. I am happy to correspond with the Member in more precise detail about it. I can say that the Member is not far off in the total figure of debt that the Executive have. The Executive have a facility to borrow up to £3 billion through the RRI scheme.

To date, we have borrowed about £1.7 billion, and the Member is right: that will go up to north of £1.8 billion. In the past, I have expressed concerns about continuing to borrow for infrastructure investment and the amount of revenue payments that have to be made, not just for our RRI payments but for PFI and PPP projects. The total that we are paying out of our resource budget, which is the part of our Budget that is under pressure, is about £60-odd million a year. Obviously, we would rather not have to pay that back, but that money is paying for improvements to our infrastructure. That is what the investments have done in the past. Significantly, and this changes the scenario somewhat, now that we have the flexibility to spend £700 million of our RRI to capitalise the cost of a voluntary exit scheme, that will reduce our pay bill by about £0.5 billion every year from 2018-19, when the money has been spent. Savings will start to be realised from next year.

So, in terms of spending it, and with the very small interest repayments on it, it is a good investment, as it will allow

us to get our public finances back on to a sustainable and long-term footing. It will also help us to deal with the need that will arise where you have less money being spent on public services and where you do not need as many people to deliver those services. It is a flexibility that was hard fought and hard won during negotiations, and having it in place will allow us to do things in the reforming and restructuring of our public sector that, otherwise, we would not be able to do. If we had not had access to that flexibility, we would still have the cost of a voluntary exit scheme but not the source of fairly cheap finance to allow us to do that in an affordable way.

**Mr Agnew:** Minister, the Northern Ireland Council for Voluntary Action estimated that welfare cuts in Northern Ireland would amount to £250 million if we implemented reforms; the Minister for Social Development estimates it to be £120 million. You budgeted on the basis of £70 million a year to mitigate the worst impacts of welfare reform. Given the gaps in those figures, does the Minister concede that Sinn Féin has agreed to a Budget that implements welfare cuts?

**Mr Hamilton:** I do not think that it is a concession on my part to accede to the point that this is a Budget that is built upon moving forward with welfare reform. Unfortunately, we still have to contend with the penalties, which are the price of unnecessary obstinacy over the past number of years and which have cost the Executive £100 million when we can least afford it. We are, at last, agreed, as Executive parties, on a way forward on welfare reform. As I said to Mrs Kelly, the detail of the basis on which we are moving forward on the package of measures will become clear over the next number of weeks.

Whilst I accept that welfare reform will not be a good thing for everybody in Northern Ireland — I do not want to get into the arguments about how welfare reform can actually be good for some people in Northern Ireland because it will encourage them back into work and simplify our system of benefits, which can be complex and complicated for a lot of people, including Members — the Executive did not have the means to fill that hole, whatever the cost, and a lot of work and various ranging estimates were done on what the cost would be. The Executive simply could not have filled that hole and, at the same time, have to develop an IT infrastructure to pay benefits in Northern Ireland. That was simply not affordable.

However, we could do our best, within what we could afford, to mitigate some of the worst effects of welfare reform in Northern Ireland, and that is where agreement was reached across the parties. Would we have liked to do more? I am sure that we all would have. However, in the circumstances, the agreement that was reached, which will be outlined in more detail by the Minister for Social Development in due course, will show that we have been able to achieve something in Northern Ireland that builds upon the GB system but which far surpasses what has happened in England. It is the envy of my counterparts and Ministers in Scotland and Wales; they would be very pleased to have the flexibilities that we have, and the package of measures that we are able to implement, through the use of some of our own Budget.

**Mr McCallister:** Does the Minister agree that delaying on public-sector reform for so many years will cost us even more? Mr Allister made the point about debt. Does he also accept that one of the biggest obstacles that he

faces as Minister is, in the words of the First Minister, the “dysfunctionality” of the Executive? Does he accept that those parties in the Executive that cannot bring themselves to vote for the Budget ought to think about whether they should remain in position?

**Mr Hamilton:** I certainly have a view on it, but it is probably not my place today to start lecturing those parties that are in the Executive — I have probably lectured them enough already — but that continue to adopt what could be characterised as a cynical position, where they vote against the Budget, knowing that it contains difficult decisions and tough choices. They are in the luxurious position of being able to vote against it, in that they know full well that their vote is not required to carry it. Then, Pontius Pilate-like, those parties can wash their hands of its worst effects. If something that people do not like happens next year as a result of the pressures that Departments are facing, they can say that it is nothing to do with them.

All the while, however, as the Member regularly points out, they remain in the Executive. It is for them to explain why they continue to do so when they cannot back a Budget, which, on balance, in the circumstances that we are in, is a good Budget and represents a good deal for the people of Northern Ireland.

On the pace of reform, we should have in the past more quickly embraced the need to reform. Having run as a Conservative in the last general election, the Member will remember how we were promised that the economy was going to turn around, the deficit would be slashed and everything would be hunky-dory from about this time on, but that, of course, has not been the case. If that had been the case, we probably would not have needed to reform just as aggressively as we are going to now, but I am glad that, however we have got there, the Executive have now agreed and are at the same place across all the parties on the need to reform and restructure, whether that be through a voluntary exit scheme, the greater use of shared services, the OECD review or the use of my Department's public-sector reform division. All Departments are now moving in the right direction on that, and there is unanimity across Executive parties that this is what we should be doing and need to be doing in the next number of years.

**Mr Frew:** I will be very brief. I welcome the Minister's statement. What does the Budget mean specifically for the devolution of corporation tax powers?

**Mr Hamilton:** The Budget does not do anything specific on corporation tax. It will affect our Budgets most directly in future years, when, as a result of the Azores ruling, we have to ensure that we are not receiving any benefit for it and have to pay whatever the cost of devolving the powers is. My best estimate is that that will not hit until after their devolution, which I very much welcome. I have not had a chance in the House to welcome the fact that the Government have published the legislation to allow the power to be devolved to the Assembly. It will be at least 2017-18 before we will see the Budget hit with a reduction in public expenditure to pay for lowering the rate of corporation tax.

What the Budget does do for corporation tax is that it starts to prepare the way for it. It is important that, even in a time when we are facing Budget reductions, we still continue to focus on that long-term objective of lowering corporation

tax. That is why you will see a 10% increase in the DETI budget. That is to allow it to continue to do its work, a lot of which is about working now to ensure that investments are secured in future years. Additional money has been allocated specifically to skills development, while money has been given back to universities and colleges so that they can continue to create that pipeline of skilled workers that our economy needs now and will need in future, after the devolution and lowering of the corporation tax rate.

**Mr Deputy Speaker (Mr Dallat):** I call the final contributor, Mr Sammy Douglas. You will have to be very brief.

**Mr Douglas:** I thank the Minister for his statement. He mentioned the social innovation fund, which will be a great boost for the third sector, including social enterprises, charities, community and voluntary groups, and faith-based organisations. When will the scheme be up and running?

**Mr Hamilton:** If I can get Executive agreement, which I have yet to secure, that is a fund that I want to take forward using the dormant accounts money that has been sitting unallocated over the past number of years. There is about £5 million unallocated to which I hope that we can, in the same way as with the investment fund, leverage in another £5 million to take it up to a fund of £10 million. That will go, I hope, as loans to organisations in the third sector, whether they be faith-based organisations, community groups, charities or social enterprises, to allow them to continue to invest in the work that they do to help us in government deliver services, particularly to those who are hard to reach in our society.

**Mr Deputy Speaker (Mr Dallat):** That concludes questions on the statement. I thank Members who cooperated. We got through an extraordinarily high number of Members, and that can only be good for democracy.

1.45 pm

## Private Members' Business

### Protecting Core Public Services

**Mr Deputy Speaker (Mr Dallat):** The next item on the Order Paper is a motion on protecting core public services. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes in which to make a winding-up speech. One amendment has been selected and is published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Ms J McCann:** I beg to move

*That this Assembly commends the Executive parties on presenting a unified approach in highlighting the drastic reduction in the block grant and the consequent effect that this has on the Executive's ability to defend public services; calls on the British Government to recognise the unique challenges that we face as a society emerging from conflict, with higher levels of socio-economic deprivation; and further calls on the Executive to maintain their protection of core public services, in particular health, welfare and education.*

Go raibh maith agat, a LeasCheann Comhairle. The motion illustrates the great difficulties that the Executive and Assembly face in how we deliver and protect public services, especially health, education and welfare. That is in the face of year-on-year cuts to the block grant. We have seen the direct impact of that on our services and on families and communities that we represent.

Tory cuts to welfare and other essential services have already forced millions in Britain deeper into poverty, so much so that many depend every day on food banks and charities for the basic day-to-day necessities. I am certain that I am not the only MLA to see the growing numbers of families coming into our constituency offices who are finding it more and more difficult just to get by financially each day.

That is why it is more important than ever that we have a welfare system that protects the most vulnerable. That includes families on low incomes, the sick and the disabled. We have seen over recent years with the economic downturn thousands losing their jobs and then their homes. Now, we see an assault on welfare and the privatisation of public services and how low-income families, the sick and disabled are being impacted on once again.

As a party, when we entered into the recent talks, we set out to secure a comprehensive agreement. It was no secret to anyone inside or outside this House that the very stability of the political institutions here was under threat and that we needed a collective approach by all parties to try to find a solution and way forward.

That is why, in financial terms, we sought the support of all the other parties in the Executive to go to the British Government in a unified way to secure an improved financial package, to defend public services and, more importantly, to protect the most vulnerable from the ongoing cuts to the welfare system.



We also sought for the parties and two Governments to build on the Haass proposals on dealing with the past and the complex issues of identity and parades and that outstanding commitments that both Governments had agreed to previously would be implemented. That included the inquiry into the killing of human rights solicitor Pat Finucane and that an Irish language Act and bill of rights should be brought forward.

We all know that those issues were not dealt with. Our party is on the record as stating that it is important that the continuation of working towards the implementation of those agreements in full is brought forward.

It is clear that we in the North of Ireland have higher levels of poverty, more families on low incomes and a high percentage of people with disabilities and mental health issues. We need policies and services that recognise our unique circumstances as a society emerging from conflict and that reflect the consequences of years of division and underinvestment here.

The agreement now known as the Stormont House Agreement was not the comprehensive agreement that we set out to achieve, but we believe — and I heard it mentioned during the previous debate on the Budget — that it represented progress.

The Budget that we have, which was just discussed, is not the Budget that many of us wanted to see being taken forward. However, we came at both to try to do the best that we could under the circumstances and the limited resources that we have to try to protect our core public services and, as I said, protect those who need those services the most.

Decisive and positive leadership is what we now need from all political parties to ensure that we approach the way forward in a unified way. We saw how a unified approach got us into negotiations with the British Government to get a better financial package, and we need to go forward when we are implementing this agreement and are doing what we want to do to protect our public services. The unity of purpose that we had needs to be maintained if we are to deliver the improvements that people in our communities need, that families need and that individuals need. We need to oppose and mitigate the worst effects of the assault on public services and the Tory welfare cuts.

In conclusion, this is not the time for politicking or petty party political point scoring; we need to put that behind us. There is still much to be done. There is a clear responsibility on all parties in this House and on all parties in the Executive to make power sharing and partnership government work and go forward in a way that protects and maintains our core public services, which everyone, especially the most vulnerable in our society, needs. I would like to see the motion passed and, from that, a commitment being made to go forward in a unified way to protect the core public services that we set out in the motion.

**Mr Deputy Speaker (Mr Dallat):** Order. 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 next Member to speak after Question Time will be Fearghal McKinney.

*The debate stood suspended.*

*The sitting was suspended at 1.52 pm.*

2.00 pm

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

## Oral Answers to Questions

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

#### Commissioner for Victims and Survivors

1. **Mr Byrne** asked the First Minister and deputy First Minister for an update on the appointment of a Commissioner for Victims and Survivors. (AQO 7333/11-15)

**Mr P Robinson (The First Minister):** Considering the importance that we place on ensuring that all victims and survivors have an appropriate representative voice through the commissioner, we want to ensure that we have the right person for the job. The current process produced a disappointingly small pool of appointable candidates. We have therefore agreed to try to widen the pool through a new competition. In the interim, the commission is continuing to deliver its work plan this year and is working with the victims' forum to ensure that victims and survivors' interests remain at the forefront of our actions.

**Mr Byrne:** I thank the First Minister for his answer. It is disappointing that a Victims' Commissioner has not yet been appointed. Can the First Minister confirm when, he hopes, an appointment will be made and what relationship there will be with the victims' forum, as agreed in the Stormont House proposals?

**Mr P Robinson:** I agree with the Member that it is disappointing, but it is important that we get the right person for the job and ensure that those involved have the best possible representation through someone whom they can work with and who can easily work with them. Over the next number of days we will look to see whether there is a need for a further advertisement — one that is maybe more widely advertised than previously — and whether there is a case for reconsidering the level of remuneration. As I understand it, the Children's Commissioner is remunerated at a higher level than was offered for the Victims' Commissioner. We can maybe look at relocation costs and those kinds of issues to see whether that brings in a larger pool of candidates.

**Mr D McIlveen:** I thank the First Minister for his answers so far. First Minister, touching a little on what you said, I ask you to elaborate on what could be done to make the post more attractive, given that there was a relatively low number of candidates for quite a high-profile position.

**Mr P Robinson:** Those are some of the things that can be done. We need to remember that victims have been given a very high priority since devolution. We have increased by a multiple of four the funding that has gone to victims since direct rule, and, indeed, the Budget that my friend announced to the House today will give the highest-ever annual level for victims' funding. That is important. It indicates the importance that the Executive give to it, and it is right that we ensure that we get the very best person

for the job. Perhaps we need to significantly increase the advertising involved to attract a wider range of people for the job.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers thus far. On the importance of appointing a commissioner, I want to push the Minister on a time frame in which he thinks that the appointment can be made.

**Mr P Robinson:** Officials are looking to reshape the conditions around the job, and I suspect that that will take a number of days. We will go out to advertisement after that, and then you are into the business of carrying out the interviews and making the appointment. Although the deputy First Minister and I would take it very much as a second-best option, we have the option of putting in an interim commissioner if that was felt to be helpful, but that will depend largely on what officials tell us is the time frame for having a commissioner in place.

### Equality Commission/Community Relations Council: Merger

2. **Mr Dallat** asked the First Minister and deputy First Minister whether they plan to introduce legislation before May 2016 in relation to the proposed merger of the Equality Commission and the Community Relations Council. (AQO 7334/11-15)

**Mr P Robinson:** Mr Deputy Speaker, with your permission, I will ask my colleague Junior Minister Jonathan Bell to answer the question.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** Together: Building a United Community (T:BUC) includes a commitment to establish an Equality and Good Relations Commission that will act as an independent, statutorily based organisation to provide policy advice and a challenge to government. The establishment of the commission will not constitute a merger of the Equality Commission and the Community Relations Council. Instead, the primary legislation will add specified statutory duties in relation to good relations to the powers of the existing Equality Commission and will create a new Equality and Good Relations Commission. The new powers are outlined in the Together: Building a United Community strategy. Some of the duties currently reside with the Community Relations Council but without a statutory basis.

The draft Bill is under active consideration in the Department. Once it has been agreed, we intend to initiate a 12-week public consultation on it and on the associated documentation. In advance of the enactment of the legislation, departmental officials are working with the Equality Commission and the Community Relations Council to consider the extent to which the aims and objectives of the Together: Building a United Community strategy can be delivered by those organisations within their existing vires and remits.

**Mr Dallat:** I am sure that many outside the House will listen carefully to the Minister's response, as they believe that these are core principles of the very foundations of the Assembly. What assurances can the Minister give us that the work of the Equality Commission will be ring-fenced and protected in the future and that the work of the Community Relations Council will not be diminished?

**Mr Bell:** The assurances are the assurances that we have already given. Both bodies have their own powers, remits, vires and authority.

As I said, the establishment of the new commission will not constitute a merger of the Equality Commission and the Community Relations Council. It is proposed that the Equality Commission will take on the additional good relations responsibility, and I hope that that reassures the Member. As some of those responsibilities relate to work that is currently under the remit of the Community Relations Council, we have the transition board, which draws its membership from both organisations. As the new commission will take on some of the functions that are currently undertaken by the Community Relations Council, the council will continue to have responsibility for funding. Therefore, it will not cease to exist as an independent organisation as a result of the legislation. In addition, the Community Relations Council is classified as a non-departmental public body, but it is also an independent company and a registered charity. Therefore, any decisions regarding its future will be made by its board.

**Mrs Hale:** Have additional resources been allocated or obtained for next year to support the actions under the T:BUC strategy?

**Mr Bell:** I am grateful for the excellent work of the Finance Minister and for what he announced this morning. That additional resource will allow us to take forward much of the work that is ongoing and in the pipeline across the seven headline actions.

I am particularly encouraged when I see some of that work. It is not necessarily just the work on urban villages and the summer programmes but particularly the work with our young people, which brings them together and allows them to learn new skills. The additional resources that were given to the Department for Employment and Learning will underline bringing together young people who are not in education, employment or training. What better way is there for young people to come together than to learn new skills that will give them prospects of jobs and hope? From listening to the Youth Service and to other voluntary agencies when they talk about young people, we know that, when we give a young person an opportunity of obtaining skills that will lead them into a proper job, their relationships improve, their family relationships improve and any previous dependency on chemicals, alcohol or drugs decreases. The additional resources, particularly those for DEL, give us a real sense of hope that we can bring people together who have not been together before and shape an entirely new future but one that is prosperous for everyone.

**Mr Lyttle:** Another key aim of the Building a United Community strategy is to increase the extent to which our children and young people are educated together. How concerned is the Minister by news that the Department of Education surrendered around £5 million allocated for that strategy aim?

**Mr Bell:** Under the Stormont House Agreement — I had the privilege of taking part in some of those pieces of work and seeing the agreement of your party, right up until it appeared to vote on it, when it appeared to vote against it — the additional resources to education that were put through earlier today, against the votes of your party, will bring more young people together than would have been

the case otherwise. It will bring them together in a way that will allow them to share, learn and experience, which they could not do previously. The additional money that came into the budget earlier today will, in addition to making sure that those classroom assistant and teaching posts remain, ensure that more children get educated together and more children share together. I am a governor of a school that was looking at potentially up to 10 teacher redundancies in Newtownards. The additional money for education, which you voted against — I emphasise that — will ensure all that. It is not my difficulty if it is on your conscience that that additional funding to secure teaching jobs and bring children together was voted against by your party.

**Ms McGahan:** Minister, do you agree that equality must be paramount in any proposed legislation?

**Mr Bell:** Yes. We have been consistent in our approach to that, and there is no reason to deviate from that approach. We have looked at the legislation and have agreed it here, and it is over to your party and others to bring back your agreement on that legislation.

### Clerical Abuse Victims: Financial Redress

**3. Mr Eastwood** asked the First Minister and deputy First Minister to outline any plans to undertake, in advance of the conclusion of the Hart inquiry, a scoping study of options for, and to develop proposals on, financial redress for victims of clerical abuse. (AQO 7335/11-15)

**Mr P Robinson:** With your permission, Mr Deputy Speaker, I will ask junior Minister Jonathan Bell to answer the question.

**Mr Bell:** The issue of clerical abuse is no less important and no less emotive than that of institutional abuse. We are mindful of the equally destructive impact that it has had on those individuals. In the latter part of last year, we tasked our officials with developing an options paper relating to the clerical abuse that falls outside the scope of the inquiry into historical institutional abuse. We are now in receipt of that options paper. As part of the consideration of options, we are giving considerable thought to the likely needs of the victims of clerical abuse, particularly around emotional and other support.

Ultimately, it will be for the Executive to consider how to deal with clerical abuse that does not fall within the inquiry's terms of reference. We cannot speculate about the need or desirability for redress in advance of the Executive looking at the situation. However, anyone whose experiences of abuse fall outside the scope of the current inquiry is encouraged to report that directly to the Police Service of Northern Ireland and social services for investigation. Where appropriate, the alleged perpetrators can be brought before the courts, and that is the primary means by which victims and survivors can seek justice for what happened to them.

**Mr Eastwood:** I thank the Minister for his answers thus far. The Hart inquiry has been extended, and a number of victims have come forward to say that they would like to see the issue of redress in the Hart inquiry accelerated. Has the Minister any view on whether, at the very least, a scoping exercise should be commenced to look at the issue of redress, so that people get what they are entitled to before it is too late?

### 2.15 pm

**Mr Bell:** The Member has raised two issues, one in relation to the one-year extension, as the Member correctly notes, for which the inquiry chairperson made a persuasive and compelling case following the first module of the inquiry's public hearings. To be accurate, section 1(3) of the Inquiry into Historical Institutional Abuse Act (Northern Ireland) 2013, allows the First and deputy First Minister acting jointly to:

*"at any time amend the terms of reference of the inquiry by order after consulting the chairperson if a draft of the order has been laid before, and approved by resolution of, the Assembly."*

We hope that the draft order will be debated in the next number of weeks.

On the issue of redress, I quote from the distinguished judge who is chairing the inquiry — fortunately for us, as we wanted someone with that level of expertise for victims and survivors. He said, and I quote him directly:

*"until the inquiry completes its work it is not likely to be in a position to make any recommendations, because that would be arriving at a decision before we had heard all the relevant evidence ... I would not like to commit myself even to saying that we would look at producing interim recommendations because they would be subject to the same inhibition."*

Those are the words of Justice Hart, who chairs the inquiry, and we would do well to follow them.

**Mr Nesbitt:** The Minister will be aware of the ruling by Justice Treacy on the judicial review of the non-provision of legal representation. In the application form for the grant of legal representation at public expense, point 34 says:

*"Please explain the nature of the public interest that will be served by an award being made from public funds (see Rule 21(2)(b) of the Inquiry Rules)."*

Does the Minister accept that this rule is something of a catch-22 situation, because a vulnerable victim would need legal advice in the first place to answer such a complex question?

**Mr Bell:** I was very disappointed by Justice Treacy's decision. We went north, south, east and west and listened to victims and survivors. Many of them asked us that the legislation be set up, as it was, to minimise excessive legal costs. It is important to emphasise that that was done largely at the request of victims and survivors. The legislation gives the chairman discretion to listen to cases asking for independent legal advice, and we are content with that.

The decision that the Member refers to may make the inquiry very legalistic, and costs could get significantly out of control. This may even jeopardise the entire inquiry by potentially quadrupling the costs. The chair is appealing the judgement. I do not want to comment further in light of the chairman's appeal, but, given the seriousness of what I have said, I want also to make it clear that I am very supportive of the chair's appeal.

## Victims: Representation

4. **Mr Irwin** asked the First Minister and deputy First Minister how they ensure that innocent victims are properly represented when dealing with the past. (AQO 7336/11-15)

**Mr P Robinson:** Mr Deputy Speaker, with your permission, I will ask junior Minister Jonathan Bell to answer this question.

**Mr Bell:** The needs of victims and survivors are important. Through the work of the Commission for Victims and Survivors, we continue to ensure that they have proper representation and a collective voice. In going forward, acknowledging and addressing the suffering of victims as part of the transition to long-term peace and stability is one of the key issues that is considered in the current political architecture. The commission regularly liaises with victims and survivors through the Victims and Survivors Forum to discuss the shared experiences of dealing with and acknowledging the past. As a result of those discussions, the commission has submitted an advice paper on dealing with the past.

**Mr Irwin:** I thank the junior Minister for his reply. Will he confirm what budget has been secured for victims for next year?

**Mr Bell:** As the First Minister alluded to earlier, the excellent work of the Finance Minister has managed to secure for the victims' service in the region of £13 million. Look at where we were in 2007 and under the previous arrangements. I was always very proud to say up to this point that we had tripled for victims and survivors the amount of funding that they received for essential and key services provided to them. I have had the privilege of visiting many of the groups and seeing, from physiotherapy right through to individual and group support, many of the needs that victims and survivors have. They and their needs must never be forgotten. I was always pleased to say that, from the position that we inherited, we tripled that funding. As the First Minister said earlier, that has been almost quadrupled. That shows the level of commitment that we have to victims and survivors. We acknowledge that more people are coming forward. We have sought more people to come forward; we do not want people suffering in isolation. We have quadrupled the amount of money in one of the tightest sets of financial circumstances that anyone in the House has had to deal with. That shows that victims and survivors remain a priority. Addressing their needs will always be to the forefront of our considerations.

**Mr Allister:** Does the junior Minister agree that key to satisfying innocent victims is addressing and reversing the obnoxious definition that equates them with victim-makers? Will he tell the House whether it is correct that no progress was made on that matter in the Stormont House Agreement?

**Mr Bell:** Many victims have raised that issue with us. As the House knows, it is a position that we support. Many on these Benches have brought forward in this Chamber and potentially in other Chambers the need to look at and address the definition of a victim. As the Member equally knows, in the current circumstances that we have inherited, we have to gain agreement on that. We will seek to work hard with victims and survivors' groups. I have been in the west of the Province and, more recently, in the

south of the Province, and it was raised with me. I shared with them what we intended and would like to do in relation to that and how we were trying to seek the necessary agreement and consensus to take that forward.

**Mr Attwood:** As the junior Minister said, victims and survivors have to be a priority. In that regard, are you in a position to share with the House any fresh thinking that might be developing in relation to the management of inquests, particularly in dealing with the issues of disclosure, the backlog and the resourcing of inquests in order to ensure that victims and survivors who seek out truth are given that opportunity?

**Mr Bell:** As the Member will know, because I have been in discussions with him for the Stormont House Agreement and in previous iterations going back to Haass, we have sought, on each of those matters, to progress them in the best way that we can. It is my understanding that the leaders of all the parties will meet later today to see where they can seek to get consensus to advance those matters specifically.

## Public Spending: Analysis and Scrutiny

5. **Mr Elliott** asked the First Minister and deputy First Minister what discussions they have held with the Department of Finance and Personnel on the establishment of an equivalent of the Office for Budget Responsibility to provide extended analysis and scrutiny of public spending. (AQO 7337/11-15)

**Mr P Robinson:** Discussions in relation to the creation of a body equivalent to the OBR took place during the talks that led to the Stormont House Agreement but did not form part of a final agreement. While the matter remains under consideration, given the more limited financial responsibilities of Stormont compared with Westminster, a clear case has not yet been made for the establishment of such a body. The difficulties faced in managing finances have been created not by a lack of information about the consequences of decisions but by the challenges of reaching political agreement. We believe that the Budget agreed by the Executive last Thursday and the implementation of the Stormont House Agreement will put our finances on a stable, long-term footing.

**Mr Elliott:** I thank the First Minister for his response. Obviously, I am keen to assess the opinion of the Office of the First Minister and deputy First Minister on the position. Does he believe that it would be helpful, especially in Departments where there is suggestion that the management of the finances may not be appropriate?

**Mr P Robinson:** It is brave of the Member to make those comments given that the only finger that was being pointed by the Finance Minister earlier was against the Minister from his party for the mismanagement of his departmental finances. We need to remember that the OBR is set in a national context, dealing with tax regimes, welfare payments and those kinds of issues and looking at the performance of government in relation to the wider economy. We do not exactly fit in that category. It is not as if we are short of advice on financial matters. In many ways, putting a body such as the OBR in place in Northern Ireland would indicate to me that Members did not have much confidence in their role. It is the role of this House to look at the finances and to challenge the Minister where necessary, and it is the role of the Committees set up by



the House to do precisely that. Those who are looking for that kind of institution to be placed in Northern Ireland seem to be saying that they are not capable of doing their own job.

**Mr Weir:** Will the First Minister agree that, rather than further analysis or additional new bodies, what is really required is for parties to take difficult decisions rather than playing party politics and providing no credible alternatives?

**Mr P Robinson:** Yes. The only occasion when we have been knocked off course in our financial management has related to issues around welfare reform. It was the penalties and the costs in relation to that that knocked us off course and caused the difficulty that we had in the previous months. We have now resolved those issues. There is a five-party agreement on welfare reform, and, therefore, I do not look to seeing any problem with that in the future. Yes, what is required is some political courage from parties that, in one place, appear before the Secretary of State indicating how they will work to resolve all these financial issues but, when the first hurdle appears before them of passing a Budget and taking difficult decisions, run away and go into the no camp.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Will the First Minister agree that a Westminster-style Public Accounts Committee would add considerably to the scrutiny of public expenditure here?

2.30 pm

**Mr P Robinson:** The Member would need to tell me in what way he feels our Public Accounts Committee is deficient in carrying out its duties, given the prominent role of some members of his party in it.

**Mr Deputy Speaker (Mr Beggs):** That is the end of the time that we have allocated for listed questions. We will now turn to topical questions.

## Budget: Failure to Support

T1. **Mr Spratt** asked the First Minister and deputy First Minister whether the failure of three of the Executive parties to support the Budget amounts to a rejection by them of the Stormont House Agreement. (AQT 1941/11-15)

**Mr P Robinson:** I have to say to my colleague that I hope that it does not. Indeed, we had a meeting on Monday last week, if I recall, when all five Executive party leaders confirmed that they wanted to work towards implementing that agreement. Meetings are now set up to work towards its implementation.

Of course, I think that it is worth pointing out that there were, in effect, two agreements, although only one has been published. There is a second agreement — the Stormont Castle Agreement — in which all five party leaders and their teams agreed to a financial package that included welfare reform, the reform of the public services and a range of budgetary issues. The five party leaders went to the Secretary of State to show that we were prepared to take those hard decisions that were necessary to get our finances on a stable, sustainable and long-term basis.

It is sad to say that not all the parties that were on that delegation were able to give the degree of support that was necessary when the first issue came before them

— namely, the passing of a Budget. However, I hope that they will get themselves into order and will recognise the obligation that they have to implement those elements of the agreement. That is because, as I sat at Stormont House, I did not hear anybody around the table say that they rejected the agreement. I recognise that there are some who would choose to use it as an à la carte menu by picking the bits that they like and leaving the hard decisions for the two larger parties. That is not giving leadership, and it is certainly not very responsible.

**Mr Spratt:** I thank the First Minister for that answer. Is he content with the new arrangements for welfare reform? Do they avoid the costs of computerisation that were assessed to be hundreds of millions of pounds each year on top of the annual penalties that DWP was insisting would be paid and that, according to the last estimate I heard, would have grown to some £350 million?

**Mr P Robinson:** I indicated that there was a five-party agreement on a range of financial matters, one of which included the changes to the welfare system that would be necessary, and because all five parties signed up to the detailed proposals in that document, I am confident that we will be able to move forward on the welfare changes on a united basis. Therefore, as that is based on using the DWP computer systems, there will be no additional cost to have our own IT system. There will be some added cost for the enhancements in our system, which will require some refinement of IT programmes, but that is very small compared with the major change in cost that there would have been if we had to have our own system.

My understanding is that the penalties will cease as soon as the House has passed the legislation and regulations, so there will be no further cost once we have passed that mark.

**Mr Deputy Speaker (Mr Beggs):** I call Sammy Wilson.

**Mr Wilson:** Merci beaucoup, Monsieur Deputy Speaker. That is the extent of my French, by the way.

## Stormont House Agreement: Trade Union Opposition

T2. **Mr Wilson** asked the First Minister and deputy First Minister whether they agree that, now that the trade unions are leading an unprincipled, emotional and inaccurate campaign against the Stormont House Agreement, it is they that are not showing leadership and are following a narrow agenda that is not good for the economy of Northern Ireland, given that, in the days and weeks before the Stormont House Agreement, civic leaders and trade unionists lectured politicians in this Chamber about the need to show courage. (AQT 1942/11-15)

**Mr P Robinson:** I am sure that many of the party leaders in the House will have received representation in the run-up to and during the Stormont House Agreement from church and civic leaders, including representatives of the trade unions, telling us that it was our responsibility to be prepared to compromise and to make accommodation for others. I have to say that I agree with the principles behind the Make it Work campaign, but it is sad to see that, although it went to such lengths in launching its campaign, as soon as the parties reach agreement in talks, one of its member organisations comes out with the most outrageous statements about the agreement. That is

not leadership, which was what the campaign was saying people needed to show in order to reach agreement in Northern Ireland. The advertisement shows a very poor knowledge of economic principles and facts.

**Mr Wilson:** Four years ago, when the current Budget was introduced, the same trade unions were predicting that 50,000 public-sector workers would be thrown out onto the dole. That did not happen. Will the First Minister confirm that any redundancies that will take place as a result of the Stormont House Agreement will be purely on a voluntary basis and not, as the trades unions have suggested, throwing workers out of work when they wish to stay in work?

**Mr P Robinson:** If one was to read the advertisement, one would not see that it is a voluntary exit scheme that is being proposed. Here is a sentence from it:

*"thousands of sacked public servants will face the UK's lowest wages".*

Sacked civil servants? It is a downright lie from the pit. There is no sacking of civil servants under this proposal; it is a voluntary exit scheme, "voluntary" being the key word in it. I suspect that it will be the unions' members who will be volunteering to be part of that exit scheme. They go on in their advertisement to say:

*"no-one voted for our elected politicians to do a deal like this."*

Well, let me tell them that, as far as I am concerned, I did get a mandate to seek powers for corporation tax to be given to Northern Ireland, I did get a mandate to reform public services, I did get a mandate to rebalance the economy in Northern Ireland and I got a mandate to deal with welfare reform. How dare the trade unions tell me what my manifesto and my policy documents were. We sought a mandate; we got a mandate; we implemented that mandate.

### Organ Donation: Soft Opt-out System

T3. **Mrs Dobson** asked the First Minister and deputy First Minister whether they have, since their meeting about organ donation last March, met with the new Health Minister to relay their support for a move to a soft opt-out system, given their support for organ donation and specifically a move to such a system. (AQT 1943/11-15)

**Mr P Robinson:** We have not met the new Health Minister on that subject, but as the new Health Minister is a very intelligent and well-read individual, he will know of our support for that proposal. As I understand it, the Member has a Bill that is working its way through the House, and I have made clear my intention to support it when it comes to the Chamber.

**Mrs Dobson:** I thank the First Minister for his response. Given their joint public support for a soft opt-out system, which he has outlined again today, and the earlier Budget announcement on health, have the First Minister and the deputy First Minister pressed for any additional resources to enable the Health Minister to introduce the new system?

**Mr P Robinson:** The allocations in the Budget give an additional £204 million to the health service. However, it is for the Health Minister, who is in day-to-day contact with the pressures and priorities that he has to meet, to determine how that should be allocated.

### Departments: Reduction in Number

T5. **Mr Moutray** asked the First Minister and deputy First Minister, in light of the recent commitment in the Stormont House Agreement, whether work to reduce the number of Departments has commenced, when it will be completed and what the public can expect to see from it. (AQT 1945/11-15)

**Mr P Robinson:** Yes, it has more than commenced. Indeed, the deputy First Minister and I had asked the head of the Civil Service, who is also the permanent secretary of our Department, to work up some options, which he had done even before the Stormont House Agreement. He has produced a paper, which the deputy First Minister and I shared with Executive colleagues at the last Executive meeting and which gives a favoured option, although there are some issues in it to be clarified. Executive colleagues were asked to come back — I think by tomorrow — with any proposals that they might have for amendments to the document. If we can make sufficient progress, I hope that we might even get it on to the agenda of a special Executive meeting this week. If not, it will be on the agenda for next week's meeting.

**Mr Moutray:** I thank the First Minister for his response. Will he inform the House why we have to wait until 2021 to see a reduction in the size of the Assembly?

**Mr P Robinson:** I suppose that the answer to that question is that we do not have to wait until 2021. The Stormont House Agreement, carefully worded as it was, indicated that any change in the numbers to 90 should take place in time for the 2021 election. That does not mean that it could not take place in time for the 2016 election. Doing it for 2016 would mean that it would be done in time for the 2021 election as well. All that it requires is agreement.

I know that the Alliance Party and the Democratic Unionist Party support going straight to 90 seats in 2016. Indeed, my party believed that there should be 72 seats. We already have between two and three times the number of elected representatives in Northern Ireland per head of population as Scotland does. Therefore, I think that there is good cause to see a reduction. However, there was not agreement from the other parties, although I trust, in the days, weeks and months ahead, that people will consider the pressure on public finances and look at this as being one mechanism whereby we can show that we are prepared to take pain as well.

### Age Discrimination Legislation: Goods, Facilities and Services

T7. **Ms Sugden** asked the First Minister and deputy First Minister why the Programme for Government commitment to extend age discrimination legislation to the provision of goods, facilities and services has yet to be delivered or even realistically talked about. (AQT 1947/11-15)

**Mr P Robinson:** I will ask my colleague Jonathan Bell to answer that question.

**Mr Bell:** The commitment was given at that particular time, and we continue to be committed to it. My most recent meeting was with many members of the age sector, as we continue to try to put in place a system that has agreement to achieve what we set out to achieve, which is no discrimination in the provision of goods, facilities and services.

It is absolutely wrong for people, just because they have crossed a certain age, even though they are in good physical health, to have, for example, their travel insurance tripled. I have been speaking to many of our elderly citizens, and the cost of their travel insurance has meant that they cannot get a holiday. In fact, the cost of travel insurance in some cases is almost equal to the cost of the holiday. I think that we are all agreed on the issue in the House, and we are all working extremely hard. Junior Minister McCann and I, and our advisers, in our last meeting at the very end of the last year were working with the age sector in particular to see how we might get legislation through in this mandate.

2.45 pm

## Employment and Learning

### St Mary's University College

1. **Mr Ó Muilleoir** asked the Minister for Employment and Learning for an update on the future of St Mary's University College. (AQO 7346/11-15)

2. **Dr McDonnell** asked the Minister for Employment and Learning to outline his vision for the future of St Mary's University College. (AQO 7347/11-15)

**Dr Farry (The Minister for Employment and Learning):**

Mr Deputy Speaker, with your permission, I wish to group questions 1 and 2, and I request an additional minute for the answer.

Members are aware from my statement of 1 July 2014 that the international panel completed its review and delivered its report 'Aspiring to Excellence' on initial teacher education infrastructure in Northern Ireland.

The report proposed four options for future structures which could move us towards a world-class standard of teacher education. They are: a collaborative partnership; a two-centre model with a Belfast institute of education and the second centre based in the north-west; a Northern Ireland teacher education federation; and a Northern Ireland institute of education.

As a first step towards engagement with the sector, during September, I met the four providers, Queen's University, Stranmillis University College, St Mary's University College and the Ulster University, to hear each institution's views and discuss how best to find a way forward. The meetings were constructive. Engagement will continue as we consider how best to align the views put forward by the institutions with those of the international panel. I would, however, remind Members that both reviews of initial teacher education confirm that the status quo is not an option for the future delivery of initial teacher education.

The issue of the financial sustainability of the current structure has become more pressing now that, as a result of the Budget, my Department faces budget cuts which will necessitate difficult decisions on a range of functions and services across the Department and its arm's-length bodies. It is in this context that I have advised St Mary's and Stranmillis that I plan to remove the small and specialist institution premium funding from the beginning of the 2015-16 academic year.

The 'Aspiring to Excellence' report provides alternatives to the current infrastructure; alternatives which could enable initial teacher education to be delivered in a more cost-effective way and to a world-class standard. In my view, the options that best achieve these criteria would seem to be options B, a two-university approach, or D, a single institution. I have written to the initial teacher education providers, requesting that they develop proposals to structure teacher education along these lines. I plan to meet with each of the providers this month to discuss their views.

I also firmly reiterate that my main aim in this process continues to be how we can best structure a system that can deliver world-class standards of teacher education; one that is financially sustainable, promotes greater sharing and integration and is in the best interests of our young people.

**Mr Ó Muilleoir:** Go raibh maith agat, a LeasCheann Comhairle. The Minister was very frank in his answer. I wonder whether he accepts that the removal of the premium will lead to the closure of St Mary's University College. Does he accept that if St Mary's closes, it will be the biggest body blow in a generation to the area of highest unemployment in Belfast? Would he —

**Mr Deputy Speaker (Mr Beggs):** I think the Member has asked his question.

**Mr Ó Muilleoir:** — let me know what economic impact assessments he has carried out?

**Dr Farry:** I recognise that the impact would be significant for St Mary's and that this is a serious issue for the college, although I would not assume that it means the closure of St Mary's. This is happening in the context where we already know that the teacher infrastructure in Northern Ireland is very fragmented. It is much more costly than comparative systems elsewhere in the world. We are not actually reaching our full potential with regard to standards and linkages, particularly with research.

There is a real prize here from reform. I believe that, through a process of engagement that includes St Mary's, we can find agreement on a way forward that looks to issues such as the future provision of higher education in west Belfast and also takes into account the different needs of the education sector in Northern Ireland. I stress that that type of point and perspective can be accommodated through a range of different institutional formats.

I think that there is the opportunity for discussions amongst all the providers to find consensus on a better way forward, not just for institutions but primarily for the future teachers of Northern Ireland and, as a consequence, the future students who will go through the school system.

**Dr McDonnell:** I thank the Minister for his answer. I remind him that St Mary's has produced a very high standard of education for generations. Many of us believe that St Mary's and Stranmillis, or an institution of that sort, can provide a significant contribution. We do not have enough university —

**Mr Deputy Speaker (Mr Beggs):** Can the Member come to his question, please?

**Dr McDonnell:** — or third-level education places. There is much to be achieved. Shutting it down is not a sensible option in my view.



**Mr Deputy Speaker (Mr Beggs):** Would the Member please ask his question?

**Dr McDonnell:** Has the Minister moved in any way to facilitate talks or promote a better or stronger partnership or working relationship between St Mary's and Stranmillis?

**Dr Farry:** There were quite a few things in that series of questions. Let me start from the back. Yes, we are engaged in discussions and we are promoting discussions between the different providers on a way forward, but I am disappointed with the questions that have come forward on this in that we are taking this issue from the perspective of institutions rather than from that of the welfare and future interests of the teaching profession and students in Northern Ireland. While, of course, Stranmillis and St Mary's have been successful in their own right, we can aspire to do so much better. That is the main argument that is contained within the 'Aspiring to Excellence' report. I encourage Dr McDonnell and others to read that report and see where the capacity exists in Northern Ireland for a much-improved situation.

Let me also be very clear in relation to the issue around the premia. It is not my intention to use this to force through some agenda. We want to have discussions with the providers on the way forward. The context for the discussions on the premia lie in the fact that we have a very challenging budget situation and we continue to have that, notwithstanding the additional allocations announced by the Finance Minister earlier today. On a fixed budget, I have a very stark choice to make. It is between the protection of front-line places, which means places in our universities and colleges across Northern Ireland, and preserving subsidies that I do not believe are warranted. So, when people make the case for the premia that go to those teacher education colleges, they also make the case that I withdraw money from the front line, which means that some of our students in Northern Ireland will not have the opportunity to attend a university or college and pursue a career here, which will damage our economy and undermine their life opportunities. So, it is a very stark choice that lies ahead of us, and people should be very mindful of it when they make the arguments that they are making today.

**Mr Swann:** The Minister said that he is not using this opportunity to push through his agenda with regard to St Mary's and Stranmillis. Does he not agree that the Grant Thornton report into the financial future of both teacher training colleges showed that the small-college premia was crucial for their existence post-2015? Does he also agree that anybody who supports the budget as proposed, in which he removes the small premia, is sounding the death knell for St Mary's and Stranmillis?

**Dr Farry:** People should not be talking about the death knell of any institution at this stage. That is not what this process is about. It is a process of trying to find an agreed way forward for the institutions. The issue about the premia being a subsidy has been very clear in the eyes of the Assembly and, indeed, others since the Grant Thornton report was published. We could have proceeded at any stage to withdraw the premia if we were intent on using it as a lever. The fact is that we have to make choices now in the context of the budget, and that is the basis on which we approach this issue. However, due to the fact that we have the Grant Thornton and 'Aspiring to Excellence' reports, we now have a very clear basis

to formulate an alternative, whereby we can mitigate the effect of the budget and provide a means by which we can address the interests of the education sectors in Northern Ireland and our requirements for the future training of teachers. We have that opportunity, and I urge all the institutions and, indeed, wider stakeholders to seize it.

**Ms Lo:** Given what the Minister said about the financial constraints and the interests of everybody, what is his vision for teacher training in Northern Ireland?

**Dr Farry:** It is important to bear in mind that the 'Aspiring to Excellence' report is not something that is founded around the issue of resources or a means to find a more efficient way of delivering teacher training. That is something that is very clearly out there due to the financial situation that we find ourselves in. However, there are other drivers of change, and the primary one is driving up standards; taking on board international best practice in the institutional format of teacher education and recognising that most modern teacher education systems are very clearly linked to university-based research. That is perhaps a linkage that we are not fully developing in Northern Ireland. It will provide a much more rounded product in our future teachers, which, in turn, will benefit our future students going through schools.

### South Eastern Regional College: Budget

3. **Mr Easton** asked the Minister for Employment and Learning to outline the effect of any potential budget cuts on the South Eastern Regional College. (AQO 7348/11-15)

**Dr Farry:** Even with the allocations to my Department in the final Budget, DEL is facing an unprecedented level of cuts. They will have an impact across the areas of work of my Department, including further education. At this stage, I am unable to provide the definitive position on the impact of the revised Budget on the further education sector, but the impact of the cuts proposed in the draft Budget was set out in my Department's draft savings delivery plan. However, it is inevitable that front-line services will be detrimentally affected, by way of staff losses and a significant reduction in student places. Such cuts in further education provision would be perverse at a critical time when Northern Ireland needs to expand, rather than reduce, the supply of skilled workers to employers in preparation for a possible introduction of a lower level of corporation tax.

Once the further education budgets are finalised, my officials will communicate that information to the colleges to enable them to plan for the 2015-16 academic year and beyond. Undoubtedly, difficult choices will have to be made in the weeks ahead.

**Mr Easton:** I thank the Minister for his answer. I am not sure whether he will be able to answer this question: can the Minister outline how the newly agreed Budget will enable him to deliver programmes for apprenticeships in north Down?

**Dr Farry:** With respect to apprenticeships and the system of youth training, the Department was successful in a bid to the change fund to the tune of £7.5 million. I put on record my gratitude to the Finance Minister and the Executive for agreeing that allocation. That is a major and strategic investment in the future of this economy, as well as in the future of our young people. Obviously, our

further education colleges will be key delivery partners in that regard, so there will be some assistance to them. On top of that, of course, some element of the £20 million of additional resources or reallocation of resources — depending on your perspective — will be used to offset the current proposed impact of the cuts on further education, but, in the coming weeks, we will have to bottom out precisely what that means in practice. It is my intention to try to have that finalised in the budget for the next financial year, probably within about two weeks of now.

**Mr McCallister:** In his earlier reply, the Minister talked about the difficulties between maximising any benefits from corporation tax and, of course, funding it. How will he secure the future of colleges, such as the South Eastern Regional College and campuses like Downpatrick, while implementing that and implementing cuts and not raising money from any other point? Is it not time for him to join us in opposition before his Department is abolished?

**Dr Farry:** I am not sure who Mr McCallister means by “us”; I thought he was a lone voice these days as an independent. I am not sure whether he has formed another party in the past couple of minutes and we have missed that. Let me say this very clearly: I believe that I best understand the interests of my Department and the arm’s-length bodies. I am best placed to make the case for additional resources and I am best placed to manage the resources that are available to get the greatest impact. That is my current intention.

The Member mentioned corporation tax. Let me be very clear: there is not a simple choice to be made between funding a lower level of corporation tax and taking money out of the skills budget. The two have to go hand in hand. While we have some degree of mitigation of the budget for the current year, simply having a standstill situation around places is not good enough. We have to intensify our investment in places in our universities, colleges and apprenticeships if we are to truly maximise the benefits of corporation tax. A lower level of corporation tax has the potential for increased demand within our economy from local companies growing and more inward investment. However, unless we can keep pace with that demand through the supply chain by way of talented young people, we are not going to take full advantage of a lower level of corporation tax. I am confident that, as we move towards that lower level of corporation tax, the case for further investment in the skills budget will become even more clear-cut. I will certainly continue to make that case and will do so over the coming months and years.

**Mr Kinahan:** Given that 16,000 student places are being cut, what is the Minister putting in place? What are his options to make sure that those young people do not fall into the NEET category?

**Dr Farry:** We do not have a plan B for when there is a situation where there are cuts in further education places.

Rather than divert resources into funding a plan B, the wiser course of action would be to do more in plan A.

### 3.00 pm

There are real dangers that people will miss out on further education places and will have nowhere to go. Ultimately, that will become a cost burden on social security and welfare, so we need to be mindful of the consequences of that. That said, the figure of 16,000 was a projection based

on a 10·8% cut to my Department that was passed on, on a pro rata basis, to the colleges. We are now in something of a different position today, with a lower reduction to my Department’s budget. We have to bottom out exactly what that means for the FE sector over the coming days.

I am working on a number of options that, hopefully, will try to avoid there being too much of an impact on the front line in further education. At this stage, however, it will be difficult to avoid any cut in the number of places available. That will be the first time, certainly in my experience, if not longer, that we have seen a reversal in the provision of further education, as previously it was always open to anyone in Northern Ireland to access courses. This will be the first time that, potentially, we will ration access to courses, and we need to take that very seriously.

## Careers Review Report

4. **Mr Irwin** asked the Minister for Employment and Learning for his assessment of the careers review report, including the envisaged timescale for the implementation of its targets. (AQO 7349/11-15)

**Dr Farry:** Members will recall that, in March last year, I announced that the Minister of Education and I had commissioned a formal employer-led review of careers by an independent panel of experts building on the work of the Employment and Learning Committee and the CBI. The expert panel has now reported. Sound careers education and guidance, informed by the needs of the current and future labour market, is critical to fully maximise our potential and the opportunity for economic growth. It is now more important than ever that our young people are equipped with the skills and qualifications they need to take advantage of the opportunities that the new corporation tax environment, for example, could afford.

I welcomed the findings of the review, and there is broad agreement on the way forward. My Department will shortly publish a joint strategic framework outlining the key actions and timelines for implementation. The new framework will also take account of the recommendations made in the Employment and Learning Committee’s report following its extensive inquiry into careers, as well as other recent publications from the CBI. Work has already started to improve support for careers using the Web, with a new home page and updated online self-help support launched at the end of last year.

In addition, through the Northern Ireland Centre for Economic Policy, work commissioned by my Department has begun to produce a skills barometer to provide reliable and easier to understand labour market information and to highlight labour market opportunities and trends. Part of the development of careers will involve discussions with key stakeholders, including parents and employers. That is to ensure that the new system supports young people and adults to fulfil their potential to contribute positively to their community and the Northern Ireland economy and meets employers’ needs.

**Mr Irwin:** I thank the Minister for his response. The report states that work experience will be provided from P7. Will the Minister explain how he sees that recommendation working in practice, given the age issues and potential concerns of employers and others in the workplace?

**Dr Farry:** Exactly what that means in practice is one of the issues that we will work through as part of the implementation plan. Obviously, the Department of Education, which has responsibility for children and young people at that age, will have a major say in exactly how that is taken forward. I am sure that Members are mindful that we have a lot of work experience people in the Building this week and next week, as this is often the time that schools across Northern Ireland ask for such opportunities to be taken up. I am taking a number of students this week and next week.

We are conscious, however, that work experience is a very limited snapshot of the world of work. Schools will often offer only that five-day window, usually in the lower sixth year, but that is often too late to inform young people of the range of choices that is out there for them. Sometimes young people would maybe benefit from a wider range of experiences so that they can sample different areas of the world of work and decide what is most suitable for them.

Those are some of the ideas that lie behind that recommendation in the review. We now need to look to see how we can put that into practical action.

### Disability Special Advisers

**5. Mr McGlone** asked the Minister for Employment and Learning how many disability specialist advisers are employed by his Department across Northern Ireland. (AQO 7350/11-15)

**Dr Farry:** My Department employs 60 members of staff who have been specially trained or are professionally qualified to support people with disabilities. This includes the employment service, which has 42 staff who are employed in this specialist role across the 35 public offices. In addition to the specialist disability training, those staff are supported by three regional disability employment managers and a team of six occupational psychologists. The disability employment managers have many years of experience working with disabled people and supporting employers who wish to recruit or retain employees who have a disability.

The Department's team of dedicated and professional occupational psychologists provides an employment assessment service to individual disabled clients who are seeking work or to those who are having difficulties retaining work as a result of a disability. The psychologists also work with employers to provide assessments and recommendations for adjustments to support their disabled employees. As part of the disability team, nine advisers deliver the Access to Work programme, which supports 650 people with disabilities in employment.

In addition to the 60 staff, the Department provides specialist help and support to people with all types of disability who are in further or higher education, undertaking skills training or availing themselves of careers guidance. These specialist disability services are delivered in partnership with or on behalf of my Department by organisations from the local disability sector.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire chomh maith. Thanks very much to the Minister as well. There is no doubt about the beneficial effects of those services, but

how many people are finding full- or part-time employment as a result of the interventions of the advisers and their staff?

**Dr Farry:** I am happy to write to the Member and give him the precise figures, but we are talking in the considerable numbers of hundreds of people benefiting from the schemes that are available. The Member will also wish to note that we have been working over the past 12 months — indeed, longer — on the development of a new employment and skills strategy for people with disabilities. That is being finalised by my officials, and we hope to commence public consultation on it in the next number of weeks. That is intended to freshen our current offering, which is making a real difference, but there is also potential to do things better. Notably, given the title of the forthcoming strategy, there will be a much greater focus on skills.

It is important that we recognise that people with disabilities have a lot to offer in the workplace. This is not simply about employers showing some sort of corporate responsibility and giving an opportunity to someone with a disability; this is about employers reaching their full potential by fully availing themselves of the talents that disabled people have. Just because someone has a disability that does not mean that they are not able to fully engage with the world of work and to be as productive, if not more so in some contexts, as other work colleagues. It is important that we do all we can to get the message out about what can be done and the supports that are available to make a real difference to people's lives and to the local economy.

**Mr Campbell:** Clearly, the Minister will be in a position very shortly to make his announcement on forthcoming capital projects, including the Northern Regional College. If and when he gets to that point shortly, will he be able to utilise the services of disability specialist advisers on the location, roads infrastructure and accessibility of any new structure?

**Dr Farry:** I take on board any advice that we can get on the siting and design of buildings to make sure that they are as user-friendly as they can be. I think that it was DisabledGo that advised us on our existing footprint, conducting an audit of all our further education estate and identifying valuable lessons. In more recent capital investment, we take every step that we can to ensure that we are fully disability-compliant. Obviously, the Disability Discrimination Act is a backstop to ensure that we follow through with the rules. We also recognise that there is a proactive role and responsibility in ensuring that our buildings are fully disability-compliant so that we can facilitate all our potential customers. In further and higher education, we have a proud record of facilitating access for people with disabilities.

### Southern Regional College: Craigavon

**6. Mr Moutray** asked the Minister for Employment and Learning for an update on the newly proposed Southern Regional College campus in central Craigavon. (AQO 7351/11-15)

**Dr Farry:** The Southern Regional College is planning major capital investment projects at Armagh, Banbridge and Craigavon.

The Craigavon project will establish a new state-of-the-art campus to replace the existing Lurgan and Portadown campuses. The work was originally planned to be delivered after the Armagh and Banbridge projects. However, I have been able to secure additional capital funding through Together: Building a United Community and hope to deliver the work on a similar timescale to that for the other projects.

Southern Regional College has begun the process of identifying a design team to take forward all three developments, and the initial part of the exercise will be completed in the next two weeks. The appointment of the design team will be completed by the end of March 2015.

Unlike the Armagh and Banbridge projects, which will be developed on existing sites, a site has yet to be secured for the Craigavon development. However, the college has completed a site options analysis. On the basis of that analysis and following liaison with Craigavon Borough Council, a potentially suitable council-owned location has been identified. A pre-application discussion with Planning Service regarding the site is due to take place this month, and, depending on the outcome of that meeting, a decision on the next steps will be taken.

Subject to securing an appropriate site, design work is expected to be completed in approximately nine months from April 2015, with the aim of awarding the construction contract during 2016.

**Mr Moutray:** I thank the Minister for his very welcome response. Can he ensure that discussions will take place with local businesses — namely, those from the manufacturing, agrifood and life sciences sectors — so that courses at the new centre are tailored to meet their needs?

**Dr Farry:** Yes, I am happy to give the Member that assurance. Further education has evolved significantly over the past decade and is now very focused on the needs of the economy. It is there to provide a skills solution and a research and innovation solution for local business. The emphasis in the curriculum has also moved much more towards the needs of the local economy. I have already mentioned the importance of new strategies around apprenticeships and the forthcoming strategy on youth training and how further education will be a key delivery partner in that regard. Obviously, employers will be in the driving seat for those strategies. Of course, our capital design has to follow suit and ensure that we deliver what the curriculum requires, not the other way around.

**Mrs Dobson:** I also thank the Minister for his answers so far. Regarding the news on the new campuses, will the Minister assure us that the impact of the recent cuts to his Department's budget will in no way affect the ability of the colleges to staff the new builds once opened and that everything will proceed as planned and staffing levels will be as required?

**Dr Farry:** Probably the biggest challenge financially is the dip in the capital budget, which is causing a degree of concern. Members can take consolation from the fact that I have consistently stated that I regard the Southern Regional College and Northern Regional College areas as being priorities in the further education estate. They have not had the same investment as some other regions over the past number of years, so I am keen to progress the projects as best I can. We will look to see what

opportunities are out there for capital funding. Often, doors open for capital owing to unforeseen circumstances elsewhere in budgets.

I remain optimistic that we will proceed with all three capital builds in the SRC jurisdiction. The resourcing will be there to ensure that all three campuses are viable. Although we have pressures on the FE budget and sadly there will be some loss of job roles and job places, the three campuses will require staff to ensure that we deliver the courses that they are designed to facilitate. In that context, I do not see the revenue budgets compromising the projects' go-ahead.

**Mr Deputy Speaker (Mr Beggs):** That ends the period for listed questions. We now turn to topical questions.

## DEL: Revised Budget Allocation

**T1. Mr Brady** asked the Minister for Employment and Learning for an update on the revised allocation to his budget for 2015-16. (AQT 1951/11-15)

**Dr Farry:** As the Member will be aware, the Finance Minister earlier announced a further allocation of £20 million to my budget or, depending on your perspective, the reallocation of money that was otherwise going to be cut from the budget and the receipt of another £13.5 million from bids made either on a single departmental basis or on a joint basis with other Departments to the change fund. Let me be very clear: I very much welcome the additional allocations that have been made by the Finance Minister and agreed by the Executive. That said, we still face a very challenging situation in terms of my budget. That will continue to pose real challenges and risks our being unable to provide and invest in the skills pipeline for the future of the Northern Ireland economy. We will have to see over the coming weeks how we can best mitigate the effect of those to protect the front line as best as possible.

**3.15 pm**

**Mr Brady:** I thank the Minister for his answer. Could he outline what discussions he has had with colleges and universities about protecting student numbers? Go raibh maith agat.

**Dr Farry:** Ultimately, the best route to protecting student numbers lies with the allocation to my Department. Any discussions that we have with the universities and colleges is the fallback position as to how we best mitigate the effect of the allocations that have been made. Over the past weeks, I have had regular meetings with the vice chancellors, the principals, the chairs of the boards of the six FE colleges and Colleges NI. I will see the two vice chancellors tomorrow to discuss the implications of the Budget. I will also meet the colleges tomorrow evening to discuss the Budget as well as some other issues regarding the future of community planning at a local government level.

Over the coming weeks, we will see exactly how we can agree a Budget. Certainly, it is my intention to protect the front line as best as possible. However, in comments made to some of the Member's colleagues earlier in Question Time, I made it clear that there are choices to be made. Some of what the Member's party suggests I do would mean that money is taken away from the front line and



would result in even steeper cuts in places. The Member may wish to reflect on that with his colleagues.

### Skills Agenda: Budget Impact

T2. **Mr Dickson** asked the Minister for Employment and Learning what effect and impact the Budget will have on the skills agenda for Northern Ireland. (AQT 1952/11-15)

**Dr Farry:** I thank the Member for his question. Skills are the main driver of the transformation of our economy. We need many more higher-level skills. We also need to bring more and more people into the labour market. If we are to truly compete with other regions, achieve our full potential and close the productivity gap with the rest of the UK and in the context of the European Union, investing in skills is the main way in which we will do that.

We also have the looming issue of the potential lowering of the rate of corporation tax, something that I very much welcome. However, there are major challenges ahead if the Executive are going to be in a position to resource that in a couple of years' time. The notion that we take money out of the skills budget to fund a lower level of corporation tax does not make a lot of sense. If anything, we have to invest further in skills to make the lowering of corporation tax a success. There is a lot to play for over the next number of months around ensuring that we do the right thing for our economy. That means investing in skills to ensure that we reach our full potential.

**Mr Dickson:** Minister, how, therefore, are you going to protect investment in front-line skills?

**Dr Farry:** It will be difficult to achieve that. We now face a slightly better situation than was set out in the draft Budget, but we were potentially talking about 16,000 places in further education and 1,000 places in universities. I have made it clear that, in my Department's service delivery, it is my intention to protect, as best I can, the economy and those areas that are most relevant to the economy, though virtually everything that my Department does is relevant to the economy, and those who are most vulnerable. I have indicated that I want to protect what we term narrow STEM subjects in our colleges and universities — maths, physics, computer science, engineering and life sciences — and that we want to protect apprenticeships and youth training. We have some protection from the change fund in that regard.

We are looking at and discussing with the colleges and universities what alternatives there are in terms of finding efficiency savings, doing things differently and addressing subsidies and different formats of spend regulation that may free up money that will allow us to preserve a greater share of places on the front line than was otherwise the case. Those discussions have still to be bottomed out fully, and it may be about two weeks before we have a full picture of what the Budget means for the coming year. However, we also have to bear in mind that places are a long-term investment. What happens in this Budget will be of interest to what happens in the next four years as well. The two have to be seen in conjunction with one another.

### European Social Fund: Applications

T4. **Mr McKay** asked the Minister for Employment and Learning for an update on the number of applications

received for the European social fund, particularly from the community and voluntary sector, and why he has limited the qualifications in this to level 1. (AQT 1954/11-15)

**Dr Farry:** First, from memory, I think that in the region of between 130 and 140 applications were received to the European social fund. The application process closed on 9 January, and we are working through those applications. My officials are doing that as we speak. It is important to bear it in mind that we are in difficult financial times, but we want to make full use of the community and voluntary sector, which is a key delivery partner of government. The European social fund is a useful tool in creating opportunities for them to bring their skills to bear in making a difference to people's lives. It is important that we also look at duplication in the provision of services. We see a natural division of labour, where a greater focus is placed in the community and voluntary sector around the level 1 qualifications, and our further education sector and others focus around level 2 and beyond. That will not be an absolute distinction, and, in particular, we have made it clear that ESF bids in relation to disability will go beyond level 1. There may well be other situations where that applies, but we are trying to make the best use of the resources available to us financially and take into account the skills in the community and voluntary sector and where they can make the biggest impact.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. The problem with that approach, Minister, is that a lot of community and voluntary servers find themselves locked out by the way the criteria have been set, and you will be well aware of the concerns outlined by NICVA —

**Mr Deputy Speaker (Mr Beggs):** Could the Member ask a question, please?

**Mr McKay:** — and, indeed, organisations in the community and voluntary sector in Portglenone, which I represent. Can the Minister estimate how many projects could close and how many jobs could be lost in the community and voluntary sector through his approach? Is it more about shuttling money out of the community and voluntary sector and into his Department than anything else?

**Dr Farry:** First, we are not shovelling money out of the community and voluntary sector and into my Department. Some schemes in my Department will have to close because of lack of resources. We cannot renew them as we had planned because of the budget cuts, and they were coming to the end of the first phase in March this year. It is also worth noting that the European social fund itself is a bigger pot of available resource than it was, so there is actually more money on the table from the ESF in this round than there was previously. That is also good news.

I have to be frank with the Member: the biggest threat to the delivery of the ESF programme now lies with match funding. One of the consequences of the delay in approval for DSD's Regeneration Bill has been to knock back the transfer of functions from DSD to local government. A lot of organisations now find themselves very confused about how they will get the match funding to access the ESF. We have a situation where DSD is hanging on to powers for an additional 12 months and councils that were planning to have powers from 1 April are now having to wait a further 12 months, and a lot of bodies now find themselves caught between those two stools and are unsure how to

get additional funding. Neither the councils nor DSD are in a position to give a degree of certainty around match funding.

### Further Education: People with Disabilities

T5. **Lord Morrow** asked the Minister for Employment and Learning for an update on the provision of further education courses and qualifications for people with disabilities and to state what progress has been made. (AQT 1955/11-15)

**Dr Farry:** The Member has raised that on a number of occasions, and he will be aware that we have conducted an audit of further education provision across the FE sector. That ties in with the previous question about how best the European social fund can be deployed to assist with level 1 FE in a general sense and assist those with disabilities. A partnership approach between the community and voluntary sector and further education is very important in that regard. The issue about learning and disability transitions has been discussed at the Bamford ministerial subgroup of the Executive, and we are looking to do a proper gap analysis to see where Departments can be more proactive in providing services, particularly around the areas where people are falling between gaps that are not of their making but are more a reflection of the way government is structured.

**Lord Morrow:** I thank the Minister for his reply. I understand that the Committee for Employment and Learning has commissioned a report or a report has been commissioned on this. When do you expect to receive that report, or have you received it?

**Dr Farry:** The Committee for Employment and Learning is conducting an inquiry into these issues, and I am happy to assist it in that regard. I certainly recognise its initiative on this important issue. The timescales of that work lie outside my direct control, but work is happening in parallel with that, and I want to assure the Member that we are not sitting back and waiting for that report before any action is taken on these issues. We are pushing behind the scenes at the Executive with ministerial colleagues to see what more can be done on an action plan, and, indeed, a draft has already been commissioned.

The biggest challenge that we face is resources. For far too many Departments and agencies, this type of activity is seen as a soft touch, whereas it should be viewed as part of their core service delivery. We particularly need to see a reconciliation so that, when it is unclear which Department has responsibility, someone steps up and takes responsibility for delivery.

### Youth Unemployment: Rural Areas

T6. **Mr Rogers** asked the Minister for Employment and Learning what his Department is doing with specific programmes or interventions to deal with youth unemployment in rural areas, given that the Department acknowledges that, particularly in rural areas, job opportunities are likely to be fewer and the task of supporting the NEETs population is an even bigger challenge. (AQT 1956/11-15)

**Dr Farry:** It is worth referencing the fact that the Steps 2 Success programme is now operational. We have three contract areas across Northern Ireland with lead

contractors and a supply chain. One of the key design aspects of the programme is that no person should be left behind, and providers will not be permitted to pick off those who are easier to help, whether on the basis of their skills, qualifications or geography. We have to ensure that we develop a tailored plan for everyone, and we will pick up people from that rural context to ensure that they can avail themselves of opportunities.

It is also worth noting that, unlike the previous round of applications for the European social fund, this time there is a stronger geographical aspect to ensure that there is proper coverage in the schemes that we want to see rolled out across Northern Ireland. That includes capturing people from rural areas. ESF programmes are often tailored towards addressing youth unemployment and those who fall into the NEET category.

**Mr Rogers:** Thanks for your answer, Minister. How easy is it for councils and local providers to customise the Department's programmes to suit very localised needs?

**Dr Farry:** The Member's question is, in some senses, timely. Tomorrow evening, I will host a dinner with the new chief executives of the 11 district councils and the principals of the six further education colleges. We will talk through some of the skill requirements that exist in different areas and how the FE colleges can be more fully part of local economic plans and the community planning infrastructure. As we look to design some of our programmes, particularly the new system of youth training, we are very mindful of variations across Northern Ireland. Again, the councils and the FE colleges will be key partners in trying to put in place a different focus in different parts of Northern Ireland. So, there are some opportunities in that regard to achieve what the Member has asked about.

### College Enrolments

T7. **Mr G Robinson** asked the Minister for Employment and Learning to outline whether the Northern Regional College and the North West Regional College have attracted improved enrolment figures for the 2014-15 academic year. (AQT 1957/11-15)

**Dr Farry:** I do not have the figures to hand that show exactly which colleges are up and which are down, but the Member will be aware that we have had a certain fallback in the number of enrolments in the FE sector. That can almost entirely be explained by changing demographics and the numbers of young people. There is also an issue with some of our schools hanging on to young people for longer than they should, as they have an interest in maintaining their enrolment for money. That is not always in the interests of the young person, who may be better suited to an FE college environment. So, there are some issues there that we need to bottom out.

**Mr Deputy Speaker (Mr Beggs):** That is the end of questions to the Minister for Employment and Learning. I ask Members to take their ease for a few moments while we change those at the Table.

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

3.30 pm

## Private Members' Business

### Protecting Core Public Services

**Mr Deputy Speaker (Mr Dallat):** Order. I call Mr Fearghal McKinney to move the amendment. The Member has 10 minutes.

*Debate resumed on motion:*

*That this Assembly commends the Executive parties on presenting a unified approach in highlighting the drastic reduction in the block grant and the consequent effect that this has on the Executive's ability to defend public services; calls on the British Government to recognise the unique challenges that we face as a society emerging from conflict, with higher levels of socio-economic deprivation; and further calls on the Executive to maintain their protection of core public services, in particular health, welfare and education. — [Ms J McCann.]*

**Mr McKinney:** I beg to move the following amendment:

*Delete all after "Executive to":*

*"define its understanding of all core public services as well as protect those services in relation to health, welfare and education."*

I welcome the opportunity to participate in today's debate. At the outset, it is worth pointing out that the unified approach taken towards the end of the year was not adopted earlier by some of the parties that are now praising that approach. I think that we should all regret that. You will recall the DUP going in one door at Downing Street and Sinn Féin going in the other ahead of the summer, giving the Treasury the classic opportunity to divide and conquer. That happened not at its expense but at the expense of the public. Meanwhile, we were reminding people that that was no way to negotiate and that only a unified approach would have the best chance of success for our people. Even then, there has been only partial success, but I am glad to see that the joint approach was finally adopted.

The essence of our amendment is the definition of public services. It is crucial that we actually arrive at a definition before we commit to how we spend vital public funds. I welcomed the Finance Minister's comments about the need for a better definition so that we can ensure that we set strategic objectives that will help with the definition of core public services, meaning that we can fund those accordingly. We also need to ensure that that happens not solely but largely for health, welfare and education.

The Stormont agreement as embraced by Sinn Féin and the DUP is a pivotal moment in the politics of Northern Ireland. The days of the big cheques that are sufficient for our needs may well be over. We have to consider the impact that that will have on our public and private sector, but we also have to make sure that every pound that we spend is spent well. Unfortunately, simply referring to core public services in that regard does not cut it without

robustly defining what is a core public service and how funding it will help towards government targets.

At the start of the Troubles, we were top of the league table in deprivation in a number of key areas like west Belfast, north Belfast, Derry and Strabane and other rural areas in Northern Ireland. Forty years later, that picture remains largely the same for some of those areas, and the intervening years have piled on intergenerational unemployment, mental health issues, poor health and a host of associated health and other issues that it will take years yet to resolve.

A recent study compiled by the poverty and social exclusion project revealed that more than a quarter of adults here are living in multiple deprivation — that is, living without basic necessities. We have the highest rate of benefit claimants in the UK, the highest rate of youth unemployment at 20%, and economic growth is still lagging behind that of the rest of the UK. We should have been dealing with those issues. The facts speak for themselves, and it is in that context that I would like to address what is a core public service. My worry is that the approach that we are taking is really a sticking plaster and not a strategy. There is a vague sense that core public services are the front line — doctors and nurses, for example. Certainly, they represent a constituent part of it. However, in our view, it is much broader than that and may well impact on every Department. Where health is concerned, we all recognise that there are a number of demands on the system. They include a growing older population, but huge demand arises from the health issues emerging from the long-term unemployment and deprivation that I just referred to. It is a no-brainer, and until we start to tackle the pressure that that puts on our system, we will continue to administer sticking plasters and not strategy.

What has the Budget done and what does the motion in front of you encourage? They merely recognise the issues at the crisis end and do not focus on the demand side. For us, a core public service must focus on addressing that demand and get to the heart of dealing with long-term unemployment and deprivation. The change plan at the heart of the health service has been talked about time and again in the Chamber. It recognises that there needs to be a greater provision for the community side, home being the hub, to help to alleviate the pressure on the expensive hospital side of our health service. Do the Budget and the motion address that? I suggest that they do not.

TYC will continue to be funded out of a monitoring round system that itself will have little money, and it will also mean that, because there is a growing financial pressure, other elements of health service spend will take priority over the change plan. I noticed this morning that, in the January monitoring round, TYC got no money at all. Let us remember that the health service believes that the growing numbers of elderly people are an increasing demand on the expensive hospital side of provision. Let us look at how the system is treating those older people and how it is thinking about keeping them out of hospital. I will illustrate this with one example that demonstrates just how flawed the thinking on these issues is and which highlights the need for a different approach to how we define and order core public services. The South Eastern Trust is, I understand, tendering for a meals service. At the moment, most of those services focus on the daily delivery



of a chilled meal that is later heated and eaten. However, because of cutbacks, the South Eastern Trust, in its wisdom, will deliver this service, not once a day, not once a week, but once a fortnight in the form of 14 frozen meals. This from a trust whose job it is, as part of an integrated care system, to deliver health and social care.

**Mr McCarthy:** I am grateful to the Member for giving way. Does the Member agree that the delivery of meals on wheels until now provided not only good nutritional food but an important social contact with the people driving the vans? In many cases, it was the only face that they saw or voice that they heard all day. That is now to be denied, and deliveries will take place only once a fortnight or even once a month.

**Mr McKinney:** I thank the Member for his helpful intervention; I will get to that very point in just a moment.

I point to a study done in recent years that shows that, out of nearly 10,000 people screened on admission to hospital, 34% were found to be at risk malnutrition and 21% were found to be at high risk. Seventy-one per cent were admitted to hospital from their own homes — in other words, the malnutrition originated in the community. The community, which should be receiving funding and provision, is not. It has been put at risk and may ultimately cost us at the expense of the hospital side. The focus of TYC was on provision in the community and keeping people out of hospital. We have a TYC plan that wants older people at home and to reduce the need for hospital, and a trust whose actions may put them into hospital and in a weakened state. The meals service is a vital core public service that should be receiving funding but is not.

Moreover, those who provide the daily meal service — this is the point made by my colleague — act, as American researchers have found, and, indeed, we have found anecdotally and I found when I recently accompanied a meals on wheels service provider to a number of homes in Belfast, as eyes and ears, or a safety check, if you like, reporting on the changing health or needs of housebound older adults. That is the view of many who provide the services. It is clear, they say, that the social care value is being ignored and that people with lower-level needs are not receiving support to remain nourished, healthy and independent in their own homes. This is despite the fact that it is the ambition of the underfunded change plan at the heart of the health service. Running alongside this is a domiciliary care approach that favours 15-minute visits to homes, burning carers out with the maximum visits/minimal time approach to care delivery.

Missing from this Budget is a comprehensive strategy that fundamentally recognises, as did the Stormont House Agreement, that we have legacy issues that need to be resolved, the crux of which are social deprivation and long-term unemployment. What this Budget does not do is strategically tackle those issues head on, and if it does not, it will only put further pressure on the expensive side of the system. What we need is a strategy, not a sticking plaster. There is a need to develop and maintain a long-term focus on helping those communities facing or threatened with poverty, even when we have witnessed the savage nature of consequential austerity measures and the further squeezing of our block grant. We need to tackle deprivation on all fronts, and the way to do that is through proper joined-up government. If there is one truism about the health service as delivered here, it is that it can only

attempt to deal with the demand as it comes and can do little to alter it. This amounts to an appeal for real, joined-up government, where training, job creation, education — specifically early-years programmes — are prioritised in those areas at most need to effect the greatest change and help to reduce the demand on health and welfare.

We need ring-fencing and a definition of “core public services”, and we need to agree what those core public services are. Otherwise, it is sticking plaster not strategy.

**Mr Moutray:** I am broadly in support of the motion, but it has been ill thought out and hastily put together as a token measure by those across the Chamber, who believe that they have to pay lip service to the protection of services.

The DUP has been and remains committed to the protection of core public services. In fact, we were the party that recently called for the Stormont House talks. We are the party that has gone the extra mile to negotiate with the Chancellor and the Prime Minister. Frankly, our public services, be they for health, education, roads or justice, were in dire straits. Front-line services were going to be severely affected, which, in turn, would have gone right to the heart of our society and caused another dip in our financial recovery as a country. Services utterly essential for the economic growth and prosperity of any country were going to be wiped out. Services such as bus routes would have been cut. Teachers would have been redundant. There would have been a slash in further education places and a loss in front-line policing, causing the potential for an increase in crime and dissident activity.

I will say it again: this country was facing further financial crisis until our party demonstrated clear leadership by ensuring that welfare reform was sorted and that those whose position was diametrically opposed were brought to a point of realisation on the matter. It was our party that, against the odds, negotiated and formulated a Budget that would see additional spend go to every Department. Today, I say shame on the Executive members who voted against it. Shame on them for ultimately denying their Department financial help. Shame on them if they step out today following the statement on the Budget and claim that they have ensured that bus services are not cut and that front-line policing is getting additional spend to help curtail crime and stamp down on the dissident threat. Shame on the Alliance Party if it takes credit for any additional spend in its Departments. We have witnessed its usual head-in-the-sand approach. It voted against the Budget, yet its two ministerial portfolios are set to benefit from one third of the additional spend.

We will continue to lobby for additional financial assistance from the British Government. Having emerged from very difficult, dark days, there is no doubt that the country is in a unique position. Therefore, additional assistance should be sought at times when it is required. However, there needs to be a realisation that Northern Ireland must continue to make strides to make it viable. The way in which to do that is to grow the private sector. I have no doubt that the recent commitment on corporation tax will go some way to assisting with that.

**Mr Kinahan:** There are times when it is right and proper for all the parties in the Assembly to stick together and to fight to try to get the best deal for the people of Northern Ireland. The recent talks at Stormont House were one such occasion. However, there is a distinct difference between

standing together for the common good and adopting a begging-bowl approach to our monetary situation. Some in the Assembly are shamelessly adopting the latter approach.

Of course, we should all seek to protect key public services, although, as the SDLP suggests in its amendment, we should be more careful and explicit in defining what core public services are. I note that, perhaps unsurprisingly, Sinn Féin does not include policing as one of its three identifiable core services. I suggest that that tells you all that you need to know about its priorities. Yes, we need to maintain a social security safety net, but, for most reasonable people, and certainly for the Ulster Unionist Party, when we talk about core public services, we mean health, education, jobs and the economy, security policing and public safety in general. Surely one of the prime functions of government is to keep people safe.

The Executive, and certainly the Finance Minister, knew that cuts to our block grant were coming. The Executive were informed of their allocations for 2015-16 as part of the 2013 UK spending round in June 2013. The point is that they knew that, when it came to our block grant from Westminster, the cupboard was bare, yet no plan was devised for facing up to the problem, hence the financial crisis of the past eight months. Of course, core public services need protecting, but there was precious little sign of that imperative in the draft Budget published in December.

### 3.45 pm

In last week's debate about the draft education budget, we made the point that core services, front-line teaching in the classroom, had to be prioritised. I have to say that the Sinn Féin Minister was less than sympathetic. Mind you, a week is a long time in politics. In the December draft Budget, core services in the Education budget were directly targeted, with a swingeing cut to the aggregated schools budget and the prospect of mass teacher redundancies. Of course, we welcome the additional allocation for Education in the revised Budget. Today, the Finance Minister has found £150 million of extra spending, £63 million has been allocated to Education and the Minister of Education has now announced that his revised budget has found £80 million more for the aggregated schools budget. This, no doubt, will go a long way to mitigating some of the worst impacts, but we now wait to see how in detail the Minister will spend it. That is the key issue. In December, the Ulster Unionist Party, in a submission to the consultation on the draft Budget said:

*"We are concerned that the Department and Minister are playing a political game of brinkmanship in frontloading cuts on schools as a ploy to obtain further funding from the Executive."*

I will leave it to the general public to decide whether this analysis has turned out to be accurate, but it looks like it to me.

Let us be honest about the reality of public spending in the United Kingdom. Northern Ireland is, in relative terms, geographically isolated and economically disadvantaged, but we benefit from regional redistribution of public spending from elsewhere in the United Kingdom. That is as it should be, and we should continue to argue for our block grant to be maximised. However, it is more interesting to

note the statistics in the Treasury's Public Expenditure Statistical Analyses tables, published last summer. The figures for public spending on services by UK region for 2012-13 show that the expenditure per person was £8,529 in England, £9,709 in Wales, £10,152 in Scotland and £10,876 in Northern Ireland. That is 24% above the UK average. However, when you drill down into the figures, you find that Northern Ireland has the lowest health spending per person and the highest education spending per person of any region of the UK. That all vindicates the stance that the former Health Minister Michael McGimpsey took over his budget, a stance that the DUP Health Ministers must admit was right and principled and certainly not obscene. However, I say that, as a member of the Education Committee, questions must be asked about how successive Sinn Féin Education Ministers have spent their budgets over recent years.

**Mr McCarthy:** The motion is a timely reminder of the need for every politician and public representative to recognise the importance of our key public services. For us in Alliance, that means protecting front-line services and targeting funding on deprivation where appropriate. A sense of agreement amongst the parties before Christmas, at the eleventh hour, certainly helped to contribute to a better financial deal in the Stormont House Agreement. We welcome the fact that we have been able to secure an extra £2 billion of spending power from the British Government. It is now, however, important that we monitor exactly how well this money is spent, so that we can ensure that we get the very best deal out of all of this for our constituents and, indeed, for the years ahead.

This means that we allocate this funding on the basis of need. It must also mean that it is not allocated on the basis of a carve-up between the two larger parties. If that were to be the case, we would not be doing the best that we could to protect core services in such difficult financial times. However, that attitude must go further. It is not only when dealing with the British Government that we should seek to protect core public services. We should prioritise them with a united front in our own dealings here at home in Northern Ireland.

That is why it is important that we seek to push the Department of Education's protection on to the schools rather than absorbing it in bureaucracy. It is also why we should ensure that DARD, for instance, spends its money on promoting agriculture and supporting farmers rather than spending millions of pounds moving the headquarters from Dundonald to Ballykelly in the current financial circumstances. We do support the spreading of Civil Service jobs to other regions. The question is about the timing. A better definition of core public services could be useful in that regard, as it would allow us to differentiate between front-line services and other areas of spend.

Finally, it is worth remembering the political cost of obstructionism. We only need to look at the recent welfare reform proposals and the fines that the Northern Ireland Executive were forced to surrender to the Treasury. Over this financial year and the likely time needed to implement welfare reform, I understand that the Executive will have surrendered over £150 million that could have been spent on protecting core public services. Unfortunately, that money is now lost. Perhaps those who tabled the motion might wish to reflect on their earlier actions.

However, we will support the motion and the amendment, but it is an ethos that must run through all our public services and apply to the Minister here, not just to the British Government.

**Mr Girvan:** In relation to the motion as it is presented to the House today about protecting our core public services, the party that put the motion forward and the party that proposed the amendment have probably created a problem within our public service because they have cost us £114 million that we have to pay back to the Exchequer because of their delay in implementing welfare reform. I do not think there are big changes between what was presented and has been agreed in the Stormont House Agreement and what was presented some six or seven months ago.

The idea of core services varies depending on who you talk. I appreciate that, at the moment, A&E units seem to be a core service and everybody says that we are neglecting our A&E units. Maybe that is because there are pressures elsewhere within the system that add to the problem that we have in A&E.

I just want to give a few statistics. Some months ago, I asked the Minister what the difference was in employment of nursing staff and doctors within the health system between March 2011 and March 2014. We have had an increase of 780 nurses since 2011, which is a 6% increase. We have 201 additional consultants, which is a 15% increase. We have had an increase of 82 middle-grade doctors. What are deemed to be allied health professionals might vary from person to person. We have 377 more allied health professionals than in March 2013.

I think that we are looking at a very different matter. If we were ruled directly from Westminster — I think there may be those who feel that that might be an easier way out — what has been negotiated as a way forward and a Budget would probably not have been as deliverable, as we would not have had the opportunity to do that as a local devolved Assembly. I think it has been of some help.

It is interesting to find that those parties that voted against it will still take advantage of the benefits of the agreed Budget, including the money that has been passed through from the January monitoring round and how that is being divvied up. They will still take advantage of that.

I appreciate and take on board the comments made by my colleague from South Antrim. I see policing as a key function and a core responsibility, to give security to our constituents and to our Province. However, in doing so it is vital to note that what we are really dealing with is how individual Ministers decide to divvy up their own budgets, what they deem to be their priorities and what is most important to them. We have seen political games being played in relation to areas that they have to protect, and ensuring that we cannot spend money outside that area. I feel that it is something that we waste a lot of public money on: what I deem to be probably either grandiose ideas of schemes that they want to bring forward themselves, or the protection of certain sectors that they have a vested interest in. We have to ensure that that does not happen.

Some people are great at shouting about equality, and ensuring that there is equality. I believe in equality, but it has to be fair. It is not just equality for some but equality for all. Unfortunately, some people do not see it like that. I

believe that we could have used the £114 million to direct towards protecting some more of our additional functions.

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr Girvan:** I support the motion and oppose the amendment.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion, and I note some rank hypocrisy from some sides of the Chamber. The Ulster Unionist Member for South Antrim complained about the begging bowl and the lack of finances: was it not he and his party colleagues who tied their boat to the Tories at the last Westminster election? Was it not he who stood on a manifesto that is actually delivering the austerity that we see today? He can talk about the public, and the public will analyse all of what we are doing up here, but the public will always remember that the Ulster Unionists did their utmost to get the Tories in power in the first place. You do not hear many members of the Ulster Unionist Party referring to that any more.

As regards the comments about the begging bowl, we got £500 million extra capital for education, for example, in the recent Stormont House Agreement. You do not look a gift horse in the mouth. If there is extra money there, we need to take it and put it towards front-line services. Other Members are correct about some of these so-called opposition parties: where are their alternatives? Where are the proposals that they brought forward at the negotiations? We want to hear them in detail because we have not heard them in detail to date. What we have here before us, potentially, is the greatest cut in public spending since the 1930s. If the Tories continue for another four years, we will return to a Great Depression in public spending. That is the challenge to public services that lies before us.

This question has to be asked about the motion: what are core public services? One good example is the Fire Service. I often refer to it as the forgotten service, because often, as the Fire Service is within the Department of Health, it is left to the last in being allocated appropriate resources and funding. The fact of the matter is that 83% of the Fire Service budget goes towards firefighters and resource. If there is a cut, as has been mooted, it will affect response times. It will also affect the non-traditional jobs that firefighters do in dealing with issues like flooding and car accidents. Departments are very quick to come up — in particular, the Department of Health — with where to make cuts, they never think through what the consequences are. Indeed, they assess the consequences after they have made the decision.

Also, I think that we should discuss and debate where the Fire Service sits. We are reducing the number of Departments in the Executive. Is the Department of Health the best place for the Fire Service? That is something we need to discuss, because the Fire Service, wherever it is located, needs to have appropriate funding.

Of course, the Fire Service has lost not a day to industrial action in the last 10 years. So, in finalising the health budget for 2015-16, the Minister needs to be careful to ensure that the front-line provision that is the Fire Service is not undermined or cut into double figures, upsetting what is a very good record in relations between the Department and the Fire Service.

**4.00 pm**

Budgets for the NIFRS and education are very resource-intensive and take up a lot of staff. In health, we need to look at what are not front-line services, such as administration and the level of management in some of the trusts. Senior managers, who make a lot of the decisions, will not look to themselves. That is a quandary that the Minister needs to deal with. We cannot continue to have overbureaucratic Departments and overbureaucratic trusts while front-line services continue to suffer.

As far as the Budget is concerned, it is welcome that we have received another £80 million for education. I met principals in my constituency about that last week. Whilst the Budget is not perfect, which everybody knows, given that we do not have the money that we should, the fact is that Health, Education and universities have received an uplift that most parties should find a lot of difficulty disagreeing with. In terms of budgetary decisions —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr McKay:** I support the motion, a LeasCheann Comhairle.

**Mr Rogers:** I support the SDLP amendment. I note the motion's praise of Executive parties, but I also commend the members of the public who have expressed their concerns about public services, whether it be the dilution of our health services or, most recently, education. These are the people who deal with the practical and sometimes devastating implications of cuts, and their experience and insights are invaluable.

The Executive's lack of definition of core public services leads to situations like the one we faced with the draft Budget, with Ministers claiming they wanted to protect front-line services while protecting their own departmental administration budgets. Defining what is understood as core public services makes the Executive more accountable, more transparent and, I hope, more effective.

When I was thinking about core public services, I asked, "What is our core purpose? Why are we here anyway? Why do we work, or why do we like to work?". I suppose that, even if we won the lotto, many of us would still continue working, because it is about personal fulfilment, providing for our families and having a decent standard of living. "Jobs" and "the economy" are words that are on everybody's lips. However, to have that, the jobs must be here. Most importantly, our young people must have the right skills. It is a major concern that almost one third of our young people at 16 still have not got the basic level of numeracy and literacy. As we all know, you cannot fix that at 16; there needs to be help and support from when a child begins its learning journey. It is not good enough that it takes six or nine months or even longer to diagnose a child with special educational needs. We need our core public services of health and education working more closely together.

Northern Ireland's unique legacy has left us with rates of socio-economic deprivation that are higher than those of our counterparts across the water or in the South. We know that education is one of the chief routes out of poverty. As my parents would have said many times, "A little bit of education is easily carried". Education provides the foundation stones for an individual's life, as well as

those for the society and economy in which we live. Without it, the poverty cycle is perpetuated.

Like other people in the Chamber today, I welcome the extra £80 million for the aggregated schools budget and the increases for early years and the Youth Service. However, let us not forget about the entitlement framework funding. The educational attainment gap between our children and young people and their global counterparts will widen without significant investment in the classroom. The new Education Authority is an ideal opportunity to overhaul inertia and flawed assumptions. The Minister must endeavour to eradicate duplication and significantly reduce wastage with the amalgamation of the five education and library boards. Extra funds must not be idled away. Devolving budgetary autonomy to school principals with a proven record of sound financial management will enhance schools' abilities to achieve the best possible education outcomes through financial and time-saving methods while boosting the local economy.

I think that some people did not understand what I was talking about last week. Let me explain it with one simple example. Let us take a morning like this morning. The principal arrives to a burst pipe. Currently, he has to go through the education and library board's procurement services. It is unlikely that they would have that repaired on the same day. He would have to send the children home and a day's learning would be lost, whereas, if he were able to procure the services of a local plumber, the problem would be fixed in a couple of hours at a fraction of the cost, and learning would go on as usual. I urge Members to check with their schools: they will be shocked at what it costs to carry out school maintenance through the boards' procurement services.

Finally, creative and strategic investment in education is investment in children, society and the wider economy.

**Mrs Dobson:** My contribution will focus on the health service and the pressures that it faces.

There can be no doubt that, as the motion states, Northern Ireland faces challenges, many of which are unique to our shores. Mental health, for instance, remains a major issue and one that can be linked to our past experiences, an issue that we on these Benches have repeatedly raised. It is a sad fact that Northern Ireland is in the top quarter of the global league table for suicide rates. In Banbridge, as in many other areas in mine and other constituencies, high suicide rates have torn families apart and left behind a long legacy of hurt and pain. According to a report prepared by the Commission for Victims and Survivors, 40% of adults have had one or more traumatic experiences linked to the Troubles. Is it any wonder that a world mental health survey covering 30 countries, including Israel and Lebanon, concluded that Northern Ireland has the world's highest 12-month and lifetime post-traumatic stress disorder levels?

Alongside the real hurt and pain comes the financial cost, with the total cost of mental illness in Northern Ireland estimated to be in the region of £3 billion annually. Beneficial though the Barnett formula is for Northern Ireland, unfortunately, it still has its drawbacks. By not recognising individual need, it means that we have to spread what we have further than at first appears. That takes us to where we are today, with a health service that is buckling under immense and growing pressure,



crippled by the legacy of a flawed and destabilising four-year budget; staff stretched to and beyond the limit; and patients left waiting longer, suffering physical pain and continued agony as a result — the human costs of when budgets fail. Yet, unfortunately, we continue to be led by parties whose economics are based on a Wonga loan rather than on doing what is right for Northern Ireland.

While some may still have believed that the numbers were balanced for this year, in reality, it was achieved only after one serious pummelling of public services and by stretching healthcare staff beyond what should be reasonably expected of them. Yes, the Health Department was protected in the reductions in 2014-15, but, in reality, that did not filter down to local services. You have only to look at what is happening in each of the trusts. Recent attempts to generate savings, such as reducing beds and closing units, have been so entirely piecemeal that the decisions to cut key services in order to provide short-term savings will inevitably carry through with devastating consequences for next year. The fact that a number of trusts' key decisions have been overturned or abandoned, such as closing the minor injuries unit in Bangor, the admittance of patients to Dalriada and the reduction of the domiciliary service in Belfast, demonstrates that even the trusts have had little or no confidence in their own decisions.

In its spending and saving plans for next year, the Department believes that it has identified further savings of £164 million. Of that, the vast majority — £113 million — will come in the form of cash-releasing efficiencies and productivity gains in trusts. Quite simply, I do not believe that those £113 million savings will be achieved. This year should prove that. Although I welcome the additional allocation to health, in reality, it is offset by the £220 million of pressures being carried forward from this year.

Looking ahead to next year and following another back-room Budget, I welcome the fact that the Department has at least identified the provision of high-quality front-line care and the implementation of Transforming Your Care as its top two strategic priorities. The Department is absolutely correct to focus on high-quality front-line care, but it is unacceptable that, even now, after the production of the spending plan, the Department still has no definition of "front-line services". I urge the Department and the Health and Social Care Board to get that sorted out.

I could go on, Mr Deputy Speaker —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mrs Dobson:** I have run out of time, but there is so much more that I could say on the issue.

**Mr Allister:** The smugness that Sinn Féin obviously feels about an aspect of this matter is pretty evident in the first two or three lines of the motion. Well might they feel smug, because it is quite clear that they drew other parties very much on to their ground on this matter. It is not so long ago, in the weeks running up to Christmas, that the DUP, for example, was vehement in saying, "There is no more money. We have to live within our means. We are part of a nation state in which we have to carry part of the burden". Then, suddenly, the Ulster nationalist tendency in that party took over, and its members found themselves willingly singing off the Sinn Féin hymn sheet, saying, "Give us more. Fill our huge begging bowl. We do not

need to worry about the national interest. We just need more". Of course, the real driving force was the fact that the edifices of this place were crumbling and going to fall. That was the factor that drove the DUP on to the Sinn Féin ground on the issue. And there they seemingly remain.

We then move to a Budget. I struggle to think of another example — I do not think that there is one — of anywhere in the world where a party can be in government, vote against the Budget and stay in government. I have to say to the SDLP, the Alliance Party and the Ulster Unionists that I am sure that you were right to vote against this Budget, but there is a certain compelling, indisputable logic of that position, and it is that your place is outside not inside government. I only wish that those parties, if they had the conviction to vote against the Budget, had the courage of that conviction to carry it through to its logical conclusion. Sadly, that does not yet seem to be the position. I say this to them: you are but doormats of the DUP/Sinn Féin quango that runs this Government. You are just there to make up the numbers, and they wipe their feet on you every time. When, oh when, will you rediscover self-respect and dignity and stand up for yourselves in the only place that you can stand up for yourselves: outside that miserable Executive?

This will not trouble Sinn Féin because it is quite happy to bankrupt Northern Ireland; the quicker the better, as far as the fulfilment of its political mantra about failed political entities is concerned. This is a Budget that is burying Northern Ireland in debt. I invite any Member to look at paragraph 3.61 of the Budget document and to discover that, in 2015-16, our projected level of indebtedness is £1.8 billion. For this tiny, little place — Northern Ireland — we are hanging round the necks of our people that millstone of £1.8 billion of debt that has to be paid back with interest. That paragraph points out that that amount equates to £1,002 for every man, woman and child in Northern Ireland. That paragraph also makes a rather disingenuous comparison with Scotland —

4.15 pm

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr Allister:** — where it gives Scotland's borrowing limit and states that the debt there is only £415 per head of population.

**Mr Deputy Speaker (Mr Dallat):** The Member's time is now definitely up.

**Mr Allister:** The real comparison is this: in comparison with Scotland's actual debt, what is —

**Mr Deputy Speaker (Mr Dallat):** Order, please.

**Mr Allister:** — its indebtedness?

**Mr Deputy Speaker (Mr Dallat):** The Member's time is up.

**Mr Allister:** So, this is a Budget of failure —

**Mr Deputy Speaker (Mr Dallat):** I call Mrs Dolores Kelly.

**Mr Allister:** — by failure.

**Mrs D Kelly:** I am making the winding-up speech on behalf of my party. When we initially saw the motion, we saw that it was calling on the Assembly to commend the Executive parties on presenting a united front in highlighting the

drastic reduction in the block grant. We only wish that they had shown a united front much earlier last year, when we knew the difficulties that were trundling down the track. I have listened carefully to a number of the contributors to the debate this afternoon. I note with regret that few, if any, mentioned the cost of a divided society in the North of Ireland. Mr Allister mentioned the £1.8 billion of debt that there will be over the coming years. It is interesting to compare that with the findings of an OFMDM-commissioned report from a number of years ago, which calculated the cost of division at approximately £1.5 billion.

I know that this Budget is looking at education. A number of impassioned pleas were made for education and putting the money into such front-line services as the classroom, but the Budget also sets conditions for integrated and shared education. I think that we need to hear a lot more from the Ministers on how they are going to approach that challenge that has been set by the British Government.

In our amendment, we sought to have a clearer definition of public services. As many of the contributors talked about different issues, it was clear that there is no common understanding of what core public services are. I think it was Mrs Dobson, amongst others, who made remarks about how some Departments' administration budgets and bureaucracy had got out of control. We all know about people creating kingdoms for themselves and their sphere of work. A weary electorate is very much on the same page as politicians and, I am sure, today's debate in looking at the protection of education, health and welfare. Nonetheless, if you were to talk to a number of the front-line workers, Mr Deputy Speaker, they could tell you where there is a lot of waste in the system. That is a challenge for each of the Ministers. They must start by looking at what front-line core services their Departments provide, the public's expectations and how they can manage some of those expectations.

My colleague Mr McKinney talked about cuts in domiciliary care. He made the point that the cost of not providing that care puts additional costs further upstream, when the person has a breakdown, whether through poor nutrition or isolation, as Mr McCarthy referred to. We all know that the human contact of the person who provides the meals on wheels service is essential to the quality of life of older people who, very often, live in isolated areas, or those who live a life of isolation in populated areas.

Mr Moutray and others also referred to costs, but they neglected to mention the waste that exists in public order policing. That is something that he and his party have not shown much courage in addressing over the last number of years. It is only today that his party has made the front page of the 'Irish News' in relation to a story from my council area of Craigavon, where £10,000 of ratepayers' money was wasted on an equality impact assessment looking to put a Union flag on a council building that is not going to be there in three months' time. So, we are not going to take lectures from the other side, particularly from Mr Moutray, about wastage of public funds and a lack of courage.

I noticed, too, that in his contribution — I have to mention this — Mr McKay chastised the Ulster Unionist Party about tying its manifesto to the Tories in the last Westminster election. Indeed, his party colleagues trundled across the North with a "no Tory cuts" agenda and yet, in this Budget, we are very much seeing many of the Tory cuts being implemented and administered by his colleagues in

the Executive. That is something that we had a number of concerns about.

I very much welcome the contributions of the Members who talked about the cost and legacy of the conflict and the higher deprivation and poverty levels. I am indebted to the Assembly's researchers and the staff from the library who provided statistics that are there for all to read. The British Government were not a spectator in the last 40 years. They stand accused of directing terrorism in some form, with the number of collusion cases that are emerging out of the woodwork in the last number of weeks and months. The British Government can start to put up some of the money to redress the inherent legacy issues and, indeed, the failure to properly fund a number of our infrastructure projects that the people in the North have suffered.

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mrs D Kelly:** We support the amendment.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. Sometimes the mind boggles whenever you listen to a debate in this Chamber, and today is almost one of those days. My party's motion is trying to build on the bit of positivity that came out of the talks at the end of 2014, two days before Christmas. It was a process of very difficult talks, as other Members, not least Dolores, mentioned. We have put a very difficult year or more behind us.

Whenever David Cameron and the Taoiseach, Enda Kenny, hightailed it out of town on the Friday morning, nobody in these islands and certainly not in and around Belfast or in the North would have predicted that there would be an agreement. In fact, I think everybody was quite certain that the talks were over, it was all a failure and, there you go again, nothing could be rescued from the fire. However, people persevered and my party went into those talks, as did others, with the hope and the demand that we could reach a comprehensive agreement.

We had always made it very clear that we had two major problems: first, that there was not enough finance in the system due to years of Tory cuts from London and the institutions were becoming unsustainable; and secondly, we had a failure of power sharing. In other words, politics was failing as well. There were parallel problems of not enough money and not enough political goodwill in the system to make things work. It was quite a depressing period for everyone, and particularly for the people we represent. The wider general public expect and want to hear that politicians are working together to tackle problems and not simply rehearse them year in, year out.

This motion tries to build on that bit of positivity because, whilst we did not get a comprehensive agreement — we fell well short of that — I do not think anybody can suggest anything other than the fact that we made some considerable progress. It is quite clear what the motion seeks to do. Far from what Mr Allister said, there is nothing smug intended in its words, I can tell you. My party, which represents quite a lot of people in our community, does not like or enjoy having to rehearse the fact that we do not have enough money in the Budget to service the needs of the people we represent. We are dealing with a Budget that has been stripped bare over the last number of years. We take no smugness out of that, I can assure you.

The motion does not, in any way, suggest that we solved all our problems pre-Christmas; far from it. We still have a lot of work to do. The point that I want to make this afternoon is that it is absolutely legitimate and right and proper that Members from the parties here would want to scrutinise every Department's budget to make sure that the right spends are being embarked on and that we are getting value for money and using our money wisely on a strategic basis. But, we should not do that at the expense of losing sight of our overall predicament. As I said a minute ago, our overall predicament is that we have had the block grant from London stripped bare over the last number of years as a result of Tory ideological cuts by the millionaires who sit around the Cabinet in London. That is the predicament that all the parties have had to listen to.

My opening remark was that sometimes the mind boggles during debates in here. We have had representatives of three parties this afternoon speaking as if they are not part of the Executive. This motion commends and highlights, and it is very important to rehearse this, that we made our best effort when the five parties around the Executive table came together before Christmas. I agree with Dolores Kelly: I would have loved it to happen a year or two years ago, but it did not. It happened the week before Christmas, and it is important that we tell the people out there that we made the best fist of our arguments when we came together.

I wish we had come together a lot sooner, and I said so at one of the round table meetings after David Cameron and Enda Kenny left here. Our best effort was when we stuck together, and it was important that we did that. When we stuck together, we compiled an argument that was cogent, justifiable and legitimate and put directly to David Cameron the demand that he had to shoulder responsibility for his Government's neglect and their ideological Tory cuts being imposed on the people we represent. That was our best chance to make a difference. So, when David Cameron hightailed it out of here, everybody thought that there was no further progress to be made. But, when the parties got together, although it was difficult, we made some progress. No one can say that we did not get additional money into our budget: we did, and that is a simple matter of fact. Did we get enough? Certainly not.

So, our argument, as a party, is that we did well — we certainly did better — when we stuck together. We are saying that we must stick together to do better again on behalf of the people we represent. We can engage in political point-scoring if that is what we want to do. All Members — and I include Jim Allister and independent Members of the House in this — want to be able to go out into their constituencies and assure their constituents that they will get the types of public services that they are entitled to. No Member of this House — Jim Allister, Basil McCrea, John McCallister or Steven Agnew — is against the principle of providing the best services to our general public.

We have no problem, as a party, with the Executive seeking to define what core public services are. I can tell you one thing: Sinn Féin believes fervently that welfare support is an equally important public service. It would be reprehensible, and we made this argument repeatedly last year against the odds, for any party to pit someone who is in need of welfare against someone else who is in a job, because the person who is in a job may well need welfare at some stage. I saw all the parties in here

queuing up to shed tears when people in the DVLA and the tobacco workers were losing their jobs. You could hear all the passion in the speeches in here. Members were saying, "We're sorry for them", and, "We'll do all we can for you". However, that seemed to stop if you needed welfare support, because some of the people who making those fine speeches to those workers were not there when it came to supporting their welfare needs.

The motion is trying to bring us all back to where we were at the end of 2014 when we reached an agreement. It was not comprehensive but it was an important agreement nevertheless. We have dealt with the welfare issue and the money, and all the parties around the Executive table bought into the welfare arguments: they accepted the welfare deal and the Budget deal. So, let nobody imply here today that they did not buy into the financial package or the welfare agreements that were reached because they did. Those are the facts of the matter. We were all told that if we did not get off first base when it came to sorting welfare and sorting the budgets that were coming up in the next number of years, we were going nowhere. That was right, because let us remember one thing: it is right and legitimate to scrutinise all the budgets and make sure that we are delivering core public services, especially when we determine what they are.

#### 4.30 pm

I am interested when I hear Members say that they have talked to public-sector workers who tell them what could be stripped out of Departments. Let them tell us what that is. That presumably means that functions that Departments hold and staff employed by Departments will have to go. Let them get up and tell us what and who they are. There is no point in saying that here. I have heard Members here asking questions, but I do not hear many answers from the same Members. I implore all the parties to believe in ourselves collectively. We have a strength in working together. All the people we represent out want us to work together and, I believe, demand that we do. We have a lot of challenges on the road ahead, and, working together, we can minimise those challenges and do a better job for the people we collectively represent out there.

I conclude my remarks by saying that there is nothing smug in the motion. It is genuinely intended that all the parties stick together, because we have proven that, by doing so, we can do a better job for the people we represent. When I listened to the restaurateur from Belfast talking about leaving here because she was fed up, I could actually understand that and empathise with that lady. There is a person who came in to our city, has been made every welcome in our city and has made a very successful business in this city, but she is fed up when she hears the negativity and all the obstacles that people put in her way. I appeal to the parties around the Chamber today: let us try to build on the relative success that we had at the end of 2014, two days before Christmas, and let us make 2015 a better, more constructive year for all the people we represent.

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

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

*Resolved:*

*That this Assembly commends the Executive parties on presenting a unified approach in highlighting the drastic reduction in the block grant and the consequent*



*effect that this has on the Executive's ability to defend public services; calls on the British Government to recognise the unique challenges that we face as a society emerging from conflict, with higher levels of socio-economic deprivation; and further calls on the Executive to define their understanding of all core public services as well as protect those services in relation to health, welfare and education.*

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

## Employment: North-west

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

**Mr Ramsey:** I beg to move

*That this Assembly notes the alarmingly low levels of employment in the Derry City, Strabane district and Limavady borough council areas; further notes that investment in infrastructure and skills in the north-west has suffered decades of neglect; recognises the importance of university expansion and improved transport links in growing the local economy; and calls on the Executive to work collaboratively to ensure balanced regional growth by resourcing and delivering the One Plan commitments to expand the Magee campus, dual the A5 and A6 and upgrade the Derry/Londonderry to Belfast rail line.*

Before I commence using my speaking notes, I have to mention the apathy in the north-west at the minute and the sense of resistance to that in a response from the Finance Minister earlier today. There seems to be an acceptance among some people in the House and the Executive who do not realise that there is a major issue facing the north-west of Ireland. That is why, leading up to the talks, we, as an SDLP group, were very keen to try to get a bit of confidence back to so many in the north-west.

The Finance Minister made the bland statement earlier today that unemployment levels are reducing. I will say it again: the people of the north-west will resent that and be angered by it because it is painfully obvious that, even over the past 12 months, unemployment in the north-west has unfortunately increased, and nothing at all seems to have been done to stem it. The levels of unemployment in the north-west are simply unacceptable and have been for decades. It is completely unacceptable that, nearly 20 years after devolution, Derry — the second city — remains one of the worse employment black spots on these islands.

I sound a note of caution before we begin: people living in my constituency and in the north-west are sick, sore and tired of plans to tackle the situation. They are sick of hearing us talk about unemployment. Somebody said to me, "Be positive". However, it is difficult to be positive when there is such an air of depression in and around the north-west. It is time for the Executive in particular to deliver for those who have not been given the opportunity to secure decent and sustainable employment. My

colleague the MP Mark Durkan summed it up when he said that there was lack of work in Derry, not a lack of work ethic. That was obvious at a job fair that the Minister, Stephen Farry, was at. He will confirm the many hundreds, if not thousands, of people, particularly young people, standing in queues almost a mile long at the Millennium Forum just last year. I know many cases of people who have never worked and have left Derry to gain employment. When they returned home, it was the same old story — there were simply no jobs and no prospects. Nearly half of the electoral wards that make up Derry, Strabane and Limavady are in the top 20% of the most deprived wards in Northern Ireland. Recently, Invest Northern Ireland granted close to £6 million, and DEL gave £250,000 for 600 jobs in Belfast. Investment cannot begin and end in greater Belfast. Good luck to everyone who is able to secure those jobs.

I was trying to get figures. Over the past six months, Invest Northern Ireland has announced 5,153 jobs for Northern Ireland. The question is this: how many were delivered in the north-west? Of those jobs, 3,151 were in Belfast. I am delighted that Minister Farry is here to respond to the debate, but I ask him this: how many of those jobs were announced for Derry in the last six months? I think that we are talking about fewer than 40.

Tackling unemployment and deprivation demands leadership, and that has not been apparent to date. The First Minister and the deputy First Minister have accepted that we will have to do things better for the north-west. I welcome the fact that recently — only recently — they have set up a subgroup of ministerial colleagues to look at the strategic point of rebalancing the economy to ensure that Derry is not left behind. I sincerely hope, as people outside the House say, that this is not a programme for votes and not a subcommittee that has been set up for votes. That is what cynics outside the House say. The statistics are the result of weak or non-existent infrastructure and chronic historical underinvestment. A major barrier to attracting west the companies that investment heavily east of the Bann is, unfortunately, our detachment from the rest of the island. The One Plan in Derry called for the creation of close to 13,000 jobs. The language adopted by the First Minister and the deputy First Minister was about rebalancing the north-west's economy. Those are the startling figures that are required to ensure that Derry becomes a key driver of regional economic development.

We know that Magee is fundamental to the future of the region.

There is no longer any point in arguing that Magee is for Derry. The expansion of Magee College, part of the University of Ulster, is for the student population of this island but particularly that in Northern Ireland.

Despite much hard work being carried out on the implementation of the One Plan, the Derry public are still awaiting delivery. We are still waiting to hear something that really matters to those 1,500 unemployed young people in Derry city and for the big investment announcements west of the Bann.

The Assembly and the Executive need to offer more hope to the 8,000 young people with no qualifications in Derry and the north-west region to ensure that they do not fall into the cycle of low-wage work and unemployment.

However, instead of us reaffirming our commitment to addressing the skills deficit, youth training projects in Derry are currently fearful for their existence. Perhaps the Minister can answer some questions about that. We are now faced with a situation in which, by March, Derry may not have a youth training project at all. What signal do we send out when we cut funding to projects, such as the YES programme, that meet their targets regularly on behalf of the Department for Employment and Learning and help people get back to work by retraining and reskilling them and giving them confidence?

I warmly welcome the fact that Minister Farry, along with Arlene Foster, hopes to have some money allocated and ring-fenced on a geographical basis for an economic inactivity strategy for the north-west. I have invested a lot of time in that with the council, the North West Regional College and at Altnagelvin with the Western Health and Social Care Trust. Minister, it is important that we have a win with that at an early stage, because the levels of economic inactivity in the north-west of Ireland, like those of unemployment, are the worst on these islands.

It is only by constantly addressing issues and by working to ensure that the second city has the road, rail and information connections, a vibrant and full university and the application of all Departments that we will be able to reduce those clearly embarrassing joblessness figures and consequent deprivation levels. Only by doing that will we be able to say that we have a second city that we are proud of and that young people from across the north-west, from both traditions, have the same opportunities.

Too often, we hear about the awfulness faced by some of our young people, their desperation, high suicide levels, high levels of addiction and high levels of alcohol and drug abuse. They would not have those problems if there was meaningful work to exercise them and act as therapy.

Over the years that I have stood here, I have often heard people from the other side of the House be resentful of people from Derry. They have begrudgingly said that they have a chip on their shoulder or chips on both shoulders.

The evidence is there, and I hope that the Executive's actions are in good faith. I also hope that the evidence from the First Minister and the deputy First Minister will prove that those actions are honourable and objective and that clear and definitive levels of resource will be provided to enable the subcommittee of Executive Ministers to make a difference in Derry and the north-west. There is no point in having another talking shop unless there are clear objectives, goals and targets.

A dozen Invest Northern Ireland officers work in Derry —

**Mr Deputy Speaker (Mr Beggs):** I ask the Member to draw his remarks to a close.

**Mr Ramsey:** — while almost 1,000 work in Belfast. A start could be made by decentralising half of them to Derry. That would mean a targeted resource going there.

**Mr Ó hOisín:** I beg to move the following amendment:

*Insert after "neglect;":*

*"notes the lack of decentralisation of public-sector jobs to the north-west and engagement of Invest NI and other bodies;"*

Go raibh maith agat, a LeasCheann Comhairle. Many of us who come from the north-west often wonder what is the specific definition of "north-west". For some, it is Derry city, and others would, of course, include Strabane. For the purposes of the motion, it includes the area covered by Limavady Borough Council. There is a wider question for the north-west because, as those who come from the hinterland know, Donegal, Coleraine and perhaps even Omagh can all, strictly speaking, be defined as being in the north-west.

I read the motion very carefully, and we have to look at the definition of "unemployment" across the entire area. In my area, I know that all the unemployment figures for the north-west are incredibly skewed because of the level of emigration from that area. I visited a couple on Saturday evening, and the man is just home from Australia. They have five sons; he and four of the sons are in Australia, so those five people, who are out of the north-west, are not recognised in the unemployment figures for the north-west.

#### 4.45 pm

With that in mind, we brought our amendment, which, as the proposer of the motion said, recognised the lack of decentralisation of public-sector jobs to the north-west and a very discernable differential in Invest NI's treatment of parts of the north-west. Broadly speaking, I welcome the debate, and I do not wish to labour on the decades of neglect. I grew up through those decades and probably was very much adversely affected, like many of my generation. Many of my generation are in America, Western Australia and elsewhere throughout the world, so I know what that has meant, particularly in the north-west.

The issues that we are bringing up, and the issues that are brought up by the motion, are issues of the 60s — the university and the university expansion and infrastructure, such as the A5 and the A6, and the Dungiven bypass, which has been waiting for 50 years, since 1965. The issue of infrastructure is very important because, of the two roads that lead to the north-west — the A5 and the A6 — the A5 takes a third of all the trade that goes to the north-west and the A6 —

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

**Mr Ó hOisín:** Absolutely; go ahead.

**Mr Dallat:** Does the Member accept that, for five years, a Sinn Féin Minister had a golden opportunity to address the issues of a bypass at Dungiven, the ferry service at Magilligan that does not run and the money that was needed for the rail service that was not there? Does the Member agree with me that a golden opportunity was missed to at least begin to address the issues that he speaks so passionately about?

**Mr Ó hOisín:** The Member well knows my passion for the A6 and particularly the Dungiven bypass. I live in it, and I am poisoned in it every single day. The Member will recognise that the Minister to whom he refers advanced the bypass as far as it was physically possible during his tenure in office. I will touch on the railway line as well. Of course, we now have the nonsense that phase two has doubled in price and an inquiry is ongoing into how that happened.

In terms of the decentralisation of jobs to the north-west, we have a number of Civil Service jobs in the north-

west in pensions and pension credit and those are very welcome. Some of the other Civil Service jobs, of course, are tenuous in their existence, including those in DHSSPS and in tax. Last year, of course, we lost the DVA jobs in Coleraine. It was welcome to see that DOE brought 30 jobs to Ebrington. Those all came on the back of the loss of jobs in the private sector.

Last week, I welcomed the launch of Enterprise Week. Unfortunately, I discovered later that it is an Invest NI-proposed event and that it is limited to Derry city. However, I welcomed Friday's announcement of the creation of the ministerial subgroup. I hope that it will create a broad consensus, and I hope that we have cross-party and cross-constituency agreement right across the north-west to bring together OFMDFM, DEL, DETI, DOE and probably DRD as well because I think that we all have to work together to bring about a balanced regional economy.

In the north-west itself, the Minister of Culture, Arts and Leisure and the City of Culture was very much a unifying factor. Indeed, she has put together some legacy issues that go right across the north-west, stretching to Coleraine, Strabane and elsewhere, and that funding has been very welcome.

On Friday morning, along with some party colleagues, I met Invest NI and examined the issues that exist in the north-west. Invest NI's remit in the north-west is to cover six council areas, including Strabane and Derry and those in the Causeway Coast and Glens cluster. There are some startling figures included in that. To date, the assistance in the Limavady borough alone, which is one of the worst served by it, is that, of the 1,600 businesses, historically Invest NI has served only 85 of those, which is just over 5% of the figure.

There is a differential in how councils are treated when it comes to investment. Look at some of the recent economic development projects in the Limavady area. Some £255,000 — that is all that was involved — was put into things like mentoring, social media and online marketing. There was not a single real job. That is exactly what we are up against in the entire north-west.

Decentralisation, particularly of the DARD headquarters, is a positive development and has been broadly accepted. I was rather shocked last week to learn that the Ulster Unionists, in particular, have withdrawn any support that they may have given in the past to the decentralisation —

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

**Mr Ó hOisín:** Yes, go ahead. I will give you a chance.

**Mr Swann:** I am happy to clarify that for the Member. What we are saying is that, when the money is available for the decentralisation to Ballykelly, it should go ahead. Under the current budgets, it does not make financial sense at the moment. That is the statement that was put forward. I just wanted to clarify that.

**Mr Ó hOisín:** Your party leader said last week that you were withdrawing support. Indeed, the deputy party leader, in a radio interview with me the following morning, said that the party never supported it. I do not know what the position is. I am sure that can be clarified some time.

Take the cost of decentralisation to Ballykelly. We are looking currently at £34 million to refurbish Dundonald

House and somewhere in the region of just over £40 million to relocate to Ballykelly.

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

**Mr Ó hOisín:** No, in fairness, you have been in once.

There is also the issue of staff surveys. Some 4,026 individuals expressed an interest in moving to the four centres that were being touted; namely, fisheries, forestry, Rivers Agency and, indeed, the headquarters. That figure includes 1,600 who expressed an interest in moving to Ballykelly, and it flies in the face of what some were quoting. The effect of those 800 jobs going to Ballykelly would be huge. It would free up some of the other jobs that exist and would address some of the other decentralisation issues in the north-west, including in Coleraine —

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

**Mr Ó hOisín:** No, I am OK; I want to finish.

It would also address other issues. People from the north-west spend four hours a day in transit, coming to Belfast. Does that create a life/work balance? No, it does not. I know people who have spent their entire working life making that commute day in, day out. There are convincing arguments for the decentralisation of jobs, particularly to the north-west. We have the skills base there, and, in the case of Ballykelly, we have the property at Shackleton. There is also the possibility of that acting as an anchor tenant. Remember there are 60 to 70 active expressions of interest or soft appraisals for that huge site of 720-odd acres. Imagine the economic benefit that would have in the area. The relocation would also, of course, bring huge spending power to the north-west and create a different dynamic. There are all those convincing arguments —

**Mr Deputy Speaker (Mr Beggs):** Would the Member draw his remarks to a close?

**Mr Ó hOisín:** I am glad to see that, in today's Budget, there is additional money committed to the relocation of the DARD headquarters. I, for one, look forward to it, and I think it will be a seismic moment for employment in the north-west —

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Mr Ó hOisín:** — and will address the issue of unemployment.

**Mr Campbell:** This is a timely motion, although some parts of the wording could be improved on. There were references to pedantry earlier, so I will not be so pedantic as to ask what the SDLP meant by "suffered decades of neglect". Let us try to look forward. The amendment from Sinn Féin appears to imply a deliberate lack of decentralisation and engagement by Invest NI, which we do not support. However, in terms of the overall issue of trying to ensure that the infrastructure in the north-west is built up and improved, we are certainly at one.

I speak as somebody who was born and bred and has lived all his life in Londonderry. It appears at times that we, collectively, always like to complain. Pat Ramsey was close to putting his finger on it when he talked about the balanced approach. There is a balanced approach: sometimes, people in the north-west have a chip on each shoulder. That means that they are very balanced. You wonder why people think that. What is presented sometimes as cogent argument actually ends up being

a whinge list of what has not been done and is not being done.

The motion usefully refers to the A5 and A6. Of course, had it not been for the legal case against the A5, we would have been some significant way down the road to hundreds of millions of pounds' worth of physical infrastructural investment in the west and north-west of Northern Ireland. Of course, the A6 would be several hundred millions as well. Hopefully, they can be brought forward as quickly as possible.

Other issues have not been mentioned. We should press with DRD that the airport at Londonderry and the port and harbour can be supported as tangible infrastructural elements that can help to bring progress and revive the economy in the north-west. Mr Ramsey alluded to the lack of job announcements. The indications I am getting are that, in the next few days, there will be more job announcements, just as there were in the past couple of months. We all want to work towards seeing massive job announcements.

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

**Mr Campbell:** Yes — do I get an extra minute?

**Mr Dallat:** Yes indeed. I hope that you use it usefully.

Is the Member aware that not a single potential inward investor visited the Limavady region in the last year? Does he accept that that is a failure by the Minister of Enterprise, Trade and Investment to address the serious imbalance in the north-west?

**Mr Deputy Speaker (Mr Beggs):** The Member gave way, and he has an extra minute.

**Mr Campbell:** Thank you, Deputy Speaker. Just over two years ago, I went to the Department of Enterprise, Trade and Investment, and, as a result of my efforts and the efforts of a lot of others, a range of people from Invest NI were brought to the Flowerfield Arts Centre in Portstewart and the City Hotel in Londonderry, where they actively targeted inward investors. I was at both events. I am sure that Mr Dallat was at one or both of them as well. We need to see more of that.

**Mr Ó hOisín:** Will the Member give way?

**Mr Campbell:** Yes. I will get only one extra minute.

**Mr Ó hOisín:** I thank the Member for giving way. I wonder whether he will enlighten me. Of the 60 or 70 soft appraisals at Ballykelly, how many have been engaged with by Invest NI?

**Mr Campbell:** The short answer is that I do not know, but I am glad that the honourable Member mentioned Ballykelly because I was coming to that. I thought that we had cross-party support for the relocation of DARD jobs to Ballykelly, but I noticed at the weekend that the Ulster Unionist Party had indicated that it wanted to put a halt to that decentralisation process. I hope that the SDLP and the Ulster Unionists will clarify that and say that they are 100% in favour of proceeding to relocate DARD headquarters. Between 500 and 800 much-needed jobs would go to an area that has seen a massive amount of private-sector disinvestment, particularly through Seagate and one or two others. We need to promote the north-west, whether that be Coleraine, Limavady, Londonderry, Strabane or Omagh, on a proactive basis by lobbying Invest NI, rather

than lambasting it, and trying to ensure that we bring the progress that is ultimately required to the community in an area of Northern Ireland that constitutes probably 40% of the land base and about 30% of the population.

**5.00 pm**

**Mr Hussey:** The existence of persistently higher levels of unemployment in the north-west, including the Strabane District Council area, which I represent, is an undeniable fact. The latest NISRA stats on claimant count show that Londonderry has the highest rate at 8.6%, Strabane has the second highest at 7.7% and Limavady has the fourth highest at 6.9%. The Northern Ireland average is 5.4%, and almost half the council wards in the three districts are ranked in the top 20% of the most deprived wards in Northern Ireland. If we look at the interactive maps on the NISRA website, we see that it is clear that, over the 30-plus years that the claimant count has been used as a standard measurement of unemployment rates, fluctuations in the north-west have closely mirrored Northern Ireland trends. Limavady had about the Northern Ireland average from 1997 to 2007, the year in which all of Northern Ireland, including the north-west, had the lowest claimant count. Strabane and Londonderry have always been above the average.

If we look back to 1992, we see that the figures were much worse than they are today, despite the worldwide recession. In 1992, average unemployment for Northern Ireland was 10.7%, with 15% in Londonderry, 15.3% in Strabane and 12.7% in the Limavady district. I remind the House that, in 1992, Northern Ireland as a whole was still subject to a terrorist campaign that included IRA attacks on what it termed "economic targets", which included bombings in cities and town centres. For example, the IRA exploded a large van bomb in the centre of Coleraine on Friday 13 November 1992. That bomb caused extensive damage to the commercial heart of the town. That context always needs to be restated when we talk about the historically high levels of unemployment in parts of Northern Ireland. It is completely proper for MLAs from the north-west to highlight problems and to push hard for improvements in areas such as infrastructure. However, I urge Members to show restraint in the language that they use.

The motion refers specifically to the expansion at Magee. On 16 September last year, I spoke in an Adjournment debate on the expansion of the Magee campus of the Ulster University in Londonderry. In that debate, I quoted my colleague Sandra Overend, who had made the point in a similar debate on 17 September 2013:

*"we need to have clarity on the expansion. We in the House are all aware that budgets are stretched throughout all Departments, and the higher education budget, I am sure, is no different." — [Official Report, Bound Volume 87, p63, col 2].*

In response, the Minister, Dr Farry, who I am pleased to see here today, said:

*"For what we have adopted to date, which has been a policy of incremental growth of university places that adopts a pan-Northern Ireland approach, albeit, I have to confess, with a certain skewing towards the University of Ulster and Magee ... incremental growth can still continue". — [Official Report, Bound Volume 87, p66, col 1].*



I commented in that debate that Members should note this exchange and consider how much more pertinent it is one year on in the context of a Budget that is now more broken than stretched. The Minister stated last year that incremental growth can continue. In December 2011, he stated that an extra 700 undergraduate places would be made available in Northern Ireland by 2015, and, at the same time, the University of Ulster stated that the 322 extra places being awarded to it would all be allocated to the Magee campus. Today, given the mass of potential consequences of the reduction to higher and further education indicated in this draft Budget, it would be useful in summing up at the end of this debate if the Minister for Employment and Learning brought the House right up to date.

Finally, the Sinn Féin amendment on the decentralisation of jobs is interesting. Coming as I do from Omagh, I know that we have not seen much sign of any decentralisation towards Tyrone into either Omagh or Strabane, which are, of course, the two major towns in my constituency of West Tyrone. I want to see jobs in the west, and I want to see Omagh thrive. I want to see the entire region thrive, but we have a major mountain to climb, and we seem to have a major river to cross. West of the Bann is still a no man's land in job creation, and we need to see support for our constituents in Foyle, West Tyrone and East Londonderry.

There are many surplus buildings in the area. The area plans need to be updated and supported. For example, the master plan for Omagh is being written. Although Omagh is not included in the proposals that are being debated today, the same process is required in all the council areas affected. Let us put our wares on display. Let us show what we have to offer to tempt jobs and, indeed, to decentralise jobs to the relevant district council areas.

**Ms Lo:** The motion draws attention to the low levels of employment in the north-west and rightly points out that investment in infrastructure and skills has been neglected. In his introduction, Mr Ramsey was very passionate in advocating economic growth for the north-west, and urged the Executive to work together to improve transport links and expand the University of Ulster Magee campus. Whilst the Alliance Party will support the motion, there are some issues that we need to look at.

I welcome the formation of the ministerial subgroup to deal with the economic situation in the north-west. I understand from my party colleague Minister Farry that the group met for the first time last week and that all opportunities for growth will be examined.

That is not to say that work is not being done. The employment service has an employer engagement team in place in Derry, Limavady and Strabane, which works with employers to provide opportunities for the unemployed. Programmes such as Bridge to Employment provide active support to help employers to provide unemployed people with the fresh start that they need. DEL is also funding an employment and skills liaison officer post through Ilex, which promotes understanding of skills development, employment opportunities and support available in the north-west.

Between November 2013 and November 2014, there was an 8.1% drop in the number of those claiming benefits in the north-west. I am sure that part of that is down to the jobs fairs and the help available for unemployed people in the north-west, such as job clubs and initiatives such

as First Start, the youth employment scheme, Steps to Success and apprenticeships.

I understand that Minister Farry and his officials are looking at the business case for the expansion of the Magee campus.

Decentralising public-sector jobs to the north-west is not the same as creating jobs. We must focus on finding opportunities that will bring more employment to those areas. Since 2009, Invest NI has provided £44.8 million worth of assistance in the Derry and Strabane district council areas. That has contributed towards £208 million of investment. According to Invest NI, since 2011, the jobs fund has promoted 783 jobs in the north-west, and 578 of those had already been created by 30 September 2014.

I will not deny that our roads connectivity is very poor; I struggle to think of any country that does not have a motorway connecting its two major cities. There is a very strong argument for improvement in that area. However, we must assess that practically. I believe that Minister Kennedy was recently lobbied by politicians on both sides of the border to put in place a bespoke investment plan to tackle economic deprivation and unemployment in the north-west. I understand that a particular item on the agenda was the stalled upgrade of the A5 and a commitment to the upgrade of the A6, as well as ongoing issues regarding the rail network between Derry/Londonderry and Belfast. As I said, those concerns are understandable. However, given our current very worrying financial situation, any decisions must be grounded firmly in reality. The A5 dualling, even if you stopped at Ballygawley —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close?

**Ms Lo:** — would cost £800 million. Given financial constraints, that will not be easily achieved. Economic inactivity in the north-west has the potential to impact on the rest of Northern Ireland.

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Ms Lo:** It is a matter for all of us.

**Mr G Robinson:** I share some of the concern regarding the north-west and its unemployment levels, but I am concerned that the debate could be seen as being negative in tone by potential investors and could be deemed detrimental to employers. In 'The Limavady Chronicle' on New Year's Day, the headline read:

*"Limavady unemployment figures continue to drop".*

It may have been a modest drop, but the reduction is very welcome. Northern Ireland as a whole is even outperforming many other areas of the UK, the increase being 0.4% per head in output. The north-west has many positive points that investors must be made aware of. There is a leaflet produced by Limavady Borough Council that points out that the workforce in the Limavady area is young and how that is projected to continue in the next few years. Employers will have a willing and well-educated workforce, as the North West Regional College offers courses such as HNDs in business administration and diplomas in IT. Those courses are designed to aid people into employment, especially our younger people. That applies across the north-west.

For investors, we have good road, rail and even airport infrastructure. A new dual carriageway has recently been partly constructed between Limavady and Londonderry, and there has been a re-laying of the railway track and new rolling stock for Northern Ireland Railways — all positive points to sell the region. One project that the area needs urgently is the upgrade of the A6. That is very urgent. Eglinton airport has the possibility for additional capacity if required, and there is always the Ballykelly site. I see all those as positives, addressing the neglect that was previously apparent, but I appreciate that there is much more that could be done for infrastructure.

When it comes to the expansion of Magee campus, there is no doubt in my mind that budget pressures are a major problem. I can appreciate the positive impact that expansion of the campus would have, but the question has to be where the money comes from.

As mentioned previously, the area has a former Ministry of Defence (MOD) site, which runs adjacent to the Project Kelvin high-speed Internet connection. I was recently informed by OFMDFM that there have been over 40 expressions of interest in utilising the site from all sectors of business, as well as the future relocation of the DARD headquarters to the Shackleton/Ballykelly site, which will attract hundreds of jobs. That is why I believe that we must sell our area by being positive.

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

**Mr G Robinson:** Yes.

**Mr Dallat:** Mr Robinson will recall the outpouring of promises to the Driver and Vehicle Agency (DVA) workers in Coleraine when they found themselves beleaguered and alone. Can we assume that future promises will be more tangible than those promises were? The only Department that offered permanent jobs to any of the workers is run by my party.

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

**Mr G Robinson:** That is not a devolved matter.

The Minister is well aware of how my colleagues and I feel about developing the area. Indeed, she has visited the area to see for herself the many good points, including our great tourist potential. One problem that the Minister has is that she cannot force companies to come to the north-west. If we constantly run the area down, we damage ourselves in the eyes of future investors. Let us highlight the many positive points of the north-west and give the Minister an additional carrot with which to attract new investment for the future.

**Ms Maeve McLaughlin:** I welcome the opportunity to speak in the debate and to highlight the issues relating to the north-west, particularly my city of Derry. I will try to pick up on the scant splattering of positivity that has come from some MLAs in the Chamber today, because I very much welcome the recent announcement by Martin McGuinness of the ministerial task force focusing on the north-west. I join the business and civic leadership of Derry and the wider north-west in welcoming the fact that that is now in place. It establishes and actions a number of interventions aimed at redressing the regional disparities that exist with such stark evidence, as we have heard today.

## 5.15 pm

There is much to be proud of in the north-west and in the city of Derry as regards the civic and political leadership in the region. However, targeting regional disparities needs to be a priority policy area across all Departments. Whilst Derry very much took centre stage in 2013 as a city that can deliver major events, it remains the case that we have many challenges and there needs to be a focus on skills and jobs.

Over the last number of years, the city came together in identifying the key catalyst programmes that would drive the regeneration of not only our city but the wider north-west region. It remains, as was stated today, that three of the four council areas with the highest unemployment are in the north-west. However, it is all too easy to roll out the latest government statistics, point fingers at one another and depress the life of our communities by rehearsing the same old story. You will score high for stating the obvious, but how will that help anybody on the dole or improve our economic fortunes?

The thing is that, once the focus turns away from blaming the world and towards actually finding solutions, the usual naysayers seem to go quiet. We want to find solutions, and we are prepared to put the work into finding them. We recognise that our economic misfortune is not a result of the current economic recession, which some people are now calling the "Great Recession", nor is it the fault of the current Executive: it is the outworking of decades, even centuries, of discrimination and systematic underinvestment. To date — this is an important point — no one in leadership, civic or political, over the last 40 years in our city and region has broken that trend.

We believe that, if we are to change those outcomes, we must try to become a more resilient and self-reliant economy while doing all we can to attract inward investment. Sinn Féin has challenged INI and will continue to do so, and we will argue that it must promote Derry and the north-west in order to address the economic inequalities that exist. It is important to say that this work is paying off. INI has agreed to fund the development of Derry's unique selling point and the integrated economic strategy. That unique selling point will provide us all with a comprehensive tool that we, as a city and region, must use to market the region to foreign investors. I welcome the INI commitment to the ministerial task force.

I want to concentrate my final remarks on the expansion of the university at Magee. I take the opportunity to welcome the appointment of Mr Paddy Nixon as the new vice chancellor, and I look forward to taking forward the Magee expansion plans in partnership with him. Today, I met the DEL Minister regarding progress at Magee, and I appeal to Minister Farry — I appreciate that he is in attendance today — to clarify to the House the situation around the £11 million teaching block and the wider expansion plans.

**Mr Deputy Speaker (Mr Beggs):** Would the Member draw her remarks to a close?

**Ms Maeve McLaughlin:** The final business case is now with the Employment and Learning Minister. It makes a very strong policy case for the expansion. I appeal to the Minister to back the business case and agree the expansion of Magee as a departmental priority. Go raibh maith agat.

**Mr Devenney:** Just a few weeks ago, I delivered my maiden speech in the House, focusing on the issue of the A6 and the need for improved transport infrastructure in the north-west. The much-needed road network between Northern Ireland's two largest cities is vital to the growth of the north-west. In order to support regional development and further economic growth, action is urgently needed. It is indeed alarming to see such low levels of employment in my home city of Londonderry and across the north-west.

It is only through investment in the infrastructure, increasing the skills base in the north-west and delivering on our commitments in the One Plan that we will reduce the high levels of unemployment and create jobs.

We cannot underestimate the importance of the University of Ulster expansion at Magee. Increased student places, enhanced courses and close partnership with employers would ensure that any skills gaps are filled and constituents are well placed to be in a position to apply for these jobs.

I have been on record with my support for the upgrade of the Londonderry to Belfast rail line and the need for it to be progressed as soon as possible. The A5 is another essential project that will have a catalytic effect on the north-west and will improve opportunities for investors to invest there.

Whilst there are many issues of concern in the north-west, we should remember the positives. Tourism in the Londonderry and Strabane district has seen significant increases, with large increases in associated expenditure. The north-west has lots to offer tourists, investors and developers. We need to send out a message that we are open for business, that we are willing to invest in infrastructure and education facilities and, most importantly, that we have the people and skills to go along with it. I now urge that we need real action on these issues.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I agree with many of the sentiments that have been expressed here today, but I cannot stress enough how important it is for us to increase job opportunities in the north-west to prevent the brain drain and young people being forced into emigration in search of jobs in other parts of the world.

The issue of regional economic disparities and the impact that past underinvestment continues to have on areas like the north-west needs to be a priority for the entire Executive. We need to place and sell the north-west as a priority on the basis of its need for employment. I welcome, too, the recent establishment of an Executive subgroup for the north-west. I also welcome the announcement by the Finance Minister, Mr Simon Hamilton, that more money will be allocated to DEL in the final Budget. Our economy needs to have a strong university community that produces high-quality graduates and enables the economy to grow. If we are to redress the regional disparities, the Magee campus needs to be expanded. This money is an opportunity for the Minister for Employment and Learning to demonstrate his commitment to that project. Not only will the expansion of Magee benefit Derry, it will benefit students from Strabane, Castlederg, Plumbridge, Aghyaran, Donegal and the entire north-west. The expansion of Magee is a crucial part of the One Plan, which is a Programme for Government commitment. Indeed, Sinn Féin is determined to see this delivered.

In the West Tyrone constituency, Strabane represents over 50% of the unemployment figure. Strabane has suffered economically over the past years, with many well-established family businesses and shops and a number of high street shops recently closing. As recently as last week, in Strabane, we had the announcement of job losses from the closure of Xtra-vision. Recently, I discovered that, since 2007, it is estimated, throughout County Tyrone almost 10,500 people have emigrated, 2,000 of them young people from the Strabane district alone.

The north-west has been particularly hard hit with recession, job losses and emigration. There is a need for investment to tackle disadvantage and enhance the competitiveness of the region. Businesses need support, and our people need jobs. Central to this economic development is the A5 project. I welcome the fact that Danny Kennedy recently reiterated his commitment to the A5, the A6 and the development of rail in the north-west, and he acknowledged their importance in redressing the infrastructure deficit in the region and, in turn, their importance for economic development and job creation. It is in this context that I view the Minister's signalled intention to publish the new environmental statement and the draft vesting direction orders for the A5 dual carriageway as significant progress. They are key project milestones that should happen in the next few weeks. We are positioned in the north-west corridor and gateway to Donegal. Strabane, my area, is well placed with its neighbours. Infrastructure investment is crucial, and the A5 scheme is important to all of us.

When we met business leaders in the north-west chambers of commerce, we were told that the A5 was perhaps the biggest inhibiting factor to investment in Strabane, Derry and the wider north-west of Ireland. When that project was being worked up, the economic assessment reckoned that it could be worth as much as £1 billion to the local economy through investment, job creation and its construction. That is notwithstanding the fact that it will make our roads safer.

Back in 2013, I wrote to all Assembly Ministers asking them, in the context of the Programme for Government's commitment, to address the regional imbalance. I commend the fact that Minister Michelle O'Neill got back to me to announce her intention to create the DARD Direct office in Strabane. I understand that it should be operational by 2016.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close?

**Ms Boyle:** The DARD Direct office will bring together veterinary services and administrative staff, and it will be a welcome boost to Strabane. However, we cannot repair and build our economy and public services without maximising the return for all —

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Ms Boyle:** — our citizens and by building sustainable employment opportunities right across the North and the island as a whole.

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Ms Boyle:** Go raibh maith agat.

**Mr Byrne:** I support the motion and welcome the opportunity to speak on it. I congratulate my colleague Mr



Ramsey for the way in which he opened the debate and set the scene.

The Assembly must reflect on the deterioration of the areas where investment and skills have suffered for many decades. Ultimately, the Assembly must have the foresight, desire and integrity to ensure a more balanced regional development and growth policy by resourcing and delivering on commitments seeking to create prosperity.

The debacle over the A5 road project has been a gross disappointment. People are sceptical about the DRD's handling of environmental issues surrounding the project, not just under this Minister but the previous one as well. The people of the north-west feel aggrieved that the peace dividend project has been long-fingered for too long. Construction workers are deeply frustrated.

The border town of Strabane is a vibrant town waiting to have its full potential unlocked. North/South cooperation should be maximised in order to enable Strabane to grow economically. It is a town that has suffered some of the worst tragedies of the Troubles and one that is eager to move forward along a path to renewed economic prosperity. Unfortunately, Strabane was one of the most bombed towns in Northern Ireland over 30 years. The people of Strabane continue to call out for jobs and opportunities and are left only wanting. It is time for the Assembly to recognise not only the deprivation suffered by those in the Strabane district but the strength and resilience of the people living there. There are some very good employers, such as Allstate, which employs 500-plus workers, and O'Neill's Sportswear, which employs 350-plus workers and is building an extension at the moment to cater for another 90. McColgan's Quality Foods employs about 120; Frylite 120; and Arolco 35. Thankfully, today, there was an announcement of an extra four jobs there through INI support.

The latest figures, however, paint a bleak picture of the gap in employment and ongoing deprivation that those in the north-west continue to suffer. In November 2014, figures revealed that the highest claimant counts belong to Derry and Strabane at 7.9% and 7% respectively. Unfortunately, emigration is the only job option for hundreds of young people who have been reared and educated in the north-west. England, Australia, Canada and the US are their only work opportunity. That is the reality. The real unemployment figures are much higher than the stated ones because there is that escape valve of emigration. In 2013, those figures were much the same. Claimant counts in that year revealed that unemployment-related claims in Strabane stood at 7.7%, which was topped only by Derry at 8.6%, as other Members have said. We should note that some progress has been made, but we must recognise that such figures can be deceptive.

When we consider that Northern Ireland's average claimant count rate stands at 5.4%, we see that Derry and Strabane are, unfortunately, worse off.

### 5.30 pm

Fears over welfare reform are adding to local anxiety. Food banks are being used more frequently, reflecting increased poverty levels. That is the unfortunate situation that people find themselves in. Emigration and depression are high among our young people and many do not see the point

of participating in skills and training, as there are no job opportunities following the training.

I welcome the presence of the Minister for Employment and Learning today. I commend and pay tribute to the Strabane campus of the North West Regional College, which is endeavouring to extend its range of full-time courses and training provision. That is a positive signal.

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

**Mr Byrne:** Yes.

**Mr Dallat:** There was historical imbalance. It does not matter whether it was 50 years or 800 years ago. Does the Member agree that, 16 years into the Good Friday Agreement, there is an urgent need to address that?

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

**Mr Byrne:** Absolutely. I welcome exactly what Mr Dallat said. The reality is that we cannot keep saying that governments prior to devolution caused all this trouble. The Good Friday Agreement was signed in 1998. The new beginning was supposed to have started and been delivered upon. That is the reason why young people in the north-west are getting very frustrated. There is deep anxiety and a sense of hopelessness for many of them. That is the reason why the Assembly and Executive must address this difficulty; otherwise, there will be problems ahead.

I welcome the interdepartmental task force that has been set up. It is belated, but the time has come for the political will of the Assembly to advise and instruct INI to carry out the necessary investment and to support the SMEs and the inward investment projects that show interest in the north-west. The reality is that some of the potential investors from the foreign investment community are not brought to the west. Another reality is that the SMEs are not given the support, initial start-ups and grant aid that are so crucial. In the past, we had LEDU, and it started places like Norbrook, the Quinn Group in Derrylin, McColgan's, O'Neill's, Frylite and Arolco.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr Byrne:** They are good examples of what local development, led by LEDU, delivered. They went on to become bigger projects that now enjoy support from INI. The time has come to have a mixed approach to foreign direct investment —

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Mr Byrne:** — as well as supporting, genuinely, the SME sector.

**Mr Deputy Speaker (Mr Beggs):** I call Robin Swann, who will have a maximum of three minutes.

**Mr Swann:** Thank you very much, Mr Deputy Speaker. I will try to be short. *[Laughter.]* This is a very serious topic. I am glad to hear about the creation of a ministerial subgroup to look especially into the difficulties of the north-west, particularly those around Londonderry. I think that there is a duty on all of us as elected representatives and not just those from the north-west to prove Paul Gosling wrong. On 23 October, he wrote in the 'Belfast Telegraph' that Londonderry and the north-west would be better off

economically under direct rule than they are under the Assembly. If that is allowed to come to pass, or if that is the perception, every one of us in here has failed. That applies not just to the representatives of the north-west but to all of us as elected politicians.

Mr Deputy Speaker, I want to concentrate on my role as Chair of the Employment and Learning Committee. The Committee visited the North West Regional College on 13 November. Mr Byrne and a number of Members talked about the young people and their sense of hopelessness. Pat Ramsey and other honourable Members were there when we met the young people of the North West Regional College. They are a group of enthused young people. Some of the college's media students interviewed us, and the challenging questions that they asked us were more challenging than some that are asked by the media commentators here or even at Question Time. It is our responsibility to ensure that they have the opportunity.

We have talked about the expansion of Magee, and we have talked about places in the NWRC. It is especially pertinent that Minister Farry is here, because the draft Budget proposes cuts to higher education and further education numbers that might go ahead. We have not seen the outworkings of what was announced in the Budget this morning. If you are talking about 16,000 young people being taken out of further education, how many of them are going to be students of the North West Regional College? They may well already have a sense of despondency because there is no future employment. Imagine that despondency throughout the area and in the city if they do not even have the prospect of a further education place. It is our responsibility as elected representatives to ensure that there is an opportunity for those young people to get into further and higher education, to challenge Invest NI and the Ministers to ensure that jobs and a future are available for them and, more imperatively, to prove Paul Gosling wrong —

**Mr Deputy Speaker (Mr Beggs):** The Member should draw his remarks to a close.

**Mr Swann:** — that the north-west and Londonderry should be better under the capability and direction of the Assembly rather than direct rule.

**Dr Farry (The Minister for Employment and Learning):**

At the outset, I want to acknowledge the scale of the challenges facing the north-west and not downplay them. However, I also want to emphasise the opportunities for transformation if all the levers available to government, combined with the efforts of the business community, the community and voluntary sector and ordinary people, are fully brought to bear. The key issues set out in the motion include investment in skills and employability measures, job creation and improvements to infrastructure. As Minister for Employment and Learning, I can primarily address the employment issues but will also seek to reference areas of responsibility that lie in other Departments.

In that regard, it is important to stress that the Executive recognise the challenges regarding employment opportunities in the north-west and are actively seeking to address them alongside a host of other relevant issues. That is evidenced by the convening of the ministerial subgroup to examine the economic situation in the north-west and help to foster a strong, united response. The

group met for the first time last Thursday, and I am pleased to report that a strong consensus to work together to help the subregion achieve its full potential was clear. There will now be a standing subgroup of the Executive to look at how best to ensure that opportunities and growth in Northern Ireland are available across the region, and there will, of course, be a very clear emphasis on the north-west.

The starting base, in many respects, is challenging. The north-west has some of the highest unemployment figures throughout the United Kingdom and some of the highest levels of economic inactivity as well, alongside one of the poorest skills profiles across these islands. For many decades, Northern Ireland has consistently experienced the highest rate of economic inactivity of the 12 UK regions. That feature of our economy reflects lower regional productivity and employment levels and higher levels of social security support and economic disengagement in the working-age population. Left unaddressed, this major economic problem has the potential to hinder not only economic growth in the north-west but in Northern Ireland as a whole.

Recognising this challenge, the Executive have committed, through the Programme for Government, to develop a cross-cutting government strategy to tackle economic inactivity, led by DETI and my Department. Building on substantial research work, a strategic framework to tackle economic inactivity was developed and subjected to extensive public consultation, including a well-attended event in Derry in March 2014. One of the ideas identified through this process was the need for an area-based approach to tackle inactivity in different geographical areas in line with local need and through tailored localised solutions.

The Executive are acutely aware of the high levels of economic inactivity and unemployment experienced for many years in the north-west, and the final strategy will seek to address those issues. The labour force survey demonstrates that the rate of economic inactivity for the period between 2008 and 2013 has been significantly above the Northern Ireland average. For the Derry and Strabane areas, the figures show that 38,000 individuals are economically inactive, which equates to 38.5% of the local population. That compares with the Northern Ireland average of 26.8%. The employment rate in Derry and Strabane is 54%, which is lower than the Northern Ireland average of 68.5%.

One of the key interventions under consideration is to identify, develop and test a range of new approaches to tackling economic inactivity based on the local profile of need. I trust that this approach will help to identify innovative and effective solutions to addressing inactivity in areas of particular need such as the north-west.

The draft strategy is being considered by the Minister of Enterprise, Trade and Investment and me prior to being presented to the Executive for consideration and approval. Once Executive agreement is secured, subject to the necessary resources also being identified, the final strategy will be published at the earliest opportunity and implementation will commence immediately. Members may wish to note that there is some funding allocated in the Budget under the change fund to advance a control project on economic inactivity. That may well be focused on the north-west.

The new strategy will complement existing government interventions for tackling long-term unemployment and deprivation in the north-west and more widely across Northern Ireland. However, we should be clear that my Department already has many approaches in place to tackle unemployment in the north-west. The employment service has an employer engagement team in Derry, Limavady and Strabane that works with employers to influence positively attitudes towards providing opportunities for the unemployed. The Department is also funding an employment and skills liaison officer through Ilex to promote understanding among employers and the community of the wide range of skills development and employment opportunities and support available in the north-west.

The numbers claiming benefits in the north-west have fallen from just over 9,200 in November 2013 to just over 8,500 in November 2014, which represents a decrease of 8.1%. Obviously, there is still a long way to go.

Other help for unemployed people in the north-west is available through job clubs, which provide very practical assistance on things such as job search, CV building and interview skills. Initiatives such as First Start and the youth employment scheme provide particular assistance to young people to help them engage with the world of work. *[Interruption.]* That was very musical.

A major development in the latter half of 2014 was the introduction of the Steps 2 Success programme as the Department's main adult employment programme. Launched on 20 October 2014, it is delivered in the north-west by EOS NI, supported by a number of local organisations. Steps 2 Success differs from previous employment programmes in that it gives contractors greater flexibility to focus on the specific needs of individual participants to help them get a job by overcoming their barriers to employment. Notably, EOS NI has converted the former shirt factory in Patrick Street into an employment training centre, and I encourage everyone to pay it a visit.

The steps that are being taken around employability must be complemented by continued investment in skills. That investment in skills must be at all levels and must be matched more closely to the needs of employers. To that end, I take this opportunity to encourage employers to engage with our new system of apprenticeships and the forthcoming system of youth training. Those approaches will be good for employers, as they will know that they are getting the right skills — the skills that they require — and for young people, who will know that they have the skills relevant to employers and will consequently have better prospects of sustained employment.

North West Regional College will be a key partner in those initiatives and will be a delivery partner across a range of other programmes. In many respects, the college should be regarded as the first point of contact for dealing with the skills requirements and the research and innovation requirements of local employers. The college should also be a key player in the forthcoming community plan for the new councils in the north-west.

On the impact of cuts, I have made it clear that we welcome the additional funds that have been allocated in the Budget agreed by the Executive and announced today. Those funds may go some way to avoiding the level of cuts

in places that were identified in the departmental savings plan. However, we still have to bottom out exactly what that means for places. Although we have some areas in which we may be able to mitigate the impact of the reduced cuts to the Department, we still face a situation in which we will have a challenge to maintain current levels of provision. That is the sober reality of where we find ourselves.

On the university situation, I know the importance that is placed on the expansion of the Magee campus as a means to drive forward the economy and the regeneration of the north-west. However, it has to be about investment in skills and research for Northern Ireland as a whole as well as local benefits, such as increased spending power in the economy and a stronger investment offering. My Department received a full draft business case for the expansion of Magee from Derry City Council on 19 December 2014. That is being appraised by my officials. Should the business case prove that expansion represents good value for money in the context — this is very important — of the restoration of sustainable funding of our existing higher education provision, I will make a bid to the Executive in the next comprehensive spending review with a view to finding the funds to implement it.

#### 5.45 pm

Having said that, I think that it is important that people are very conscious of the hurdles that we have to overcome. I note with interest that people have asked me to identify and direct some of the £20 million granted in the Budget towards the expansion of Magee. Let me be very clear: all that that money does is reverse and reduce what was otherwise going to be an even steeper cut to my Department. As I have said in respect of further education, today we face the reality that we will struggle to preserve the places that we have. That will be a very difficult challenge, and I am not sure that we will achieve that, notwithstanding efforts that are being made to find other ways of balancing the Department's books.

If we are to have an expansion of the university, we have to make the current provision sustainable first of all. It also means looking to ensure that we invest in the quality of places. The funding that we are allocating for university places in Northern Ireland is less than that in Great Britain. I am not prepared to advance the numbers of places through diminishing quality. That is not in the interests of young people, and it is certainly not in the interests of the north-west in terms of having a university as a key driver of investment. That has to be based on the quality of what is offered and not on simple headcounts of those going through the doors. However, if we can overcome those issues in the context of the 2016-2020 Budget period, we will be in a position to look to the expansion of the university. I recognise that we need to look to expand higher education in Northern Ireland. However, we have to be innovative in the way that we do that and see how we can tie it in better with our apprenticeship strategy, encourage more part-time study and attract more international students to Northern Ireland. There are opportunities out there for us, but we need to be very clear and seized of the financial pressures that are out there ahead of us.

Ulster University is in the process of gaining approval for the construction of a new teaching block at Magee. The cost of that development is £11.2 million. It will improve the

teaching facilities at the campus and help cater for the 652 additional places that have so far been made available. It would also provide spare capacity to accommodate a further 350 full-time undergraduates. The university is seeking a grant of £10 million towards this development and has already received planning approval. The business case in this process is now at a very advanced stage. Once formal approval is achieved through my Department and from me, which is expected to happen shortly, it will be forwarded to Department of Finance and Personnel for consideration. Once it is cleared through that process, we will be in a position to make a bid at the earliest opportunity. I give a commitment that I will bid for resources from any pots of capital money that become available. The earliest opportunity is likely to be the June monitoring round; that is the timescale around which we are primarily focused in this regard. Hopefully, with a fair wind, that process can proceed, and the project will become a reality in the very near future.

I should also reference the important contribution that my Department has made to Derry's outstanding achievement as the first city in the UK to achieve WorldHost Destination status. This was supported through funding and brokering a range of practical training courses focused on the vital tourism and hospitality sector. Set against the backdrop of the City of Culture year, in particular, this has been a significant intervention that has made a real difference to visitors' welcome and helped to make the city an increasingly popular tourist destination. It is important that we focus on tourism and hospitality as a huge opportunity for further economic development, and customer care will be a key aspect of that.

We should also make reference, however, to the strong companies that are already present. We have a spectrum. Mr Byrne made reference to some companies in Strabane, where Allstate is a major employer. We should not forget that, in the city of Derry itself, we have First Source and Seagate, which are major employers and major contributors to the local economy.

Invest NI has made a significant contribution to job creation in the north-west. Since 2009, it has provided £44.5 million of assistance in the Derry and Strabane district council areas. This has contributed towards over £200 million of investment.

It is important that we recognise Invest NI's activity as a glass half-full rather than a glass-half empty situation. It is important to bear in mind that we cannot micromanage how companies invest in Northern Ireland. We do well to get companies to come here without overly dictating to them, but I am certainly convinced that there is a commitment to ensuring that we showcase the north-west alongside other regions. The solution lies not just in terms of what Invest NI can do but what we do in terms of skills and around infrastructure and connectivity. Investment decisions are made through a whole range of variables, not just the support that comes from an economically developed organisation.

**Mr Deputy Speaker (Mr Beggs):** Would the Minister draw his remarks to a close?

**Dr Farry:** The points on the atmosphere, skills and connectivity have been well made, and the Regional Development Minister will no doubt pick those up.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. I preface my remarks by welcoming the Minister's statement of intent today around the expansion of Magee and, crucially, his timeline for the teaching block at Magee. It will find welcome support across the north-west and, indeed, I am sure, right across the island of Ireland.

It leads to one of the main points that I was going to make in relation to this debate. We support the motion because, at its heart, it is an attempt to try to address decades of economic underdevelopment and all that results from that. If we have learnt any lesson over the last number of years, it is that, when people speak with a collective and agreed position, the chances of success are greater. For us in Foyle, the One Plan is a very good and obvious example of that inaction. There has been a number of years of work and many contributions right across the city and district and, indeed, from other parts of the North and right across the islands. When you read the document, one of the obvious and striking things about it is that it is not based on assumption but on hard facts and concrete evidence. No sweeping assumptions are made either, because, too often, perhaps in the heat of the moment or in the heat of debate, too many people make assumptions and we hear statements like, "All our young people are despondent", and, "All our young people have no hope". I do not think that is the case. That is not to say that some young people are not despondent, but it is the responsibility of all of us to ensure that they have a pathway towards ensuring that they have prosperity in their lives. That is what we have to do.

The motion lists a number of key issues. I will not rehearse them, but they include the headline projects of the One Plan, job creation, infrastructures, skills and university expansion, and that encapsulates the mood of the motion going forward. It is in that context that we welcome the idea of the ministerial subgroup. The issues are obvious and they mirror the issues of this motion. We welcome the composition of the group. The relevant Ministers are in place and, this morning, the Finance Minister seemed to be adding his support to it. I know from a press release at the weekend that Mark Durkan has asked that the Regional Development Minister be part of the ongoing conversations. So, I have absolutely no doubt that that subgroup will get the support of all MLAs in the north-west. In my opinion, it should, and we have already seen broad support from political and civic society. It is sometimes wrong to try to frame these things or to dismiss them as programme for votes. If we believe in working collaboratively, this is an example of how we can work cooperatively and take it forward.

I want to concentrate on the decentralisation because I think that decentralisation can play a role. We see it in relation to the DARD office. Many economists have said that there will be an impact. It is not new jobs and no one will say that it is new jobs, but it can have an impact and a multiplier effect in that, if you bring jobs to an area out of Belfast, it first of all sends a very clear signal of intent and, secondly, allows people to see the site and to see it being used for other economic value. We should always be supportive of that.

Last week, there was a bit of disappointment when Joe Byrne seemed to unpick the idea of DARD going to Ballykelly. That was wrong. Whether it is the Forest Service going to Enniskillen, DARD Direct going to



Strabane, the fisheries division going to Downpatrick or Mark Durkan's private office and some parts of planning going to Ebrington, anything that puts decentralisation in place sends a very clear signal. It is a Programme for Government commitment. It is a way of tackling regional disparity and it sends a very clear message. That is why we wanted that to be part of the motion.

We support the issues outlined —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr McCartney:** — in the motion. We certainly feel that decentralisation will play a key part in tackling regional disparity.

**Mr Deputy Speaker (Mr Beggs):** The business on the Order Paper is not expected to be completed by 6.00 pm. In accordance with Standing Order 10(3), I will allow business to continue until 7.00 pm or until the business is completed.

**Mr Eastwood:** Thank you, Mr Deputy Speaker. I thought that you were going to call the debate over before I got my chance to respond to it. Some of you would have been happy with that.

I want to thank all the Members who spoke. I think that they were largely supportive of the motion and, I hope, the amendment.

It is interesting that the debate comes just a couple of weeks after the Christmas break. Derry is a great place to live at any time of year, but that is particularly so at Christmas, when so many people come home. I spent an awful lot of time driving to airports and picking people up. It was a great time to see everybody, and, walking down the street, you see people who you have not seen for years. However, it is also particularly sad when you have to leave those people back to the airport, and during the week after, when you see a lot fewer people you know from school and a lot fewer people are in and around the town, as they just do not live in our city any more.

That it is a very stark reminder to all of us of the number of people, young people in particular, who have had to leave our city and our shores to find work and a better life. It is an indictment on all of us that that is still the situation and is still a very stark reality for my generation. We all need to put our shoulder to the wheel to change that reality. We need to ensure that our young people can stay, study in our city and get a job in our city and do not have to join the dole queue or the security queue at Belfast airport or City of Derry Airport to get out of here to find work. We need to ensure that that is a thing of the past.

This is not about being negative, but it has been outlined by other Members who spoke that we find ourselves in a very difficult situation in our city. We have had a fantastic couple of years with festivals and events; the City of Culture and everything else. However, the stark reality remains that we have the highest level of unemployment in any Westminster constituency and we need to begin to do something about it.

I want to recognise and welcome the ministerial subgroup. It is about time that we recognised that there is a problem, and if you recognise that there is problem, you have to do something about it. The meetings should be fairly short, because we all know the answers. We are not up

here complaining that we do not have enough jobs in Derry because everybody is out to get us and that it is all everybody else's fault. We understand what the issues are. I know that Mr Campbell said that we like to complain, but it is not about complaining. I would far rather be up here welcoming jobs for our city and for my friends and people who I know well. I would far rather not have to leave people off at airports to travel all round the world to find work.

**Mr Campbell:** I thank the Member for giving way. Does that mean that, when the jobs announcements that I am told are in the pipeline are made in the very near future, he will issue an unequivocal welcome?

**Mr Eastwood:** I can show him any number of press releases in which I have welcomed jobs announcements for our city and I would be glad to do that again. However, I will also release press statements when we see the figures stacking up in Belfast and not in Derry and when there are 5,000 jobs announcements for Belfast and 50 in our city. The Member across the Chamber should be as angry as I am about it.

**Mr Campbell:** Yes.

**Mr Eastwood:** I am glad that he is nodding and has said that he is as angry as I am.

**Mr Campbell:** I do not whinge about it.

**Mr Eastwood:** We have to get angry. It is not about whingeing or complaining; it is about trying to get people to sit up and do something. It is very simple. This is the positive bit: we need to invest in infrastructure and skills. It is that simple.

**6.00 pm**

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

**Mr Eastwood:** Gladly.

**Mr McElduff:** I would like to give the Member an opportunity to put on record his goodwill towards the constituency of West Tyrone and to express some disappointment that the motion did not refer to the Omagh district.

**Mr Eastwood:** I am glad to support the constituency of West Tyrone. It is a bit difficult to include Omagh in the north-west; it depends on how wide we want to go. We did not put Donegal in either, but maybe we should have.

What have the Southern Government done to encourage outside investment? We talked about corporation tax, but they have also developed their motorway network and their universities and skills. The only place on the whole of this island that has not seen that investment has been its north-west corner, including north-east Donegal. North-east Donegal, Derry, Strabane and Limavady do not have the inward investment that is required. Why do we not have it? We do not have the university expansion that is so desperately needed, nor do we have the motorway connection. Derry is probably the only city in Ireland that does not have a motorway entering it from any direction. How can we say that we are committed to developing the economy in the north-west if we do not commit to developing properly and significantly the motorway infrastructure and the university infrastructure?

It is nearly 50 years since the Lockwood report made a sectarian decision to put the University of Ulster at

Coleraine. I am not saying that just because it is 50 years ago and it is an old complaint that we are always making. That wrong has never been righted. We still have far too few university students at Magee. Everybody recognises that. Limerick, Galway and Belfast recognise that the only way to develop an economy is to ensure that you have enough students doing the right courses, courses that are market-related and can attract jobs into the city and encourage entrepreneurs to set up and employ people. It is not that complicated.

This is not a whinge, as some people would have it; this is a plea for common sense. The only way that we can deliver on the promises in the Executive's economic strategy that Derry and Belfast would be the two economic drivers for the North is by investing in skills and infrastructure. It is recognised worldwide as a way of developing and creating jobs in any city or town. It makes perfect sense. If this ministerial subgroup or task force does anything, we will see what the Minister said, which is a commitment to the expansion of Magee to at least 10,000 students within the next CSR period.

The One Plan has been talked about. It was a great example of how people would get together and use all the economic and social data to ensure that we had ideas for change in our city to turn it around. Everybody bought into it. I was there when Peter Robinson and Martin McGuinness came down to launch it, and it was great. However, we did not see any of those things being put into the Programme for Government. That is why we are still not there. We are now saying that we will look at the next CSR period. I think that it is too late, but we do not have too much choice at this stage, so I will gladly give that my support. Let us see the Executive as a whole — we will play our part — come out and support the development of Magee to at least 10,000 students and get moving on the A5 and A6.

I gladly support the Sinn Féin amendment on decentralisation. I will recommit our party, because Mr Campbell asked me to do so, to the decentralisation of the DARD jobs. We give that 100% support. However, the SDLP does not just say things; it actually does them. When the DVA jobs went and all Ministers said they would do their best to put some jobs in Coleraine, the only Department that did so was the Department of the Environment. I am not just saying that because the Minister is sitting beside me. Our Ministers, even if we have only one, have a long track record of bringing jobs to Derry, whether it is this Minister, Alex Attwood, Margaret Ritchie or Mark Durkan.

We have put jobs in Derry; we have decentralised jobs to our city. We recognise that they are not new jobs. However, we also recognise that hundreds of people with no quality of life whatsoever leave our city on the 6.00 am bus to Belfast to take up positions in the Civil Service. If we can get to the point where the DARD jobs go to your constituency, Mr Campbell, it would be fantastic for the people travelling to Belfast at the minute. We need to see more of that; we need to see a commitment by all Departments not only to announcing things but to doing them. The SDLP will continue to decentralise whatever jobs we can to our city and to any city or area that has high economic inactivity. Of course, Derry is at the wrong end of that league table.

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 43; Noes 43.*

## AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, 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 Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Ms Sugden.*

*Tellers for the Ayes: Mr Eastwood and Mr Ó hOisín.*

## NOES

*Mr Allister, Mr Anderson, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Cree, Mr Devenney, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Ms Lo, Mr McCausland, Mr I McCreagh, 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 Buchanan and Mr G Robinson.*

*Question accordingly negatived.*

*Main Question put and agreed to.*

*Resolved:*

*That this Assembly notes the alarmingly low levels of employment in the Derry City, Strabane district and Limavady borough council areas; further notes that investment in infrastructure and skills in the north-west has suffered decades of neglect; recognises the importance of university expansion and improved transport links in growing the local economy; and calls on the Executive to work collaboratively to ensure balanced regional growth by resourcing and delivering the One Plan commitments to expand the Magee campus, dual the A5 and A6 and upgrade the Derry/Londonderry to Belfast rail line.*

*Adjourned at 6.20 pm.*



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# Northern Ireland Assembly

**Tuesday 20 January 2015**

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

*Members observed two minutes' silence.*

## Assembly Business

### **Standing Order 20(1): Suspension**

*Resolved:*

*That Standing Order 20(1) be suspended for  
Tuesday 20 January 2015. — [Mr Weir.]*

### **Election of Deputy Speaker**

**Mr Speaker:** The next item of business is the election to fill the vacant position of Deputy Speaker. Before we commence, I would like to remind Members that the election of the Deputy Speaker will be conducted using the procedure set out in Standing Order 4.

I will begin by asking for nominations. Any Member may rise to propose that another Member is elected Deputy Speaker. I will then ask for the proposal to be seconded by another Member, as required by Standing Order 14. If this occurs, I will then verify that the Member so nominated is willing to accept the nomination. There will not be an opportunity for speeches at that stage.

I will then ask for further proposals and follow the same procedure for each. When it appears that there are no further proposals, I will make it clear that the time for proposals has passed. If Members indicate that they wish to speak for a debate relevant to the election, the debate may then take place in which no Member may speak more than once.

At the conclusion of the debate, or of the nominations if there are no requests to speak, I will put the Question that the Member first proposed shall be a Deputy Speaker of this Assembly. The vote can only be carried on a cross-community basis. If the proposal is not carried, I will put the Question in relation to the next nominee, and so on, until all nominations are exhausted. Once a Deputy Speaker is elected, all other nominations will fall automatically. If that is clear, we will proceed.

Do I have any proposals for the office of Deputy Speaker of this Assembly?

**Mr P Robinson:** I propose Mr Robin Newton as a Deputy Speaker.

**Mr Speaker:** Is there a Member to second the nomination?

**Mr Weir:** I second the nomination.

**Mr Speaker:** Will the Member accept the nomination to be a Deputy Speaker?

**Mr Newton:** I will, Mr Speaker.

**Mr Speaker:** Is there any further proposal?

The time for proposals has expired. A number of Members have indicated that they wish to speak. I remind Members that they may speak only once in the course of the debate and that the Business Committee has agreed to allow each Member wishing to speak up to three minutes. I call Mr Peter Robinson.

**Mr P Robinson:** Thank you, Mr Speaker. I have known Robin Newton for many decades. He has been a close friend and colleague and, of course, one of my colleagues in east Belfast. He was, I think, first elected to Stormont in 2003, so he has many years' experience of working under the procedures of the Assembly. Even before that, of course, he was a member of Belfast City Council, with long experience there. That is a training ground for many politicians. He certainly learnt the ropes in the city council. This will be a clincher for the nationalist Benches: he was recognised by Her Majesty The Queen and honoured with an MBE. Of course, in the House, he has been a junior Minister in OFMDFM, and, at one stage, he led our team on the Policing Board. He has a lifelong experience of parliamentary procedures. How shall I put it? He is not a divisive character; he is the kind of person who wants to resolve disputes. Most of all, he will bring integrity to the position. He will show fairness in the way he carries out those duties, and, importantly, because there is a Speaker's panel — a team of Deputy Speakers under the Speaker — he is a team player. He will not in any way shirk his responsibilities in doing his duties.

For all those reasons, I believe that my colleague is a suitable candidate for this job. I believe that he will carry it out in a fashion that will be recognised by the whole House as independent and fair. I urge colleagues to support him.

**Mr Speaker:** We will move straight to the Question.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Mr Robin Newton, as the only candidate proposed, shall be a Deputy Speaker of this Assembly.*

**Mr Speaker:** I formally declare that Robin Newton has been elected as a Deputy Speaker. I take this opportunity to congratulate you, Mr Deputy Speaker.

As the requirements under Standing Order 5(1) have been fulfilled, it is now appropriate to move on to the election of the Principal Deputy Speaker.

## Election of Principal Deputy Speaker

**Mr Speaker:** The next item of business is the nomination of one of our Deputy Speakers to act as Principal Deputy Speaker; the process will be conducted in accordance with Standing Order 5A.

I will begin by asking for a nomination. Any Member may rise to nominate one of the Deputy Speakers to act as Principal Deputy Speaker. I will then confirm that the person nominated is willing to act as Principal Deputy Speaker, and then a debate relevant to that nomination will take place. The Business Committee has agreed that only one Member should speak on behalf of each party in the debate. At the end of the debate, I will put the Question on the nomination and the vote will be on a cross-community basis. If the proposal is not carried, I shall ask for a further nomination, and the process will be repeated.

Do I have a proposal for a Deputy Speaker to be nominated to act as Principal Deputy Speaker? Members should rise in their place.

**Mrs Foster:** It is with great pleasure that I put forward the name of Robin Newton MBE MLA.

**Mr Speaker:** Mr Deputy Speaker, Mr Newton, do you agree to act as Principal Deputy Speaker?

**Mr Newton:** I do, Mr Speaker.

**Mr Speaker:** Thank you. Standing Orders provide for a debate to take place on the nomination. Members may speak only once in the debate. Standing Order 5A(7) requires the debate to be relevant to the nomination. I will not therefore allow Members to stray into any other area. Members will have up to three minutes in which to speak.

**Mrs Foster:** I endorse everything that the First Minister said in his proposing of Mr Newton as Deputy Speaker. Robin was a Belfast city councillor for 29 years, representing the Victoria district electoral area (DEA), so he has a long history of working in local government and in the so-called dome of delight, which is Belfast City Council.

He was first elected to this place in 2003 and then re-elected in 2007 and 2011. As has been said, he has served as a junior Minister and on the Policing Board. It was my pleasure as Minister of Enterprise, Trade and Investment to work with Robin in his capacity as a member of the Enterprise, Trade and Investment Committee. As a member of the Committee, he was always very fair and attentive to detail, and he dealt with issues in a very impartial way. I have no doubt that, if Robin succeeds in becoming Principal Deputy Speaker, he will show that fairness, attention to detail and knowledge of the areas that he is dealing with.

He is a very well-respected Member, not just within the ranks of this party but for his work in the local community in east Belfast and beyond. He has, of course, served on other Committees as well. My knowledge of him is particularly through the Enterprise, Trade and Investment Committee, but he has served on the Employment and Learning Committee, on which I know that he took a particular interest in the promotion of skills in working-class communities. He has also served on the Education Committee for a number of years. It is with great pleasure that I ask the House to endorse my proposal that Robin Newton be elected as Principal Deputy Speaker.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. I support the nomination of Mr Robin Newton. Martin McGuinness would be doing this, but he is out of the country on party business.

Sinn Féin supports the nomination of Mr Robin Newton. Tá Sinn Féin ag tacú leis an Uasal Robin Newton mar Phríomh-LeasCheann Comhairle. It is good, and this will send out a very important signal to wider society today about the importance of power-sharing in the posts of Speaker and Principal Deputy Speaker. This is part of the working out of that agreement on power-sharing. It is a step forward and progress is being made.

I have no doubt that Robin Newton will act impartially or that he will understand the important role of the office. I have worked with him on a number of Committees and organisations, including the Policing Board. Sinn Féin welcomed the nomination. The Sinn Féin team very much looks forward to working with Mr Robin Newton and, indeed, the full Speaker team, under the leadership of our Speaker, Mitchel McLaughlin.

Go n-éirí an t-ádh leat. Our doors are open to work in any way with you to fulfil your duties.

**Mrs D Kelly:** I begin by congratulating Robin Newton on his appointment as a Deputy Speaker. I have worked alongside Robin for some time now on the Policing Board and, indeed, have seen his skill in trying to resolve difficult situations in practice on the board. I hope that he will carry those skills through as he seeks to determine many a contentious issue as well as the matters that will inevitably be referred to your office, Mr Speaker.

Once again, nonetheless, I have to place on record the SDLP's opposition to the appointment of a Principal Deputy Speaker. There is no such post in any other jurisdiction. No case was presented to the House or the public as to why there should be such a position. Rather, it is symbolic of the continued carve-up between Sinn Féin and the DUP.

#### 10.45 am

I am not too sure whether Caitríona Ruane spoke with tongue in cheek or with absolute sincerity when she said that it was an example of power-sharing. I nearly collapsed with laughter at that one, Mr Speaker, because it really is more symbolic of the continued carve-up and the hierarchy of Speakers in this House.

It would also do members of Sinn Féin well to reflect on the words of the deputy First Minister over the weekend about equality and parity of esteem. I really do not know where Sinn Féin get off, I really don't. Saying that today and over the weekend, yet we have them endorsing the position of Principal Deputy Speaker — a clear hierarchy of positioning and power within this House.

Unfortunately, and without any slur or slight on Mr Newton's appointment as Deputy Speaker, we in the SDLP do not support this position. We do not believe that the House is better managed as a result or that it adds anything to the good temper or business of the House. Instead, it creates wider consternation among Assembly Members and, indeed, the wider public at the continued lack of inclusivity, collective decision-making and real power-sharing that ought to exist as a result of the Good

Friday Agreement and the endorsement of the people of Ireland.

**Mr Ford:** Thank you very much, Mr Speaker. Can I start by congratulating you on your election as Speaker, since this is the first time I have spoken in the Chamber since your election?

I congratulate Robin Newton on his election as Deputy Speaker. I do not need to add to the tributes that were paid by those who proposed him for both the offices for which he is being proposed. Certainly, we will be very happy to work with him in his role as Deputy Speaker, alongside others.

I do, however, share many of the reservations that were just expressed by Dolores Kelly about the concept of Principal Deputy Speaker. When you, Mr Speaker, were appointed Principal Deputy Speaker, it was clear that you were there as an understudy as part of an agreement that the post of Speaker was to be shared in this Assembly term. You perhaps had a rather longer apprenticeship than might have been expected initially, but it was an understanding that the position was changing and an understanding of full buying-in to the institutions by members of Sinn Féin. That does not mean that we need to continue forever with the presumption that the two largest parties will have a carve-up of what should be a post and a series of posts — the Speaker and the Deputy Speakers — to represent all of the House, to stand for the House as opposed to the Executive, and to stand in a different position. On that basis, the concept that, because there is now a Sinn Féin Speaker, there must be a DUP Principal Deputy Speaker, with no specific role, is not something that appeals to me.

I shared the views that Dolores Kelly expressed when I heard power-sharing being mentioned by Caitríona Ruane. When the two largest parties take everything, down even to nominating a Principal Deputy Speaker, which is of no more significance than a Deputy Speaker, it does rather look as though it is not just a matter of an understudy coming into place a few years ago, but it is now an intention to hold on to the top office between the two of them.

That raises real questions about the way that the Assembly functions and the attitude of the two largest parties to it. So, like Mrs Kelly, I cannot support the concept of a DUP Principal Deputy Speaker now being an automatic expectation because there is a Sinn Féin Speaker.

Mr Newton is very welcome as Deputy Speaker, but if we are to have a Principal Deputy Speaker, it should be a post that is shared and not carved up.

**Some Members:** Hear, hear.

**Mr Allister:** I do not quibble at all on the appointment of Robin Newton as Deputy Speaker. He is well experienced and skilled in the performance of those duties, I have no doubt, and I congratulate him as Deputy Speaker.

I do most certainly quibble over the appointment of a non-post Principal Deputy Speaker. It is a pointless and purposeless position. It is a position that the Assembly found it did not need for many years, and then, suddenly, through a deal between the DUP and Sinn Féin, this bauble was created. It was created to keep Mr Hay as Speaker for another couple of years. The buy-off for that was the creation of a title for those who used to eschew

titles but are now stewards of this and all sorts of things. For those who used to eschew such baubles, this non-post of Principal Deputy Speaker was created. Now that the DUP has enthroned a Sinn Féin Member as Speaker of this House, it is its turn to don the bauble and title of Principal Deputy Speaker. It is a vanity post; nothing more.

Of course, because Sinn Féin has the Speaker, the DUP must have the Principal Deputy Speaker. This has got to the very point of ridiculousness that the Principal Deputy Speaker is going to be someone who has never even sat on the Speaker's Chair. We have Deputy Speakers who have been performing the role for years, but they are not worthy. They are not worthy, it seems — *[Interruption.]* — to be called "Principal Deputy Speaker", and so we must have this madness and carve-up of elevating because a post that was specially created for Sinn Féin is being maintained for its counterpart.

**Mr P Robinson:** Is that it?

**Mr Speaker:** That is it.

I remind the House that cross-community support is required.

*Question put.*

*The Assembly divided:*

Ayes 63; Noes 32.

## AYES

### Nationalist

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

### Unionist

*Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, 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 Ayes: Mr McQuillan and Mr G Robinson.*

## NOES

### Nationalist

*Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

### Unionist

*Mr Allister, Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr McCallister, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.*

### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Noes: Mr Dickson and Mrs McKeivitt.*

<i>Total Votes</i>	<i>95</i>	<i>Total Ayes</i>	<i>63</i>	<i>[66.3%]</i>
<i>Nationalist Votes</i>	<i>37</i>	<i>Nationalist Ayes</i>	<i>25</i>	<i>[67.6%]</i>
<i>Unionist Votes</i>	<i>50</i>	<i>Unionist Ayes</i>	<i>38</i>	<i>[76.0%]</i>
<i>Other Votes</i>	<i>8</i>	<i>Other Ayes</i>	<i>0</i>	<i>[0.0%]</i>

*Question accordingly agreed to.*

*Resolved (with cross-community support):*

*That the nomination of Deputy Speaker Robin Newton to act as Principal Deputy Speaker be approved.*

**Mr Speaker:** I offer my congratulations to the Principal Deputy Speaker, Mr Robin Newton.

## Ministerial Statements

### Tourism: Review of the Northern Ireland Tourist Board and Wider Tourism Structures

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** With your permission, Mr Speaker, I wish to make a statement to update Members on the review of the Northern Ireland Tourist Board (NITB) and wider tourism structures. *[Interruption.]*

**Mr Speaker:** Members need to leave the room quietly. Sorry, Minister. *[Interruption.]* Quiet.

**Mrs Foster:** We have seen unprecedented success across the tourism sector over the last few years. What I am announcing will consolidate that success and prepare us to take the tourism industry forward to even greater achievements and to meet our goal of growing it to a £1 billion industry by 2020. Over the next few months, the outworkings of the review will take a strong organisation, NITB, and make it stronger, with a new name, new leadership, new partnerships and a future new strategy.

The review has been undertaken against the backdrop of rapid change in global tourism, with increasing competition between destinations to attract visitors and a growing number of new emerging trends in what tourists want to see and do. Northern Ireland has seen significant growth in visitor numbers and, more importantly, in tourism revenue over the last five years. Our challenge is to maintain the momentum that has been generated and continue to increase the economic benefits that are derived from tourism.

That challenge will be made all the more difficult given the very tight budgetary climate in which we have to operate. The implementation of the review recommendations will be delivered during a period of severe financial pressure on budgets, and it is clear that those recommendations that are designed to increase efficiency through improved integration and collaboration have become even more of a priority. Opportunities to contribute to the reform agenda must be maximised, and all options for the sharing of services must be given full consideration. Given the importance of tourism to the local economy, my priority is to ensure that we have the right structures in place to maximise the benefits that that crucial sector can bring across Northern Ireland.

I am pleased to say that the Hunter review has been welcomed by stakeholders in their responses to the consultation, and there is widespread support for the implementation of the report's recommendations. I am, therefore, content to accept the review recommendations, which fall broadly into the three themes of setting the strategic direction for tourism; building relationships in the tourism sector; and closer alignment with Invest Northern Ireland.

I will work with the tourism industry to bring forward a new strategic plan for tourism that will coordinate the work of key partners in the industry and in central and local government. That will be crucial in achieving my long-term goal and that of the industry to make tourism in Northern Ireland a £1 billion industry by 2020.

A number of John Hunter's recommendations are concerned with building strong relationships within the sector. That includes developing a more client-facing

tourism body for the tourism industry and improving relationships within the tourism sector. The Hunter review also recommends changes to the name, structure and culture of the Northern Ireland Tourist Board.

This is a significant time of change for NITB. The competition for a new chair is under way, and the chair will be appointed by April 2015. A competition for a new chief executive has just been advertised, and both posts will be crucial in taking forward the review's recommendations and implementing the organisational change programme that is envisaged in the Hunter review. To signal the start of that important change process, I have decided that the name of the organisation should be changed to Tourism Northern Ireland.

By implementing the review recommendations, Tourism Northern Ireland will have a much greater presence at a local level and will develop strong relationships and increase its knowledge of the needs of local tourism partners. That is particularly important given the imminent changes in local government, with increased powers for the new councils and their responsibility for community planning, including local economic development. Collaborative working with the new councils and the establishment of strong partnerships must be a priority for Tourism Northern Ireland to maximise the tourism potential of each of the nine key tourism destinations across Northern Ireland. The Hunter report recommends the development of a tourism growth fund jointly supported with the new councils. I will work to establish such a fund in the next Budget period.

Another focus of the review looks at the opportunities for greater alignment with Invest Northern Ireland. The review highlights that there is already good cooperation between the two organisations, but points to the need to deepen the existing relationship. This will be very important going forward, and I see the joint initiative to develop a Northern Ireland economic brand as an example of the benefits that can be achieved through joint working. I have tasked both organisations to deliver a new brand strategy, which, I believe, will strengthen the competitive position of Northern Ireland through inward investment and tourism. A new brand will support Tourism Northern Ireland, Invest Northern Ireland and Tourism Ireland in the development of complementary marketing strategies and targeted advertising in key markets.

There are also practical steps that will be taken to better align the two organisations. I agree with the Hunter review recommendation that the two organisations should look carefully at the opportunity to collocate when leases expire in 2016, and that they should maximise the opportunities for common back office services. These issues are particularly relevant in the current budgetary climate.

A number of the review recommendations are currently being implemented or refer to work that has already commenced. An example of that is the excellent work to date on improving air connectivity and visa arrangements. The British-Irish visa scheme was officially announced by the UK and Irish Governments in October last year, and, under the first phase of the scheme, Indian and Chinese nationals applying in their countries of origin will be able to visit the UK and Ireland using one visa. Improving air access to Northern Ireland is a key priority for the Department, and work continues on a number of different fronts to develop policy and work with the airlines



to support air route development through the provision of cooperative marketing assistance for new routes and to support existing routes.

Further detail on the outcome of the Hunter review can be found on the DETI website. This includes information on the public consultation exercise and a summary of the outcome of each of the recommendations.

The Hunter review rightly highlights the impressive progress made recently in local tourism and the important role played by the Northern Ireland Tourist Board in the development of new policies and in securing the completion of new tourism product. The review also recognises the significant contribution made by the board in the recent substantial growth in tourism numbers and revenue.

I believe that the implementation of the report's recommendations will make Tourism Northern Ireland an even stronger and more dynamic organisation and will allow it to further develop its leadership role in tourism by concentrating on its core functions. It will be able to reap efficiency gains by collaborative working and sharing services with Invest NI, which will allow Tourism Northern Ireland to focus resources on key priority areas for tourism.

I now call upon NITB, as it was, to lead the way in the implementation of the recommendations from the Hunter review and create Tourism Northern Ireland, a dynamic, efficient and collaborative organisation to lead the development of tourism in Northern Ireland.

In concluding, I would like to reiterate my thanks to Mr Hunter for his work in carrying out the review. I have no doubt that the implementation of his recommendations will help to ensure that the organisational structures for tourism delivery, both within the DETI family and more generally within Northern Ireland, are improved. That will enable us to maximise the benefits that tourism brings to the local economy in terms of increased visitor numbers, tourist revenue and employment opportunities.

I commend the statement to the Assembly.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for her statement. Obviously, we will drill down into more of the detail at the Committee.

The focus of the review looked for greater opportunities for alignment with Invest NI, and there is reference in the statement to the fact that practical steps will be taken to better align the two organisations. Will the Minister expand on what, in her mind, those practical measures might be and on any direction or ideas that she might have? Obviously, that has to follow through with the outworkings of both organisations, but it would be helpful if she could give us some indication of the Department's thinking on the practical measures that could be taken.

11.15 am

**Mrs Foster:** Work has already begun between what was NITB and Invest Northern Ireland. The management teams of both organisations now have quite regular meetings to see where the synergies are in how they can sell Northern Ireland. Since Invest Northern Ireland has been administering accommodation grants now for some time, there has had to be some interaction between the two organisations. However, there is more scope for extra

integration between the two organisations because they often overlap. You could have a tourist organisation that is looking to expand and therefore needs help from Invest Northern Ireland for job creation, and which, at the same time, is looking to Tourism Northern Ireland for marketing support. It is my hope that the two will now integrate and work more closely together.

As well as that, as I indicated in the statement, leases expire in 2016, so there are opportunities for the collocation of the two organisations. That will allow them to have shared back office services, such as human resources, payroll and issues like that, so that they can create efficiencies in the two organisations as they work together in the longer term. So, there is a strategic need for the two of them to work together, particularly in the development of brand Northern Ireland. There are also more efficient ways, certainly in administration, in which they could work better together.

**Mr Dunne:** I, too, welcome the statement today, and I thank the Minister for it. I think that we all recognise the important work of the Northern Ireland Tourist Board. We should rightly recognise the outgoing chair, Howard Hastings, who is about to finish his term. We put on record our thanks and appreciation for what he has done to bring tourists to Northern Ireland.

Will the Minister give us some information as to how she sees the new Tourism Northern Ireland body working with the 11 new super-councils in what will be a very important role? Does she see measures being put in place to avoid duplication and to ensure the best use of resources to bring more tourists to Northern Ireland?

**Mrs Foster:** I join you in acknowledging the work of Dr Howard Hastings in his leadership of the Northern Ireland Tourist Board. Most chairs of organisations have the opportunity to work with a number of Ministers during their tenure. Unfortunately for Dr Hastings he has had me throughout his tenure as chair of the Northern Ireland Tourist Board. I know how much energy and dynamism he has brought to that role, and I put on record my thanks to him for his leadership. I also thank the staff of the Northern Ireland Tourist Board and their management; they have managed some tremendously exciting events over the recent period. Of course, ni2012: Our Time Our Place was an outstanding year for tourism in Northern Ireland, as was the Giro d'Italia last year.

Working with the 11 councils is very important. It is a new start for the new councils, but it is also a new start for Tourism Northern Ireland. Therefore, it is a good time for both of them to work collaboratively. The management of NITB has already been working with the new chief executives of the 11 councils to talk about their tourism plans and be part of their community-planning discussions. Memorandums of understanding will be put in place between Tourism NI and the new councils so that they will work in a very strategic way so that the new nine key destinations can be developed in a very meaningful way.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement, and I hope that we can build on the success that we have seen over the past number of years. I particularly welcome the increased collaboration of all concerned organisations. The decision to collocate is a good one. Has the Minister given any thought to that location being Newry? It is a strong border city right in

between the two main airports, and it is in the middle of the North/South economic corridor. It would be a good location.

**Mrs Foster:** Thank you for the welcome for the collocation. Of course, that will be a matter for the boards of Tourism Northern Ireland and Invest Northern Ireland. We will work together with both organisations so that they make an impact right across Northern Ireland.

Tourism is one of those industries that happens right across Northern Ireland. There is not a constituency on which it does not have an impact. Through using the nine key destinations and working in collaboration with the 11 new councils, we want to move tourism on a step change, particularly given the new themes that we are looking at. Outdoor activities will be very important to the Member in Newry in particular. The bike trails that have been set up in her constituency have been a great success, and we want to see more people looking to Northern Ireland for outdoor activity holidays. We think that there is a good market there, and, again, that leads on to the need to have direct air access into Northern Ireland so that we can attract people here, particularly from Germany. I heard one of our colleagues on the radio — I think that it was yesterday — referencing the need to have connectivity to Germany because it is a huge market for outgoing tourists. That is absolutely right, and it is one of my key objectives to have a route into Germany in the very near future.

**Mrs Overend:** I thank the Minister for her statement detailing some significant changes to Northern Ireland's core tourism body. I, too, recognise the good work and dedication of the outgoing chairman, Howard Hastings, and former chief executive, Alan Clarke.

I want to ask the Minister for some detail on the new Tourism Northern Ireland's future links. Can the Minister tell us whether it will have a role in promoting Northern Ireland as a destination with overseas markets, or will it be solely a smaller brother or sister of Tourism Ireland?

**Mrs Foster:** I acknowledge the Member's words about Howard Hastings and Alan Clarke, because it is right to acknowledge what has brought us to this point in the development of tourism in Northern Ireland. The Northern Ireland Tourist Board has certainly worked very well in that regard.

The Member will know that, under the Belfast Agreement, Tourism Ireland was set up to market Northern Ireland overseas and, therefore, the principal role of the Northern Ireland Tourist Board has been to work in the Northern Ireland market — the domestic market — and in the Republic of Ireland market. It is my hope that, in collaboration with Tourism Ireland and, indeed, with Invest Northern Ireland, we develop a Northern Ireland brand that is a standout brand for us here. I see that as a collaborative piece of work. Therefore, I very much hope that what has been envisaged in the Hunter review will move tourism forward and give us that standout brand right across the world so that we can bring more visitors to Northern Ireland.

**Mr Lyttle:** Thank you, Principal Deputy Speaker — Mr Speaker. Apologies. I thank the Minister for her statement and add my acknowledgement of the work that Howard Hastings and Alan Clarke have done. I recognise the work done around ni2012: Our Time Our Place, which I think was a great success. I wish the Minister and Tourism Northern Ireland every success going forward.

The tourism events fund played a vital role in advancing cultural and events tourism in Northern Ireland, so I ask the Minister whether she will use any of the additional £2.2 million funding that she received in the 2015-16 Budget to reinstate the tourism events fund for 2015-16 and, if so, how much?

**Mrs Foster:** I thank the Member for his comments about the management staff and the board leadership given by the individuals that he mentioned. I will make an announcement about the events fund later on, and let us hope that everyone is happy with that announcement.

**Mr Frew:** The House should welcome the Minister's statement and, indeed, the Hunter review, as well as the efficiency gains and collaborative working that will be met out of that report and the Minister's statement.

Will the Minister reassure the House that, although there will be costs from the rebranding exercise, those will be negated by the work, efficiencies and collaborative working that will come out of this and that it will not become the shambles that Roads Service became when it was rebranded as Transport NI?

**Mrs Foster:** I thank the Member for his question. There will certainly not be any money wasted moving from NITB to Tourism Northern Ireland. The idea is that we will have actually have efficiencies in Tourism Northern Ireland working alongside Invest Northern Ireland and Tourism Ireland. I would say that, at the very worst, it will be cost-neutral, but, at best, I hope that we will see savings, moving forward.

Of course, it is not just about savings; it is about being innovative in how we market ourselves, putting the desire in front of people to come to Northern Ireland for holidays and wrapping it up alongside Invest Northern Ireland's message about the fact that this is a good place to live, work, study and visit. We want to have that holistic approach to Northern Ireland so that we can increase the number of people who come here to visit for their holidays and, indeed, increase the amount that they spend when they come to visit Northern Ireland.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle, Gabhaim buíochas leis an Aire as a ráiteas. Thank you, Minister, for the statement. I look forward to seeing more detail around the brand. The new organisation, Tourism Northern Ireland — *Turasóireacht Thuaisceart Éireann* — is a good move. You talk about a closer alignment between Invest NI and the new organisation. Can we get a guarantee that it will really be a partnership and that Invest NI will not smother the smaller organisation, that they will work together and Invest NI will help to grow it? We see the common interest in, for example, transatlantic routes into Belfast. That seems to be an area of common purpose for the new organisation and Invest NI. Can we get that guarantee that one will not take over the other?

**Mrs Foster:** I thank the Member for his question. It is certainly not the intention that that should happen. This is not some sort of secret plan for Invest Northern Ireland to swallow Tourism Northern Ireland. I actually hope that it will strengthen Tourism Northern Ireland and that it will grow as an entity, because its focus will be solely on growing the number of tourists who come to Northern Ireland.

You are right to mention the collaboration between the two bodies on trying to attract more flights. It is often the export market that drives flights in and out of a destination, so, if the cargo is there for a transatlantic flight, a flight to the Middle East or a flight to Germany, that really strengthens the case for getting the airline to look at Northern Ireland, and then we add the tourism dimension.

It is really about having a whole story to tell about Northern Ireland, so you are not just looking at an issue of tourism on its own; you are looking at what Invest NI has to offer and what else is happening in Northern Ireland. That is really where the impetus for the economic brand for Northern Ireland is coming from.

**Mr Givan:** I thank the Minister for the statement. It is an important statement that will help move tourism forward again. Whilst it is right that we acknowledge the work of Howard Hastings and Alan Clarke, ultimately, they were working to the strategic priorities established by our Minister, who has provided leadership for a number of years that has brought tourism to where it is. This is now another step change in promoting tourism.

The statement refers to the tourism growth fund that is to be jointly supported with the new councils. How can the Minister assure those new councils that they will all get equal benefits from that? There will be some, particularly in the greater Belfast area, given past experience, who will feel that, at times, Belfast — I can understand it, as it is a premier destination — may get more treatment than the other supporting councils. How can the Minister assure those other councils that it will be a fund that they should support and buy into because they will get collaboration and support that will help their own council area?

**Mrs Foster:** I thank the Member for his question. As I have already said, the management team in the Northern Ireland Tourist Board and the new chief executives have already started to have those conversations around what the tourism fund will look like, where tourism sits in the economic offering of the new councils and where it sits in the new community development plans. It will be a story that will build over the next period and allow the new councils to put forward their proposals. I hope that they will put forward innovative proposals for tourism in their areas.

As you know, the new councils are not coterminous with the nine key destination areas. That presents some challenges — I accept that — but I hope that, in the spirit of working in partnership, the new councils will also work together where there is an overlap between the key destinations so that we can get the greatest benefit out of it for our citizens on the ground. That is what it is all about — providing that economic driver.

### 11.30 am

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. I welcome the closer correlation between the organisations that has been outlined. Indeed, I echo the sentiment regarding the headquarters in Newry, but I want to touch on the allusion to the BRIC economies and to Invest NI and tourism working more closely. I think that is a good idea, but, very often, a lot of our local tourist providers do not have the infrastructure in place to meet that market, especially the Chinese market, which wants particular banking facilities that are not available to a large part of

our local tourism providers. Will the Minister bring forward any schemes or ideas on how we can equip our local tourism providers to meet the demands of those emerging markets?

**Mrs Foster:** I thank the Member for his question. That is exactly why I think that the synergies between Invest Northern Ireland and Tourism Northern Ireland will work very well. Invest Northern Ireland is very used to providing advice and assistance for small firms that are going into new and emerging markets, so they will be able to work with the tourism providers as well. I hope that, if someone raises an issue with Tourism NI around banking, they will be signposted to the appropriate adviser in Invest Northern Ireland to give them that help. It is just about joining up the two resources and making the best use of them. Rather than having two silos, they will work more collaboratively together.

**Mr McKinney:** I welcome the statement and concur with colleagues in their acknowledgement of the good work thus far. I want to highlight the point that, while it is worthwhile updating the structures, the real prize here is the brand, as the Minister said. Should that not include a politically tolerant community at peace with itself, reflecting common ambition? Is it the price of failure to arrive at that that those who come may leave?

**Mrs Foster:** I do not accept the premise that we do not have an area that people feel comfortable in and want to visit. I have been working hard to get the message out that Northern Ireland has changed and is confidently moving forward. Northern Ireland Tourist Board, Invest Northern Ireland and I cannot do that on our own; we need everyone to buy into the fact that this is a changed place, that we are welcoming to visitors from outside Northern Ireland and that we live up to the reputation of this place as a friendly place where people enjoy themselves, have a good time and want to come back again. It is the repeat visits that are critical. We will continue to work in the context of where we are. We cannot do everything, but we will try to make the most of everything that we have.

**Mr Nesbitt:** I, too, would like to put on record thanks to Alan Clarke and Howard Hastings. The Minister will be aware that the Stormont House Agreement made no reference to air passenger duty in the basket of tax powers that the Executive parties would like to see devolved to the Assembly. Does the Minister have an assessment of the extent to which that might shackle Tourism Northern Ireland going forward?

**Mrs Foster:** We were fortunate enough to have band B air passenger duty devolved to the Northern Ireland Executive. Long-haul flights that are ex-Europe now do not have to pay air passenger duty when they leave Northern Ireland. The Newark flight does not pay any air passenger duty, and, indeed, any other flights that we are able to bring to Northern Ireland airports from the Middle East and from the Americas will not pay air passenger duty.

We have asked for an examination to be carried out in relation to band A air passenger duty. We would have to pay from the block grant if we were to have the devolution of air passenger duty on band A, just as we had to pay for band B. My position on air passenger duty is that the United Kingdom in general needs to look at the whole area. If you are coming to London as a tourist, you are prepared to pay air passenger duty, but other areas

around the UK suffer as a result of air passenger duty, not just Northern Ireland, and we do suffer as a result of air passenger duty.

I feel that the other regions of the UK really need to make the case to the Chancellor that he should look at abolishing air passenger duty. I know that that is certainly the view of other regions around the United Kingdom as well. So, whilst it is not immediately in the Stormont House Agreement basket, it is certainly one for the whole UK. As I said, the band B aspect of air passenger duty has already been devolved.

**Mr Humphrey:** I, too, pay tribute to Howard Hastings's contribution as chairman of the Tourist Board. From my time as a director of Visit Belfast, I know the energy and enthusiasm that he brought to that role.

The Minister mentioned the strategic direction for tourism, including the synergy between the new Tourism Northern Ireland and Invest Northern Ireland. I welcome that joined-upness, the economies of scale and the collaboration that that will bring.

Marketing for Northern Ireland is essential. Will the Minister tell the House how the review will positively affect the marketing of Northern Ireland nationally and, vitally, internationally?

**Mrs Foster:** I thank the Member for his question. I have always said that there is very much a need to give standout to Northern Ireland, particularly in the markets closer to home. For example, we need to say to the rest of the citizens of the United Kingdom that they are very welcome to visit this part of the United Kingdom. Sometimes there has been a view that that has not been the case with Tourism Ireland because it markets as part of the island of Ireland. We very much want to see a standout brand for Northern Ireland so that we can welcome more visitors. I hope that, in the collaborative work that takes place between Invest Northern Ireland and Tourism Ireland, we will see that developing.

**Mr Lunn:** I thank the Minister for the very positive statement. It refers to a new brand to support Tourism Northern Ireland and Tourism Ireland, the development of complementary marketing strategies and targeted advertising. Does that mean that there has been room for improvement and that it might signify a more formalised joint approach between North and South?

**Mrs Foster:** I think that there has been a need for some improvement in Tourism Ireland's marketing, particularly in Great Britain, for the reasons that I just indicated to Mr Humphrey. We are in close proximity to the rest of the UK; therefore, there is a need to give Northern Ireland that standout instead of just being marketed as part of the island of Ireland strategy, which Tourism Ireland sometimes does. I have had some very good conversations with Tourism Ireland about how we can move that forward to bring more visitors in.

That is what this is all about: bringing more visitors to Northern Ireland and the tourism industry here. We have had some very successful years. The tourism industry is growing. We employ, I think, around 40,000 people in the tourism industry in Northern Ireland, and I see an opportunity to increase that. In particular, for those people who may be economically inactive at the moment, there is a real opportunity for skills development by bringing them

into the tourism industry and allowing them to flourish in that way. So, there are good reasons why the tourism industry should develop across Northern Ireland.

**Mr Rogers:** I thank the Minister for her statement and welcome the Hunter review. One of the major inhibiting factors to the development of tourism, particularly in south Down but also right across, is the VAT rate here compared with that in the South. What discussions have you had with the Treasury about getting a more competitive VAT rate for our hospitality and tourism industry?

**Mrs Foster:** I thank the Member for his question. It is certainly an issue that continues to grab the industry's attention, particularly in border constituencies. I have been lobbied a number of times, including most recently by the Hotels Federation. Of course, VAT is not a devolved matter, so, as such, it is for Treasury to determine the VAT rates. We have and will continue to make Treasury aware of the impact that the VAT rate is having on the tourism industry in Northern Ireland. Clearly, the reduction in VAT for the industry in the Republic of Ireland has been a success. It is enjoying growth off the back of that reduction.

We will continue to work with some of the UK-wide bodies to try to point out the very different circumstances that we have in Northern Ireland. Again, it is a case of London and then the rest of the United Kingdom. London is a very specialised market for tourists. It does not matter what you charge, tourists will come to London; it is not price sensitive. However, the rest of the regions are price sensitive and therefore we need to continue to make that point.

**Mr Cree:** I also welcome the Minister's report. It certainly looks like the start of a new, exciting chapter for tourism. The Minister referred to the link between the councils and Tourism Northern Ireland. Will she confirm whether there will still be a role for the subregional bodies — the Causeway Coast and Glens comes to mind, and others — and whether that will change in any way?

**Mrs Foster:** There is still very much a role for bodies such as the Causeway Coast and Glens, which has been a very successful organisation in representing the views of the industry in that area. In my area, Destination Fermanagh will certainly continue to work. If there is one word that sums up this statement, it is "partnership", and I hope that those bodies will work in partnership with their councils.

When answering a question before, I made reference to the fact that there are nine key destinations and 11 new councils. So, there will have to be collaboration across the piece on how we move tourism forward in Northern Ireland. At a strategic level, Tourism Northern Ireland will work with the bodies you speak of, local councils and Invest Northern Ireland to see where there are synergies to move economic development forward.

**Mr Allister:** The Minister may use different language, but I suspect she would agree that the Northern Ireland Tourist Board, or whatever we now call it, is hamstrung in promoting Northern Ireland by the Belfast Agreement arrangements in that it cannot even promote Northern Ireland in Great Britain. Given that this is going to continue as the strategic context — sadly, no change was made to that in the Stormont House Agreement — could she explain more fully what she means by the greater alignment with Invest NI? Invest NI has a global role and



Tourism Northern Ireland is going to be restricted to a very parochial role. How does the synergy of that work and is this really an announcement of change that is more form than substance?

**Mrs Foster:** No, I would not agree with that last comment. What we are trying to do is work within the parameters that we have. He is right: I did not agree with the Belfast Agreement; I did not agree with the structures set up under the Belfast Agreement. I would not start from here. What I am trying to do is create synergies between Tourism Northern Ireland, Invest Northern Ireland and Tourism Ireland.

When I go on trade missions, I invariably have a tourism event, whether it is meeting journalists from the industry or having an event to try to encourage expats to talk positively about Northern Ireland and its tourism market. That interweaves with Invest Northern Ireland and Tourism Ireland. I hope now that Tourism Northern Ireland will be part of that as well. It is about creating a whole story and a holistic vision of Northern Ireland. It does not matter whether you are in Northern Ireland, Great Britain, China or the Middle East; we have to tell the story of Northern Ireland and entice people to come to invest or visit. That is the important point.

**Mr B McCrea:** Minister, if I could follow up on the point that has just been made, I take a slightly different view of it. I think that it is a clever move that you are bringing them together, but I do wonder about the opportunity to reach out to international markets. There is some problem for Northern Ireland, in that we are really not the destination. A lot of people land in Dublin and head south. Is there any way that we can enhance the role of Tourism NI to reach some markets that, sadly, have been a little bit neglected in the past?

**Mrs Foster:** The Member is again referencing the fact that we need more direct access into the Belfast airports. He will find no argument with me on that one. That is why I was pleased to see the recent arrival of new carriers such as KLM Royal Dutch Airlines and the other airline — it begins with V, but I cannot remember its name — in Belfast City Airport. In any event, it is good to have new airlines coming to Northern Ireland and adding to the offering that we have, but we still need to put some strategic places on the map. Germany, Canada and those sorts of places need to be put on the map for Invest Northern Ireland and Tourism Northern Ireland reasons. The two can come together to make the point to the airlines and the airports that we should have those people come to Northern Ireland. Today's statement will strengthen the collaborative working between those two organisations and, importantly, with Tourism Ireland as well, which has the remit of promoting Northern Ireland internationally.

11.45 am

**Mr McCallister:** I welcome the statement. The Minister will be aware, from various questions for written answer that I have submitted, of the disparity in spend in our existing council areas such as, for example, the huge difference between Banbridge and Fermanagh district councils. She will also be aware of areas like Kilkeel having difficulty supporting a hotel. I will go back to the point about partnership. Government sometimes does not have a happy track record of delivering good collaborative partnerships. How will she ensure that councils get their

share of the spend? Will there be special strategic targets set for them to deliver on some of that and to get the numbers of tourists and the amount of spend per tourist up significantly in each area, where we lag dramatically behind the rest of the UK?

**Mrs Foster:** I thank the Member for his question. He will know that proposals for new hotels and for development often come from the private sector, so there is an onus on the private sector to step forward. Some of the spend that he referenced has come through applications to the Tourist Board, maybe under the capital schemes that were available at that time for development. Those came forward from the private sector, and government money then supported them.

I cannot make people look at putting hotels into south Down, as much as I would love to see hotels developed in south Down and, indeed, in Newry and Mourne. There is a need to look at that whole area, but the private sector needs to come forward. I hope that you are not suggesting that government starts to create hotels, because I am not sure that the public sector is well placed to run a hotel, but there is certainly a need to identify opportunities and what makes particular areas a place to visit. Tourism Northern Ireland can help local councils to develop that sort of thing, and, from that, projects that we can support will hopefully be identified.

**Ms Sugden:** I generally welcome the Minister's statement, because I think that tourism is Northern Ireland's unique selling point, and, up until now, I believe that it has been underutilised. It is widely acknowledged — Mr Allister mentioned it — that the difficulties with the Northern Ireland Tourist Board are due to how it has provided, subsequent to the Good Friday Agreement. Is a new name enough to overcome those difficulties?

**Mrs Foster:** It is not just about the name, although I think that we had reached a time when we needed to align the names of Invest Northern Ireland and Tourism Northern Ireland. I hope that, by doing so, a message is sent out that those two organisations are there to support Northern Ireland and to develop, on the one hand, tourism economically and, on the other hand, the general economy. As I said, I would not have started from here, but I have to deal with the reality in front of me, and I hope that there will be more collaborative working between all three organisations.



## Fisheries Council: December 2014

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Cheann Comhairle. With your permission, I wish to make a statement on the outcome of the negotiations at the Fisheries Council held in Brussels on 15 and 16 December, which determined fishing opportunities for 2015.

EU quota negotiations take place every December and involve decisions on a wide range of stocks, including in the North Sea, the Irish Sea and the Celtic Sea. This year, fisheries Ministers George Eustice, Richard Lochhead and I attended the Council. In the annex to my statement, Members will find a map of fishing areas; a summary of the main total allowable catches (TACs) and quotas of interest to the local fleet; and a provisional summary of the landings made into the County Down ports by the fleet in 2014.

Discussions between officials from the four fisheries administrations and key stakeholders helped to shape our negotiating priorities. Underpinning those priorities were our key principles: following the best available science, achieving sustainable levels of fishing and reducing discards. Ahead of Council, fisheries Ministers agreed that our top negotiating priorities would be to ensure that the freeze on fishing effort secured for 2014 was carried forward into 2015; to reduce the 41% TAC cut proposed for Celtic Sea haddock in this mixed fishery with cod and whiting; to agree more flexible arrangements to fish the haddock stock between fishing areas VI and IV; to oppose the proposed TAC cut for Irish Sea nephrops and seek an agreement that supports an increase in the number of stocks fished at FMSY in 2015, subject to evidence-based exceptions for North Sea cod and Celtic Sea haddock; to apply an evidence-based approach to management of data-limited stocks to gain improved proposals on these; and to agree interim measures for sea bass management, proportionate to the impact of the recreational and commercial sectors.

This was the first December Council for the new Commissioner, Karmenu Vella, who took up his post on 1 November. It was also the first Council at which fishing opportunities would be set under the new rules of the common fisheries policy, which aims to have all stocks fished at sustainable levels. This year, agreements had been reached ahead of Council with both Norway and the Faroes on North Sea stocks and stocks such as mackerel. This meant that the Council was able to take decisions on the full range of total allowable catches.

Negotiations on the first day took place at plenary session and then during trilateral meetings between individual member states, the Commissioner and the Italian EU presidency. My colleagues and I were involved in the first trilateral meeting of the day, and we each outlined our priorities. I pointed out that the Commission's proposal for a 14% cut in the area VII prawn quota would represent a loss of £1.74 million to the local fleet on the basis of its current quota share. Members are doubtless aware that the nephrops prawn stock is key to the economic well-being of our fleet and the processing industry that depends on it. There are seven individual nephrops stocks in area VII. These are assessed separately, taking account of the particular circumstances of each stock, and scientific advice is provided for a catch level that results in the maximum sustainable yield from each stock. The

Commission's initial proposal for a total allowable catch of 18,118 tons represented the sum of the catch advice for the seven individual stocks.

Member states that have an interest in area VII nephrops receive a fixed percentage share of the TAC each year, but fishing patterns have changed, and France and Spain no longer take their quota. In these circumstances, if the TAC were set at a level equal to the catch advice, the stock would be underexploited. Consequently, the approach supported by the Council over the last number of years has been to set the TAC at a higher level. I pointed this out at the trilateral and pressed for the TAC to be set at a level that provides a quota share capable of accommodating current fishing patterns by member states with an interest in this stock. These patterns demonstrate that the landings by fleets that are exploiting the stock are in line with the scientific advice and have been for some years. I know that the Commission understands these arguments very well, but, each year, we seem to have to go through the same ritual, in which the Commission makes an unreasonable starting proposal and this is improved gradually through a series of compromises.

The TAC should not only be set higher than the sum of the scientific advice but should move in line with changes to that advice. For 2013, we were able to secure an increase of 6% because of a comparable improvement in the scientific catch advice. For 2014, we experienced a 9% cut when the scientific advice suggested that catches should be reduced by 8.4%. This year, the catch advice was up by 3%. I made it clear at the trilateral that it was my expectation that the TAC should increase accordingly.

In the afternoon, there were further negotiations between our officials and Commission officials on some technical issues. We maintained good contact with my Southern counterpart, Simon Coveney, and his team on our shared interests.

The first compromise proposal was presented on the morning of Tuesday 16 December. A number of key priorities were secured at that point, including the freezing — rather than the reduction — of the number of days that fishermen are able to spend at sea under the cod recovery plan and some movement from the Commission to mitigate the proposed reductions to TACs for a number of key stocks. This initial compromise saw the proposed cut to area VII nephrops drop from 14% to 7%.

Further negotiations took place throughout Tuesday with the presidency and the Commission. The outcome was that my ministerial colleagues and I secured all our key priorities on TAC and requests for rule changes or flexibilities. The outcome for area VII nephrops was an increase of 3% in the quota available for 2015.

One of the issues that we had been working on with the Commission in the lead-up to the council was to secure an Irish Sea cod quota to enable us to carry out some fisheries science. The cod plan rules reduce the TAC by 20% year on year if the stock remains below a critical level. That reduction in the cod quota means that there is no longer a directed fishery for cod in the Irish Sea. Consequently, there is limited data available to inform scientific advice. Quota limitations have also restricted our ability to continue with an industry and science partnership that conducted an Irish Sea spring cod spawning survey under current arrangements. That survey, which ran

continuously from 2004 to 2013, is accepted as a valuable survey for stock assessment purposes. Prior to Council, I secured support from Simon Coveney to ask the Commission to provide an additional 20-ton cod quota to allow that work to continue. I am sorry to say that, despite a positive reaction and encouragement from the Commission, I was told during the trilateral at Council that the Commission had no legal mechanism available to it to enable that to happen. That was extremely disappointing. Everyone wants this survey to happen, and, incredibly, the Commission appears to be content for fish caught during the survey to be thrown back. That is bizarre, given that the new CFP aims to gradually eliminate discards through the imposition of a landing obligation. The idea of having a scientific quota is that the fish could be landed and sold and the proceeds used to offset the cost of the survey work. As I indicated in my press release following Council, we intend to press the Commission on that again to re-examine options.

All fisheries Ministers had a shared interest in ensuring that the Commission used the best information available rather than adopt a policy of making an arbitrary cut to a TAC because an analytical stock assessment was not available. I wanted to ensure that area VIIa haddock was not subject to the proposed 20% cut because of that policy. While it does not have an analytical assessment, the stock trends are very positive. Following record recruitment last year, it is expected that there will be a large increase in the biomass over the next few years. The fishery is currently prosecuted by one specialist white fish vessel that has demonstrated that it can target haddock cleanly, with less than 1.5% cod by-catch. I was, therefore, pleased that the pressure maintained during negotiations resulted in no cuts for the haddock TAC in the final agreement.

Business was concluded by Council by about 9:00 pm on Tuesday. The package resulted in an increased quota in the North Sea and west Scotland for haddock and angler, for Irish Sea nephrops and for hake, which is assessed for a number of wide-sea areas.

The annex to my statement details the TAC movements to other fish stocks that are landed by the local fleet, but they are of much less importance than nephrops. Members will be able to see the relative values of the different species landed into our ports from the table on the last page.

The continued application of the discredited cod recovery plan resulted in a 20% reduction in the cod TAC. There were further cuts of 10% in plaice and 5% in sole, which is a reflection of the concerns expressed in the scientific advice. The reduction in herring of 8% was in line with the science and the maximum sustainable yield for that stock. There was a welcome increase of 11% in hake, and the fishing opportunities for other quota stocks remained unchanged.

I am grateful for this opportunity to inform Members about the outcome of the 2014 fisheries negotiations as far as they affect our fleet, and I am satisfied that we got a good outcome for the local fleet. I put on record my thanks to my colleagues George Eustice in DEFRA, Richard Lochhead in the Scottish Government and Simon Coveney in the Twenty-six for their strong support throughout the negotiations.

**Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development):** I refer the Minister

to the reference made to discards at paragraph 17 and the clean fishing of haddock at paragraph 18. As we know, the use of selective gears will be very important, especially as the common fisheries reforms come into play in 2016. What work is being done with the industry on that issue?

**Mrs O'Neill:** The commitment that I made three years ago, with the cooperation of the industry, around selective gears saved us from unacceptable technical measures being imposed on the local fleet and gave us breathing space to develop selective measures that were more suitable for the fleet. We now have several more acceptable gear types that are capable of reducing cod catches to below 1.5%. They allow vessels to become completely exempt from days-at-sea restrictions. Our commitment remains the same. Even without exemption, all our prawn vessels must use highly selective gear in the cod recovery zone. That allows us to buy back enough days at sea to allow our vessels to take their full quotas. The focus is moving to reducing overall discards as well as cod catches, and we will continue to improve those gears from now until 2019.

#### 12.00 noon

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. First, on behalf of the local fishing industry, I congratulate the Minister on her hard work during the recent negotiations in Brussels. Today's statement highlights the work that was done there for the fleet. Will she now provide us with an update on the European Fisheries Fund (EFF)?

**Mrs O'Neill:** Yes. The current fund is coming to an end and is now closed to applications. The new funding, under the European Maritime and Fisheries Fund (EMFF), will support the development of the fishing and seafood sectors until 2020. The bulk of the funding will go towards common fisheries policy reform and measures to improve the industry's economic and environmental sustainability. Important areas such as technology to reduce fish discards and modernisation of vessels to improve health and safety are a welcome inclusion in the funding proposals.

I have agreed an allocation for DARD of 10% for EMFF core funding, and that is consistent with DARD's spending under the current EFF programme. I have ensured that we have received a fair share based on the size of our industry and the investment needs that it has demonstrated through the use of previous European funds for fisheries.

The fisheries administrations are working on a draft operational programme, and a public consultation was launched back in March of last year. The Department will be active in its engagement with the local industry and its representatives during the consultation round. If progress is made as planned and everything runs according to plan, the EMFF should be open for applications this summer.

**Mr Byrne:** I welcome the Minister's statement. However, I recognise that some parts of it are good, while some are not so good. I welcome the 3% increase in the prawn quota. We are concerned with area VIIa, but will the Minister tell us what the net change was for the other regions, such as Scotland or England? In future, is it possible that a scientific assessment can benefit the recovery of the Irish Sea for fishing for our fleet?

**Mrs O'Neill:** The decisions that are taken on quotas are very much based on the scientific advice. Area VIIa is the area that is relevant to our local industry only. Something

over 95% of the industry is dependent on the nephrops stocks, so that is our main priority when it comes to dealing with the discussions as part of the December Council. The fact that we were able to secure the increase is a welcome development for the industry.

The cut that was proposed at European level would have equated to almost £2 million of a loss to the industry. That would have been quite substantial, given that we have a small fishing industry and a small fleet that is almost wholly dependent on nephrops. Therefore, it is good news to the local industry.

The other stocks that I have outlined in the annex to the statement, where it refers to cuts, are of less importance to the industry. There is a combination of reasons for the cuts. It may be that the science did not stack up, so that there needs to be a sustainable approach to the stocks, or it may be that stocks are being fished at maximum sustainable yield. There is a combination of reasons, but suffice it to say that this is a good news story for the local fishing fleet.

**Mr Dobson:** Following on from Mr Byrne's question, in your press release you describe the 3% increase in the prawn quota as an:

*"additional £450,000 of fishing opportunities."*

What additional support do you plan to provide to the industry to help it grasp those opportunities and therefore deliver a prosperous future for fishing in Northern Ireland?

**Mrs O'Neill:** I very much want to see a prosperous future for the industry. We will be able to work with the industry through the new EMFF package that we hope to open in about June this year. There will certainly be opportunities there, particularly around the selective gear and the sustainability of fishing communities. We will be able to highlight quite a range of areas as part of that programme.

As I said in the press release, there will be £450,000 of fishing opportunities. The fishing and the processing are all part of that, and the 3% increase is something that the industry wanted to see.

I would like to see Europe taking a different approach to how this is done. Fishermen find it difficult to plan for their business future, given that they have to wait until each December to see what they will be able to catch in the following year. That does not make for good long-term planning for any business. The approach to that is an issue that we share with other member states, and it is something that we have to continue to challenge.

**Mr Buchanan:** One of the key negotiating priorities, as outlined in your statement, was to agree:

*"interim measures for sea bass management, proportionate to the impact of the recreational and commercial sectors."*

Are you satisfied with the outcome of the negotiations on that priority? How do the measures now sit alongside the recreational and commercial sectors?

**Mrs O'Neill:** Yes, I am satisfied. It is less of an issue for us than for Scotland in particular. All the priorities that I listed at point 6 in my statement were achieved, so that is a good outcome for the negotiation.

The industry locally is almost wholly dependent on nephrops as its main stock. That was our priority in my approach to the discussions, and we secured a good outcome for that.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement, like Members before. Given the need for the Department to continue its work with the industry and to work more closely, can I ask the Minister to give an update on the fisheries task force, please?

**Mrs O'Neill:** The task force interim report has been published on the Department's website, where you can read it in full. The task force met on five occasions to consider the following: factors affecting the profitability of certain fleet segments and actions required to address those; the future challenges faced by the fishing fleet and on-shore businesses and the action required to meet those, particularly the EU landing obligation; and priorities for funding under the new EMFF, especially the elements of the operational programme.

The task force's three main recommendations are that highly selective gear trials should continue until 2019 to assist the industry with the implementation of the landing obligations; that the Department starts to develop a case for further flexibility in implementing the landing obligations within the member state discard group and the Commission; and that DARD carries out an assessment of the balance between available fishing capacity and the fishing opportunities for the Irish Sea nephrops fleet during 2015.

Officials will be studying those recommendations over the coming weeks. We want to be in a position to issue a full response by the end of February. I am quite encouraged by the work that the fishing industry task force has done, and we will continue to work with it over the next year to take forward what has been identified as a vital piece of work for the industry.

**Mr Poots:** The cod quota has been reduced by 20% every year since 2006-07, so there has been a significant failure on the part of the Department in each of those years. The evidence coming from the sentinel fisheries programme is that there has been a recovery of cod. So why is the evidence being ignored when it comes to the dispensing of quota, and why are we not using the science that is available to us?

Can the Minister assure the House that the change to the new European Maritime and Fisheries Fund will be seamless with the end of the current European Fisheries Fund and that there will not be a gap between those two funds?

**Mrs O'Neill:** In relation to the point that it is, perhaps, a failure of the Department in relation to the cod cuts, maybe the Member does not understand, but there is a cod recovery plan in place at a European level. That plan sets out that year on year there will be a 20% cut in cod quota. That is why we are where we are.

I have argued the case every December that I have been there. I think that was maybe my fourth Council meeting. That the cod recovery plan does not work is an issue that is consistently on the agenda. Other member states agree, but until Europe reviews the recovery plan, and we accept that there has been movement on that recently, we have to

continue to drive home those points, and I will continue to do that. Unfortunately, we are stuck with it until there is a replacement, but I assure the Member that it is something that I am equally concerned about.

In the sentinel fisheries scientific cod study that we asked for, there was some sympathy for the idea. We have been told by the Commission that this is not legally possible. However, we have not parked the idea and will continue to pursue it with the Commission. I said that publicly after the December Council meeting. That is the commitment that I have made to the industry, and I will continue to challenge them.

I believe that this is counter-intuitive in terms of what Europe wants on discards. They are actually encouraging people, with this cod recovery plan, to throw fish overboard. That is not acceptable, so there needs to be a bit of realism and common sense applied to the sentinel fisheries.

**Mr Rogers:** Following on from that, the 20% year-on-year cut to the cod TAC is really limiting the availability of scientific information and making a nonsense of the cod recovery plan. I acknowledge your attempts, along with Simon Coveney, to get a 20 ton cod quota, but what representations have you made since the Fisheries Council meeting to ensure that we have sustainable management of cod stocks in the future?

**Mrs O'Neill:** I do not disagree: the Irish Sea cod quota is far too small for us to be able to manage a central fishery. This is something that has been ongoing for years. We have consistently raised the issue with the Commission as part of the ongoing discussion that we are having with it. At the December Council meeting, things were made very clear, particularly for the new presidency. They had an understanding of the nonsense of the argument that they had been making; they accepted why we need to do it, but legally could not find a way to do it. We need to find a way around that.

I intend to write to the Commission on the back of the December Council meeting to follow on from that discussion. It is not a new conversation; it is an ongoing one.

**Mr Anderson:** I thank the Minister for her statement. The table at annex A shows that mackerel is the second most important catch of our fishing fleet. You referred to further agreements with Norway and the Faroes on the mackerel stock. Can you update us on when that is expected to happen, and what will Northern Ireland's negotiating position be?

**Mrs O'Neill:** The Norway/Faroes issue has been going on in relation to North Sea stocks, such as mackerel, for quite some time. We were glad that, before we got into the ins and outs of the December Council negotiations, there was movement and progress on that. That meant that the Council was able to take the decisions on the full range of catches outside the Norway stock.

There are possibly two main boats that catch mackerel and are affected by that, so they watch with interest how the Norway/Faroes situation, which has been going on for quite a number of years, is playing out. I am glad that that was sorted out in advance of the Council meeting, because it meant that we were able to get stuck into the detail of all the other catches.

**Mr Allister:** Can the Minister shed any further light on the bizarre claim by the Commission that there is no legal mechanism to enable it to facilitate the cod catch that is necessary to allow the ongoing spawning survey? Surely, under the TAC regulations, the Commission has the inherent power to recommend upwards or downwards. Where is the legal basis for that assertion? Has the Minister got to the bottom of that with the Commission, or is this just the latest wheeze by the Commission to finally extinguish all cod fishing in the Irish Sea?

**Mrs O'Neill:** Getting to the bottom of it is the process we are involved in. We submitted a proposal to the Commission, which was supported by the South and would have allowed us to take forward a sufficient quota that would also have allowed us to have a sustainable scientific fishery. The Commission said it was not possible to grant the quota under the current rules, but it did offer a solution that would allow a spring survey to proceed without requiring an additional quota. That would at least get us moving. We are studying that proposal at the minute, with the aim of being able to open something for the spring cod spawning survey.

So at least we can get things moving, but I do think it is a nonsense, and I agree with you about the Commission's approach on this issue. It accepts that we need to gather the science, because without that we cannot make decisions, yet it finds legal barriers to increasing the quota. That is an ongoing process, but we are able to make some progress and get a spring spawning survey opened up over the next number of months.

**Mr B McCrea:** There has been a lot of discussion about the scientific basis for the decision-making. How important is scientific analysis in our discussions? When we talk to the Commission, does it challenge the science, or is there just no information available — in other words, there is no science? Where is the gap in our understanding?

**Mrs O'Neill:** It is not that there is a gap. The one thing that I recognised very early on was that you cannot go out to Europe and argue your corner unless you have science to back up what you are saying. Taking the last three years, the science was there to support an increase two years ago, when we were able to secure that increase. Last year, the science said something different. You cannot make one argument one year when the science is favourable and then make a counterargument the following year if it does not suit your argument. It is about consistency.

## 12.15 pm

We have very strong science. The Agri-Food and Biosciences Institute scientists who come out with me every year to be part of the negotiations and to challenge the Commission provide excellent background work with the industry and have been very helpful. They were very helpful this year in our being able to achieve that increase. As I said, it is not that there is a gap in science. Europe will have its view, and we will have to bring our own scientists. When it comes to arguing your corner, you have to fight science with science.



## Executive Committee Business

### Regeneration Bill: Second Stage

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

*That the Second Stage of the Regeneration Bill [NIA 43/11-16] be agreed.*

The Regeneration Bill will allow the conferral of powers to tackle deprivation and undertake regeneration and community development in local government and the transfer of functions relating to Laganside to the new Belfast City Council. The Bill sits in the context of the framework provided for local government reform by the DOE's Local Government Act (Northern Ireland) 2014, which received Royal Assent last year. I believe that these new responsibilities will contribute significantly to the aims of local government reform, which are to provide a stronger and more efficient local government that delivers more effective services to its communities. It will give councils the opportunity to really shape service provision for their citizens, whom they have been elected to serve, and to adapt to the local needs of those communities.

I have had some useful discussions about the content of the Bill with a number of Executive colleagues over the last number of months since taking up office. This has resulted in the Executive agreeing to remove the housing provisions in the Bill and retitling it the Regeneration Bill. However, the timescales around these discussions meant that it was not possible to secure the Executive's agreement in time to allow me to have this legislation in place for 1 April 2015, as originally planned. Therefore, with Executive agreement, it is now planned that these responsibilities will be conferred on local government a year later, from 1 April 2016.

DSD's powers and functions will not transfer in April 2015, but, as Members will be aware, a number of key functions from other Departments will transfer. These include planning, local economic development and tourism, which fit well with the responsibility for regeneration. Although DSD powers will not be conferred until 2016, I am committed to working closely with the new councils to make sure that our regeneration and community development activity fits with the plans, which will be developed locally, and that we are fully engaged in the community planning process that councils will take the lead on. As part of that process of engagement, I intend to embark on a series of meetings with each of the new councils shortly.

The issue has been raised by a number of Members. Members will also be aware that a panel was established some weeks ago. I attended that panel along with other Ministers and representatives from local government. I gave a commitment on that occasion that I would endeavour to ensure that there was consultation and collaboration with local councils and that, despite the perceived difficulty with the transfer of functions and powers as of 1 April 2016, we would do all in our power to make that transition as seamless and uneventful as possible so that we have a good working relationship. That is what I am committed to, and that is the reason why I have been in consultation and in contact with the local councils over the last number of days.

I mentioned that it was decided, after some discussions, to remove from the Bill the housing functions that were earmarked for transfer. While those functions were of a relatively minor nature relating to unfitness and housing in multiple occupation, I want to make it clear that the intention was never to transfer to councils any responsibilities for determining housing need or providing social housing.

Those responsibilities and powers rest with the Northern Ireland Housing Executive and the housing associations, and that situation will not change as a result of the Bill. Since coming into office, I have been well aware of the concerns that there are about housing and of Members' fears, worries and suspicions around the issue. I trust that Members will reflect on the work that we have done to bring the Bill to this stage. I have worked to ensure that those concerns, fears, worries — whatever they are — are allayed, but that needs to be repeated and rehearsed because, sometimes, that is necessary for some Members to understand that what we are saying is exactly the case. So, we have made progress on that matter, and those powers will stay as they are.

What current DSD powers and responsibilities will go to local government as a result of the Regeneration Bill? The new councils will have the power to carry out regeneration schemes and projects, public realm and environment improvement schemes and they will take the lead in tackling deprivation and delivering community development in their area. In a number of areas, some of that work is already being undertaken in partnership with my Department and existing councils, but, in the future, all councils will have the lead role. They will be able to decide on priorities and where the budget should be expended. All of that will be within the wider context of the new duty of councils to develop community plans for their area.

**Mr Elliott:** I thank the Minister for giving way. I am conscious that he is talking about finance and the budget. Will the budget be devolved from DSD to the councils as well? Who will have overall control of it?

**Mr Storey:** Yes, the budget will be devolved. It would not be in keeping with good practice to decide to give councils the power but not give them the wherewithal to do it. Obviously, there will always be an issue about the amount of money. We have heard it in the House already today. In some cases, it seems as though there is never enough. I am well aware of concerns about finance. However, I am endeavouring, even in my discussions with the Finance Minister in the pre-consultation for the Budget, to make sure that we give this the concern and priority that it deserves so that the budget will transfer.

I will continue. All of this, of course, will happen. This is an important point to make. There is another concern about when we transfer the powers: that this will happen somehow and the Department will walk away from all its responsibilities. However, it is right to say that this will not be without support from my Department. The Bill will give the Department power to publish strategic guidance to which councils must have regard in exercising their functions, under the 'Urban Regeneration and Community Development Policy Framework', which was published in July 2014. It provides the strategic direction for regeneration and community development policy. The Department will also support councils by publishing guidance on related issues, such as the evidence base



and best-practice interventions in respect of regeneration and community development. It should be clear, however, that councils will be left free to decide how best to deploy these in the context of departmental guidance. It is important to underscore and underline that. If there is a document that should become one of ownership for the new councils, it should be the 'Urban Regeneration and Community Development Policy Framework', because it gives much of the context and detail of how we see these things rolling out over the years ahead.

Some Members may ask why we do not proceed to say when and where councils should decide to support schemes or projects. However, in my view, that would be contrary to the whole ethos of local government reform. The Executive have decided that decisions affecting local people should, where possible, be made by local people at a local level.

Members will also have received correspondence in the last 24 hours about the community investment fund. I want to take a minute to say something about that correspondence, as it is worthwhile placing these comments on record in the House. In that correspondence, concerns centred on the fact that, as a result of the transfer of the programme to councils in 2016, an opportunity may be lost to integrate the community investment fund with the rural development programmes managed by DARD. I will write to Members about that issue shortly, but perhaps I should make a few initial comments.

While I understand the points raised in the correspondence, in my consideration of the issue I have been mindful that the agreed position of the Executive is that responsibility for regeneration and community development at a local level should rest with local government. The transfer of the community investment fund to councils fits well within the overall ethos of local government reform, which, as I have said, will allow local people to make decisions on the priorities for their area at a local level.

In relation to the concerns about the integration of urban and rural programmes, it is important to note that community planning will also place a duty on key Departments and agencies to be engaged in the community planning process and to have regard to the community plan when considering how best to deliver services locally. Community planning will have the form of achieving the proper integration of urban and rural support programmes. So, given the strong link between the community investment fund, community planning and the subregional nature of the programme, there would need to be a strong reason not to proceed with its transfer to the new councils.

From the consultation responses and meetings with the councils, it is clear that there is significant support for the principles of the Bill, the transfer of these responsibilities to the new councils and the conferral of these powers on local government. On that basis, I hope that all parties can give the proposals their full support.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I also congratulate you on your elevation to the post of Speaker. I have no doubt that you will do a very good job along with the Deputy Speakers and the Principal Deputy Speaker.

Very briefly, I would like to thank the Minister from bringing the Second Stage of the Regeneration Bill to the House. I welcome the vast bulk of his comments.

To repeat, on 8 January the Committee received a comprehensive briefing from departmental officials, who outlined the key areas of powers that would be transferred. Ultimately, the Committee agreed in principle with the principles of the Bill. Whilst Committee members addressed a number of concerns — I will touch on a few of those in a moment — nevertheless, the Committee unanimously wants to see the Bill being given a fair wind, local government being effective and powers being transferred successfully. Most Members will have had their political origin in local government and will be acutely aware that councillors work with local communities, are very close to the ground and have a clear understanding of what is required in local areas. However, they often do not have the necessary powers to change those wishes into reality. Hopefully, the Bill will help them to do that.

The Minister has outlined the process of getting the Bill to where it is, which has included removing the housing elements from the original intention of the Bill. As the Minister said, a number of those powers, particularly the regulatory powers, will be introduced at a further stage. Most people would like the regulatory powers to be transferred to local government, and there certainly would be no obvious contention on that. However, that was a wise decision, and the Committee was of the view that the Minister's decision to proceed with the Regeneration Bill on that basis was correct. The Committee will want to work with the Minister and his Department over the next weeks and months to make sure that we get the Bill right.

The Minister fully addressed some of the concerns in his opening remarks around the question of trying to make sure that each council adopts the powers progressively and proceeds on the basis of seeking to tackle disadvantage in its area. It is important to state that, although they were concerned about how those powers might be utilised in local government, Committee members wanted to see some consistency right across the 11 councils. The Department and the Minister retain policy powers, and they will look at ways of monitoring local government to see how those powers are exercised in the time ahead.

It suffices to make the point that the Committee raised concerns with the Department, a number of which have been fully addressed today by the Minister. He has made it very clear to the Committee and the House that the Department will work with the Committee, all Members and all parties across the Chamber over the next period to make sure that we get the Bill into law so that we can move ahead in April 2016 and transfer the powers to local government to allow councils to be much more effective and responsive in tackling need in their area. Obviously, there are issues around transferring the budgets. There is a mechanism and a formula for doing that that the Minister will deal with in due course.

On the basis that we want to see successful legislation enacted, the Social Development Committee will want to work cooperatively with the Minister and the Department in the time ahead to finalise the Bill.

**Mr Speaker:** The Business Committee has arranged to meet immediately after the lunchtime suspension. I

propose therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time. Paula, you will be the first Member called to speak after Question Time.

*The debate stood suspended.*

*The sitting was suspended at 12.31 pm.*

*On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

### Enterprise, Trade and Investment

**Mr Deputy Speaker (Mr Dallat):** We will start with listed questions. Question 1 has been withdrawn.

#### Corporation Tax

2. **Mr Weir** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact on job creation and inward investment of the proposed devolution of corporation tax. (AQO 7361/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Corporation tax can be a major stimulus for jobs and investment in our local economy. Bringing about a step change in economic performance is not possible without implementing new powers. My Department commissioned the Ulster University Economic Policy Centre, which was formerly the Northern Ireland Centre for Economic Policy, to look at the benefits of moving to a corporate tax level of 12.5% from April 2017. The economy overall is expected to be 11% larger, driven by growing the private sector.

**Mr Weir:** I thank the Minister for her reply. I am sure that we all welcome the announcement on corporation tax, but given that the earliest that a reduction can be brought into effect is 2017, what does the Minister feel that Invest NI could do between then and now to take advantage of the reduction?

**Mrs Foster:** It is indeed the case, as you pointed out, Mr Weir, that the earliest that the rate can be reduced is probably around April 2017. Before that time, we need to have very clear messaging around when precisely the new regime will come into place and what rate it will be set at; we are talking about the date and the rate. Once we have both those aspects clarified by the Executive, Invest Northern Ireland will be able to sell the proposition right across the world. The work carried out by Ulster University is saying that, because it takes time for businesses to make decisions around moving, if we go out early and sell the lower corporate tax level, we may see firms coming before the tax rate is reduced. We may see benefits coming even before the costs to our block grant kick in. It is important to have the date and rate set, and we are looking forward to a discussion at the Executive in relation to both issues in the very near future.

**Mr B McCrea:** Minister, on 11 January on the BBC, in relation to corporation tax, you stated:

*“that means people will have an extra £3,000 in their pay packet per year”.*

How did you arrive at that figure? Is it for all of us?

**Mrs Foster:** I thank the Member for his question. Again, it is referring to the work carried out for me by the then Northern Ireland Centre for Economic Policy. The work it carried out very clearly indicated that productivity would

rise in the economy overall. Based on the work that it carried out, it made the assumption that productivity would rise by 5.9%. If you look across the economy, that means a general increase of £3,000 per annum into employees' wage packets. Obviously, it is very generalised; I accept that not every single person will see that increase. Some will see bigger increases. The Member will understand that the productivity issue has long been a drag on the economy here in Northern Ireland. We really want to see a closing of the gap between productivity levels in Northern Ireland and those in the rest of the UK. I firmly believe that the lowering of corporation tax will enable us to do that.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer. Will she give the House some indication of the assessment that she has made of the cost to the block grant of the reduction of corporation tax to 10%, as she has advocated?

**Mrs Foster:** I believe in a 10% rate — I understand that we have to come to Executive agreement on the matter and that it may not be the case that we settle at 10% — in relation to competitiveness with our closest neighbour, the Republic of Ireland. As you know, it has set its rate at 12.5% for some considerable time now and has benefited greatly because of that. The work that was carried out by the Ulster University economic policy group took the assumption of 12.5%. Therefore, the work that I have received is based on that 12.5%. If you were to extrapolate it down, it would give us even more of a competitive advantage.

I think that the important thing to recognise is the fact that Invest Northern Ireland has had a very strong proposition over this past couple of years based on the talent of our young people. What we have now is a proposition of tax and talent so we have both of those elements in our armoury now. Given that we have both of those elements, I think that we have a very strong proposition for going to the United States and, indeed, other places and bringing even more inward investment into Northern Ireland.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I have somewhat of a follow-on from the previous question. Does the Minister have any idea of how the money against the corporation tax reduction might be offset against the block grant?

**Mrs Foster:** The work carried out by Ulster University points out that we may start to see a benefit of about 5% to 10% to the Northern Ireland economy before we actually take the hit with the block grant. I welcome that, because we will see more people investing in Northern Ireland even before the corporate tax rate is lowered. Therefore, we will see more investment into Northern Ireland, and we will benefit as a government because of that. On the hit to the block grant, work is continuing between the Department of Finance and the Treasury Ministers to bottom out the very precise figure of what it will mean for our block grant. Of course, those are all matters that will be discussed in the next comprehensive spending review. At that stage, we will have a completely clear picture of what it will mean for the block grant. We will then look to see where we can make savings to offset what will be a big hit on the block grant.

I have to say to you and to the House that I believe that we are in a situation now as an economy where we cannot just sit back and do nothing. We have to do something

different, and I believe that doing something different is to use the corporate tax reduction to bring more investment into Northern Ireland. I think that the whole economy will grow as a result of that. People will have more money in their pay packets, and that will help everyone, not just big business. I have heard it said by some that big business is going to benefit from this, but, really, for the Executive, it is about job creation and creating more jobs right across Northern Ireland.

### Tourism: Overseas Visitor Numbers

**3. Mr Swann** asked the Minister of Enterprise, Trade and Investment for her assessment of the latest Tourism Ireland overseas visitor numbers. (AQO 7362/11-15)

**Mrs Foster:** The estimated overseas visitor figures quoted by Tourism Ireland for 2014 are very positive, and I remain confident that we will meet the targets set for tourism in the Programme for Government. The next set of official statistics for Northern Ireland visitor numbers, for the first nine months of 2014, is due to be published on 22 January 2015.

**Mr Swann:** I thank the Minister for her answer. Minister, figures released by Tourism Ireland on 30 December showed an increase in overseas visitors to the Republic of Ireland of 8.6%, whereas there was only an increase in overseas visitors to Northern Ireland of 5%. Can the Minister tell me what steps she has taken to try to close that balance and increase the numbers of overseas visitors coming to Northern Ireland?

**Mrs Foster:** Again, it is around collaboration between Tourism Northern Ireland, Tourism Ireland and Invest Northern Ireland about getting the package for Northern Ireland completely right. I welcome the fact that there has been an increase in overseas visitors, and I welcome the fact that we are now very strategically focused on bringing more visitors to Northern Ireland. To make that happen, we have to have more direct access coming into our airports, and that is something that I am very firmly focused upon. I have said very many times that I would like to see a route to Germany, a route to Canada and a route, perhaps, to the Middle East. Those are all areas that we are working on with the airports and with a number of different airlines.

**Mr Ross:** The Minister and the whole House will, obviously, be aware of the Gobbins path project in east Antrim, which is due to open later this year. How important does the Minister think that that project will be in attracting more overseas visitors to Northern Ireland?

**Mrs Foster:** I do welcome the progress that is being made on the Gobbins path. I think that it will be an absolutely outstanding visitor attraction when it is completed, and one that will invoke some of the memories that you get when you look at some of the old photographs of the Gobbins path. I think that it will be simply outstanding. Actually, at the last international visit that I had, I was talking about the Gobbins path, and a lot of people were very excited about the prospect of being able to visit the path again. I think that it will very much add to the Causeway Coast and Glens experience — an experience that already is outstanding. I was going to say that it is a new facility; it is, of course, a very old path, and bringing it back to life will add to the offering that we have to put on the international stage. I look forward very much to it coming online, hopefully later on this year.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I am sure that the Minister will be aware that the retention of a reduction in VAT rates for tourism services in the South has contributed to their success down there. Will she update us on any discussions she might have had about a reduction in the VAT rate here for the tourism industry in the North?

**Mrs Foster:** A reduction in VAT was raised earlier in the House. Members will know that VAT is a national matter that is dealt with at Westminster. A number of organisations and individuals have lobbied me about a reduction in the rate of VAT. It has been a great enabler in the Republic of Ireland; there is no getting away from that. We must continue to make the case to the UK Exchequer that it would help not only us but other regions of the UK and would enable them to be competitive in a very competitive market.

**Mr Lyttle:** How much of the additional £2.2 million that the Minister received for tourism in the 2015-16 Budget will she allocate to a tourism events fund for 2015-16?

**Mrs Foster:** The Member can ask that question, but another question is coming up later, and I will answer it then.

**Mrs McKevitt:** In answer to an earlier question, the Minister spoke about EU countries and trying to increase the tourism level. What conversations has she had with the Irish and British Governments on expanding short-stay visas for Chinese and Indian visitors to the common travel area to include visitors from countries outside the EU?

**Mrs Foster:** I am sure that the Member will join me in welcoming the pilot initiative for Chinese and Indian visitors. It is probably a little too early to know whether it has been a success. I imagine that it will be a great success, because we are obviously keen to attract those visitors up to Northern Ireland from Dublin. In the past, the official advice was that you needed two visas, and it was certainly a drag on the number of visitors who visited Northern Ireland from Dublin. I look forward to seeing how that has made a difference to the number of Chinese and Indian visitors. I would welcome the opportunity to expand that to other countries as well.

## Upper Bann: New Businesses

4. **Mr Moutray** asked the Minister of Enterprise, Trade and Investment to outline the number of new businesses started in Upper Bann since 2011. (AQO 7363/11-15)

**Mrs Foster:** Invest Northern Ireland is able to provide information only on new business starts to which it has provided support. From 1 April 2011 to 31 March 2014, Invest Northern Ireland provided free advice and guidance to 422 new business start projects in the Upper Bann constituency through the regional start initiative, formerly known as the enterprise development programme. A further 25 new business starts received financial support from Invest Northern Ireland.

**Mr Moutray:** I thank the Minister for her response. Given the proactive role that Invest NI has played in Craigavon in the recent past, is she confident that that can be sustained in future years, given the enormous potential for Craigavon, not least in its considerable land bank?

**Mrs Foster:** I know that the Member will want to join me in congratulating the indigenous businesses in Craigavon

and the way in which they have moved forward. Indeed, two of the top indigenous investors for 2014-15 are in Upper Bann: Almac and Thompson Aero Seating. He should be very proud of those two companies being in the top five. There is a very entrepreneurial base in Craigavon, and we want even more business starts to come forward. We look forward to working with the new council to see what value added we can bring to its new economic development powers.

**Mrs D Kelly:** I thank the Minister for her warm words of encouragement to businesses in Craigavon. Have there been any further discussions about the extension of enterprise zones? Will she consider Craigavon as an area that could benefit from such a zone?

2.15 pm

**Mrs Foster:** We have not completed the journey in relation to the enterprise zone in Coleraine as yet. I am a little disappointed around that. We have been trying to facilitate the discussions that are ongoing in Coleraine around the enterprise zone, so we really need to focus on achieving that part of what was the economic pact. Once that is in place, other areas will want to look at enterprise zones as well. There is nothing to stop a local council, with its new economic development powers, looking at how it can market its own particular area to attract inward investment. I hope that the new councils will work with Invest Northern Ireland in looking for the unique selling point of each of the different areas of Northern Ireland so that we can look at that subregional growth and move it forward in that respect.

## Royal Portrush: Infrastructural Changes

5. **Ms Sugden** asked the Minister of Enterprise, Trade and Investment for an update on how her Department is working to ensure that the infrastructural changes required to stage the Open Championship at Royal Portrush in 2019 are approved and completed. (AQO 7364/11-15)

**Mrs Foster:** The Royal and Ancient (R&A) announced on Monday 16 June 2014 that Royal Portrush Golf Club had been invited to join the rota to host the Open Championship. It is hoped that the first event will be hosted as early as 2019, however, that is still to be confirmed by the Royal and Ancient and Royal Portrush Golf Club. It is subject to securing planning approvals for course improvements and completion of the works. The full planning application for the required course improvements was submitted to DOE Planning Service at the beginning of December 2014 and is currently progressing through the consultation and approval process. Once approval is secured, it is hoped that works will commence on site later this year.

**Ms Sugden:** I thank the Minister for her response. Can she outline what consultation she has had with the R&A to ensure that the golfing world and others are satisfied with what the north coast has to offer?

**Mrs Foster:** That was very much part of our preliminary conversations before they announced that they would come to Royal Portrush. The fact that we were able to host the Irish Open at Royal Portrush back in 2012 gave them a great degree of confidence that we were going to be able to deliver on the promises that we were making for the Open.



A number of planning issues need to be sorted out over the next period of time. I am confident that we will move those forward. As I said, the planning application just went in at the beginning of December, so there is a little bit of time, but, hopefully, the new council and the planning authorities will look on the application sympathetically because it will be a tremendous opportunity if we can bring the Open to Northern Ireland in 2019.

**Mr G Robinson:** There has been much talk in the media about hotel development on the north coast. Is it essential for further hotels to be developed on the north coast in order to have the Open come to Portrush in 2019?

**Mrs Foster:** Obviously, I would like to see more hotel facilities put in place on the north coast. There are gaps in the five-star market in that area. As the House will be fully aware, the Runkerry development had received planning permission, but the estate and the grounds that were earmarked for that application have now been sold by the Macnaghten estate to Dr Peter FitzGerald. The land that the Runkerry development was to be developed on is now part of Dr FitzGerald's portfolio. Therefore, it is uncertain what will happen to that particular application, but I hope that others will look at the opportunities in and around the Open coming to Royal Portrush and whether they can develop hotel facilities there as well.

I do not think that it will damage our ability to host the Open one iota, because people who attend these events are well used to travelling. Indeed, when many of them go to other courses, they have to travel for over an hour to get from their accommodation to the event. So, I do not think that not having a hotel there will damage that particular event. Notwithstanding that, obviously I would like to see more development of hotels in and around the north coast.

**Mr Nesbitt:** I want to follow on from the Minister's last answer on comparative travel times. In terms of comparative economic impacts, she will be aware that, when the Irish Open was at Portrush, some felt a little disappointment that spectators maybe did not spend as much time and money in town as traders might have hoped they would. Can she compare the economic impact of the Irish Open at Portrush with, for example, the last Open at Royal Liverpool or, indeed, the last Irish Open at Fota Island in County Cork?

**Mrs Foster:** The issue of people not being able to get out and integrate with the town and the surrounding area has now been addressed by the European Tour; it is now saying that, if people want to leave the course and come back, they can. I very much welcome that the issue has been resolved. I regret that people were not able to leave Royal Portrush, go into Portrush and return; they had to stay on the course. That has now been sorted out; therefore, it will have more of an impact when we have the Irish Open at Royal County Down, which we are very much looking forward to hosting this year and, of course, in Enniskillen in 2017.

## Ulster Canal: Tourism Benefits

6. **Mr Lynch** asked the Minister of Enterprise, Trade and Investment for her assessment of the potential tourism benefits of re-opening the Ulster canal. (AQO 7365/11-15)

**Mrs Foster:** The waterways of Northern Ireland have the potential to become an integral part of the tourism

experience in Northern Ireland. The proposed Ulster canal development could provide opportunities for canal boating as well as supporting infrastructure to support walking and cycling, all of which would benefit our visitors and the local area.

Although the project is being led by DCAL, the Northern Ireland Tourist Board (NITB) continues to work with the Ulster canal inter-agency group through the Destination Fermanagh steering group and with the Clones Erne East Blackwater project to try to maximise the tourism benefit that this project could bring.

**Mr Lynch:** Go raibh maith agat. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her somewhat encouraging answer. Does she agree that, because the canal goes through Monaghan, Fermanagh, Cavan and Tyrone, both tourism boards on the island of Ireland should work closely together to ensure that it is a success?

**Mrs Foster:** As I said to the Member, this is being led by DCAL and, indeed, by its counterparts in the Republic of Ireland. The TD for Cavan-Monaghan, Heather Humphreys, has taken a particular interest in the matter, as you would imagine. It is in part of her constituency, as it is in part of ours; therefore, she is keen to move the project forward. When I last spoke to her, she again mentioned the need to push ahead on the Ulster canal. So, I think, generally, there is support for the project. I suppose that the big challenge for us all is funding. The Northern Ireland Tourist Board — or Tourism Northern Ireland, as we should now call it — will work with its counterparts to assist and make sure that all the tourism benefits are put into any business case that is put forward.

**Mr Humphrey:** The Minister is quite right that the primary responsibility lies with the Department of Culture, Arts and Leisure. Is Fermanagh District Council taking a collaborative approach to the cross-border element?

Obviously, in the current economic climate, budgets are tight. Has the Department looked at the possibility of funding from the European Union, given that it is a cross-border venture?

**Mrs Foster:** I simply do not know is the answer, because DCAL leads on this issue. However, I do know, and I have been advised, that some €54 million would be needed to secure the project to get it completed within 21 to 24 months. It is a large sum of money. If there are options to look elsewhere for funding, we would of course be supportive of them being explored.

As I understand it, Fermanagh District Council is part of the Clones Erne East partnership, which seems to be driving this initiative. Of course, the Erne East councillors will be part of that partnership.

**Mr B McCrea:** As you said, Minister, finance is the real nub of the issue. Are you in favour of raising funds from users of inland waterways, for example, through a boat tax, in much the same way that we raise money through car taxes, provided that the money is used specifically for enhancing inland waterways?

**Mrs Foster:** I am not sure that that is a matter for me as tourism Minister. I want to encourage more people to come and use the inland waterways. Of course, I want them to use Lough Neagh and Lough Erne in particular.



It is probably a matter for the Executive as a whole, but principally it is a matter for the Minister of Culture, Arts and Leisure.

### Tourism Events Fund

**7. Mr Devenney** asked the Minister of Enterprise, Trade and Investment whether she will reinstate the tourism events fund, which previously supported events such as the Walled City Tattoo in Londonderry. (AQO 7366/11-15)

**Mrs Foster:** Due to the difficult financial challenges facing the public sector, the Executive required Departments to make significant savings. Given those circumstances, the Northern Ireland Tourist Board's tourism events fund open call for the 2015-16 financial year has not yet been launched.

However, as events play a key role in driving tourism to Northern Ireland, I am delighted to announce that I have secured £1 million for the Northern Ireland Tourist Board's tourism events scheme next year.

**Some Members:** Hear, hear.

**Mrs Foster:** Tourism NI, as the Northern Ireland Tourist Board is now, is currently working up the detail of that, and I expect the scheme to open in early February.

Tourism NI provided funding for the Walled City Tattoo in 2013, totalling £50,000, and a further £30,000 was provided in sponsorship support via the Northern Ireland Tourist Board tourism events sponsorship scheme for the 2014 event.

**Mr Devenney:** I thank the Minister for her response, in particular the announcement that the events fund will reopen. That will be welcome news for the people in Londonderry and across Northern Ireland. Will she outline what support for tourism her Department has put into Londonderry over the past number of years?

**Mrs Foster:** It is very difficult to know where to start when it comes to the support that we have put into Londonderry. We have put a lot of support, not just finance, into the tourism product in the city, in particular through the built heritage programme and the development of the Walled City lighting strategy.

We put £8.1 million into the built heritage programme, the total project costs of which were £24 million, and another £1.6 million into the lighting strategy. Six projects were identified for financial support under the built heritage programme, and the Member will be very aware of those, because, when he was a local councillor, he lobbied very hard for a number of them. Those projects are the Apprentice Boys' Memorial Hall, First Derry Presbyterian Church, St Columba's Cathedral, Áras Cholmcille, the Playhouse theatre and the Guildhall. We will continue to support investment in the north-west, and, indeed, across Northern Ireland, in our tourism product. I believe that we have a very strong product and a very good story to tell in Londonderry.

**Mr Lyttle:** I welcome this U-turn by the Enterprise Minister on the fantastic tourism events fund. It will be welcome news to the many organisations across Northern Ireland that provide vital cultural and socio-economic development in our community. For what is, I think, the third time today, I ask the Minister this: how will she ensure that the fund is placed on a more stable footing so that we do not have to revisit that budgetary reduction on an annual basis?

**Mrs Foster:** I thank the Member for his question, but he should cover his blushes, because it is no thanks to the Alliance Party that I have £1 million extra —

**Some Members:** Hear, hear.

**Mrs Foster:** — in my events fund. It voted against the Budget.

**Mr Humphrey:** No wonder that he has his head down.

**Mrs Foster:** It is no wonder that he has his head down. It is absolutely outrageous that somebody can accuse me of doing a U-turn when it was me who went to the Executive and argued for extra money to be put into the events fund, with no help — zero help — from his party. I will take no lectures from the Alliance Party on the events fund.

**Mr Kinahan:** We have just heard from the Minister about a mass of good-news projects, but when are we going to get a tourism strategy that shows everyone in Northern Ireland how it all links together so that everyone, everywhere can really feel part of it, be that those with bed and breakfasts or others?

**Mrs Foster:** Perhaps if the Member, who is a member of the Enterprise, Trade and Investment Committee, had been in the Chamber this morning for my announcement on Tourism NI, he would have heard precisely what we are doing on the tourism strategy. Perhaps he would like to read Hansard to find out.

**Mr Deputy Speaker (Mr Dallat):** That ends the period for listed questions. We now move on to topical questions.

### JTI Gallaher: DETI Action

**T1. Mr Allister** asked the Minister of Enterprise, Trade and Investment what action she has taken since the closure announcement from JTI Gallaher and whether she has any good news to bring to the House on that front, given that she will be aware of the very heavy economic cloud that the looming closure has left hanging over North Antrim. (AQT 1961/11-15)

**Mr Allister:** As is my wont, I will take the Minister back into calmer waters.

### 2.30 pm

**Mrs Foster:** I thank the Member for raising that hugely important issue. I had a meeting with management from JTI Gallaher last week. They are finishing their consultation and they promised to come back to me and to the Minister for Employment and Learning before they finished the consultation. We had a very useful meeting in relation to where they think JTI is going, and we stand ready to help in any way we possibly can.

The Member will be aware that there has been some very good work — and I do not like to call it a counter-proposal — carried out by local management and local staff in relation to a proposal that was put forward. It was brought to me and other members of the Executive, and I could see great merit in it, and have indicated again that I stand ready to help in any way that I can. The meeting took place up here at Parliament Buildings. I had offered to go to Ballymena to meet the folk, but it suited better, in terms of flights etc to have the meeting here. It took place just last week.

**Mr Allister:** If all efforts fail and we have that closure, it underscores the great importance of attracting foreign direct investment, specifically into North Antrim. In the last five years, despite the fact — and I gladly acknowledge it — that we have had very good help from Invest NI for businesses like Wrightbus, there have been only eight visits to North Antrim on matters of foreign direct investment in contrast to 739 in the same period to the four Belfast constituencies. How can that record be justified and does the Minister stand over it?

**Mrs Foster:** I have said many times in the House that, when there is a pool of skills, we can market that to international investors, and we will do exactly that. Whilst Randox is not in the North Antrim constituency, it is a very short hop from it, and I hope that he will join me in welcoming the 540 new jobs that we announced in Antrim last week. If best efforts fail in terms of JTI Gallaher, there may be opportunities close at hand for some of those workers, some of whom may have transferable skills, to go into Randox. But we will work in a strategic way with the Department for Employment and Learning.

If it comes to the point that JTI Gallaher decides to close and leave North Antrim, we will work in a strategic way with the company. It has made its decision early for reasons that have been rehearsed in the House before, and that gives us some time to work in a very strategic way. We often do not have time to plan for the future, but we do have time to plan for these workers and that is what we intend to do.

## Tourism: Upper Bann

T2. **Mr Gardiner** asked the Minister of Enterprise, Trade and Investment how she encourages tourists to visit Upper Bann. (AQT 1962/11-15)

**Mrs Foster:** That subject came up for discussion earlier, as to how Tourism Northern Ireland will work collaboratively with the new councils, particularly in relation to community planning, to see where the unique selling points are for tourism around Northern Ireland. He will know that we have nine key destinations across Northern Ireland, and it is certainly my hope that all 11 super-councils will work together collaboratively with Tourism NI, Invest Northern Ireland and Tourism Ireland to market their own areas.

**Mr Gardiner:** I thank the Minister for her reply thus far. As the Minister will know, Lurgan has Northern Ireland's largest and most beautiful urban park, and the only outdoor ski slopes at Silverwood. Are those really being promoted as well as they could be, Minister?

**Mrs Foster:** The parks very much form part of what we are trying to move into now in Tourism Northern Ireland, because the outdoor activities piece is becoming more and more a selling point for tourism and for marketing purposes. A lot of families now like to get outdoors and enjoy it together. Therefore, when we welcome international visitors, we need to be able to market it well with Tourism Ireland, Tourism Northern Ireland and councils. It is about collaboration, partnership and getting the message about the nine key destination areas that we have to offer over to the international market.

## Gas to the West: Update

T3. **Lord Morrow** asked the Minister of Enterprise, Trade and Investment for an update on the Gas to the West project. (AQT 1963/11-15)

**Mrs Foster:** I can indeed give that update. There is very exciting news about the Gas to the West project. The preferred bidder has been announced, and, as I understand it, the licence will be awarded in early February. A period will then follow when the company will engage with the local community on the gas network. I think that it will be a tremendously exciting time for areas of the west, which, frankly, have been forgotten about in relation to infrastructure. Indeed, over the past number of days, we have seen how the water infrastructure has been left in a very poor way. Many of our constituents are being left to their own devices and to fend for themselves. I am determined that the Gas to the West project will move ahead and will do so in a very timely manner.

**Lord Morrow:** I thank the Minister for her very positive response. I welcome the news that she is able to deliver to the House today. When this project was first mooted, the Clogher valley was one of the areas that seemed to be excluded. Can the Minister tell us whether there are any proposals to ensure that the Clogher valley is not forgotten about in this project, as it is very much the gateway to the west?

**Mrs Foster:** I am delighted to tell the Member that the most recent route map that I have seen includes the Clogher valley. Therefore, the Clogher valley will now be very much part of the transmission network. We look forward to it delivering for Dungannon, the Clogher valley, Enniskillen, Cookstown and Strabane. That Gas to the West project has not been talked about much, but it really will make a difference to a lot of people right across the west of the Province in our industrial firms and domestic homes. We look forward to it being delivered.

## Harland and Wolff: Byford Dolphin Oil Rig

T4. **Mr Douglas** asked the Minister of Enterprise, Trade and Investment to join with him in congratulating Harland and Wolff in securing the major contract for the upgrade of the Byford Dolphin oil rig. (AQT 1964/11-15)

**Mrs Foster:** I do indeed welcome that announcement. I understand that the company is also to take on 60 permanent staff due to an upturn in business. I very much welcome that increase as well. What I really welcome is that trainees are now coming out of the Department for Employment and Learning's welding academy and will work in Harland and Wolff. We remember that, on the last occasion that Harland and Wolff secured a contract, there was quite a hue and cry about workers coming into Northern Ireland. I welcome that DEL has put that welding academy in place and that trainees are actually now going into Harland and Wolff. That is to be very much welcomed.

**Mr Douglas:** I thank the Minister for her answers thus far. Apart from the 1,000 possible jobs that will be created on the rig, will she outline the wider opportunities that will flow from this development on Queen's Island?

**Mrs Foster:** Again, if there are people working in Queen's Island on the Harland and Wolff contract, they will need to be fed and to have somewhere to stay. There are therefore knock-on impacts for the hotel industry and, indeed, the

hospitality industry. I am very encouraged by the fact that this welding course has been made available because, as I visit small manufacturing companies right across Northern Ireland, one issue that comes up quite frequently is that young people in Northern Ireland do not really have that skill any more so experienced welders are having to be brought in from elsewhere. Therefore, I welcome that fact. I think that this is a good news story for east Belfast and, indeed, for Northern Ireland.

### Armagh: Economic Activity

**T5. Mr Boylan** asked the Minister of Enterprise, Trade and Investment what her Department is doing to create greater economic activity in Armagh city and district and what assurances she can give to the people in Armagh that they will benefit from her departmental spend, bearing in mind that she will be well aware of the recent decision by Tesco not to locate in Armagh and the anticipated job losses that that will create. (AQT 1965/11-15)

**Mrs Foster:** The Department of Enterprise, Trade and Investment does not usually get involved in retail development. I know that a number of people were disappointed by Tesco's decision not to go ahead with their planned store in Armagh. However, when one door closes, perhaps another opens. Other retailers may be interested in locating in Armagh. I know, for example, that one of their competitors looked at Armagh and then decided that, because Tesco was going there, it would not. There may be opportunities. Probably it is something for the local Chambers of Commerce and, indeed, the council to take up. As I say, we do not usually get involved with retailers. We do, however, get involved in the supply chain to retailers. I know for certain that their margins have come under great pressure from the likes of Tesco, Asda and Sainsbury's. A lot of our agricompanies are very much feeling the pressure in the supply chain as well, and it is something we are keeping an eye on.

**Mr Boylan:** I thank the Minister for her reply. A lot of people in the Armagh area talk about transport infrastructure and infrastructure itself. These are barriers that prevent economic investment in Armagh. Can you give an assurance that you intend to talk to other Ministers to try to overcome those barriers to economic growth and development in the Armagh area? Go raibh mile maith agat.

**Mrs Foster:** I would have thought there was another Minister you would be well placed to mention that to. I understand he is a constituency Member for Newry and Armagh. The Regional Development Minister is responsible for transport links. I agree with him that, when you look at economic development across Northern Ireland, infrastructure is critical. That is true whether it is roads or telecoms. I know the Member has mentioned telecoms to me on a number of occasions, but on this occasion he mentioned road infrastructure, and I support him in developing the road infrastructure right across Northern Ireland.

### Tourism Growth Fund

**T6. Ms Lo** asked the Minister of Enterprise, Trade and Investment to outline her implementation plan for the tourism growth fund, which the Hunter report recommends should be developed with and supported by the new super-councils. (AQT 1966/11-15)

**Mrs Foster:** The joint fund will be taken forward by the new chief executive and the new chairman of Tourism Northern Ireland, in collaboration with the new super-councils when they are in place after March. We look forward to their proposals, as we will then, of course, want to support any bid that they make to the Executive to procure a joint tourism fund.

**Mr Deputy Speaker (Mr Dallat):** I call Ms Lo for a supplementary and ask her to be brief.

**Ms Lo:** I thank the Minister for her response. It is a great idea for councils to work together. The Ramblers Association has always said that there is huge potential for Northern Ireland to develop walking tours, except that various councils do not work together to promote a joined-up approach so that we can walk around the coastline of Northern Ireland. Will the Minister commit to looking at this?

**Mrs Foster:** Any councils that want to work collaboratively to put forward walking routes in the nine key destination areas will find us very supportive, because outdoor activity holidays, as I have indicated, are very much in vogue, and we want to make sure that we have the right infrastructure — there is that word again — in place for our tourist visitors.

## Environment

### Driving Licences: Union Flag

**1. Mr Easton** asked the Minister of the Environment to outline his involvement in the decision not to include the flag of the United Kingdom on Northern Ireland driving licences. (AQO 7373/11-15)

**4. Mrs Hale** asked the Minister of the Environment to outline which groups he consulted before making his decision to omit the Union flag from the Northern Ireland driving licence. (AQO 7376/11-15)

**Mr Durkan (The Minister of the Environment):** With your permission, Mr Deputy Speaker, I will combine my answers to questions 1 and 4.

Driver licensing is a transferred matter under the Northern Ireland Act 1998. Under the Road Traffic (Northern Ireland) Order 1981, my Department has responsibility for a broad range of matters relating to the licensing of vehicle drivers, including the form of the driving licence.

### 2.45 pm

In 2012, when the UK Government announced their intention to include the Union flag on Great Britain driving licences, Transport Minister Mike Penning wrote to my predecessor to advise him of that intention. Minister Penning's letter noted that driver licensing is a devolved matter but that DVLA prints our driving licences under contract. Minister Penning indicated his intention that DVLA would continue to print Northern Ireland driving licences without change to the existing design. He asked for a view on that.

Further to that correspondence, officials in my Department engaged with DVLA to ascertain whether it would be possible to provide individuals with an option to choose whether to include or exclude the flag. DVLA, however, indicated that that would not be possible, as the costs involved in making the system and associated changes

required to offer such a choice were prohibitive. The same approach has, I note, been taken in Britain. The flag will be applied to all GB driving licences, with no ability for individuals to opt in or opt out.

Having considered the issue, the response to DfT, in December 2012, confirmed agreement with DfT's intention to continue to print NI driving licences without any change to the existing design. Given that no change was brought forward, no further consultation occurred.

My Department heard no more of the UK Government's plans for GB driving licences until a letter from Transport Minister John Hayes to me, dated 23 December 2014 —

**Mr Deputy Speaker (Mr Dallat):** Order. Am I assuming that the Minister needed extra time?

**Mr Durkan:** I apologise for not pointing that out at the start, Mr Deputy Speaker. I have combined two questions and two answers, so extra time is much appreciated and required.

A letter from Transport Minister John Hayes to me, dated 23 December 2014, indicated that the plans for the GB licences would be announced over the Christmas period and that Northern Ireland driving licences would continue to be issued without the Union flag.

**Mr Easton:** I thank the Minister for his answer. Why did the Minister not consult the Executive? Does he realise that by pulling this stunt he has offended over half the population of Northern Ireland? It is now up to him to apologise to the people of Northern Ireland for not allowing the Union flag on our driving licences. I hold the Minister responsible for this; I think he is ducking and diving.

**Mr Durkan:** Thanks, I think, to Mr Easton for that supplementary. I am not sure how much of a supplementary it is or whether the question was written before my previous answer. I thought I outlined quite clearly that this was not a decision taken by me. I did not consult Executive colleagues: driver licensing is a transferred matter for which the Department of the Environment is responsible. Since no change of policy was proposed and the matter was not and is not cross-cutting, no consultation with ministerial colleagues was necessary. I am not ducking and diving at all on this matter.

I know that the vast majority of the public will look on this today as they will have been when they were listening to the radio a couple of weeks ago when this story broke. There will be sheer disbelief that, a day after hearing about a Budget that will result in thousands of job losses and massive cuts to public spending and having heard this morning about our most vulnerable pensioners having to rely on a fortnight's worth of frozen meals —

**A Member:** You are hiding behind them.

**Mr Durkan:** — we are here talking and arguing about flags.

**A Member:** Because it matters to people.

**Mr Durkan:** There has been a lot of lecturing of late in the Chamber and outside it on the need for political maturity. I ask this: where is the political maturity here and where is the immaturity?

**Mr Deputy Speaker (Mr Dallat):** I call Mrs Brenda Hale. Before Brenda asks her question, I remind Members that

the rules are still the same here: whatever the subject, you do not shout from a sedentary position.

**Mrs Hale:** I do not know whether to thank the Minister for that very diverting answer. Can the Minister advise who said that consultation was not needed, given that this is a sensitive subject? The people should decide; it should not be an SDLP policy.

**Mr Durkan:** I thank the Member for her supplementary question. As no changes were made to the current driving licence, there was no need to issue a public consultation. I am not sure when the DUP became champions of consultation; I am not sure how much regard it pays to consultation. I could not help hearing a news item on the radio this morning about flags again — surprise, surprise — in Craigavon Borough Council, where a consultation was held. The response to that consultation overwhelmingly stated that no flag should be flown, but that was completely ignored. So I do not know whether the DUP favours consultation or not *[Interruption.]*

**Mr Deputy Speaker (Mr Dallat):** I am sorry, this is a final warning to some Members who are still shouting from a sedentary position: they may find in future that they will not be called.

**Mrs Overend:** For a party that espouses equality, the Minister, unfortunately, has let himself down. Will he tell us whether it is too late to go back to the DVLA and the Department for Transport at Westminster to ask for an opt-out option?

**Mr Durkan:** I thank Mrs Overend for her supplementary question. As I outlined in my initial answer, that case was made to DfT by DOE officials. They proactively sought an opt-out or opt-in option, but the option option was not an option and is not an option in GB either. *[Laughter.]* That was, I might add, much to the ire of Scottish and Welsh nationalists, who would rather not have the Union flag on their licences. I know that it is the subject of an early day motion in the House of Commons from Plaid Cymru.

**Mr Eastwood:** Could I ask the Minister a question that might matter to some people in Northern Ireland? Jobs were lost in the DVA, and promises were made by all the Ministers at the Executive table to decentralise other jobs and bring them to that area. How many jobs were decentralised and by which Departments?

**Mr Durkan:** I thank the Member for his pertinent and relevant question, which is relevant to me and to people outside here. The issue of the DVLA assuming responsibility for the delivery of vehicle licensing services is well documented and rehearsed in the Chamber. However, we all know that over 300 jobs were lost, and here we are talking about flags. In conjunction with the Finance Minister, I might add, we asked all Departments to explore their ability to find jobs for those affected. Unfortunately, no jobs were found by any Department, with the exception of 100 temporary jobs from DSD that have now passed. I was able to find work in my Department for 120 of those people, but I am sorry to say that that was it. With the Executive's agreement, we were able to set up a voluntary exit scheme confined to the north-west to assist those who had lost their job as a result of the centralisation. The uptake of that has been huge, with over 500 people across the Civil Service expressing an interest in trying to get out, if you like, depending on what is on the table. That is being looked at by DFP.



**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Tá ceist áirithe agam ar an Aire. Following Mrs Overend's reference to the word "equality", does the Minister agree that, in this matter and in all matters to do with symbols and emblems, the underlying principle for his Department and all Departments should be equality or neutrality?

**Mr Durkan:** I thank the Member for his question. Equality should be at the core not just of everything that my Department does but of everything that we do individually and, in particular, collectively as an Assembly. The Good Friday Agreement states:

*"All participants acknowledge the sensitivity of the use of symbols and emblems for public purposes, and the need in particular in creating the new institutions to ensure that such symbols and emblems are used in a manner which promotes mutual respect rather than division. Arrangements will be made to monitor this issue and consider what action might be required."*

Taking account of that, I believe that it was appropriate for my predecessor to retain the status quo rather than seek to introduce additional symbols and emblems onto the driving licence. I believe that the decision was a sensitive and a sensible one.

## Climate Change

2. **Mr McKinney** asked the Minister of the Environment to outline the steps he is taking to tackle climate change. (AQO 7374/11-15)

**Mr Durkan:** I am fully committed to working across government and with all sectors of our society to agree on measures that can help to address current and future climate change. I chair the cross-departmental working group on climate change, which is responsible for developing and implementing the wide range of policies and measures that each Department has committed to in our action plan to reduce greenhouse gas emissions. This includes key actions from my Department, such as continuing to develop and implement the EU emissions trading scheme and the carbon reduction commitment, which aim to significantly reduce greenhouse gas emissions from the organisations that use most energy; introducing waste policies and strategies and providing support to local authorities to help to achieve much higher recycling rates, which will reduce emissions from landfill sites; changes to planning policy to ensure that planning decisions take account of climate change impacts before any development is approved; and the use of voluntary prosperity agreements with strategic organisations that explore novel ways to work together to deliver economic and environmental benefits. I have also published the North's first climate change adaptation programme, which sets out measures to address the highest-priority risks from climate change.

Whilst all this progress is welcome, I recognise that further work on climate change remains if we are to achieve my vision of a better environment and a stronger economy. I firmly believe that legislation can play a significant part in delivering that vision, and that is why I continue to look at how best to progress a climate change Bill.

**Mr McKinney:** I thank the Minister for his full answer. Could he explain to the House why he thinks it is so important to legislate on climate change?

**Mr Durkan:** As I said in my answer and as I have constantly and consistently said, my vision is for a better environment and a stronger economy. Given the dynamics of today's global economy, the threat of climate change should be viewed not just as an environmental challenge but as an economic opportunity. The low-carbon market for environmental goods and services is vast and is growing fast. Globally, it is estimated to be worth £4 trillion. Businesses and organisations that do and can recognise that opportunity will create social, economic and environmental prosperity for all our people.

I believe that having our own climate change legislation would provide greater clarity and the long-term certainty that business and industry need, creating the environment to drive and encourage innovation, to effectively plan and invest in the technology needed and to generate employment as we make the transition towards a low-carbon economy and, in doing so, deliver a better environment and a stronger economy.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. Given the increasing instances of flooding in our local communities, something that the people of Newry unfortunately experienced recently, what role is the Department playing in partnership with other Departments and public bodies to alleviate the worst impact of that flooding?

**Mr Durkan:** I thank Mr Brady for that question. I am well aware of the incidents of late in Newry and the difficulty that has caused for people living and working in that area.

While I have been able to provide some assistance with emergency flood payments, I would rather not have to do that. We would rather avoid the flooding in the first place.

## 3.00 pm

It is important that we build resilience and maximise the benefits of our changing climate. My Department published a Northern Ireland climate change adaptation programme last January. The programme presents a proportionate and flexible response to the impacts of climate change here and it focuses on new and existing policies within government under the primary areas of water, flooding, agriculture and forestry and natural environment. The adaptation programme will help Departments to become more aware of and more resilient to climate change impacts in the future.

My Department is continuing to take the lead in ensuring that we continue to adapt and be better prepared for future changes in our climate and the extreme weather events associated with them. We are working with other Departments to measure the performance of the adaptation programme and to obtain more local information and data to develop the next adaptation programme in 2019.

**Mr Beggs:** Climate change regulations can increase energy costs and contribute to fuel poverty, so care is required. When I say that great care must be taken to avoid inconsistent outcomes that lead to greater fuel poverty in Northern Ireland, I am thinking about the all-Ireland study



into bituminous coal and about a constituent who relies on a coal fire because they cannot afford an oil fill.

**Mr Durkan:** I thank Mr Beggs for that question. The subject that he raises will be the subject of a debate in the Assembly later today. In response to a media query this morning, I said that Sammy Wilson, who is bringing the debate to the House, is jumping the gun a bit. Mr Beggs is jumping the gun even further but the point that he raises is fair enough.

It is vital that a balance is struck, or at least sought, between conservation requirements and commercial and domestic realities. What do people actually need to do? The evidence is that solid fuel, to which the Member referred, has a detrimental impact, not only on our environment but on human health. The all-island study of the impact of smoky coal that he referred to has not even been published yet, let alone that I have had time to consider its recommendations. I will come onto that in more detail in the Assembly later on.

### Partnership Panel: Update

3. **Mr Boylan** asked the Minister of the Environment for an update on the new partnership panel. (AQO 7375/11-15)

**Mr Durkan:** Following Executive approval in late October to establish the partnership panel, the first meeting took place on 2 December and focused on a number of issues, including a stocktake on the local government reform programme, the budget situation for local government, agreement on the terms of reference and standing orders, an initial discussion on plans for developing a joint central government and local government work plan, as well as supporting arrangements for the panel.

It is my sense, from the inaugural meeting, that members recognise the potential for a strong working partnership between Executive Ministers, councillors from the 11 new councils and NILGA's office bearers, as local government's representative body. There is a general consensus that the work of the partnership panel is to develop joined-up solutions, capitalise on opportunities and, ultimately, improve the delivery of local services. As chair, I feel that joint policy development and better operational collaboration will help us strategically tackle the issues that really matter to local people.

The appointment of the panel is timely, as, with only weeks remaining to their assumption of powers on 1 April, the new councils will be taking on bigger challenges, with the transfer of planning, local economic development, local tourism and the introduction of new community planning powers. Bringing that family of powers together within councils is significant and will enable local government to adopt a more comprehensive approach to dealing with local needs and priorities. My aim is that the work of the partnership panel will complement and support that process in the coming months.

Subject to a meeting with the Finance Minister, I want to hold the next meeting of the partnership panel in February. Besides having a more substantive conversation on strategic business for the work plan, I will be seeking input from Executive Ministers and local government members to the next agenda.

**Mr Boylan:** Go raibh míle maith agat, a LeasCheann Comhairle. The Minister sounded positive in his response

but how confident is he that other Ministers will fully engage with the panel and participate?

**Mr Durkan:** It is vital that all Ministers engage. Quite a few Ministers turned up to the inaugural meeting of the partnership. I am cognisant of the fact that Ministers, including and not apart from me, have pretty busy diaries, but local government representatives want to see the Ministers. As the partnership grows legs and has further meetings into the future, I can see Ministers attending, or being required to attend, depending on what is on the agenda for the meeting and how relevant it is to them or their Department.

I was heartened by the input of those Ministers who came to the first meeting. It is vital that we have additional Ministers at our next meeting. That is why I have not yet set a precise date for it. I want to make sure that I can have in attendance the Finance Minister in particular, given that it would be better if a lot of the questions being asked by the partnership panel were answered by him rather than me.

**Mr Kinahan:** When we are talking about growing legs, I wonder whether it could grow legs in a different direction. Does he see the partnership panel being able to call on, or having on it, outside bodies? Social Enterprise Northern Ireland's role in this Chamber is now moving to councils, yet it still exists a little bit in both. Will there be room and flexibility on the panel to include, or call in, people from outside?

**Mr Durkan:** The amount of room will depend on how many Ministers turn up.

I do not think that the partnership panel is the correct forum for such bodies. However, I am sure that they would be more than welcome around the tables in the various new councils and their new community planning regime. Their input would be most valued in that respect. The partnership panel was created to provide a political level at which discourse can happen between local government and central government vis-à-vis the Executive Ministers. That is very important. I hope that it is very fruitful and that the people living out there in all our council areas see the fruits of it before too long.

**Mr Attwood:** What opportunities does the Minister believe the partnership panel might have for tackling disadvantage in areas of need? Does he agree that, whatever its role, the rug has been pulled from under the panel's feet by last week's decision, through the Tory Budget, to do further damage to rate relief for areas of disadvantage and areas of need? How can the partnership panel now try to mitigate what others have imposed on areas of disadvantage in Northern Ireland?

**Mr Durkan:** The Member's question alludes almost directly to the impact of the Budget that was revealed to the House yesterday via the Minister of Finance and Personnel's statement on the rates support grant, which goes to and supports less-well-off councils. It allows councils with a poorer rates base to deliver the same quality, or at least a similar quality, of services as their wealthier counterparts. The fact is that, owing to the budget that my Department has received, the rates support grant will become a thing of the past. That is something that causes me huge frustration and causes those councils great distress. It will cause their ratepayers and citizens great hardship. It is not a satisfactory situation at all. The issue was raised with me on numerous occasions at the inaugural meeting of the

partnership panel. That is why I think it is important that the Finance Minister is also able to be in attendance, albeit that the consultation on the Budget has now closed. It is very important that he hears, at first hand, the concerns of local government and the impact that those cuts will have on the most vulnerable people.

### Planning: Local Government

5. **Mr D Bradley** asked the Minister of the Environment for an update on the transfer of planning to local government. (AQO 7377/11-15)

**Mr Durkan:** My programme for the transfer of planning powers to local government is on track for completion on 1 April this year. Preparations for transfer have involved a major programme of work, which is well advanced. It includes a broad range of subordinate legislation required to bring the 2011 Planning Act fully into operation and to establish the new two-tier planning system. Public consultation on that legislation was taken forward in two stages, and the final stage closed on 31 December 2014. My officials are considering the responses.

The necessary policy framework is also being introduced. Work to finalise the new strategic planning policy statement is now at a very advanced stage, and I intend to bring it to the Executive shortly.

Over the past four months, my Department has been delivering an extensive capacity-building programme for local government. It has included training sessions, covering an "Overview of the Planning System", "Development Plans and Working with the Community", "Practical Planning" and "Propriety and Outcomes". In addition to the local government programme, an ongoing capacity-building programme is being delivered for planning staff.

In addition to the structured capacity-building programme, advice and guidance is being finalised on a wide variety of planning-related matters. This includes guidance on the planning element of the councillors' code of conduct, the operation of planning committees and practice notes on the operation of the reformed two-tier system.

My Department has taken steps to ensure that the necessary systems and structures are in place for the successful transfer of planning functions.

Whilst the programme is on track, there is still work to be done. My staff are working closely with the local government sector to ensure that all transitional arrangements are in place and that the necessary practical issues, relating to matters such as accommodation, IT and communications, are addressed.

I am confident that the reforms introduced over the past year, together with the changes in the coming months, will ensure that a fast, fair and fit-for-purpose planning system transfers in a couple of months' time.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra chuimsithigh sin. Ba mhaith liom a fhiafraí den Aire arbh fhéidir leis a rá cá huair a bhainfidh sé úsáid as na cumhachtaí atá aige maidir le cinntí pleanála rialtais áitiúil a ghlaoch isteach chuige? I thank the Minister for his answer. When will he exercise the call-in mechanism in respect of planning decisions taken by local government?

**Mr Durkan:** Ba mhaith liom buíochas a ghabháil leis an Uasal Bradley as an cheist sin. I thank Mr Bradley for that interesting and pertinent question. Under the planning reform programme, councils will be the planning authorities in their respective council areas, responsible for determining the vast majority of planning applications. Section 29 of the Planning Act 2011 allows the Department to direct that certain planning applications be referred to it instead of being dealt with by the council.

In recognising and respecting the important role of councils in making decisions on the future development of their areas, the Department only envisages that power being exercised in exceptional circumstances. It is not my role, and it is certainly not my intention, to micromanage district council decision-making on planning applications. However, there may be circumstances where a proposed development raises issues of such regional importance or strategic interest that the application should be called in for the Department to, in effect, take over the role of decision-maker.

**Mr Deputy Speaker (Mr Dallat):** That ends the period for listed questions. We will now move on to topical questions.

3.15 pm

### DVA Employees: Jobs

T1. **Ms Sugden** asked the Minister of the Environment, further to her question for written answer about DVA jobs, how many jobs from the voluntary exit scheme he mentioned earlier will go to DVA employees. (AQT 1971/11-15)

**Mr Durkan:** I thank Ms Sugden for that question. As I said, there has been quite a degree of interest in the voluntary exit scheme that we were able to establish, with the agreement of the Executive, to assist those, primarily in the Member's constituency, who were affected by the centralisation of the DVA jobs. I think that in the region of 500 people have expressed an interest in the exit scheme, and their requests or expressions of interests are being processed. That is the only level of detail I have, I am afraid.

**Ms Sugden:** The Minister seems somewhat satisfied by the number of people who have applied for voluntary redundancy. Does that suggest that there is not a need for involuntary redundancies in this respect?

**Mr Durkan:** Let me assure the Member that I am not satisfied that there had to be redundancies of any nature. Let me also assure her that, on this occasion and in this instance, there will not be any requirement for involuntary redundancies on the back of the erroneous decision taken in Whitehall to move the jobs — largely in Coleraine — to Swansea.

### Councils: Transfer of Functions Costs

T2. **Mr Lynch** asked the Minister of the Environment what plans are in place to ensure that councils do not have to cover the costs of new functions that will be transferred. (AQT 1972/11-15)

**Mr Durkan:** I thank Mr Lynch for that question. Creating efficiencies has long been at the heart of local government reform for not just the councils but their ratepayers. Since taking office, I have stated, as did my predecessor before

I took office, that any functions that transfer to local government should do so on the basis of being cost-neutral to the ratepayer. As Minister of the Environment, I have certainly honoured my agreement that what is transferring should do so on a cost-neutral basis by ring-fencing the budget associated with the function of planning.

In fact, it is my firm belief that, when it comes to planning, local government is getting a good deal, although it would probably dispute that; indeed, it would undoubtedly dispute it. Unfortunately, I cannot say the same about some of the other functions that are transferring. I know that some of the new councils have raised doubts about some of the functions that will transfer to them and the potential cost implications. However, that had all been worked out, and numerous studies, reports and surveys have been done in conjunction with local government. It is still incumbent on us to ensure that whatever is transferred is fit for purpose and does not become an albatross around the neck of any of the new councils.

**Mr Lynch:** Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Has he sought councils' views in that regard? Are they satisfied with the arrangements that have been put in place?

**Mr Durkan:** I thank the Member for his supplementary question. I did not have to seek those views, that is for sure. The local government sector is certainly not backward about coming forward with its concerns on a range of issues. In my earlier answer, I alluded to the fact that there were some functions that councils were particularly concerned about. I know that the Off-street Parking (Functions of District Councils) Bill is working its way through the House, and that has, rightly or wrongly, started some alarm bells ringing across council areas, in some more than others. I have done my utmost, as have my officials, to assure the councils that they are getting a fair deal. It is only natural that concerns exist. We are going into a period of huge change, and it is vital that councils do not feel that we are just giving them x, y and z and casting them adrift and that we maintain close working relationships and are able to provide them with the support — not necessarily always financial support — to deal with and work the new functions that they acquire.

### Councils: Rate Convergence

T3. **Mr Elliott** asked the Minister of the Environment for an update on the rate convergence process for those councils that are merging and that have a significant rate differential, how that process is being taken forward and how will it be distributed to the councils. (AQT 1973/11-15)

**Mr Durkan:** I thank the Member for that question. As a long-serving member of the Environment Committee, he will be aware of the good work done by my predecessor in that regard, in that he was able to go to the Executive, make the argument and acquire the funding to assist some of the new councils with the rates convergence issues. In fact, £30 million will be distributed over a period of three or four years to the councils most affected by amalgamation. Work is still ongoing. It is a complex issue, and there are quite a lot of formulae to be looked at. However, it is vital that that work is brought to a conclusion sooner rather than later, particularly as councils try to strike their rate for next year. It is worth bearing it in mind that this rates

relief, in effect, that was secured by Alex Attwood from the Executive will benefit the ratepayer, and it is the ratepayer who will see the savings — sorry, will not see the increase — rather than it lining the coffers of the council.

**Mr Elliott:** I thank the Minister for that update. I wonder what his terminology of "sooner" means. Is it a month, two months or three months? What involvement has there been with the councils in developing the process as it goes forward?

**Mr Durkan:** I assure the Member that the councils have been very closely involved in this process, as he knows they have been throughout the whole process of reform. Sometimes they would like more involvement; sometimes they do not become as involved as we might like them to be. My definition of "sooner" is as soon as possible. I do not have an exact timeline with me today, although I recognise the need for speed on the issue. However, greater than the need for speed is the need for accuracy.

### Budget 2015-16: Impact on DOE

T4. **Ms Lo** asked the Minister of the Environment how the final Budget will impact on his Department. (AQT 1974/11-15)

**Mr Durkan:** I thank Ms Lo, the Chairperson of the Environment Committee, for that question, which I thought might never come.

Under the final Budget for 2015-16, the Department's non-ring-fenced resource DEL budget was reduced by 10.7% — the highest percentage reduction of any Department. This will have a massive impact on the Department's ability to deliver services. I have answered earlier questions about the impact of that on grants to councils, particularly the rate support grant. However, the Department gives out a lot more grants than that, and Ms Lo will be well aware of many of the good organisations in receipt of those grants.

I was very heartened last week to attend an event at the invitation of Ms Lo that comprised many of the environmental NGOs. There is at least a recognition across those organisations that they will need to change the way in which they do their good work as a result of the Department's inevitable inability to fund them as much as we have in the past.

**Ms Lo:** I thank the Minister for his answer and for turning up at the event after a last-minute request. I am speechless about this, Minister. As you know, as a Committee we are very concerned about the potential loss of staff. Some 500 posts will go: how will you manage this? That is about one third of your workforce, many of whom are professional and technical staff. How will you function with one third of your staff leaving?

**Mr Durkan:** I thank Ms Lo for that question. I wish I had an answer. Obviously, the Budget creates huge difficulties. While I lament the fact that DOE has been hit harder than any other Department, every Minister will be in a similar position. It is not a nice place to be. However, we are not only at risk of losing 500 posts in the Department. I referred earlier to the grants that support NGOs and other environmental groups that do hugely valuable work that helps us, as a Government and as a place, to meet our Programme for Government targets and targets coming from Europe in terms of environmental performance. There will be an inevitable impact on employment in those groups

and their ability to employ professional, technical and scientific staff as well. The 500 posts that we are talking about are really just the tip of the iceberg.

I referred to the positivity at the event that we attended last week. There is a recognition or acceptance among the NGOs that they need to work together, but I was very much appealing to them to work together with us as a Department. We have to be a lot more imaginative and creative about how we use the ever-reducing resources that we have to achieve the best environmental outcomes.

### Child Protection: Country Park Staff

T5. **Mr Spratt** asked the Minister of the Environment what child protection measures the Northern Ireland Environment Agency (NIEA) has put in place, particularly in country parks, where staff work with young people, sometimes from primary schools, on educational programmes. (AQT 1975/11-15)

**Mr Durkan:** I thank the Member for his question. I know that it is an area of grave concern to the Member. It should be of huge concern to all of us. It is vital that anyone working or even being in a situation where they are with children is properly vetted so that we can have full confidence that those children will be safe. As regards the processes that NIEA or those charged with running the country parks — perhaps it is councils — on other occasions have for that vetting, I am not entirely sure. However, I am sure that, at the very least, it requires an Access NI and PSNI check. I will be happy to get back to the Member in writing with full details.

**Mr Spratt:** The Minister is aware that a very senior member of country park staff was convicted of serious child offences and placed on the sex offenders' register for five years. I do not know whether it is a still-working member or a former member. Will he ensure that all staff are properly vetted so that that situation can never arise again?

3.30 pm

**Mr Durkan:** I thank the Member for that supplementary question. As Minister, the situation to which he refers caused me great alarm, as, I am sure, it caused alarm amongst parents across the land, and it is something that we can and will learn lessons from.

## Question for Urgent Oral Answer

### Regional Development: Water Supply Crisis

**Mr Deputy Speaker (Mr Dallat):** I remind Members that, if they wish to ask a supplementary question, they should rise continually in their places. The Member who tabled the question will be called automatically to ask a supplementary question. Three other Members also tabled a similar question, so I will call them after Mr Byrne.

**Mr Byrne** asked the Minister for Regional Development to give his assessment of the water supply crisis affecting over 9,000 homes and businesses.

**Mr Kennedy (The Minister for Regional Development):** Mr Deputy Speaker, thank you for the opportunity to reply to this question. I will require additional time for the answer, and I seek your permission for that.

The consequences of the industrial dispute have been unacceptable for customers over the past two weekends and, in particular, during the last week. For my part, I am disappointed that the parties have not yet brokered an agreement, and I am sorry that the public are bearing the unacceptable brunt of that failure. Whilst those in NI Water who are not engaged in industrial action and contractors have been doing their utmost to maintain supplies, it is not, as I said, acceptable that households are left without essential water supplies for extended periods, particularly given the weather conditions. The impact is felt not only by households and the vulnerable but by farmers, places of education, health and, indeed, health facilities.

I brought in the Labour Relations Agency before Christmas, and it has been working with management and the unions intensively since then. I met management and the unions again last Wednesday and gave them a clear, unequivocal message that this needed to be resolved and resolved quickly. To reinforce that message, I joined the start of today's negotiations at the Labour Relations Agency and impressed on both parties the importance of negotiating until a resolution is secured. The company is working to minimise disruption to customer supplies and providing alternative supplies. All resources at NI Water and the Department's disposal have been mobilised to deal with this ongoing situation. A major incident regime remains in place.

The company has stressed that the key demand that pension reform be delayed is not within my gift to provide, and any settlement will require DFP approval. Northern Ireland Water management has made a number of offers to resolve the issue. Offers made have been within the terms of Executive pay and pensions policy. If the unions and the company cannot find common ground today at the Labour Relations Agency on all outstanding issues, the emergency protocol that worked successfully over the Christmas and new year period, in my view, must be reinstated. This would give the public protection of services and the parties time and space to conclude on the outstanding issues.

**Mr Byrne:** I thank the Minister for coming to the House and giving an explanation of the current situation that affects so many households and businesses across the counties of Fermanagh, Tyrone and Derry. Given



what he has said, will he give an assurance that the Labour Relations Agency will carry on with intensive and exhaustive discussions and negotiations so that an ultimate outcome can be arrived at? The people who are suffering are in a crisis. Will the Minister accept that that crisis is unacceptable to them?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Indeed, I want to confirm that it is my clear view that the unions and management should remain at the Labour Relations Agency until this is thrashed out and resolved. I made that clear to the parties involved when I met them earlier.

I am pleased that the tone of that meeting was positive. I do not want to dwell on details of the meeting, but it is my clear view that now is the day and the hour to resolve these issues speedily and to a full resolution.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for coming to the House today as well. Minister, I am sure you are aware that I and others have been out, along with the Red Cross, over the weekend, taking supplies to distressed and very vulnerable customers throughout the local area in County Tyrone. I am very glad that you mentioned that you think it is important to reinstate the emergency protocols, because they were not in place during the weekend, which was a very desperate weekend with the inclement weather conditions. I have also noted that the problems so far have been concentrated in the west, in the County Tyrone and County Derry areas. Will the Minister tell us whether it is possible to reallocate some of the staff into those areas to look to address some of the issues that are causing the faults and the breakdowns?

**Mr Deputy Speaker (Mr Dallat):** Before the Minister answers that question, I point out that a very large number of people have tabled questions, so I repeat my request from yesterday: please make your questions brief.

**Mr Kennedy:** I am grateful to the Member for his question. As I made clear in my statement, all available resources from NI Water and my Department are deployed. It is not simply a matter of flicking on a switch and everything works again. It takes time for systems to come back into service. Every effort is being made to facilitate that as quickly as possible. I think that the protocol that existed over the Christmas and new year period was useful, and, indeed, I will look to the unions to put that back in place if we are unable to reach the final agreement this afternoon. That would at least give the potential for faults to be addressed at the time that they occur, rather than only during working hours.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister explain why those areas worst affected by the industrial action etc are all located west of the Bann? Does the Minister accept that there might be a perception out there that we are suffering neglect and discrimination largely because of the community make-up and geography west of the Bann?

**Mr Deputy Speaker (Mr Dallat):** I need a question.

**Mr McElduff:** That is the perception.

**Mr Kennedy:** I have to say, I worry about terms like "discrimination". I think it is frankly irresponsible of the Member to come to the House and make any such charge. The Member well knows —

**Mr McElduff:** If it happened in Belfast, it would not be accepted.

**Mr Kennedy:** The Member well knows —

**Mr Deputy Speaker (Mr Dallat):** Order, please. The Minister will resume his seat. Earlier, I cautioned about people making remarks from a sedentary position. That is not acceptable, and if it continues, the Members who do it will not be heard in the future.

**Mr Kennedy:** The Member well knows of the consistent underfunding in relation to NI Water that has taken place over a period, and which continues to this very day. In fact, within the last 24 hours, the Assembly agreed a Budget that effectively means a potential cut in next year's allocation to NI Water of some £14 million or £15 million. That is bound to impact on the service that NI Water is bound to protect, so I am not going to take lectures from someone who put their hand up yesterday for that Executive Budget.

**Lord Morrow:** We now have a crisis on our hands, particularly in the west of the Province — a crisis that never should have been allowed to materialise. Can the Minister give an assurance to the House and to those who are most affected by the crisis that their water supply will be returned, that they will not have to face another weekend like the one they have had to face, and that we will not have a Third World state in that part of the Province?

**Mr Kennedy:** I thank the Member for his question. I emphasise and re-emphasise, at the Labour Relations Agency and in public interviews, that I have been conducting over a period, not within the last 24 hours. I have been dealing with the issue since before Christmas. While others were enjoying their Christmas dinner and other festivities, I was receiving up-to-date reports on the impact of the dispute. I am not a johnny-come-lately to this dispute. I want to see it resolved today. I am doing everything in my power to make sure that the householders — who are the customers, at the end of the day — who have been so poorly treated, have to be to the fore so that their services can be restored as quickly as possible.

**Mr Clarke:** The Minister's party manifesto in 2011 said:

*"That said, if the measure of success of devolved government is seeing positive changes in peoples day-to-day lives, then the queues ... is a strikingly visible sign of failure by DRD."*

If that was true in 2011, is it true today, in 2015, under your watch? Have you failed in your term as Minister for Regional Development with this dispute?

**Mr Kennedy:** I have to say that I am disappointed with the tone and the attitude of the Chairman of the Regional Development Committee, who, I would have thought, would have at least tried to express some help and give some assistance, but that has not been forthcoming. Let me remind Mr Clarke what he, as Chair of the Committee, told this very Assembly no later than Monday 12 January. The ink is hardly dry on the Hansard report of what he said:

*"Northern Ireland Water has changed significantly from the bumbling bureaucratic beast of the freeze/thaw period into an organisation that is significantly*



*closer to closing the efficiency gap between it and its counterparts in England and Wales.” — [Official Report, Bound Volume 100, p227, col 2].*

I take credit for that.

**Mr McGlone:** Go raibh maith agat a LeasCheann Comhairle. Mo bhuíochas leis an Aire. Can the Minister clarify for me that I am correct in saying that a memorandum of understanding exists with the Department of Finance and Personnel on pay and pensions? Has any flexibility been shown by that Department or has there been communication from it to facilitate the resolution of the problem and the difficulties that we face now?

**Mr Kennedy:** I am grateful to the Member for his question. He raises an important point. The Department of Finance and Personnel is an important contributor to resolving this issue. We are seeking to make sure that any settlement is reached within the terms of the Executive pay and pensions policies. I can confirm that we have been in contact with officials from the Department, and we will continue to do so. I very much hope that everyone will have a positive attitude when it comes to sorting out and finally settling this dispute.

**Mr Hussey:** I thank the Minister for his comments so far. You referred to the period before Christmas. I would like to know what discussions you have had with the Office of the First Minister and deputy First Minister about the issue since the dispute began.

**Mr Kennedy:** I am grateful to the Member for his question. I can confirm that, early in this dispute, in December, I sought an early meeting with the First Minister and the deputy First Minister to brief them on the issue. That meeting did not take place. I have, however, continued to work through the issues with Northern Ireland Water in the Department and the trade unions, as I have outlined. I briefed Executive colleagues at the Executive meeting last Thursday and provided a full assessment of the situation. I can confirm that I took a telephone call from the deputy First Minister late on Saturday evening in respect of constituency issues. I am defending Executive pay and pensions policy, and I very much hope that I will continue to have or, indeed, to enjoy the support of the entire Executive in my efforts to have this issue resolved.

3.45 pm

**Mr Lyttle:** Why have the Northern Ireland Water and Executive contingency plans and infrastructure not been capable of controlling the impact of the industrial action on customers? Indeed, why has the impact been geographically concentrated in Derry, Tyrone and Fermanagh?

**Mr Kennedy:** The Member will know that almost 50% of the overall maintenance regime plant is managed by a public-private partnership (PPP) contract. That is why areas of the Province have not seen the impact. Clearly, underinvestment over the years has led to weak infrastructure in certain places. Again, I say to those who support a Budget that means a further cut for NI Water as it tries to deal with issues that it is a bit rich of them to put forward criticisms.

**Mrs Foster:** Although I accept what the Minister said in response to Mr McElduff's point, there is a very strong perception that the west is suffering. I think that he would

accept that there is that perception, and he needs to deal with that perception, because we have a number of constituents ringing us and asking why it is all happening in the west and nothing is happening in the east of the Province. I have people coming to me about their business.

**Mr Deputy Speaker (Mr Dallat):** We need a question.

**Mrs Foster:** This is a specific question. There is a business in Kesh that is hosting a dinner tonight for 40 people and it has no water. That is a new business that is going to be fundamentally damaged. I rang the MLA hotline, Minister, and I was told that it was temporarily suspended. Therefore, I cannot get answers for those constituents. I am asking you to tell us what we are supposed to in that situation. Moreover, have you considered bringing in the private sector —

**Mr Deputy Speaker (Mr Dallat):** Order, please.

**Mrs Foster:** — to deal with the issue?

**Mr Deputy Speaker (Mr Dallat):** I have a large number of Members who have the democratic right to ask questions, so please be brief.

**Mr Kennedy:** Without exception, no one in the House is more concerned than I am about the impact on customers, businesses and households. That remains the case.

I can update the House on the current situation. At present, 7,750 properties remain without a water supply. NI Water anticipates that further properties may also suffer disruption to their supply throughout the day owing to problems at Lough Bradan water treatment works, resulting in continued disruption to water supplies in west Tyrone and areas of Fermanagh. Areas that may again be affected include Castlederg, Drumquin, Kesh, Killen, Lack, Dromore, Ederney, Irvinestown, Lisnarick, Clonelly and Drumskinny. I regret that very much, and I want to see the matter resolved. I hope that those engaged at the Labour Relations Agency today will take that opportunity and that we can move forward to restore supplies as quickly as possible so that everybody can enjoy normal conditions again.

**Mr Deputy Speaker (Mr Dallat):** There are still six Members who want to ask questions. Please be brief.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. Minister, just today, I contacted NI Water about getting a static water tank for Scraghy, but I was told that, owing to resources, it could not happen today. I am disappointed about that.

If and when the issue is resolved, Minister, will you undertake to look in particular at weekend rosters for NI Water west of the Bann? I am hearing from the employees that, long before this dispute, there was always an issue west of the Bann with resources and weekend rosters.

**Mr Kennedy:** I note the content of the Member's question, and I will give it consideration in further discussions with NI Water.

**Mr Allister:** Why was NI Water's pension scheme outside the remit of the public-sector pension scheme? Now that attempts have been made to bring it in, is it on a uniform basis? We know that, hitherto, the previous chief executive had a 26.9% contribution by the employer to his pension pot. Is there a commonality of contributions in the new

proposals across all grades in NI Water or is there still exclusive treatment for the upper ranks?

**Mr Kennedy:** I am grateful to the Member for his question. These are issues that are under discussion and are being resolved, hopefully, between NI Water and the trade unions. I do not want to, in any way, impede on those or interfere. We want to get to a fair and responsible settlement of this dispute as quickly as possible so that normal life can be restored for those householders who have had to endure misery since the dispute began.

**Mr Buchanan:** Minister, a huge swathe of my constituency of West Tyrone is severely affected by this crisis under your watch. Given that this dispute has been going on since Christmas, should you not have put mitigating measures in place to stop such a crisis happening. When are you going to come out of your closet and take your responsibilities seriously and get the water back on for my constituents?

**Mr Kennedy:** I am grateful to the Member for putting a spin on his own lack of performance on this. To the best of my knowledge, I have not received very many representations from him throughout the entire period, so concerned he has been about his constituents.

I do not want to have arguments like this in the Chamber, but I am not going to be kicked about by parties that think that, just because elections are coming, this is a convenient issue to use as a political football. I am on the side of the householders who are without water. I am on their side to have their water restored as quickly as possible. I hope that everybody in the House has that same commitment.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Is the Minister aware of the protocol involved for the notification of disruption of supply to customers? In the area I represent, customers have been reconnected. However, in the last hour, heavy snow is falling, bowsers have been removed and the water is unusable due to the chlorine content.

**Mr Kennedy:** I thank the Member for raising that issue. Clearly, weather conditions have inhibited part of the response. I accept that that has not been helpful. However, as I made clear in my statement, the Department and NI Water are at full capacity and are mobilised to deal with the ongoing situation. That will remain. I have said that a major incident regime is in place. Again, that will remain. Hopefully, through the negotiations, which are taking place in another place, the issue will be resolved so that we can restore supplies and normality to those families who have been so badly served by the current dispute.

**Mr B McCrea:** The Minister has reacted angrily to some questions from Members. From my position, I am still not sure as to why there seems to be a disproportionate effect on the west compared to other areas. I think that it would be reasonable, Minister, for you to explain that to people. You did say earlier in your answers that some contracts were —

**Mr Deputy Speaker (Mr Dallat):** Is there a question coming?

**Mr B McCrea:** — on a PPP basis and some were on others. However, for people in the west, it would be helpful if you could let them understand that they are not being

victimised. I would like to give you the opportunity to make the matter clear.

**Mr Kennedy:** I am grateful to the Member for giving me that opportunity. I want to stress that, yes, there is a situation where almost 50% of maintenance to NI Water service plants is carried out on a PPP basis, primarily to the east of the Province. Let me state absolutely that the west, and those parts that are currently affected, are neither abandoned nor forgotten, nor will they be or should they be. I stress the importance of the restoration of services to all parts as quickly as possible. That is what I am working for. That is what NI Water and my Department are working for. I hope that, with goodwill, we can reach agreement with the trade unions and move forward, with the approval of DFP, and have a better situation all round.

**Mr Poots:** Is it not long time, Minister, that you told the unions that their demands are unreasonable, their actions unacceptable and bring in the private sector, which would be quite happy to restore people's water after 5.00 pm and over the weekend, as opposed to having the vulnerable elderly and children being starved of the resource of water?

**Mr Kennedy:** I am not sure that the Member has the full grasp of the issues that are at stake or of how we can deal with the situation. It is ultimately a management/union dispute. In a democratic world, trade unions have the right to exist and to represent their members. I think that the Member should recognise that. I am, and have been, concerned by the actions that the trade union members have taken and by the impact that there has been on customer services, but I think that we need to work and to focus our efforts on resolving the issue and on moving forward to a better and happier place.

**Mr Lynch:** Go raibh maith agat. Minister, you said recently that you are on the householders' side. I do not doubt that, but would you be prepared to meet some of the communities in Fermanagh and west Tyrone that are impacted by the crisis?

**Mr Kennedy:** I thank the Member and hear his suggestion. My main focus is, and the concentration of all my efforts has to be, on encouraging people so that the dispute is resolved as quickly as possible. Everyone will then be able to enjoy a standard of water supply that we find acceptable. That is my main focus, and I believe that the wider public in Northern Ireland and, indeed, those most affected would expect me to concentrate my efforts on resolving the issue.

**Mr G Robinson:** Some Members alluded to the hotline situation. What is wrong with the hotline? Why are people not getting through? Why is there a problem there? That is an essential thing that people need and a central service that people need to get answers.

**Mr Kennedy:** I am grateful to the Member. If he has specific examples — others hinted at that — I need to hear about them first-hand and to take appropriate action. If the Member wants to share those with me, I will be very interested in them.

**Mr Irwin:** Does the Minister accept that, while many households are suffering, a large number of farms with livestock have no water? Given that there is a work-to-rule and that the Northern Ireland Water staff do not work overtime, it seems very strange that Northern Ireland

Water cannot resolve the issue during the day when staff are working. I presume that staff work from 8.00 am or 9.00 am to 5.00 pm. Can you give an answer to the question of why Northern Ireland Water staff have not resolved this?

**Mr Kennedy:** The Member is right to the extent that industrial action is impacting on work and call-outs after working hours. When staff report for duty, they address the faults in the system that have occurred overnight and over weekends, but it is not, with respect, the case that you can turn on a switch almost like a light switch and everything will work again. It takes time for systems to redistribute and to begin to work again. There are impacts, such as airlocks, that also affect the service. We have seen that in some of the locations. So, it is not straightforward or easy by any means, but one of the difficulties is that the work-to-rule has meant that faults that develop late in the day or perhaps close to the weekend are not addressed at the earliest possible point that we would like. That is why the protocol was beneficial in the run-up to and through Christmas and new year and why, if we are not to get a resolution to the current situation today, that protocol should be re-established.

**Mr Deputy Speaker (Mr Dallat):** I have very little time left. So, Paul Givan, can you be brief?

**Mr Givan:** I can. Thank you, Deputy Speaker. The Minister said that the major incident plan is still in play, but it is clearly failing. What contingency plans is the Minister making? If the unions continue to hold him and Northern Ireland to ransom and vulnerable people are exploited, will he consider bringing in the private sector to try to break the lock that the unions are placing on the issue?

4.00 pm

**Mr Deputy Speaker (Mr Dallat):** Could the Minister be brief?

**Mr Kennedy:** I am grateful to the Member for that suggestion. I have to say that the main focus remains on the work that is being undertaken by the Labour Relations Agency. It would be remiss of me not to express my thanks to the LRA for its contribution to trying to resolve this dispute. I very much hope that we can move to a resolution as quickly as possible. Of course, if that is not the case, other options will have to be considered.

**Mr Deputy Speaker (Mr Dallat):** Order. Time is up. Members may be interested to know that we managed to have 19 questions. That is a good record. I want to thank those Members who cooperated.

## Executive Committee Business

### Regeneration Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Regeneration Bill [NIA 43/11-16] be agreed.*

**Ms P Bradley:** As a member of the Committee for Social Development — *[Interruption.]*

**Mr Deputy Speaker (Mr Dallat):** Order. Would Members leave the Chamber quietly, please? Ms Bradley has the right to be heard.

**Ms P Bradley:** Thank you, Mr Deputy Speaker. As the Minister stated earlier, the Regeneration Bill will mean that a number of regeneration and community development powers will be given to the new local district councils. By doing this, local councils will be more proactive, I believe, in tackling poverty, social exclusion, isolation and deprivation in their own areas. Obviously, the Department will have a role in setting regional strategic direction, but responsibility for grassroots delivery and the solution of a number of social ills will be given to local government.

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

I know that many of us began our political careers serving on local councils. Many of us experienced the frustration of not being able to be more responsive to the local needs of our constituents when needs arose. I also know that, often, many local council officers are also frustrated by pockets of deprivation in affluent areas being overlooked in decisions that are made by the Department because they are hidden in the deprivation scores that are often used to target areas for funding.

In one example from neighbourhood renewal in my own area of Newtownabbey, we had two estates that were directly facing each other. Both had the same problems and issues, but because one estate was deemed to be in a more affluent area, it did not receive the same amount of funding.

I believe that this Bill will allow the new councils to divert funds to tackle deprivation and poor environment in small pockets of deprivation. In my view, this is a positive move. It will allow decision-makers to be more accountable to those who work in local communities and in tackling such issues. It makes decision-makers more accessible to those who undertake the work in these communities, often in a voluntary capacity, and will allow for faster interventions to address potential problems quickly.

It is my hope that this Bill will improve civic engagement in disadvantaged communities. Local councils have development officers working on the ground in a way that the Department cannot. These workers often identify issues before they become problems. This will allow us to move from reactionary to proactive policymaking. I understand that there are concerns regarding financial issues and logistical queries. I believe that these can be overcome and should not hinder the Bill in passing its Second Stage. This Bill takes politics from the top-down approach to a bottom-up approach, which was the spirit of the review of public administration in the beginning. I support the Bill's Second Stage.

**Mrs D Kelly:** I, too, welcome the opportunity to participate in the scrutiny of this Bill and welcome its passage through the Assembly. It is disappointing, as the Minister stated in his opening remarks, that it is not the Bill that was originally intended. I think some parties have become confused about the intent of the Bill. The people who ultimately suffer as a consequence are our constituents.

As Ms Bradley said, this is something that will make a valuable contribution to community planning powers and the ability of local people to have a greater say in how they regenerate their areas and in actual prioritisation. Like others, I have concerns about staff resources and the financial allocation that will transfer to councils, and I seek assurances from the Minister that there are no attempts to shoot off some of the burden in terms of finances and the 20,000 redundancies.

We want to assure local government that the Bill has the intention and purpose it always had, which is to put power into the hands of local people and their representatives, and that the full extent of the financial and staff resources deployed by DSD in the discharge of this function will transfer to local councils.

I believe, as I said a few moments ago, that this is an opportunity to make a really meaningful contribution to the wider power of community planning. I hope that local councils use the new resources and powers available to them to target disadvantage in their areas and that they have full and proper consultation with all those individuals and organisations that will be affected by any proposals under the exercise of this responsibility.

Mr Deputy Speaker, there is not much point in labouring the matter. It is welcome, and I regret that it is not as extensive as it might otherwise have been.

**Mrs Overend:** I welcome the opportunity to speak on this Bill in place of my colleague, Michael Copeland, who would have wished not to have missed this, as regeneration is an issue close to his heart.

I will say this at the outset: the Ulster Unionist Party supports the Bill. The reform of local government was meant to be about giving our councils greater responsibilities on which they could deliver more effectively and efficiently. This Bill, if passed, will confer a range of important powers on our councils, such as powers to carry out area-based regeneration, community development and improvement of the environment, and tackling deprivation. Powers such as regeneration are understandably of interest to the Executive and will continue to be so even after transfer. Our councils will have the flexibility to choose whatever support they think best suits their local areas. That may be existing schemes, or it could be their own stand-alone ideas. Some may think that this represents an element of risk, not least of confusion during the move from one scheme to another, but all Assembly parties were aware of that when they signed up to the RPA.

Whilst I welcome the fact that this Assembly is at last formally progressing this Bill, it comes, nonetheless, after much frustration. Its journey even to get this length has been typically shambolic and indicative of the lack of leadership at the top of the Executive. As we have heard, squabbling has led to these key urban regeneration and community development powers, which were meant to be conferred on 1 April 2015, being delayed by a year.

Considering regeneration has a key association with planning functions and community planning, this delay will be detrimental to the work of councils from the moment they become operational in a few months' time. Because one party decided to play political hardball, these crucial powers are left in a state of limbo for another 12 months. There will be no decisions to use money differently, but, most importantly, local communities are not being given the ownership of the powers they were promised last May.

In addition, I note that the original housing elements in respect of HMOs and responsibility for unfitness are no longer contained in the Bill. At the time, the Social Development Minister tried to put a shine on it by claiming that these powers would have been more appropriately considered separately from the Bill anyway. That is different to what his predecessor suggested when he tried desperately to table the Bill with the powers included on several occasions.

In reality, I do not blame the Minister for the current situation. Sinn Féin, with its usual disregard for reason, had no difficulty in dragging out approval by the Executive. It is ironic that it is the pig-headedness of a party claiming to go the extra mile for deprived communities that is responsible for these delays. My party has been warning since the summer that time was running out, and the announcement on 11 November therefore came as no surprise. We were surprised, however, given the Executive's record of steamrolling legislation through the Assembly, that it appeared so downtrodden in relation to the remaining timescales. For the record, I believe that there would have been time to introduce this Bill in November, have a short but important Committee Stage and then receive Royal Assent before May, but the delays were seemingly accepted with fear.

In conclusion, I support the Bill. It has been poorly handled in getting it to this stage, but I nonetheless welcome the limited progress that has been made.

**Mr Dickson:** Like many colleagues, I have to say that the Bill, sadly, is long overdue. I regret that it has taken the Department so long to produce it, the result being that local government will not be able, as of 1 April, to proceed with the local regeneration projects that had been hoped for. The Department and others need to take responsibility for that. We and the Minister have to deal with what I consider to be the uncertainty about funding plans, and we have to work with those partners. I encourage the Minister and the Department to work with partners in the private and voluntary sector to ensure continuity of regeneration works during this period. Today, I want the Minister to give a firm time and a firm timetable for the legislation so that we know exactly when it will be implemented and when the powers that will flow from it will be set up. That will enable local government to have a clear path to deal with regeneration.

This party supports the Bill's content. We have long championed the idea that responsible councils are the best place and are best positioned to deliver local regeneration, because they have the needs, the knowledge and the understanding of local communities. Indeed, evidence from around the United Kingdom and across Europe demonstrates that local government can lead effective and innovative regeneration programmes. I honestly believe that the result of the localisation of regeneration will



have a substantive outcome for ordinary people and the communities in which they live.

The requirement that a council produce a development plan is an important part of the legislation and will provide a formal framework from within which regeneration should take place. However, I make a comment of disappointment: there is no requirement to promote shared space as a part of that regeneration responsibility. Shared space and inclusive communities must be at the heart of regeneration. Otherwise, we could simply be building division or, indeed, further division into our society: the “one for me, one for you” mentality. I challenge the Minister to consider further the requirement to promote sharing in the Bill.

We will support the Bill today, because it represents a chance to improve the way in which we deliver regeneration policy. However, it is a shame that we are debating it today and not six months ago, when it would have made a better impact and more difference and would have delivered to the new local government authorities.

**Mr Wilson:** I welcome the fact that we have finally got a Bill to the Floor, although I have to say that the Committee will want to look at a number of issues as we go through Committee Stage.

It is unfortunate that the Bill has been delayed. That is not the fault of the current Minister, and it was not the fault of the previous Minister: it falls at the feet of Sinn Féin, who refused to clear the Bill so that it could come forward in a timely manner. As a result, new councils will be up and running for a year before they have the powers that will be available under the Bill. Some people may argue that that is not a bad idea, because the new councils will have lots of new functions to undertake and lots of new things to get their hands on and their minds around, so a delay of a year is not all that important. However, it has an importance. I cannot quote the sum of money that will be the case, because, with the new Budget proposals and the extra money that will be available to DSD, we do not know — at least, I do not know — what the final figure for regeneration will be in the budget line of the Department for Social Development. The one thing I do know is that, under the draft Budget proposals, about £8 million less is available for regeneration in the budget line for next year than there was for the year in which these powers were meant to be devolved. That means that there will be less money transferred to councils for the regeneration function than there would have been had the Bill been passed and the power transferred at a time when the DSD budget for regeneration was higher than it will be as a result of the budgetary constraints that will be experienced next year and, presumably, going on into the year after that. The delay has had and will have a detrimental impact. The councils that find that they receive less money than they had expected have only got Sinn Féin and its tardiness when it comes to legislation to blame for this. I hope that, when there are debates in councils across the Province, the finger will be pointed appropriately at the council groups whose party has caused this situation to occur.

#### 4.15 pm

The second issue that I want to take up is that there will be significant powers for councils. In fact, some of them are rather quaintly put. Let us look at clause 3; maybe the Minister will spell out what exactly he means by this.

Clause 3, which deals with the power to carry out works for the improvement of the environment, states:

*“In the exercise of its powers ... a council may, with the consent of the Department for Regional Development, carry out works involving the placing of any structure in a road”.*

It goes on to say that you are not allowed to block the road, the footpath or any entrance to a building or premises, but you are allowed to place things in a road. Now, I assume that that means environmental schemes, which will be greatly welcomed, whether it is tree planting or whatever, providing it is not on the white line in the middle of the road. I just thought it was rather quaintly put, and maybe the Minister would like to enlighten the Assembly as to how exactly we will place things in roads without stopping people walking or driving on them.

There are significant powers, which is a good thing, for councils where, for example, they bring forward a development plan but that development plan could be thwarted because there is a right of way across the area or because a particular landowner or landowners are not willing to give up key pieces of land. With the extinguishment of rights of way and the powers of vesting, councils will have an ability to regenerate areas that, perhaps, it was not possible to regenerate before.

In the initial discussion that we had about this in Committee, however, there was an issue. I am not so sure that the Minister can address it in this Bill. Just before councils run away with the idea that this gives them almost unlimited powers to do these things, there are still significant pieces of land held by banks and property developers that were purchased some time ago and, if they were vested today, would have to be vested at below the price that the individual paid for them and therefore would be vested and taken into public ownership at a loss to the individual. That will still be an impediment when it comes to many redevelopment schemes. It is not addressed in the Bill, but it is an issue that will limit the ability of councils to undertake some of the redevelopment and regeneration that they wish to undertake, or it will only be undertaken at severe financial pain to some individual landowners. I can imagine that that will cause some controversy in some council areas.

The one other area that I have some concern about — the Minister may wish to address this later on — is that regenerative functions will be retained by the Department. If we are going to devolve these issues to councils, do we really need to retain in the Department some of the regeneration powers that are being retained in the Bill? Is this simply a case of the Department wanting still to have part of the regeneration empire within its remit? Is it all about ensuring that people who will not be moving to councils have a role to play?

Two important aspects are laid down. The first is in clause 13, “Development schemes made by the Department”, where the Department can introduce a development scheme, albeit that the schemes will be carried out by the councils. These development schemes will be where it is:

*“expedient that an area should be developed, redeveloped, or improved as a whole”,*

and where it has significant regional importance. However, it will still be in a council area. Maybe the Minister will



be able to give us some explanation of that. In what circumstances would a council not identify a significant area of land or place where there needs to be regeneration or a development plan? Why would a council not have undertaken that in the first place anyway? Why do we need to retain that capacity in the Department?

The second thing is that, under clause 17, the Department will retain staff for guidance. Maybe the Minister can tell us how many staff will be involved in the two functions. The clause states:

*"The Department may, after consulting councils, issue guidance".*

So, it is not that the Department is going to dream this up. It will go to councils and ask them, "What issues would you like to see as guidance under the powers that you are going to carry out?". Under clause 17(2):

*"a council shall have regard to any guidance issued".*

We will have a cadre of staff retained by the Department, and what are they going to do? They will consult the councils and say, "What kind of guidance do you think we should have when it comes to your regeneration schemes?". They will then compile that and issue it as a document for councils' guidance. If a council is going to have the input in the first place, why does it not just draw up the guidance itself? Is this, again, a case of superfluous staff being held in the Department for whatever reason, whether it is to keep a regeneration empire in the Department or simply to find jobs for people who are not going to move over to councils? This is at a time when we are talking of slimming down the public sector and are being told by the trades unions that to do that will be an absolute catastrophe for the population of Northern Ireland. If a public-sector function is to be devolved to councils, why is there any need to keep part of its responsibility in the Department? If we are serious about slimming down the public sector and slimming it down in a way that does not hurt public services in Northern Ireland, we ought to look for these opportunities.

There may be very good reasons for retaining the functions. If there are, we have to consider them. However, I hope that either in the Minister's response now or when we come to examine the Bill as it goes through Committee these are the kind of issues that we will look at.

**Mr B McCrea:** Having listened to Mr Wilson's contribution and having read the Hansard report of the Committee's considerations, I believe that a number of interesting issues need to be addressed.

If you are looking to vest land, one of the big arguments is what is in the public interest. When the Committee considered that, some examples were given about Larne and how there were areas there that could really do with some action but there was some sort of impasse. I have experience of exactly the same situation in Dromore in my constituency, where everybody knows that regeneration is needed. We have had meeting after meeting and committee after committee to try to get something done, yet the land is tied up in the hands of, I believe, three separate landowners.

The Bill needs to address how you can do something that is genuinely in the greater community interest. The Committee was reviewing that, and the Minister may look

at this point. We have not got the balance right. There are situations in which developers hold to ransom people who would like to develop an area for the community. When the Committee looks at that at Committee Stage, it may like to find a way to deal with that issue.

I note that DSD will retain some form of overarching strategic role in the matter. That seems to me to be a recipe for disaster, because you are never sure who exactly is driving what. Either you are giving the powers to the local community and the council and saying, "We trust you to go and do it" or you are not. I understand — it is part of the Bill — that the Department will be able to say, "We think that this is a scheme that affects the whole of Northern Ireland. It's on a regional basis, and therefore we are going to take control of it". However, the issue of giving very firm direction to councils is an important one that needs to be teased out when the Bill gets to Committee Stage.

I am also interested in certain specifics. I apologise for just asking questions, but this is the first time that I have really had a chance to look at it. The Minister might be able to respond to these issues. One of the biggest travesties in Northern Ireland is fuel poverty. Part of the reason for that is that people do not have access to, for example, the gas network. We have been talking about that today, with the announcement of the gas network going to the west, and we have been talking about the impact of burning solid fuel. However, the question is this: can we devolve powers to people to bring in district heating? Are councils in a position to do some form of attack on fuel poverty, even though that may have an impact on commercial interests extant in the local community?

If you look further into how one might tackle fuel poverty, there is an issue with having multiple occupancy in streets, and I am not talking about the HMOs that have been taken out. If you want to fix a street, you will find that some people will own their house, some people will be renting a house, some houses will be vacant and some houses will be flats. There is a range of issues there, and we need a coordinating group that can come along and say, "This is what we need to do for the best to try to tackle the scourge of fuel poverty".

I can give Members an example of that. For many people, the use of heat pumps is a viable alternative if they do not live close to the gas main. Heat pumps provide cheap heating for people who do not have it. One of the big problems, however, is that the NIE wiring is so old and dilapidated that you cannot install the heat pumps without somebody updating it. You cannot just update one house; you have to do it on a street-by-street basis. I wonder, given that there are conflicting commercial interests and perhaps even conflicting interests among the people who have made investments in the houses, whether the Bill will give councils or their development agency an overarching right to go in and say, "This is for the common good. This is what we're going to do". That is what the powers in the Bill need to do. If there are legal challenges — I see that the officials are really nervous about that — then I think it behoves the Assembly to tackle those head-on and stipulate in statute what you can do. I then had a look at some other things that —

**4.30 pm**

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

**Mr B McCrea:** I will indeed.

**Mr F McCann:** I do not disagree with what you have said about sourcing proper and cheap heating for everybody, but surely it has to come as part of a package. Heating is not the only problem and difficulty where fuel poverty is concerned. There is also the escape of heat, so it is about ensuring that houses are properly insulated. It is about ensuring that the finance and resources ensure that there is a complete package of heating. Would you not share the view that they should go hand in hand?

**Mr B McCrea:** Actually, Mr McCann, I am in complete agreement with you on that. I only used heat pumps as one example. I take your point that, if you were starting anywhere, you would probably start with insulation. It depends on what the fabric of each house is. The point I am making is that, given that you get a wide variety of heating sources, ownership models, people of different ages and different investment potential, we ought to be able to find a way forward in dealing with that. I hope that the Bill will give councils the powers to take what they deem to be the right way forward.

Following on from Mr McCann's intervention, we heard the Minister of Finance and Personnel talk yesterday about how he would like financial transactions capital to be used for energy efficiency and suchlike. I wonder whether it is possible to create some form of financial vehicle that can be administered by councils to deliver a scheme such as Mr McCann outlined. I do not know whether that is within the remit of the Minister or whether he thinks that this is going too far beyond it. However, I look at the briefing paper on the urban regeneration and communication development framework and note that it says that we ought to be able to bring forward:

*"new alternative financial mechanisms, such as Tax Increment Financing, Social Impact Bonds and Local Incentive Backed Vehicles",*

and other such things that would help us to go forward. If the Bill is to be a success, we need to give them the financial resources.

The money that may or may not be transferred to the councils is circa £60 million to £65 million, but that will depend on the out-turn of the Budget. I wonder how that will be allocated. Will it be allocated on the basis of need? Will it be allocated on the basis of competitive tendering, where people come in and say, "We have a really good idea"? How will that work? How will it be used to lever in the other financial opportunities that are out there, like the warm homes scheme or the work with the European Investment Bank that we heard about from Simon Hamilton yesterday? These are issues of financial control. What I see is a lot of good ideas but some quite muddled and muddled thinking.

Mr Wilson made the point that it is detrimental that this has been delayed for a year. Actually, I am not sure that we should not be able to, out of necessity, make use of the year to get this right and put the thing in the proper order. My biggest concern in all these things is that, in our haste to do what we deem to be right and devolve powers to local councils, we do it in such a disorganised way, with a lack of focus and strategic vision, that we end up with something that is not satisfactory.

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

**Mr B McCrea:** Yes.

**Mr Wilson:** I do not disagree with the point that councils might be better prepared for this given the passage of time, in so far as they may have got their head around many of the other issues that they have to deal with that are being devolved to them. However, would the Member accept that, if as a result of this the regeneration budget is smaller by the time it is devolved, councils will have fewer resources to do the things that people expect them to do?

**Mr B McCrea:** I absolutely accept that point. In fact, I was actually building on the Member's point about that. I am concerned, as he is, that we are devolving responsibility to a group of people — the councils — who have the expectation that they will be able to wave a magic wand and do all the things that they have been hoping to do for years without measure. I think that, as it stands, they will not have the powers to do exactly what they thought they could. There will be legal challenges and issues. Furthermore, they will not have the resources to implement them, even if they get the go-ahead.

Nevertheless, there is an opportunity here. We have all identified areas in our own localities about which we have said, "I really would like to see some form of regeneration". Surely we cannot go in and, if you will forgive the expression, knock heads together, bring resources to bear and get the thing sorted out. That is really what people look at in our council areas. They look around and ask, "Why is nobody doing anything about that?". As either councillors or elected representatives, we understand why things cannot be done, but that does not take away the public's frustration that things are not being attended to. My point is that I do not wish to pour cold water on what seems to be a good idea, but I am concerned about the lack of capacity of the people we are devolving these powers to.

**Mr Humphrey:** I am grateful to the Member for giving way, and I accept entirely his point. However, does he not accept that, whilst there is the delay of one year, as the Minister outlined in his opening contribution, the councils and the councillors who sit on the councils and who stood as candidates in May last year knew that the powers were coming down the line, meaning that that preparation should have been in place? That is especially true where councils are coming together in a cluster.

**Mr B McCrea:** I have great respect for the Member's experience. I know the service that he gave on Belfast City Council. All I can say is that, when I first went on to council, the whole planning issue developed into something more complicated than I first thought. You would come along and say, "I am just going to make a decision here; that is fairly obvious", and you would come to it. Understanding what you would like to achieve is one thing, but realising that you are working in a legal framework, where people can and do challenge your decisions, is another. We have just had JRs over Casement, as the Member is aware. In our place — Lisburn — we have had difficulties with getting John Lewis. All sorts of issues come in. My point is that, if we are serious about letting local communities decide how they will develop, we have to give them the real powers to do it. The problem that I suspect we have at the moment is that we are not sure whether they have the competency to do it yet, and neither am I sure that they have the financial resources to make a meaningful contribution.

I said in all this that I am in favour of letting local people make local decisions. I look forward to seeing how the Bill goes through Committee. In an attempt to be helpful and constructive, I am looking at whether there are powers that we will be talking about that we can really give to councils or their nominated whatever it is that will make a radical difference and do something better than is going on at the moment. I have to say that, at the moment, I have no confidence that the public realm is really working, that our planning thing really does urban regeneration or that we are in a position to deal with fuel poverty or any of the other areas of social deprivation. This is an interesting opportunity. It is at the early stages. I will be interested to see how it goes through Committee, and, although I am not on the Committee, I assure you that I take a considerable interest in it.

My final point is that, at some stage, we will probably have to deal with the transfer of personnel. How many of the people who currently work for the Department will go across to local government? Is there some management scheme that will enable us to deal with that? I am sure that the Minister has that on his agenda and that he will probably deal with it in his summing up.

**Mr Allister:** I share a number of the concerns that have been raised, particularly the points that were well made by Mr Wilson about clause 13. However, I want to focus on clause 1, because of a concern that, in it, there are loopholes that will permit the abuse of funding.

This is an opportune time for the Minister and the Department, with the benefit of the hindsight of the 1986 Order, to address how things can and should be done better. Of course, clause 1 is essentially — certainly in regard to its key component parts — a lift of article 3 of the Social Need (Northern Ireland) Order 1986. It is in all but identical terms. Of course, since it was under article 3 of the 1986 Order that, for example, we had the operation of the neighbourhood renewal scheme, we can examine that to see whether the language of that article, which is identical to the language of clause 1, threw up opportunities for inappropriate funding and the abuse of funding. I respectfully suggest that it most certainly did.

The Minister will be aware of some answers that the Department has given me since 2011 about the distribution of neighbourhood renewal funding. This is neighbourhood renewal funding that was granted on the premises of the parameters of what was article 3 of the 1986 Order but is now essentially clause 1 of this Bill. It was supposedly matters for such things as:

*“the promotion, development or regeneration of commercial, industrial or other economic activity ... the improvement of the environment ... the provision of housing ... the provision of social or community facilities ... the refurbishment or restructuring of buildings”.*

Yet, we find that, under neighbourhood renewal, on the same language of statute, some amazing matters were funded. The question is this: do we want to leave this Bill in the same loose fashion as its predecessor, or do we want to take the opportunity to tighten it up?

Some of the matters that I refer to include the fact that a privately owned golf club got £350,000 to improve its facilities under neighbourhood renewal. There has been

some focus on that in recent weeks. That money was supposedly for deprived areas, areas of social need. The Minister also knows that a recent answers indicate that, for example, a republican ex-prisoners' group got £138,000 of neighbourhood renewal funding under the equivalent section of the 1986 Order; the Bloody Sunday Trust got £86,000 of neighbourhood renewal money; GAA clubs got £2.6 million of neighbourhood renewal funding; Irish language bodies got £2.1 million of neighbourhood renewal funding; and that LGBT bodies got almost a quarter of a million pounds of neighbourhood renewal funding, including almost £200,000 for the Strabane and Lifford LGBT group. Is that the function, purpose and design of something such as neighbourhood renewal funding or of this Regeneration Bill, which deploys the very same statutory language?

**Mr Wilson:** I thank the Member for giving way. He has listed a lot of groups and activities, and many would ask what the neighbourhood renewal impact is of the spending on those groups.

Does he accept that perhaps the important part where we need to get these issues hammered down is in clause 17, which deals with the guidance as to how the money ought to be used, the kinds of things that will constitute neighbourhood renewal and how that should be applied?

#### 4.45 pm

**Mr Allister:** I certainly agree that the guidance is important, but the actual statutory provision is more important. I think that the real flaw here, if you look at clause 1, is in the final words of clause 1(2), because, having listed the five criteria, it then has this amazing catch-all which really means that you need not bother with the five points above. It simply says that the money can be given:

*“for anything not falling within paragraphs (a) to (e) which the council considers will benefit the district.”*

Remember this: local councils, by virtue of the fact that they are local, are the most vulnerable to local lobbying. Every councillor will have their ear bent about some pet project. Local councils are those with the least line of resistance to not caving in to demands, so you can well imagine the campaign that could be raised under the guise that “This will benefit the district, and therefore this wild and extravagant scheme should be funded.” Maybe it is coming from a very influential sporting organisation in the area and there is not the moral courage to say no.

What does this regeneration funding then become? It becomes that vehicle for abuse, just as we have seen it, in my opinion, abused in neighbourhood renewal. I say this to the Minister: does he really want to pass legislation that, for example, facilitates the funding of LGBT communities on foot of regeneration, or does he want to take the opportunity that the passing of the Bill provides to write out that charter that exists within it, to tighten the framework and to make sure that it is proofed against meeting the criteria that it is actually meant to meet? I think that that is the key opportunity in respect of the Bill, so that we do not hand a blank cheque, because that, effectively, is how that clause is presently drafted. We are handing a charter or a blank cheque to councils to fund whatever they are persuaded will benefit the district.

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

**Mr Allister:** Yes.

**Mr Wilson:** I appreciate and am very supportive of the point that he is making. However, there is only one aspect that perhaps he would like to deal with, and maybe it could be dealt with in Committee. All, or most, of the issues that have been listed in clause 1(2)(a) to 1(2)(e) are about physical regeneration. Does he also accept that there are some kind of community activities that do add to regeneration and that getting the wording as to which of those community activities would be genuinely beneficial to regeneration and which would be totally outside, as he has suggested in some of his examples, will be quite difficult? Of course, the option is not to have community activities at all included in this.

**Mr Allister:** Certainly, the premise of clause 1(2)(a) to 1(2)(e) is infrastructural in tone; you are looking for something that, infrastructurally, informs the regeneration commercially etc — the environment, the provision of housing — and its community facilities, something infrastructural and tangible. I think the problem is that if that language — there also was a catch-all freebie in article 3 of similar terms to what has been reproduced in clause 1, because it, too, talked about anything:

*“which the Department considers will benefit the district.”*

It was probably under that heading that some of the foolish, extravagant funding was granted. If you are focusing on regeneration, it is difficult to pass outside the infrastructural framework and remain sure that you will not fund things that it was never anticipated would be funded. You have to keep it in that physical sense, but that can be teased out and debated in Committee.

**Mr B McCrea:** I thank the Member for giving way. I apologise for not catching your eye earlier. You will find no argument from me about people using funds that are meant for regeneration for something else, however worthy. It may be that some of the issues that you listed deserve funding, but when you take it from one pot and use it for something else, you do both a disservice.

I would like to hear my learned friend say that there must be a way of giving some latitude. In our environment, we find that there are too many reasons for people to say, “No, you can’t” do something, “That’s not possible” or “That can’t happen”. We want to encourage people to do things, but we want to encourage them to do the proper thing. I wonder whether guidance, as part of the legislation, is strong enough to do that, or do we have to go through the Bill line by line and say, “This is what you will use the money for” and “This is not what you will use the money for”. It is a procedural way of encouraging people to do what we think they ought to do. I wonder whether the Member has any advice on how we should amend the Bill in that regard.

**Mr Allister:** In the main, clause 1(2)(a) to 1(2)(e) set out the sort of matters that are germane to regeneration. The problem with clause 1(2), as I indicated, is the catch-all line at the end, which just burns everything before it and says, “Well, actually, you can spend it on anything”. The Bill could be radically improved by restricting the ambit of funding to the matters that properly fit in clause 1(2)(a) to 1(2)(e). The guidance could be much more straightforward in backing that up. However, if you leave it as open-ended

as the Bill, you will fall into the same pits as neighbourhood renewal fell into.

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

**Mr Allister:** Yes.

**Mr Wilson:** I do not know the answer to this, but the easy thing would be to limit it to physical regeneration. Does the Member accept that other aspects of regeneration are equally important? In an estate in which a lot of young people are unemployed, for example, a training scheme could help to equip them for local employment, which would get them off the streets and deal with some of the problems that have perhaps wrecked that estate. That is as much part of regeneration as a physical development in the estate. I do not know the answer, and I do not know how you word it, but there has to be some element of non-physical provision if we are to address the totality of regeneration.

**Mr Allister:** The Member might be right. It might be that clause 1(2)(d), for example, embraces that. It talks about:

*“the provision of social or community facilities”.*

That may be an anticipation of something other than a physical facility. It might be a facility such as a training facility; I would have thought that that is capable of coming in there. However, if there is any desire to have control and constraint so that the thing is not totally open-ended, you have to look in the definitions of clause 1(2)(a) to 1(2)(e) rather than just writing the blank cheque of the catch-all line at the end.

I want the Minister to give us the benefit of some information on one further issue. Clause 1(1) states:

*“A council may provide financial assistance to any person doing, or intending to do, anything falling within subsection (2) which benefits one or more areas of social need in its district.”*

When the words “areas of social need” are used, is that a generic reference to areas of social need, or is it a specific reference to areas of social need as defined, for example, by the Noble indices? Or is it areas of social need as perceived by the council? Strangely, social need is not defined in either the 1986 Order or in this legislation. So, when the Bill says that you can fund that which benefits one or more areas of social need, what is it actually talking about? Whose perception of social need is it? I am sure that the Department knows what it has in mind, so I trust that, when the Minister comes to answer — if not today, at a future point — he will be clear and explicit about what is in mind there.

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

**Mr Allister:** Yes.

**Mr Wilson:** Will he accept that to define what is meant by social need too closely — as we have seen in the past, simply defined by the Noble indices — removes the flexibility to deal with small pockets of social need? So, actually, the less defined that it is, the better, rather than trying to have it closely defined, which ties councils’ hands in many instances where they see a problem that might not be extensive but, nevertheless, is important.

**Mr Allister:** I agree absolutely, and I am hoping that the Minister will be able to say that this is not a specific Noble-



indices-type area of social need and that this is the generic thought of areas of social need. If it is that refined, almost discriminatory, definition, it closes the door for this funding to a lot of ratepayers in a number of district councils. I think that that would be unfortunate. So, I look forward to the Minister elaborating on that matter. As I said, there are other points that concern me, particularly clause 13, but that is the burden of my observations on this Bill at this point.

**Mr Storey (The Minister for Social Development):** I thank the Members who have made a contribution to the debate. We have seen the commencement of a Bill through the processes of the House, and I look forward to the engagement with the Committee. It will now give the Committee some work of substance to get involved in and something of merit to be engaged with. I trust that there will be no behaviour by Members in the Committee that will lead to any further investigations of Members by Mr Bain. I am told that we have had some thuggish behaviour, but I have to say that we will await to see that. Given the track record of one of the Members involved, I will leave it to see what will happen in that regard.

Let me try to make my way through some of the comments that were made. I thank the Chair, in his absence, for his comments on endeavouring to move this process forward. Let me say and place on record that I would have preferred it had the Bill been brought to the Assembly and councils had the powers as of 1 April this year. However, as most Members will be aware, there is an issue about the frustration as to how this House operates. It is a five-party mandatory coalition, and it does bring about issues of concern when you have to get an agreement. It was clear when I came in to office that, on four separate occasions, there had been a failure to get an agreement around this Bill. I endeavoured, with the best efforts of my capabilities, to see how we could move the situation forward. That resulted in us getting to this point today.

### 5.00 pm

Before I get into other issues, I want to deal with the issue of whether it was preferable to have it on 1 April 2015 or 1 April 2016. I have been privy to some conversations with councils. In fact, I went to the partnership panel, as I think I mentioned in my opening remarks, and it was abundantly clear that some councils were glad that there was not going to be the introduction of those powers or conferral of those powers to them as of 1 April 2015. They welcomed the fact that there was now some certainty around the issue and that we would work in conjunction with them over time. Equally, however, some councils were concerned because they would have preferred to have the power. In some cases, that is because those councils are possibly in a more advanced stage and are more capable of dealing with those issues because they have the resource and the capability, and they have been very proactive in the past in working with neighbourhood renewal and regeneration projects and the like. I think that it has been a combination of both, rather than falling down one way or the other.

I would like to reassure Members and, I trust, councils — as I will do over the next few weeks when I meet those whom I plan to meet — that we are working, and will endeavour to work, with councils where they raise genuine issues and matters of specific concern. In fact, we have even addressed some of those already by some

conversations that we have had with councils. So, it is not the case that I as Minister or the Department want to be in any way obstructive; we want to be helpful.

My colleague Paula Bradley made a point about improving civic engagement. Speaking as someone who was in local government, I am very proud of the fact that I was first elected to Ballymoney Borough Council, which is the second smallest council of the existing 26. It was extremely difficult in many respects, in a council of that size, with a very small budget and overall financial capabilities, to do many of the things that we wanted to do. That is why, for my part — and, I think, for my council's part in the time that I was on it — it was of merit and value that there was an intervention by the Department in relation to public realm schemes. Those enhancements and schemes that were carried out could not have been done, I believe, by small councils on their own.

It has been a case of enhancing those powers and giving to local councils something that they have been asking for and that they want to have. This is a positive step forward, and I look forward to seeing how councils will use that power in the weeks and months ahead.

I now come to some of the issues that were raised. I want to address the issue of staffing, and I thank Dolores Kelly for the concern that she raised about it. Let me give some context in relation to that. It was raised by Mr McCrea, I think, and also by Sammy Wilson. There are 235 people working in DSD on regeneration and community development, 180 of whom work on areas that will transfer to councils. All of those posts will be gone from the Department after 2016.

The other 55 people work on issues that will not transfer, such as social policy and EU funding. The plan is that no more posts will be created to manage the retained functions after the transfer, and we will seek to make sure that things remain as efficient as possible.

I want to give an assurance to my colleague from East Antrim that this is not about some of the powers and functions that we retain, and I may come back to that, or about staffing. It is not about the Department wanting to have a secret, small number of staff who retain power in the heart of my Department so that I can send them out on sorties around the 11 councils to find out what they are doing or not doing because I do not want the transfer to be happening. I am surely not going to be in a place where I want to transfer powers to councils and then not trust them to do the job. It will be a case of collaboration between us both, and that is something that we should welcome and encourage.

I have to say that I am disappointed by comments made by Sandra Overend. Phrases were used such as a “state of limbo” and “poorly handled”. We are now at the point at which we have the legislation. The legislation will be transferred to the Committee, which will do its statutory duty, and issues have already been raised about certain clauses in the Bill. That is the purpose of the House, that is the work of the House and that is what the House should be about. I gladly look forward to working with the Committee as it works its way through that process. Therefore, although the comments about the Bill are not surprising coming from that particular party, it is disappointing that, on a day like this, we cannot even get some recognition that there has been work done and progress made on the issue.



Let me come to some of the other comments that were made. I may not cover them in order, so apologies if that is the case. My colleague from East Antrim made a number of observations. He is worried about roads being blocked. Well, I want to see obstructions removed from certain roads that are being blocked at the moment. I can give the assurance that the purpose of the Bill is not to assist, aid or abet any further obstructions being placed on the Queen's highway, as far as free passage is concerned. The clause that Mr Wilson referred to relates to work that has been done in town centres as part of public realm schemes. We have seen many examples of good public realm schemes right across Northern Ireland and some examples of where they could have been done better. Issues have been raised and concerns have been expressed, but I believe that many of our towns have benefited from such schemes in recent years. The kind of structure covered by the clause might be best explained by way of an example, such as the kiosk at Castle Place in Belfast or the bandstand in one of the most important strategic towns in Northern Ireland, and I refer to Broadway in Ballymena. Plenty of safeguards will govern how the schemes will be delivered by councils, not least the need to ensure that DRD is consulted and that no highway is obstructed.

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

**Mr Storey:** Yes, I will give way.

**Mr Allister:** Is the Minister saying that it would not extend to speed ramps, for example? There could be an argument made by some councils that, in the interests of the environment, a speed ramp is needed in a certain place. Would that be within or outside the provisions in clause 3?

**Mr Storey:** That would be an issue for DRD that is covered by the Roads Order. There has been an ongoing debate, and, as a society, we will have to look at the issue of speed ramps in a different way. However, that falls within the remit of DRD. In the past, when it has been an issue in relation to public realm works, there has been consultation between my Department and Roads Service. I would think that there is an ongoing issue that has to be resolved around what we view as the benefits or otherwise of speed ramps.

The power to direct councils —

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

**Mr Storey:** Yes.

**Mr F McCann:** It is about an issue that has come up not only in the Assembly but certainly in Committee. First, quite a lot of the developments through public realm works have been excellent in many cities and have done a lot to enhance cities and towns. When the powers are passed to councils, what needs to be built in is the fact that consultation should stretch to people with disabilities and the partially sighted who have serious problems trying to negotiate roads and footpaths because of blockages.

**Mr Storey:** I take the point. In fact, recently, we have had to deal with some issues raised about a public realm scheme in Ballymena in my constituency in relation to guide dogs for the blind. We then get into a discussion or dispute around the height of kerbs. These are genuine issues that I think need to be addressed in a sensible and practical way. I do not think that there is any objection or any obstacle — excuse the pun — being put in place in trying to address these issues. For me, this has been an issue since coming into office. I have made various

announcements about public realm schemes, and I am very conscious that traders, pedestrians and vehicle users have issues. It is about trying to ensure that there is a management structure in place so that the scheme is delivered to the best possible standard, taking into account issues such as the one the Member referred to.

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

**Mr Storey:** Yes.

**Mr B McCrea:** Can I just follow up on that point? I hope that that is what the Bill is about. There are so many reasons in our society for people to say that they are not going to do something. I understand that everybody has an opinion and is concerned, but we need to have a central body that has the absolute — or, rather than absolute, the appropriate — power and authority to get things done. That is really what I am looking for from the Regeneration Bill. It is not about public realm, though that will be part of it; it is about how we regenerate our communities. We have plenty of areas that people say something should be done about, but it always seems to be impossible to do it. I am hoping that this Bill is going to give people the power to do something about their local communities.

**Mr Storey:** Yes, and I think that that would be what I see as being the intent of the Bill. It is about the local transfer of the regeneration powers. We are going to have a situation where we either give respect and trust to our local councillors or we do not. Every party in the House was keen to go out and maximise its vote at the last council election, some more successfully than others. What premise was that built upon? It was on the basis that the people who were being elected were the best who could be put on to the council; that they would be visionary, incisive and would know about the needs of their communities. Some parties did not trust their own councillors and thought that they better not have the power for another year. They will have to explain to them why that was the case.

We have to put our views into practice. Despite concerns raised around how some councils may abuse the powers, I have confidence that they will act responsibly and in a way that, I believe, is in the best interests of their communities; but that is an issue for them to identify. I think it would be ill-advised of me, in every circumstance, to tell them what they must or must not do. So, I look forward to the projects that councils will bring into existence that will enhance their local area for the best interests of their community under regeneration.

## 5.15 pm

I want to make some progress on the powers to direct councils, which, in a sense, follows on from what I said. Mr Wilson referred to this, as did Basil McCrea. This power, which the Department thinks may be prudent to retain, covers scenarios where the council might be reluctant to take forward an important scheme for no valid reason. Mr Wilson also said that he cannot think of any reason why that might happen. I suppose, in a sense, neither can I. It is impossible for us to look into the crystal ball and to see and cover every eventuality of what may or may not take place. However, I still think that it is a useful power for the Department to hold, even if we do not expect it to be used frequently. I know there is always a concern that underlying that is some hidden intent or Machiavellian

process. I can only give the assurance that, as the Minister for the Department responsible for this element of the Bill, that will not be the case. My word on that will, I trust, be fulfilled, and we will prove over time that it was worthwhile retaining it in the Bill.

Let me refer to the budget. A number of Members raised a concern. Mr Elliott, in his first contribution, which was during my opening remarks, referred to the budget, as did a number of other Members. The questions being asked are these: what budget will be transferred, and what impact will the delay have on the budget? All budgets associated with transferring the areas of work will be passed to local government in April 2016. The figure that has been used was initially somewhere in the region of £60 million. However, you will be aware of the Budget statement that was made to the House yesterday, and we will have a Budget Bill very soon.

There will be an impact. I take on board Mr Wilson's comments about the impact that that will have on councils. I would have preferred to be in a situation where the total amount promised would be transferred over the next couple of weeks. However, I have to determine how the final budget for my Department will look. It is an issue that, although giving us concern, we have to address. I will endeavour to do all that we can to make sure that we limit the impact and reduction within the constraints that have now been placed upon me because of the overall reduction to the budget that I have.

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

**Mr Storey:** Yes.

**Mr B McCrea:** Minister, just while you are on the total sum of money that you might be handing over, have you any thoughts on how you are going to allocate it? Will it be per capita? What council gets what, and what scheme do you have in mind for that?

**Mr Storey:** The money will be transferred on the basis of the regional rate system. I am well aware of the concerns that were raised. For example, one council felt that it was getting a bad deal in how this will play out. The mechanism is there, and it will be based on the regional rate system. That has thrown up some differentials for us. However, it is about where you draw the line. I do not think that you will ever get a transfer system or mechanism that will give you an allocation that will satisfy all 11 councils about the overall amount of money that they will receive. So, we have to deal with that over the next few weeks in relation to the Budget, and I will no doubt have to continue to give some serious thought to the matter to ensure that councils feel that they are not being left disproportionately disadvantaged as a result of it.

**Mr B McCrea:** I thank the Minister for giving way. I will be brief. It is an issue, Minister, that I think requires a fair amount of deliberation. If it is regeneration we are after, you might even consider whether those councils that have large commercial rates coming in — the non-domestic rate — are advantaged in the process. I think that you will need to find a way of concentrating resources appropriately in areas that need it most.

**Mr Storey:** The model was consulted on with the councils — so, councils were consulted on this issue — and it has been agreed that it is the most equitable way to distribute the funding to the new councils. It is based on the

population size as well as levels of deprivation, so there has been some distribution of moneys away from councils that have historically been extremely well funded towards those that have not received so much funding from DSD in the past. So, there was some attempt to try to redress that, and that has maybe led those who, in the past, have been in receipt of more moneys to feel that they have been ill-served by the process. Given that the funding is transferring in perpetuity, it is important that the distribution of available funding across each council is fair for its need rather than based on historical patterns of funding that, in some areas, has maybe been overlooked in the past.

I will move on to some other issues that were raised by Members. There was a concern raised in regard to land banking and concerns that vesting processes are not robust enough to allow councils to properly tackle blight and various issues. My colleague from East Antrim has left us, but I will send him a copy of Hansard, and he will, I am sure, be able to read and digest it. The powers set out in the Regeneration Bill are exactly the same as those used by the Department to take forward its regeneration remit. They include the power to vest land or property in certain specific circumstances, as set out in clause 7 of the Bill. Those include circumstances where the land is required for a development scheme or in the interests of the proper planning of the area. The vesting process itself is set out in schedule 6 to the Local Government Act (Northern Ireland) 1972, and that covers other Departments and councils that may need to acquire land for various purposes.

The legislation also sets out steps that a landowner can take to appeal against a proposed vesting order on their property. In cases of dispute, a local inquiry will be held to consider all the circumstances, and a proposed vesting can be subject to further legal challenge. It is important to remember that a balance has to be struck by providing councils with the means to acquire land that is considered essential for the regeneration of their area whilst having checks and balances in place to ensure that an individual can challenge the council's decision. I do not want to be in a position where we, in some way, restrict, but, equally, I do not want to be in a place where it is somehow just seen as a free-for-all. It is about trying to strike that balance.

Let me move on to a number of other issues that were raised. Basil McCrea asked how the Department will support the innovative financial environment, and I think that that is a valid question to ask. The urban regeneration and community development policy framework has been referred to. I was going through preparation for this, and be assured, Members, that I probably have to do more preparation than most because I always feel the challenge of coming to the House and engaging in this process.

This is not maybe where I feel at my most comfortable. I am more comfortable when I am out there meeting people on a one-to-one basis. However, that is the remit and responsibility that we have.

One of the things that kept coming up repeatedly, to the extent that I have started to read my way through it, was the community development policy framework, which was published back in July 2013. That sets out for us a commitment to maximise the resources available to regeneration and community development by supporting an innovative financial environment. What does that mean? I think that what it endeavours to achieve is that we want to maximise public spending in the most

disadvantaged areas and lever in additional resources for private investment. I do not think that we should run away from the issue of private investment. I know that there are parties in the House that have a particular issue around the private sector. I think that, if it is done properly, within the law and in a way that is about enhancing an area and the well-being of a community, that should be given due consideration. When and where the market conditions are appropriate, we should encourage the development of community finance infrastructure.

My Department is working and will work with financial providers and partner Departments to explore the feasibility of new instruments. I have not got all the minutiae of how these would work, but I am happy to give Members more information as we develop them. For example, we have the EU's financial engineering instruments: the community bonds and social impact bonds. Those are types of processes that we need to look at to be innovative. Clearly, we find ourselves in a situation where, because we have had, in some cases, trusted and tried processes in the past, we think that there is nothing else new or innovative that we can do. We need to be more innovative in this element of it. Some also have a concern that these will become problematic. We need to balance all of that with being cautious but not to the extent that we probably exclude a good financial model that could be used in a process as it moves forward.

I trust that I have tried to answer the issues that were raised. I still have some things to say. As we work our way through these, if any Member believes that I have not maybe given them the whole answer that they wanted, I am happy to come back to them in that regard.

The Member for North Antrim Mr Allister referred to a number of issues and said that the scope of clause 1 was too wide. The Member knows that, over recent days, he has raised questions and concerns, rightly so, in relation to what is seen as organisations having received money where there is a question mark over the validity, the purpose and the reason why public funds should be used in those ways. I have to say that, with regard to some of those, there is an application process. It is disappointing to discover that there are some organisations that are — this is not to be critical of them — more proactive and more involved in the funding process. I think that, for example, when we look at the issue of the Irish language lobby and the nil amount of money for Ulster Scots, we see that there is an onus on those organisations to see why they have not been able to process or be successful. It is something that I have given thought and consideration to within the confines of an application process. It is up to the organisations themselves to make those applications.

Mr Allister has alternative wording for the clause in order to exercise control. No doubt the Member will give detailed scrutiny to the Bill when it begins its process through Committee. At some stage, we will see how that manifests itself in amendments to the Bill, either as Member or Committee amendments.

### 5.30 pm

The whole point of the legislation is to devolve powers to councils to make local decisions. That is what I have repeatedly said in the debate this afternoon. If you remove the power to do things that benefit an area, you have to ask whether there is any point in the process and in having

this in place. We need to realise that, in one council area, issues will be raised by very vociferous lobby groups — someone made reference to this — that are not so much in operation in other areas. That is undoubtedly a result of the fact that we have a very diverse community with varying degrees of importance. There are, as I said, organisations that feel that it is their place and their space and that they have a duty to lobby as much as possible to extract the maximum amount of money from a funding stream. I have no doubt that that will continue to be the case.

Reference was also made to the definition of social need. Maybe this is something that will be of help and that we have to do further work on. The Social Need (Northern Ireland) Order 1986 does not define social need, which is almost a contradiction in terms in relation to that legislation. In this Bill, we have sought to define what constitutes social need, as this will differ in different groups, circumstances and times. The problem we could run into is this: if we define social need rigidly, it will inevitably constrain decisions in the new councils about improvements that are needed in their area. Councils should have the flexibility to decide priorities in their area. That is the whole point of the Bill. The provisions in clauses 1(2)(a) and (e) are examples of that. We will come back to that issue, and I look forward to the Committee taking up the issue in the weeks and months ahead.

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

**Mr Storey:** Yes.

**Mr Allister:** It is not immediately clear to me where there is any definition of an area of social need in the Bill. Is the Minister saying that the Bill is not hamstrung by the delineation of social need in, for example, the Noble indices? Unless and until we know what it means when it says that you can give money to benefit an area of social need, we will go round in circles.

**Mr Storey:** Therein lies an ongoing issue. The Noble index is one indicator, albeit it always seems that its indices are the predominant set used when it comes to this issue.

I have had correspondence from Mrs Kelly around the affordable warmth scheme. As a result of moving from the warm homes scheme to the affordable warmth scheme, we initiated a process. The University of Ulster did a piece of work that took into account a variety of other elements that identified this issue — trying to deal with fuel poverty. That was an example of not being constrained by one definition. Other elements led to having that scheme put in place. We will have to come back to the issue and give clarity around it. Is it the Noble indices solely, or can other mechanisms, definitions or indicators be used by councils? That is part of the work that we will do in respect of the guidance to councils on how such processes would work. So, we remain at a place where there is no definitive or final position in that regard.

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

**Mr Storey:** Yes.

**Mr B McCrea:** I think I have said this before, but I want to reiterate the point: I hope that this is a regeneration Bill and not just a social deprivation Bill. I see the promotion of economic activity and all the other issues. It is right that we should define those things, but it is a regeneration Bill. A rising tide lifts all boats. We want to make sure that we regenerate all areas.

**Mr Storey:** Yes, I could not agree more with the Minister — the Member. There is wishful thinking.

**Mr B McCrea:** It is the closest I will ever get. *[Laughter.]*

**Mr Storey:** It is maybe the closest you will ever get.

Let me go back to the very beginning of this. When I came to the Department, it was the Regeneration and Housing Bill. I could not understand why it was called the Regeneration and Housing Bill, because the elements in it relating to housing were in relation only to HMOs and so on. I welcome the comments that the Chair made, when he said that he believed that those issues, which we have now taken out of the Bill, need to be addressed. We look forward to bringing them forward at some future date. We have to do that, but that will be in the context of the wider issue of the housing reform programme. That work is ongoing.

I think that the Member is absolutely right. Surely, the clue is in the title: the Regeneration Bill. It should be about councils looking at how they can regenerate, be it their town centre or their community. Remember that, previously, my Department was constrained because of the issue of the number of people in a particular area. We worked on the basis of 4,000 of a population, whereas the rural community and DARD funding was able to work in rural areas. Now, we have the situation in which councils will have this power, because not all of them are confined within the space of a town centre. In some cases, the council will have many elements of our rural community in their jurisdiction. In answer to the Member, I say that he is right. The clue is in the title: it is the Regeneration Bill. Councils should look at how it can be used to regenerate their particular —

**Mr Wilson:** I thank the Minister for giving way.

**Mr Storey:** I am glad that he has returned to the House. He can ask for a copy of Hansard to see the answers I gave to his previous questions.

**Mr Deputy Speaker (Mr Beggs):** Can we have one Member on their feet at a time, please?

**Mr Wilson:** The Minister is correct in saying that development schemes can be for anywhere in a council area, as outlined in clause 5. When it comes to the financial assistance available for forwarding aspects of that development scheme, whether it is for housing, improvement of the environment, improvement of community and social facilities or the refurbishing or restructuring of buildings, clause 1 restricts it to areas of social need. So, while the development plan can cover everywhere, the funding as it stands, as I understand it, can be applied only to the parts of the development scheme that would qualify under the term “social need”. Albeit that the Minister is saying that that can be fairly widely interpreted, it still does not answer the question that Mr McCrea asked.

**Mr Storey:** I thank the Member for his intervention. That raises the issue, and I look forward to when the matter goes to the Committee for scrutiny. It is not for me to tell the Committee how to do its business, but it is about its interaction with local councils, for example, and how they see that being rolled out. Do councils have a different interpretation, and do they feel that that leaves them restricted? I would not want it to be the case that they were restricted. Equally, we have to listen to the concerns that

were raised that, if you make it so wide, it opens it up so that you can fund anything as a result of this process. That has led us to a situation where there has been criticism of previous funding processes. Does that take away from the focus? Again, that goes back to the point that this is about regeneration. Those are things that have to be teased out as the Bill makes its way through the House.

If I have not answered specific questions from Members, I will be happy to correspond with them. I thank Members for their engagement on this, and I look forward to working with the Committee and seeing how the Bill is progressed. I look forward to the day when the transfer of powers to local councils will happen and we see the regeneration of our councils, which do an invaluable service for our community.

In conclusion, I want to pay tribute. We are coming to the end of these councils, which have served Northern Ireland through the most difficult of times. Our councillors are sometimes not given the plaudits or the recognition that they deserve. They were the front line against a terrorist campaign and those who wanted to eat at and destroy the very heart of democracy. I pay tribute to our councillors right across Northern Ireland, some of whom were subjected to the most heinous attacks. However, I trust that a new day has also dawned for our councils, and an element of that new dawn is the powers that will transfer to them as a result of the Bill.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Regeneration Bill [NIA 43/11-16] be agreed.*



## Small Business, Enterprise and Employment Bill: Legislative Consent Motion

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I beg to move

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Small Business, Enterprise and Employment Bill, as amended in Committee in the House of Commons, dealing with assignment of receivables contained in clauses 1 and 2; business payment practices in clause 3; liability of bodies concerned with accounting standards in clause 37; and companies transparency, company filing requirements and directors' disqualification in Parts 7 to 9 and schedules 3 to 6 and 8.*

The Small Business, Enterprise and Employment Bill was introduced to Parliament on 25 June 2014. It is an extensive Bill that has two fundamental purposes, one of which is to help small businesses to grow and succeed and the other is to ensure that the United Kingdom continues to be regarded as a trusted and fair place in which to do business.

### 5.45 pm

The Bill covers a wide range of measures and includes matters that are not devolved. However, Assembly consent is required for amending clauses, which make changes to the Companies Act 2006, the Company Directors Disqualification (Northern Ireland) Order 2002 and the Insolvency (Northern Ireland) Order 1989.

The key measures in the Bill concerning company law arise partly from commitments made by the Prime Minister and his G8 counterparts at the G8 summit in County Fermanagh in 2013. Those commitments are aimed at improving transparency in how companies do business, helping to build trust and confidence in the conduct of companies, and protecting the interests of consumers and shareholders by strengthening safeguards against misconduct by company directors.

We need to ensure that companies in Northern Ireland are trusted and transparent so that they cannot conceal ownership or control and so that they engage in good corporate behaviour. Increased transparency of company control will help deter, identify and sanction those who hide their interest in companies to facilitate illegal activities, as well as create a more trusted business environment generally.

In keeping with the commitment to greater transparency, the Bill will create a requirement for a company to keep a register of the people who have significant control over that company and its beneficial owners and to provide that information to Companies House, where it will be publicly available.

In addition, the Bill will abolish the creation of bearer shares and provide a nine-month period for the conversion of existing shares to registered shares. Bearer shares are unregistered shares owned by whomever physically holds the share warrant. That makes them anonymous and easily transferable, which creates the potential for misuse for money laundering and tax evasion. The Bill will remove that potential facility for unethical or criminal activity and help ensure compliance with international standards.

The final element of the transparency agenda will create a requirement for all company directors to be natural persons. Previously, it was possible for entities such as companies or organisations as well as individuals to be appointed directors. The change will mean that only individual persons will be permitted to act as company directors. Again, that is aimed at creating greater openness and accountability by ensuring that individuals take responsibility for company governance.

It is vital that we have a company law framework that gives companies the flexibility to compete and grow effectively. It is also important to ensure that creditors, customers and suppliers have the information that they need to do business with a company with confidence. At the same time, it is important to ensure that we do not require companies to file unnecessary information and that the process for filing information is as simple as possible. For those reasons, a package of measures is included in the Bill that will amend the Companies Act 2006 to clarify the current requirements for companies when filing information with Companies House.

Existing arrangements for making annual returns will be simplified, removing duplication and undue complexity, as well as improving the accuracy and integrity of the public companies register. That will ease the burden on companies and thereby reduce unnecessary administration.

One of the key protective measures in company law is the directors' disqualification regime, which ensures that systems are in place to remove wrongdoers from company director positions and bar them from acting as directors for a period. Misconduct perpetrated by a minority of directors who do not play by the rules is damaging to consumers and to the majority of businesses that take their responsibilities seriously.

Currently, it is a criminal offence for a person subject to bankruptcy or a debt relief order made in Northern Ireland to act as an insolvency practitioner in Northern Ireland or, unless with permission from the Northern Ireland High Court, as a company director in Northern Ireland. However, no offence will be committed if the bankruptcy was declared in Great Britain or the debt relief order was made there. Reciprocal amendments to disqualification and insolvency legislation included in the Bill will correct that anomaly.

The Bill includes a number of fresh provisions. It increases from two years to three the time limit for bringing procedures to have a director disqualified. It will enable individuals convicted by an overseas court of an offence relating to a company to be disqualified from acting as a company director, and it will make it possible for directors who have been disqualified to be ordered to pay compensation for the benefit of creditors who have suffered loss as a result of their misconduct.

The Bill removes restrictions on the use of reports from regulators as a basis for bringing disqualification proceedings, and updates the schedule of matters to be taken into account by the courts in deciding if a director should be disqualified. It is anticipated that these improvements will help to increase public confidence in the directors' disqualification regime, strengthen existing measures and add transparency to the type of conduct that can lead to disqualification.



In addition to company law, the Small Business, Enterprise and Employment Bill will introduce a range of measures to open up new opportunities for small businesses to innovate, compete and get finance to create jobs and growth. The specific measures we are considering here relate to removing legal barriers to invoice finance and incentivising businesses to improve their payment policies and practices.

*(Mr Speaker in the Chair)*

Access to finance remains a pressing issue for Northern Ireland businesses, and the Bill will make significant improvements in this area. It will remove barriers to invoice finance, particularly for smaller companies, thus allowing companies to raise money on the strength of moneys owed to them for goods and services they have supplied. While there is no specific evidence of the nature and scale of the problem for Northern Ireland's small and medium-sized enterprises, on balance, there are merits in extending this proposal to Northern Ireland as it removes an unnecessary impediment to SMEs accessing appropriate and affordable finance and will ensure consistency of approach across the United Kingdom. Where we can identify new initiatives to support business in this way or remove barriers preventing them from obtaining the finance they need, we should do so.

The other measure to support access to finance is the issue of prompt payment practices. Late payments can be used by companies to improve their working capital at the expense of their suppliers. This provision will place an obligation on large companies to report on payment policies and practices. This reporting information on payment performance will provide useful information to those who are contemplating entering into trading relationships with companies.

The final measure under consideration today concerns exemption from liability for bodies concerned with setting accounting standards and investigating cases where the standards are breached. The scope of the exemption will remain the same. However, the Bill will create a power to make secondary legislation specifying those bodies that are exempt from liability.

In conclusion, I urge Members to support the motion and, by doing so, ensure that companies and consumers continue to benefit from a transparent, modern and effective legal framework. By supporting the motion, Members will be giving a clear signal that the Assembly is committed to improving the transparency of how our local companies do business. It will also underline our commitment to removing unnecessary and outdated laws and enable local businesses to compete with their counterparts in Great Britain and abroad on a level playing field. I commend the motion to the Assembly and thank Members for their support.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. I thank the Minister as well.

The purpose of the Small Business, Enterprise and Employment Bill is to introduce a wide range of measures designed to help fulfil the Westminster Government's commitments on transparency and trust made at the G8 Summit in 2013. The Minister has already covered quite a

bit of this in her speech. In addressing these commitments, the Bill contains a number of provisions relating to company filing requirements, shareholding, transparency of ownership, company directors' conduct and insolvency.

The Bill provides for opportunities for small businesses to innovate and grow by introducing tougher rules to tackle misconduct by company directors and ensures a strong regulatory regime for those who administer insolvencies. The Committee sought and received clarification from the Department on two matters relating to the Bill during an oral briefing from officials on 2 December 2014. I thank those officials for their helpfulness to the Committee on this and related matters.

First, in response to a query regarding whether it would be more appropriate to include these proposed measures in the Insolvency (Amendment) Bill, which is currently at Committee Stage in the Assembly, officials confirmed that the Department could not have used the Insolvency (Amendment) Bill to make these types of amendments. This is because the scope of that Bill is limited to amending only the Insolvency (Northern Ireland) Order 1989.

Secondly, as the matter was raised during the Second Stage of the Insolvency (Amendment) Bill, members questioned officials on the reasons why the legislative consent memorandum does not contain provisions to legislate for the statutory regulation of insolvency practitioners in Northern Ireland. The Department informed the Committee that, as the Bill has already entered the House of Lords, it considered it too late to make a major amendment at this stage. Departmental officials, however, stated that they were actively looking at the possibility of including the provisions required in the Insolvency (Amendment) Bill by way of an amendment to that Bill at Consideration Stage. The Minister subsequently wrote to the Committee on 12 December to confirm her intention to proceed with the amendment. The Committee is in agreement with that proposal.

Having carefully considered the proposals, the Committee is of the view that this legislative consent motion (LCM) is the most appropriate means of legislating in this area and that it will ensure that relevant law is updated in the North simultaneously with that in Britain, avoiding potential disparity between companies in Northern Ireland and Britain. It will also ensure that potential loopholes and inequalities will be avoided to prevent Northern Ireland from lagging behind in company legislation.

The Committee, therefore, supports the Department in seeking the Assembly's endorsement of the LCM.

**Mr Dunne:** I, too, support the legislative consent motion that the Minister has brought before us. It aims to bring greater trust and transparency to the small business sector in Northern Ireland. I believe that it is the most appropriate means of legislating in this area, as it will help to avoid any disparity between NI and GB companies and will ensure that Northern Ireland is not lagging behind the rest of the UK in company legislation.

The main things in the LCM relate to ownership and control of companies, company filing requirements, insolvency measures, company directors, and financial access. Those are all designed to boost productivity and business growth in our SME sector. That is so vital, as we want to see our economy here in Northern Ireland grow. I welcome the motion, and I am content to commend it to the House.

**Mr Kinahan:** I, too, am very pleased to see the Bill here, and I support the motion. It is excellent to see a Bill coming into place that keeps us in line with everything else that is happening in the United Kingdom. We see that it changes the legislation to ensure that employees are not disadvantaged by unacceptable practices, be they exclusivity clauses in zero-hours contracts or underpayment of the national minimum wage. We also welcome it because it ensures that companies are trusted and transparent so that they cannot conceal ownership or control and engage in good corporate behaviour.

The Bill will help small businesses to get access to the finance that they need to grow, export, compete in public-sector procurement and address some of the issues on late payment. It is good to see that it supports and brings us in line with the Government's regulatory reform agenda, ensuring that ineffective, out-of-date and burdensome regulation does not hold back businesses.

As we know, all parties here support small to medium-sized enterprises, and it is good to see the Bill coming here, although it is sad to see that so few seem to have taken part in debates on it when it was in Westminster. I think that there was one two-sentence intervention and one speech. Some MPs voted on Opposition amendments, but, on the whole, most MPs were not there.

I am pleased to hear that the Department is dealing with this, and I congratulate it on the work that it is doing to go through everything in the Bill. I think that it is absolutely right that we work in line with Westminster and keep ourselves updated so that we are totally in line and there are no legislative gaps or loopholes.

I therefore support the Bill and look forward to seeing it go through.

**Mrs Foster:** I am grateful to the couple of Members who spoke on the legislative consent motion. The Bill is wide-ranging in its scope, and, as Members have seen, it deals with a number of matters for which the Department is responsible. It will have a direct impact on the lives of people in Northern Ireland. I know that the relevant measures in the Bill, which we have considered today through the legislative consent motion, will be of benefit to the public at large, who have felt the impact of issues addressed by those aspects of the Bill that I outlined.

I thank the Chair and the Committee members for their consideration. I also thank the officials who have worked on the Bill.

## 6.00 pm

In relation to another matter, at the end of Question Time, I was made aware that Mr Kinahan was not in the Chamber during the earlier statement on Tourism NI, because he was at a funeral. I want to apologise to him. I did not realise that at the time, and he knows that I spoke to him after Question Time and apologised in person. I have to say that it was remiss of his party leader not to inform him of the content of the tourism strategy, but that is a matter for internal party politics.

I commend the motion to the House and ask for its support.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Small Business, Enterprise and Employment Bill, as amended in Committee in the House of Commons, dealing with assignment of receivables contained in clauses 1 and 2; business payment practices in clause 3; liability of bodies concerned with accounting standards in clause 37; and companies transparency, company filing requirements and directors' disqualification in Parts 7 to 9 and schedules 3 to 6 and 8.*

## Private Members' Business

### Smoky Coal: Legislation to Ban its Burning

**Mr Speaker:** The Business Committee has agreed to allow up to one hour 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Wilson:** I beg to move

*That this Assembly notes that, on the basis of a flawed all-Ireland air quality report, the Minister of the Environment proposes to introduce legislation to ban the burning of certain types of coal in Northern Ireland in order to match similar legislation in the Republic of Ireland; expresses its concern that tens of thousands of households who rely on this cheap coal will be affected by the proposal through increasing levels of fuel poverty, especially in rural areas; believes that this measure would reduce competition in the market for domestic fuel to the detriment of consumers; and calls on the Minister of the Environment to reconsider his position on this issue.*

I want to, first, address two issues that have been raised by those who want to wriggle out of supporting the motion. The first is that, since the report has not been published, it cannot be described as “flawed”. The second is that, since the Minister has indicated that he will receive the report and then make his decision, the motion is only scaremongering and is premature.

I want to deal with the issue of the report being flawed first. I accept that the report has not been published, but I know what its terms of reference are, and it is flawed in a number of ways. First, if it is genuinely a report about air pollution, one would have expected that it would have addressed all the issues of air pollution. Oddly enough, the two forms of residential fuel that are more polluting than household coal, wood and peat, are exempt. They are not included in it. Of course, we know why that is; it is because peat is produced in the Republic by a state monopoly that produces about €51 million of income a year. It will never be included and, even though it is more polluting than coal, it is described in legislation as “smokeless”. Wood is the same. Secondly, in all the reports and, indeed, even in the Minister’s 2013 report on air quality in Northern Ireland, the emphasis for where air quality has deteriorated is not on the result of the burning of residential fuels but pollution from transport. However, transport is not included. If it was a genuine report about air pollution and concern about air pollution, one would have expected transport to have been included.

When it comes to the impact of any changes, there is only a passing reference to the impact on fuel poverty. Indeed, if one looks at the terms of reference under the “Impact Assessment”, one will see that it is geared towards a Republic of Ireland agenda. Fuel poverty is mentioned, but the emphasis is on alternative fuels and, especially, manufactured smokeless fuels. Of course, we already know that CPL Fuels Ireland is making a substantial bid to the Government of the Irish Republic to set up a plant, and we also know the tax revenue and jobs that that would produce. So even the terms of reference will try to gloss over the impact of fuel poverty — and, of course, none of that is going to benefit people in Northern Ireland. When

I say that the report is flawed, the terms of reference indicate that the report is flawed.

The second point that has been made is that I am assuming that the Minister has made his mind up. Well, the one thing that I do know is that the Minister in the Republic has made his mind up, because, on the day that the air quality report was announced, he said that the Government plan to extend the ban on smoky coal to every town and village in the country. On the same day, Alex Attwood was a bit more circumspect with his words, but he said, and you can see where the drift is going here, Mr Speaker:

*“Air pollution from smoky coal can have negative impacts on people’s health. I can think of no better time than ... 2013 ... to address the issue”*

and that we would have to take the necessary steps.

While he did not come out as vocally and as transparently as the Minister in the South, we have a report that concentrates on one kind of fuel and ignores the important impacts that the ban might have, which is really directed towards a problem that exists in the Republic and ignores other sources of air pollution, and one of the people engaged in the decision has already made his mind up and said that a ban will be extended. Therefore, I do not think that the charge that the motion is premature is correct. I do not believe that the charge that I am scaremongering is correct. I want to look at the impact that going down this road is likely to have on Northern Ireland.

First of all, in answers to me, the Minister has accepted that the majority of people who use household coal — indeed, the term “smoky coal” indicates where the thinking is going — live in rural areas and cannot get connected to the gas grid or whatever. Secondly, the majority of people who use that coal are from low-income families. Thirdly, air quality in rural areas is not a huge issue. If this was going to affect only a few thousand people, one could say, “Well, it is not really an important issue”, but 50,000 to 55,000 houses use household coal as their primary source of heating. Another estimated 110,000 households use it as additional fuel where they cannot afford, for example, to run the oil central heating all day, so they use household coal. The impact on those families of having to switch from a cheap form of fuel to a dearer form of fuel, since many of them already exist in fuel poverty, will be devastating and not something that the Assembly can ignore.

Although it is argued that the cost difference will not be all that much, the fact is that even to move — if you can — from household coal to smokeless coal is likely to put up the bill that households will face by anything from 20% to 50%. If they have to switch, and if they can switch — many in rural areas, of course, do not have —

**Mr Agnew:** I thank the Member for giving way. I have absolutely no idea where he gets the 20% to 50% figure from. Will he substantiate it?

**Mr Wilson:** A ton of household coal costs about £300. A ton of manufactured smokeless fuel costs between £350 and £450. The Member was not the best economics student, but an increase from £300 to £450 is £150; it is 50% of an increase on £300 a ton. Even if that were the case, the appliance, in many instances, would have to be changed because not all open fires will burn smokeless fuel.

Fuel poverty will hit a substantial number of people, mostly in rural areas. We are not talking about a few thousand people; we are talking about tens of thousands of households on the basis that there may be a problem in the Republic and a desire to ban household coal. Of course, if you ban household coal, they do not want it being available in Northern Ireland and being transferred across the border. People who suffer from fuel poverty in Northern Ireland become victims of a policy in the Republic. For that reason, the Assembly should be addressing the issue. If we are serious about the issue of air quality, why does the report not include a whole range of other issues? Why has it zoned in on the one issue that is a fixation of the Department of the Environment, Community and Local Government in the Irish Republic? Fuel users in Northern Ireland should not be penalised as a result of a policy that originates in the Republic and that people want to be extended across Northern Ireland.

I would welcome it if the Minister is going to tell us today that he is not prepared to —

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

**Mr Wilson:** I will.

Will the Minister tell us that he is not prepared to disadvantage his own constituents? In Strabane, his predecessor was asked to lift the ban on the use of household coal because 80% of households in fuel poverty could not afford to heat their houses. Minister, do not turn your back on your constituents. Do not turn your back on —

**Mr Speaker:** Thank you.

**Mr Wilson:** — the people of Northern Ireland, and —

**Mr Speaker:** I call Mr Cathal Boylan.

**Mr Wilson:** — do not introduce the policy.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. I congratulate you on your new role. I certainly welcome the debate. The Member who proposed it was on fire earlier but he is only smoking tonight in presenting it.

We are not trying to wriggle out of this. The motion is premature. We are waiting on a body of work to come forward and we will analyse it. It does not matter whether it is through the Committee or anything else; we will assess it and see what comes out of it. The Member mentioned the terms of reference. I thank the research team for bringing forward the report. I was trying to figure out where the Member was bringing his arguments from about a flawed report. Some things in the terms of reference hit the mark, which is why I would have preferred to have held off the debate until we receive the report in May this year. I have no qualms about dealing with it in the Committee.

The Member mentioned a few important things. I have been on the Committee for a number of years. I have not heard anything from the Minister to say that he intended to bring forward legislation on banning smoky coal at any point. Over the last number of years, some of my constituents who were under pressure because of the price of oil have reconverted to back boilers and open fires. The party certainly would not support any legislation that uses a big stick approach; we would not support legislation that would cause those people any undue economic problem.

If we are serious about all of that, that is why I would appreciate seeing what is in the report. We certainly could not bring anything forward unless there was an alternative and a way of supporting those people. Whether it is a subsidy or not, I do not know, but I would like to ascertain and assess all the information in relation to that. That is why I said to the Member that I was concerned about the issue.

**6.15 pm**

I certainly take on board the Member's points, and I agree with him that, if we are to have a bigger debate on pollution, let us have it. Why then was there not any reference to it? He is correct: if you read the reports, you see that other forms of air pollution are a major issue for us. Out of 28 references in the research document, 20 relate to fuel, cars and transport pollution. I do not mind having the bigger debate on that, but the Member who moved the motion has talked particularly about smoky coal. That is the debate.

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

**Mr Boylan:** Yes, certainly.

**Mr Wilson:** Will he accept that I mentioned only this one form of fuel because that is what the report restricts itself to? If it is genuinely a report about air pollution and not, as I believe, a first step towards meeting the stated objective of the Minister to ban this one form of fuel, why was the report not more inclusive?

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

**Mr Boylan:** Thank you, Mr Speaker. I accept the point that the Member is making. In continuing, I was going to say this to the Minister: why, then, Minister, is that the case? We are waiting for a North/South Ministerial Council all-island report. The previous Minister requested it. Maybe the Minister can indicate, as part of his contribution, why it has only been in relation to smoky coal. Maybe he will have something to say on that.

It is a good debate, and it is a welcome debate, but I cannot support the motion at this time. As I stated from the start, once we get all the facts, I will be happy to come back to the Chamber and debate it. Let us see what is in the report. Let us see all the things that are in the terms of reference. Let us bring it forward and see exactly what they say. I am happy to debate it again.

**Mr Eastwood:** I am very interested in the motion and in Mr Wilson's psychic powers, which have been on display today and in the writing of the motion. When I sat down to read it, it was kind of strange to understand how it even got to the Floor of the House. I know that he has pre-empted this attack, because he has obviously realised his mistake. I do not know how he can say:

*"on the basis of a flawed all-Ireland air quality report, the Minister of the Environment proposes to introduce legislation to ban the burning of certain types of coal".*

I am not sure how he can come to that conclusion. Maybe he was using the crystal ball that he used to write some of the Budgets that got us into the black hole that we are in. He has also called:

*"on the Minister of the Environment to reconsider his position on this issue."*



I am good friends with the Minister, and I am on the Environment Committee and have spoken to the Minister about this issue many times. I do not think that the Minister has a position on this issue yet, because, like the rest of us, like the proper organs of the House — the Assembly Chamber and the Environment Committee — he is waiting for the results of this report. As any parliament, any assembly or any legislature should do, we should take the report and examine it and either take on its findings or throw its findings out without implementing them. We have to have some respect for the democratic institutions that we are all in, and let us make a decision in the proper way.

It is interesting that the Member has also said that the Minister in the Republic has made his mind up. Unfortunately for some of us, the Minister in the Republic does not have jurisdiction over this part of the world. I wish he did — maybe some day he will — but he does not. It is not a decision that this Minister or any other Minister from this Executive can be held accountable for. The whole premise of the motion is wrong. The idea that the Minister has made up his mind, made a decision and made a proposal — none of that is correct. It is good that we can have this debate, but let us have it in an informed way. Let us have it after the report has been published, when we can all have a proper opportunity in the Committee, the House and the Department to examine it and go through it. Then we can have a debate that might be a little bit more informed, rather than an hour and a half late on a Tuesday evening without even having a report that any of us can read.

I recognise that there are grave concerns. The Member obviously has concerns in his constituency. We all know that. We have concerns in ours. The Foyle Port in Derry is heavily reliant on the import of coal, and many people are employed in that industry. I do not think that anybody will take a decision that would jeopardise that. We are also very aware of fuel poverty issues. All of us deal with people every day who are in fuel poverty. I think that some of the Executive's decisions could do a whole lot more to alleviate some of those issues. However, we have to make a balanced decision; we have to make a decision based on all those factors, as well as factors of air pollution. We know that smoky coal, however you want to describe it, is not the only thing that contributes to air pollution, but we know that it does. We have to take all the evidence on board. High numbers of people across the North and across this island die because of air pollution every year. We need to examine that. I say it again: we need to examine the facts. Go ahead.

**Mr Wilson:** Will the Member also accept that far more people die from the cold than die from air pollution? If he is just going to take the air quality issue, the choice may well be that, if we restrict the availability of household coal, many people will die because they will not be able to afford to heat their house.

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

**Mr Eastwood:** Thanks. I will probably not need it, Mr Speaker. Thanks for your intervention, Mr Wilson, but I do not think that the terms of reference say that we are just going to take one part of it. They do not say that we are going to look just at fuel poverty or at air quality; they say that we are going to look at all of it. That makes perfect sense. It also makes perfect sense to do it in an all-Ireland way, as the air that we breathe and the water

that we drink are all related. The air that we breathe is the most obvious, since the border makes no impact on it. Therefore we should examine it in an all-Ireland way. I for one am prepared to wait until May to make up my mind. I wish that the Member, instead of jumping up and down on his high horse, looking at his faulty crystal ball, would wait until May, examine the report and join all of us in a proper, informed debate about where we go next.

**Mrs Overend:** I welcome the opportunity to participate in the debate. The Ulster Unionist Party supports the broad principle of the motion. It is regrettable, however, that the flaws in the wording of the motion have diminished the value of the debate. We tried to rectify the inaccuracies with an amendment, but, bizarrely, it was not selected. No doubt the Speaker has his reasons, but, standing here today, they are difficult to see.

Whilst the air study is being taken forward by the North/South Ministerial Council, there is no doubt that the Republic of Ireland is really taking the lead on the issue. Northern Ireland has somehow been dragged into it, and it concerns me that, unless the Department starts speaking up on the issue and making its concerns clear soon, we could end up walking ourselves into a foregone conclusion. We understand the rationale and why it is important that whatever is being burned in our domestic properties is monitored. When the ban on burning certain fuels in many of our towns and cities was introduced in the 1960s, it had a major impact on smog and general air quality. That was something to be welcomed.

Over the years, that protection has grown to 16 councils, with well over 100 smoke-control areas. I support that. What I do not support is that, somehow, the next step has been assumed to be a widespread ban on certain types of fuel. Although the motion refers to smoky coal, not even referring to its correct name of bituminous coal, the issue is broader than that. However, we accept that the study, by focusing on — I quote Minister Hogan, the former Republic of Ireland Minister for the Environment — “in particular, ‘smoky’ coal”, was always compromised, and, as has been said, there are other fuels worse than coal.

In my constituency of Mid Ulster, we have a great number of people who dig peat and use it to heat their home. Although the study is deemed to be biased, singling out smoky coal or bituminous coal, which is the preferred title, it must be said that, as the proposer said, peat briquettes are classified as smokeless fuel in the Republic of Ireland but not here in Northern Ireland. I find that rather strange, since emissions are greater from peat than from bituminous coal. I am sure that the same can be said for other areas of Northern Ireland, in that there are a great number of installations of wood-burning stoves in Mid Ulster, in an attempt to save money on heating our homes.

At this stage, I thank the Minister for recently meeting me, my colleague Tom Elliott, who was the environment spokesperson before me, and members of the Coal Advisory Service. The Minister was open to listening to the concerns of people from the sector, and we requested that the Minister publish the interim report so that the industry can assess whether the study will be fair and unbiased.

If a ban were brought in, it would have immediate and significant consequences. Although air quality is an issue to be watched, banning fuels such as a bag of bituminous fuel will have a major financial consequence. Very often,



people burn the cheapest fuel available to them, so, if it is banned, it is inevitable that costs will increase. Some officials scorn such a suggestion and try to claim that, in the longer term, other, smokeless fuels are cheaper, but we need to remember that the priority for most people is heating their home. That may not go hand in hand with environmental considerations —

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

**Mrs Overend:** — but that is the reality of it. Certainly.

**Mr Beggs:** Is the Member aware that, over Christmas, I visited a home in which there was clearly fuel poverty? The family could not afford to fill their oil tank, and there was a young child in that family. Their only option for heating their home was to use the open fire, which, of course, is not suitable for smokeless coal. Therefore, there are great risks and a danger of fuel poverty if bituminous coal were to be banned.

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

**Mrs Overend:** I thank the Member for his intervention. As the proposer of the motion said, to accommodate the change to smokeless fuel, appliances need to be changed. That is an additional cost in itself. Indeed, to convert all appliances in Northern Ireland would cost in the region of £210 million, I understand.

Before any decision is taken, I remind the Minister that any ban on bituminous coal will have a direct and immediate effect on people's pockets, especially those living in rural areas. I am sure that I do not need to remind the Minister that our rate of fuel poverty was last measured at 42%. There has been pitiful success over recent years in tackling our fuel poverty rate, and a ban similar to what is being proposed will only exacerbate it.

I conclude by asking the Minister to publish the interim report to provide reassurances that local householders and fuel merchants will not be disadvantaged.

**Ms Lo:** In May 2013, Ministers Attwood and Hogan, the Environment Ministers of Northern Ireland and Ireland respectively, commissioned a joint research study of the problem of emissions to air from solid fuel combustion, particularly from smoky coal. As the report has not been published and the Committee has not seen it, I shall speak as the Alliance environment spokesperson only.

Smoky coal is a significant source of particulate matter, which is microscopic solid or liquid matter suspended in the earth's atmosphere, and can adversely affect human health.

EU directives limit particulate matter; in fact, recent evidence has suggested that health problems occur even below the directive levels. Smoky coal also includes roughly 10 times as many various particulates as smokeless fuel.

### 6.30 pm

Places regularly deemed as having high pollution, or that are under air-quality management regimes as a result of particulates, include Derry, Strabane, Newry and Ballymena. Levels in Derry sometimes reach six times the limit, and Ballymena 10 times.

The ban on the marketing, selling and distribution of smoky coal was first introduced —

**Mr Wilson:** Will the Member give way on that point?

**Ms Lo:** Yes.

**Mr Wilson:** Would the Member also accept that the air-quality reports, from which she is probably quoting, that were produced by the DOE do not distinguish between the particulate matter that comes from, for example, diesel cars, lorries and the burning of fuel in households? Indeed, given the erratic nature of the measurements, it is more likely that it is related to transport rather than the burning of fuel?

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

**Ms Lo:** All the same, smoky fuel plays a major part in contributing to air pollution.

The ban on the marketing, selling and distribution of smoky coal was first introduced in Dublin in 1990 in response to severe episodes of winter smog, which resulted from the widespread use of smoky coal for home heating. The ban proved effective in reducing smoke and sulphur dioxide levels, so it was extended to other areas, including Cork City, in 1995. Interestingly, research has since shown that air quality in smaller towns in the Republic is worse than in major cities because of the burning of coal.

There have been dramatic improvements over the years in urban air quality through the introduction of smoke-control programmes. As a result, we no longer experience the appalling smog of the 1950s and 1960s, but it is a frequent occurrence in cities like Shanghai and Beijing. I have seen it.

Under the Clean Air (Northern Ireland) Order 1981, district councils may make all or part of their district a smoke-control area. There are currently 16 district councils in Northern Ireland with smoke-control areas in operation. Since 1966, approximately 120 smoke-control areas have been declared. In smoke-control areas, residents are required to use authorised smokeless fuel. This means that it must produce less smoke than ordinary fuels when burned. Alternatively, they can install an exempted fireplace, such as a stove, heater or boiler that has been tested to show that it can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke. The Environment Committee has approved a number of these exemptions in the past year.

The Republic's Environmental Protection Agency stated in an all-island report:

*"Local air quality is significantly impacted by solid fuel heating ... particularly in small towns without a 'smoky' coal ban."*

Professor Alan Lockwood from the State University of New York at Buffalo, who has written extensively on the issue and is an expert in nuclear medicine, said that up to 490 lives could be saved in Northern Ireland each year by the move. The Asthma Society of Ireland also estimates that up to 500 lives could be saved annually as a result of such a ban.

I recently met a representative from the coal industry. Whilst I understand that smokeless fuel is more expensive, I believe it is around £1 per 25 kg bag, which is perhaps a price worth paying to obtain better air quality for all.

It is worth noting that the carbon tax in the Republic —

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

**Ms Lo:** I am fine; thank you. I am running out of time.

**Mr Speaker:** I am sorry, but the Member's time is up, including the extra minute.

**Ms Lo:** — was increased —

**Mr Speaker:** Thank you. I call Mr Trevor Clarke.

**Mr Clarke:** I support the motion. It is difficult to follow on from Sammy's contribution, but it was interesting to listen to Cathal Boylan, and I listened attentively. He said, "Let's see what's in it". The difficulty that we on these Benches have is that we already know what is not going to be in it. That is the inclusion, or, in our case, the exclusion, of other types of fuel. As mentioned, let us look at two forms of fuel: peat and wood. In one of those cases, the end result is almost double the impact of smoky coal. It is difficult to see how we can have a report that focuses on one area. If it is all about air quality and trying to get the best arrangements to prevent air pollution, I think that everything should be included.

It seems that, whilst Mr Eastwood has not got his wish for an all-Ireland policy, his Minister seems to be a puppet for the Republic. As Sammy read into the record, on 22 April 2013, it was announced that the Government plan to extend the ban on smoky coal to every town and village in the country. What part of that does Mr Eastwood not understand? That is the direction that his Minister, and indeed the Minister in the Irish Republic, wants to take this. As I said at the outset, if the whole purpose of this is to improve air quality, everything should have been included in the report.

I listened to what Sandra Overend said, and I support it. Someone like myself, who is from a rural constituency, knows that many people in rural constituencies have turned to a form of fuel that they can afford to heat their home. Not this Christmas but the Christmas before, I was involved in a case where the council put a threatening letter through a pensioner's door. That woman was living on her own, and the only form of heat that she could use was "smoky coal", if that is the term that we want to use. She was that fearful that she chose not to heat her house over the Christmas period because she was scared of the rigours of the law.

It was interesting listening to Ms Lo when she said that it is only £1 a bag dearer, given that, only yesterday, her party suggested that we should increase the domestic rate and introduce water charges and everything else. The Alliance Party is really showing its hand as being a party for high taxation in Northern Ireland. Heaven forbid that it ever gets its way, because we are all familiar with fuel poverty in our constituencies.

**Ms Lo:** Will the Member give way?

**Mr Clarke:** I will indeed.

**Ms Lo:** We were suggesting that it not just be cut, cut, cut. We want to think of revenue increases and of getting income from different streams, rather than just having 100% cuts.

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

**Mr Clarke:** Thank you for that, Mr Speaker.

You made my point for me. The whole idea is that raising revenue is an additional cost to households. The purpose of the debate, and I think the direction that Sammy wanted to take it when he tabled the motion, is to think of the 50,000-plus homes that people have difficulty heating. The Alliance Party policy is to increase, increase, increase the contributions that individuals have to make.

Back in October, Sammy Wilson put a question to the Minister. He asked what are:

*"the main sources of problems with air quality in rural areas."*

The answer was:

*"Air quality is, in general, better in rural areas than in urban areas."*

Mr Speaker, you are from the same constituency as me, and, as someone who represents a rural constituency, I am worried that, if this Minister and his counterpart in the South get their way, there will be a very negative impact on people in rural constituencies. For that reason, I support the motion.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. I congratulate you on your position as Speaker of the House.

Cathal and Mr Eastwood already covered lots of stuff that I am going to say, and what I have to say is very similar. However, I want to carry on and present for the record what I prepared earlier.

While the recent weather conditions no doubt make coal as an alternative heat source a very topical debate, voting on the issue without having had sight of the final report being prepared by the North/South Ministerial Council seems somewhat premature. There are many factors to be taken into consideration, not least, as the motion points out, the impact on those experiencing fuel poverty. In the North of Ireland, 43.7% of households were reported to be in fuel poverty in 2014, making it the highest percentage in Europe.

In my constituency of Mid Ulster, I know of many households that had converted to oil a number of years ago but have since reinstated the open fires and back boilers. That is not due to personal preference but simply because it is practical, affordable and fuel can be bought in small amounts as needed, making it easier on the budget. For many, that is the only viable option in the current economic climate. The price of oil has risen significantly over recent years, gas infrastructure is not widely established and reliance on electric sources can leave people without heat during power cuts.

Smokeless manufactured fuels certainly have a role to play, but, like everything, their quality and environmental credentials vary. While they may burn for longer, they are generally more expensive than coal and are not always compatible with the traditional fireplace. That means that, for some people, switchover would involve a greater cost than just the fuel.

That said, air pollution remains a problem and a responsibility for us all. There are targets to be met, but of more importance is the effect on human health, particularly for those suffering from conditions such as lung cancer and asthma. While I recognise that the burning of coal is not the only cause of poor air quality, current

available evidence shows that it is a significant factor, and smoky coal, as it is commonly known, is the most pollutant coal for particulate matter PM10 and PM2.5 and is very high for PAH emissions.

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

**Mr Milne:** Yes, go ahead.

**Mr Beggs:** Will the Member accept that there is not a pollution issue in rural communities where there is plenty of fresh air and the countryside? Not only that, but if he were to support a Northern Ireland-wide ban on bituminous coal, he would also have to support a ban on the burning of peat, because it is even more pollutant. Would he support a ban on peat burning?

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

**Mr Milne:** First of all, I am not supporting a ban, because we are waiting on further reports, as was articulated earlier this evening.

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

**Mr Milne:** Yes.

**Mr Clarke:** I know from your answer to the previous intervention that you are not supporting a ban. However, in response to the question that has just been asked, how are you supporting a report that is not inclusive of peat and wood?

**Mr Milne:** We are dealing with the motion that is before us tonight. That report is incomplete.

In areas deemed smokeless zones, the air quality has improved, and positive health impacts are backed up by the studies around the world, not just in Ireland. Legislation of this kind therefore warrants consideration. Where there are environmental and health benefits, it is our duty to work towards them. It would be unthinkable not to do so. Equally, if the health of people who cannot afford alternatives will be impacted, solutions have to be found before any change could be considered.

In short, there are still too many questions on which there is limited information, and there is no proposed legislation before us to focus the debate. If a ban on certain types of coal were to be proposed, would it be based on the population of an area or in places where air quality is poor or would it be an outright ban across the North? What measures would the Minister bring forward to alleviate the fears and concerns of households that depend on that source, and how would he propose to mitigate any negative impact of such a decision?

Until we have all the information before us, and until we have seen the final report of the North/South Ministerial Council, all we can do is merely speculate. Therefore, I feel that I cannot support the motion and will reserve judgement until I can make a fully informed decision.

**Mr Speaker:** I call Ms Pam Cameron. I call Ms Pam Cameron. Sorry for waking you.

**6.45 pm**

**Mrs Cameron:** Thank you, Mr Speaker. I also thank my party colleagues for bringing this motion to the House today. Sammy Wilson has already highlighted a number of important issues. I feel that it is prudent to add my concerns about the Minister's proposals to the record.

Whilst a solution to air quality issues is in all our interests, I believe that the all-Ireland air quality report contains fundamental flaws and lacks locational context. The impact of traffic pollution has not been taken into account in the study, which therefore ignores the bearing things such as the impact of HGV traffic will have on levels of airborne pollutants in a given area. I trust that the Minister will take the many dozens of HGV lorries that will bear down on Mallusk into consideration should he decide to approve the Arc21 proposal in South Antrim. Of course, he would already have been aware of residents' concerns had he bothered to turn up for the debate on that issue.

That is not to mention the effects on pollution levels of other environmental factors like topography and weather systems, which also appear to have been overlooked in the study. Whilst the proposals focus solely on bituminous fuels, they notably exclude the burning of peat and wood, which are equally as polluting through polycyclic aromatic hydrocarbons (PAHs). Indeed, examining the levels of nitrous oxides that are emitted during the burning of so-called smoky coal shows that they are equal to those of oil and gas. In neglecting to consider other solid fuels, the Minister appears to be incredibly naive and is, I suspect, being led down the garden path by his Southern counterpart, Mr Hogan, who, whilst aiming to ban smoky coal, is actively encouraging the Republic's lucrative peat and wood local and export businesses. Any changes to the current legislation will have a major impact on Northern Ireland's coal importers, resulting in job losses, and will have huge implications for the local economy.

Around 40,000 homes in Northern Ireland use smoky coal as their only source of home heating. Those households are typically in rural areas and not on the gas network. They are often elderly people or those on low incomes. For many who use coal, it is simply not a choice but a necessity. Coal provides a key source of affordable energy for many homes across Northern Ireland and allows those people to purchase fuel in small, budget-friendly amounts. For these people, the banning of smoky coal would most certainly lead to increased levels of fuel poverty and financial uncertainty.

I believe that the argument that the burning of smoky coal is detrimental to health is far outweighed by the counterargument that fuel poverty will cause far more health problems, with many not being able to afford the expense of upgrading their heating system or indeed the energy source itself. It has been recognised that the majority of households that use coal are in rural areas of Northern Ireland. It is therefore absolutely unnecessary to introduce legislation banning coal, as rural areas of Northern Ireland do not suffer any air quality issues.

Current legislation enforcing smokeless zones is more than adequate to deal with more urban and built-up areas. It is widely accepted that the proposed ban would be entirely unworkable and almost impossible to police. Currently, smokeless zones are enforced by local councils, but in bringing forward a ban on smoky coal, the Minister will undoubtedly force increased rates on already financially stretched households. The cost of implementing such a proposal would be significant, but, in real terms, it would be of little benefit to the majority of people.

In closing, I implore the Minister to rethink his plans on this proposal, which is erroneous and fundamentally flawed in many areas. With levels of tyres being illegally dumped

at a record high, many of which end up being burnt on bonfires and causing toxic gases to be released into the atmosphere that are much worse than those created by smoky coal, I encourage the Minister to focus his efforts on legislation in this area rather than chasing the vanity project of his Southern counterpart.

**Mr A Maginness:** Mr Speaker, I congratulate you on your elevation and wish you well in your term of office.

First of all, this motion is clearly ill-judged and premature. It has also given rise, I believe, to substantial scaremongering and fear in many communities throughout Northern Ireland. I think that it is deeply regrettable, but it is also irresponsible coming from the Member for East Antrim.

The Member has raised a number of issues. He did so with great ingenuity, in order perhaps to divert attention from the self-evident flaws in the motion and perhaps to distract from his own failure in his term of office as Finance Minister. Mr Eastwood referred to the creation of a black hole in public finances. Perhaps if Mr Wilson had applied himself with the industry that he applied to this issue, we would not be in the position we are in.

There has been a sudden conversion on the part of the DUP to the prevention of fuel poverty. The DUP was the most obstructive of all parties in the House to the green new deal, which would have introduced measures that would effectively have eliminated fuel poverty by giving people fuel efficiency in their own homes, whether in urban or rural areas.

**Mr Wilson:** I thank the Member for giving way. Perhaps he would bear in mind that it was Nigel Dodds, as Social Development Minister, who first introduced the warm homes scheme, and it was during times when Peter Robinson, Nigel Dodds and I were Finance Minister that more money was given to warm homes schemes, window insulation and so on. Rather than not dealing with fuel poverty, our record on dealing with fuel poverty is fairly good.

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

**Mr A Maginness:** I will let the public judge them by their record on the green new deal. The green new deal would have transformed the situation for many thousands of homes throughout Northern Ireland by giving people energy efficiency in their own homes.

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

**Ms Lo:** Will the Member give way?

**Mr A Maginness:** I will indeed.

**Mr Attwood:** Will the Member also confirm that, contrary to what the former Minister of Finance said, it was at the insistence of Social Development Ministers that more money went into the warm homes scheme. When Mr Wilson was Finance Minister, it so happened that Margaret Ritchie and I were Ministers, and the green new deal was repeatedly derailed by Mr Wilson and DFP making the argument that the business case somehow did not stack up. Some £175 million that could have gone into the warm homes scheme and the green new deal was denied by that former Minister and DFP.

**Mr A Maginness:** Not only is his —

**Ms Lo:** Will the Member give way?

**Mr A Maginness:** No, I will run out of time.

Not only is his motion defective but so is his memory. I thank Mr Attwood for bringing that to the attention of the House. Scaremongering is irresponsible. I know that elections are imminent but descending to the level of frightening people in their own homes about a source of heat and fuel ought to be rejected by the House.

Air pollution is insidious. There are carcinogens in air pollution that affect people's health. According to a 2010 UK report, 500 people died in Northern Ireland as a result of air pollution. It is not something academic: smoky coal is a problem. It will not be resolved easily but it has to be addressed sensibly. That is why the Minister is right to wait for the report. It is right that it should be done on an all-Ireland basis because the problems are common to both jurisdictions. It is right that the research be carried out. It is correct for the Minister to say that Mr Wilson's motion is utterly premature and ought to be rejected by the House.

**Mr Elliott:** I welcome the opportunity to speak in this debate. While I accept that the wording of the motion is presumptuous in areas and is maybe not the best, I understand the reasoning for bringing it forward, and I support the principle of bringing it forward. I suppose I should declare an interest because I have a relative who sells coal. Whether it is smoky coal or not, I am not sure.

**Mr Kennedy:** You do not buy it.

**Mr Elliott:** That is a good point. Mr Kennedy says I do not buy it; I do buy it. We have heard a lot about smoky fuel and smoky coal. Can anybody give me a real definition of smoky fuel and smoky coal? I see Mr Wilson shaking his head; he brought the motion forward, and I am not sure whether he can tell me what smoky fuel or smoky coal is.

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

**Mr Elliott:** I am not sure whether the Minister will be able to tell us, when he gets to his feet, what smoky fuel or smoky coal is.

**Ms Lo:** Will the Member give way?

**Mr Elliott:** Mr Wilson was first, and then I will take Ms Lo.

**Mr Wilson:** According to the definitions that have been used so far, all coal, apparently, is smoky unless it is manufactured smokeless fuel. That seems to be the only kind of coal that is deemed as being non-smoky, but, of course, it is much more expensive than all other kinds of coal.

**Mr Elliott:** Ms Lo.

**Ms Lo:** The smokeless coal is the smaller, round coal. They have been treated. The ordinary coal is big lumps of any size, and you burn it in the open fire. That is my understanding of it. *[Laughter.]*

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

**Mr Elliott:** I am not sure which definition to accept because both seem to be getting out of proportion.

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

**Mr Elliott:** OK, go on ahead; everybody else is.

**Mr Kennedy:** It might be useful for the Member to cut a bit of slack on this issue. *[Laughter.]*



**Mr Elliott:** I think I will try to get back to the motion, if that is reasonable. There is a huge divergence of opinion. The difficulty is that, in the past, coal has been banned in some areas for smokeless fuel. That has happened in cities in the Republic of Ireland, and it has happened in some areas of Northern Ireland where it cannot be used. Is it a good thing? If it is a huge pollutant, maybe it should be banned in some areas, but the reality is this: has anything been put in its place? One of the reasons why I reject the report coming forward is that it has not looked at other aspects. It has not looked at the fuel poverty that we have heard about; it has not looked at the cost of the alternatives that may be required if it goes out of business; and overall alternatives have not been looked at. Are people going to burn more sticks and peat, which pollute the air more, as somebody else mentioned? We have not got that information, as I understand it. I will listen to the Minister. Maybe he will say, "Mr Elliott, you are totally wrong". If I am, I will hold my hands up, but, as I understand it, this report will not include any of those aspects. If we are doing a report, it needs to be comprehensive and all-inclusive.

Mr Maginness said that pollutants are bad for your health and affect people. Hypothermia affects people. If you cannot heat your home or your house, or if you cannot keep the room warm, that will affect people in a negative way. In fact, it can kill people. That is the reality. So, unless reasonable alternatives are looked at within the report, I will not accept or support the report coming forward in the first place, irrespective of what it says in the end. It must be a much more comprehensive report. Many in the coal industry see the report as an attempt to get at them. They see it as an attempt to reduce their business and to stop the importation of that coal or product into Northern Ireland or, indeed, the Republic of Ireland — both jurisdictions.

I heard Mr Eastwood say that he has concerns about the Derry port and what comes in there. I call it Londonderry port, but I will not argue with him about that today.  
[Laughter.]

### 7.00 pm

The reality is that, yes, there are significant concerns not just about the pollutants that can be brought about but about many other aspects of fuel burning in Northern Ireland. Do we really want to say to people that soon they will not have an alternative? Let me tell you that pressure will be coming on the burning of oil before too long; that will be the next thing. There will be coming pressure, especially on heavy oils. We have heard about the potential of fracking; people do not want that either. We accept that renewable energy sources have some potential, but they are not all they are made out to be either. There is a huge lobby group against wind energy production, but I will not get into that with Mr Wilson today at all.

**Mr Agnew:** The Assembly is used to hearing nonsense from Sammy Wilson as, indeed, are the people of Northern Ireland. [Interruption.] I have to say, however, that what he has brought us today is nonsense of the highest order. The motion refers to a flawed all-Ireland report, and, of course, that report has not been published.

I should apologise to the House because, when Mr Wilson tabled the motion I tackled him and asked him why he was putting this nonsense in. I told him that the report had not even been published. He has had a couple of weeks to

come up with a few answers, and now it is the terms of reference and other such things that are flawed. However, that is not what the motion says; it says that the report is flawed. He has not read the report, and I do not see how the Assembly could stand over such an assertion. It is a perfect example of a Member and a party that have no interest in evidence-based policymaking. Instead, we have a Member who, at the mere hint of possible environmental regulation, has an instinctive knee-jerk reaction and forms an ill-conceived and ill-considered motion.

I want to address some of the points that Mr Wilson made. He said it when we were on the radio today and again in the House that Northern Ireland does not have the same problems with air pollution as the Republic of Ireland. That is true. We have only 500 people dying each year because of air pollution. That is not a serious problem; it is not something that we should investigate or take measures to tackle.

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

**Mr Agnew:** I will not give way for the simple reason that Mr McCrea is restricted to two minutes, and we have only two non-Executive parties speaking in the debate. Otherwise, I normally do give way.

It is a health problem that we have to face. Within the last week or so, the Chief Medical Officer attributed the spike in A&E demand to air pollution, so we do have a problem in Northern Ireland. We have evidence that we have a problem in Northern Ireland, and we need evidence on possible solutions as to how we tackle it.

The other issue that has been raised is fuel poverty. The Member states that insufficient focus has been put on fuel poverty in the report. Again, I say, how does he know? He has not read it. Indeed, specific reference is made to fuel poverty in the terms of reference where it says:

*"The report will assess potential impacts of policy proposals on vulnerable sections of the population including fuel poverty issues."*

So, fuel poverty is in the terms of reference and we do not know how much focus it is given in the report because we have not read it because we have not seen it because it has not been published.

Mr Wilson also made the argument about the price; he came out with figures that the price of smokeless coal is 20% to 50% higher. That is not the case in the figures that I have; it is certainly not as much as 50% higher, but I accept that he is in the right ballpark. However, he does not mention that smokeless coal burns for 40% longer and one third hotter. It burns hotter and longer and, if he does the maths, the consumer gets a better deal.

The other thing that I will say on fuel poverty echoes what Mr Maginness said. It was Mr Wilson's party, the DUP, that rejected the green new deal. I suppose that I should give some credit to Mr Wilson, who budgeted for the green new deal when he was Finance Minister. However, his colleague the Social Development Minister, then Nelson McCausland, decided that he would instead spend the money on a boiler replacement scheme, when all the evidence shows that, no matter how efficient your heating system, if you are burning any type of fuel for the heat to go out the roof or the window, it is inefficient and does nothing to tackle fuel poverty.



So, we had an opportunity in the Assembly to take serious action to tackle fuel poverty. Indeed, we had an opportunity to bring in investment from the private sector as well as the public sector to address fuel poverty.

I am not calling for a ban on smoky coal today. I am simply calling for evidence-based policymaking and that we read the report before we condemn it.

**Mr Speaker:** I call Basil McCrea, and I hope you will rise to the challenge of two minutes.

**Mr B McCrea:** Yes, two minutes. Thank you for all the hot air. You want to wait for a report to come out. All that I can offer you on this is that I am a chemical engineer by background, which means that I do study such things as particulates, but for this contribution I rely on National Energy Action, which some of you will know. It is a national charity that aims to eradicate fuel poverty and campaigns for greater responsibility in heating.

It provides some statistics, which I will summarise, because I do not have long. Yes, coal is cheaper, but coal is inefficient. The statistics that Mr Agnew brought out prove it. If you really want to heat your home properly, you use other fuels. Where possible, if you are really serious about fuel poverty, you also get better insulation.

Coal is cheaper; coal is also a bigger pollutant. It makes a nonsense of this place to say we are going to carry on burning coal, when you have only to look at the amount that we recently spent on Ballylumford. This part of Northern Ireland spent £17 million to reduce the emissions coming out of Ballylumford just to keep the lights on.

That was to do with pollutants and NOx. Read the report: coal is not good for your health. In the long term, coal is not the solution. Yes, it is cheaper, but coal is the fuel of the past. We should be investing for the future. This is a spurious argument based on electioneering, and it does not do the people of Northern Ireland any good.

**Mr Speaker:** Well done.

**Mr Durkan (The Minister of the Environment):** Go raibh maith agat, a Cheann Comhairle. Comhghairdeas leat faoi do phost nua. Congratulations, Mr Speaker, on your recent elevation.

The motion has presupposed that I have decided to introduce a Northern Ireland-wide ban on smoky coal. That is not true.

Having had to answer several questions on the subject after my recent North/South Ministerial Council (NSMC) statement, and another during topical questions today, this would certainly seem to be a burning issue.

The motion has been brought before the Assembly because of my Department's engagement in a joint study with the Department of the Environment, Community and Local Government (DECLG) in Dublin. That joint study was commissioned by the NSMC in July 2013. The project commenced in February last year, and a presentation providing an update on progress with the study was made at the NSMC meeting on 8 May 2014.

At the last NSMC environment meeting, in November, the Council noted that officials are considering an interim report, which will be presented to Ministers in the near future. I have not yet seen the interim report.

I have already engaged extensively with representatives from the solid fuel industry and with other key stakeholders and Departments across the North to ensure that their views are taken on board during the research. That includes engagement with Minister Storey's Department.

Let me be absolutely clear: my being against the motion in no way disregards the very serious impacts of fuel poverty that we all see here. Nor will I be doing anything that will exacerbate fuel poverty here.

It is simple. The reason I am against the motion is that it is premature. It is pure speculation and, worse than that, it is scaremongering. It is based on an assertion regarding a policy that I have not put forward and on the outcomes of a report that has not yet been completed. I have not made any decision to ban the burning of any types of fuel across the North. Maybe Mr Wilson thinks that there is no smoke without fire, but let me assure you that there is no fire here. The motion asks me to reconsider my position on the issue, but my position is, and always has been, as follows. When this research is concluded, I will consider its findings and recommendations. Any recommendations that I consider worthwhile will be put forward for consultation with ministerial colleagues, Committees and key stakeholders.

I will now address some of the points raised by contributors to the debate. I will start with the proposer of the motion. Mr Wilson stated at the outset that the report is flawed. He pointed to the absence of wood and peat. It is no secret in this Chamber that Sammy would love to get rid of Pete. *[Laughter.]* I do, however, have to say that some of the points he made were not dissimilar to points that I have made about the report. I understand that Mr Wilson may not be as close to politics in the South as some of us, but I should point out to him that there is now a new Environment Minister there, Alan Kelly, who may not be quite as wedded as his predecessor was, and as Mr Wilson anticipates, to this report or the policy.

It is great to hear Saint Sammy, defender of the disadvantaged — I do not know what happened to Sammy, the champion of the Tory cuts — make all these arguments on behalf of those suffering fuel poverty. There is not a word about the big business interests of those in the coal business or, indeed, the interests of Larne port in his own constituency. His claims about the intentions of the Southern Government actually border on paranoia. Perhaps he wants to start his own "coal war". He is right when he says that our citizens should not suffer as a result of policies drawn up in other jurisdictions. I just wish that he shared my sentiment that they should not suffer as a result of policies here either.

Mr Boylan lamented the timing of this debate and concurred with some of Mr Wilson's more sensible remarks; I did not say that they were sensible, just more sensible. It is clear that any policy development in this area needs to take account of pollution from the residential burning of all solid fuels. The report is, therefore, examining evidence relating to air pollution as a result of residential heating from all sources. Any policy options that I actually consider will also have to address emissions from these other solid fuels.

Mr Eastwood stated the sensibility of an all-island approach to this and many other environmental initiatives.

Let me assure Mrs Overend and the House that I have spoken up on this issue with my Southern counterpart; I am sure that her colleague Mr Kennedy could vouch for that. *[Laughter.]* One of the points that I did speak up on was the one that she made about the anomaly around peat briquettes and the different classifications in both jurisdictions. The Member referred to a meeting that I had with representatives from the sector. I have to say that I thought that those representatives actually left that meeting quite content with my approach to this issue. In fact, I actually undertook to share with them and other interested parties any report prior to publication. This makes Mr Wilson's motion seem even more ridiculous. While we can sympathise with much of its content, bringing the motion at this stage has been a huge mistake or, as he might put it, a faux pas.

Ms Lo spoke of existing smoke-control zones. She also drew on recent published figures outlining the real damage caused to human health by airborne pollution, to which emissions from burning solid fuel certainly contribute.

Mr Milne also referred to the health risks of pollution, and Mr Beggs, quite rightly, identified that coal is far from being the only causal factor. Mr Maginness saw many of Mr Wilson's points as a distraction from the paucity of his motion: smoke and mirrors, perhaps. Mr Maginness spoke of how the green new deal could and should have done so much to tackle fuel poverty. Although that great opportunity has been missed, we in the Chamber must all remain focused on tackling the scourge of fuel poverty.

In conclusion, a Cheann Comhairle, I urge Members to oppose the motion, which is not much more than an ill-timed, ill-informed and ill-judged attempt to grab headlines. I implore Members to at least wait until I have a position before asking me to reconsider it.

#### 7.15 pm

**Mr Dunne:** I welcome the opportunity to speak on what has been a good and thorough debate, although a lot of Members are somewhat reluctant to give their real opinions and thoughts. I am happy to support my good colleague Sammy Wilson, a former Minister, who calls on the Minister to ensure that any change to the legislation has no adverse impact on levels of fuel poverty.

Since the early 1990s, coal sales have reduced dramatically. In fact, domestic coal sales through the members of the Coal Advisory Service have reduced from over 1.2 million tons to 100,000 tons, which is a reduction in excess of 90%. That trend in coal usage is largely due to the availability of cheap North Sea oil since the 1990s and, in the early 2000s, the introduction of natural gas, which, although somewhat limited in Northern Ireland, continues to be an attractive option for many householders. That will continue to be the case with gas, particularly with the extension of the network to the west of the Province.

There is no doubt that, with the very significant decrease in the use of coal, there has been a great improvement in air quality in Northern Ireland. Northern Ireland has come a long way since the 1950s and 1960s, when smog was the norm across the city of Belfast in particular, until the introduction of smoke-control legislation. However, there remain thousands of households that rely on this relatively cheap form of coal to heat their home. With the ever-increasing cost of energy, it is vital that we encourage

competition, especially in the domestic sector, and ensure that consumers are not thrown into fuel poverty. A household is said to be in fuel poverty if it needs to spend more than 10% of its income on fuel to maintain an adequate level of warmth. It is widely agreed that the rate of fuel poverty in Northern Ireland is among the worst in northern Europe. The most recent official estimates put the rate of fuel poverty here at 44% of households, and it is widely accepted that fuel poverty can disproportionately affect those on a low income, the ill, families with children, other young families and older people.

I will now focus on Members' comments, many of which were wide-ranging and entertaining. Sammy Wilson vigorously opened the debate and registered his concerns about what he sees as a flawed report. The terms of reference do not include wood and peat, which are exempt. That, I think, is a major flaw. Sammy also made the point about air quality in Northern Ireland, which in many ways is influenced by transport. However, transport is not included in the report.

Sammy is convinced that the Minister responsible in the Republic has plans to ban smoky coal in every town and village. He believes that the debate is not premature and that it is only a matter of time until the Minister enforces that ban in Northern Ireland. Sammy also made the point about the cost differential, which is significant. He believes that it costs between 20% and 50% extra to move away from bituminous coal to smokeless fuel.

Cathal Boylan made the point that he is waiting for the report and thought that we were premature in tabling the motion. He is very opposed to the big stick approach — that is new from Sinn Féin. He welcomed the debate but said that he could not support the motion at this time.

Colum Eastwood was not sure how Sammy was able to make a decision at this time. He said that he is convinced that his colleague the Minister is not in any position to make up his mind at this time. He also said that he has many concerns about air quality and pollution.

Sandra Overend, I think, supported the principle of the motion. She is obviously concerned about fuel poverty and is aware of the ban in many council areas, which is enforced by the councils. She said that she was concerned about the major impact that a ban on smoky coal would have on people on a low income and the significant increase that there would be in fuel poverty.

Pam Cameron also made the point about peat and wood being excluded from the study. She spoke about the effect that a ban will have on low-income families, especially those in rural areas.

Alban Maginness said all sorts of negative things about the DUP and our former Minister. He mentioned the green new deal. There are too many green new deals, and we need to move on. He also accused the DUP of not moving forward on the green new deal but going for the alternative warm homes scheme. That seems to me to be a positive thing.

Tom Elliot was supportive of the motion in principle. He made a good point, even as an Ulster Unionist, about there being no real alternatives in place. That is significant. He also said that he thinks that there is a major move to stop the importing of coal to Northern Ireland.

My other colleague from North Down, Mr Agnew, who, I know, has major issues with the motion, made various

points. He said that he felt that the motion was a knee-jerk reaction. There is no way that that could have been a knee-jerk reaction from Sammy. He was also concerned about the lack of evidence about the issue and felt that there is a health issue. Despite being a great champion for those in fuel poverty, he seems to have forgotten all about that. He also accused the DUP of going down the route of supporting the boiler replacement scheme.

Basil McCrea summed it up by saying that coal is not good for your health and is not a fuel for the future.

I think that that is most of it. Anna Lo expressed her concerns about health issues. She said that the ban in Dublin came in in 1990 and that she believed it was effective. She said that she was very much aware of the Clean Air Order 1981 and that the councils in Northern Ireland are responsible for enforcing the clean air zones. She said that that, in itself, had saved many lives.

The debate has been worthwhile. I trust that the Minister will, in all seriousness, listen to the genuine concerns of Members. It is important that we keep the cost of heating to a minimum and ensure that we keep the home fires burning. *[Laughter.]*

**Mr Speaker:** You did not disappoint.

*Question put.*

*The Assembly divided:*

*Ayes 40; Noes 43.*

## AYES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

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

## NOES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mrs McKevitt and Mr Milne.*

*Question accordingly negatived.*

*Motion made:*

*That the Assembly do now adjourn. — [Mr Speaker.]*

## Downe Hospital/Daisy Hill Hospital: Future of Services

**Mr Speaker:** The proposer of the topic will have 15 minutes, and all other Members who are called to speak will have approximately four minutes *[Interruption.]* Order.

**Mrs McKevitt:** Thank you, Mr Speaker. I take this opportunity to congratulate you on your new post, and I wish you all the best for the future. I am very thankful to the Business Committee for allocating time to this debate, thus giving an opportunity to discuss the future of services at Downe Hospital and Daisy Hill Hospital in the Chamber this evening. I welcome the Health Minister to the debate and look forward to his contribution, because it is from him that my South Down and, indeed, Newry and Armagh colleagues and I seek support. My party colleague Margaret Ritchie, the MP for South Down, is a champion for both hospitals, as the Minister will know from speaking to her, and she too supports the debate this evening.

Minister Wells knows exactly what the issues and risks are for the services at Downe and Daisy Hill hospitals, being a representative for the South Down constituency. He is aware that the people right across south Down, from Downpatrick to Newry, are angry with the Department of Health, Social Services and Public Safety. They are angry because they feel that decisions about their healthcare are being made to save pennies and not lives. They are angry because they are being told to travel further for healthcare treatment, to wait longer for consultations and essential treatment and to be happy about these changes. They have seen before their eyes beds and services stripped from their local hospitals, and I am here today as their voice to say to the Minister that we need to reverse the trend of reducing services in our local hospitals and focus on increasing and improving the services that they provide and the number of beds made available.

The Minister will no doubt quote statistics in his contribution in an attempt to convince us that the removal of services from Downe Hospital to Ulster Hospital or from Daisy Hill Hospital to Craigavon hospital were made in an attempt to improve the provision of healthcare for everyone, even the people of Newry and south Down. He might even try to convince us that it is working, but he will fail. The issue is that both of these hospitals are having their services stripped away to the advantage of the Ulster Hospital and the Craigavon Area Hospital but to the detriment of the people living in south Down.

People from Downpatrick and surrounding areas have travelled to the Ulster Hospital for accident and emergency treatment at the weekend, a service removed from the Downe Hospital in January 2014. People tried the new system and witnessed at first hand the long waits and pressure on hospital staff. I am told that elderly patients sat for hours and hours waiting for examination, and while, yes, they may have been triaged inside some target time frame to make the statistics look good, they then sat and sat and sat, waiting in pain.

The people from Newry and surrounding areas have attended Craigavon Area Hospital for treatment, and this is becoming very common practice as more and more services are moved from Newry to Craigavon. Two weeks

ago, Craigavon Area Hospital had 54 outlying patients. These were patients who required medical beds, but none were available. This figure rose to 60 last week. While a crisis meeting was held by the senior management of Craigavon hospital team to tackle this urgent matter, a sticking plaster approach to fixing our healthcare system will not sustain. Craigavon Area Hospital cannot cope with the demand, and it is clear that the Minister now needs to develop and enhance Daisy Hill Hospital. It makes no sense to persist in concentrating services into larger hospitals when, in England, the National Health Service is reverting to local hospitals for service provision. The Department of Health and trust boards need to explain why they are persisting with this misguided policy.

The people of Newry are actively arranging a public meeting in the town hall to highlight the threats to Daisy Hill. The people of Down want to send a strong message to the Minister and have organised a march and rally for St Valentine's Day, aptly called "Love the Downe". Be assured that there will be a large turnout, because their hospital, which was so hard fought for and opened only five years ago, is truly under threat. I remind the Minister at this point that it is his duty to protect the asset. The Downe Hospital cost £64 million to build between 2004 and 2009. I also remind those here today of the Minister's words to Jim Allister in the Chamber on Tuesday 13 January 2015 during a ministerial statement on the North/South Ministerial Council in relation to health and food safety. The Minister said, with reference to Altnagelvin Hospital:

*"it is absolutely vital that you use those assets to the maximum. There really is no sense in spending millions of pounds on a new facility to have it lying empty for several hours a day or at weekends."*  
[Official Report, Bound Volume 100, p250, col 1].

As more services are transferred to the Ulster Hospital and Craigavon Area Hospital, patients from south Down and Newry have seen a significant increase in their travel time for medical appointments. For those inpatients, it may remove or reduce family support, as family or carers may not have convenient or affordable access to transport. Perhaps they cannot afford the extra petrol. The problem is multiplied for families or loved ones who may not have a car and have to take three bus journeys to get to Craigavon Area Hospital. Was that impact considered prior to the change being made? Has the Minister even met the Minister for Regional Development to discuss the prospect of introducing a direct bus from Newry to Craigavon Area Hospital?

An added effect of increased travel time to hospitals is the expense of ambulances travelling between Belfast and Downpatrick or Rostrevor and Craigavon. I have many questions about the systems. For instance, is it up to the ambulance driver to determine which hospital to drive the patient to, depending on symptoms and necessary treatment required, or is it simply determined by where the person lives? Perhaps the Minister can tell us if the cost of the Ambulance Service has drastically increased since our local hospital services have decreased. Can the Minister also advise if the changes have resulted in longer waiting times for ambulances for the people of south Down?

The 'Down Recorder' reported a worrying story last week. A six-month-old baby girl who had suffered a heart attack in Downpatrick had to wait around 40 minutes for

an ambulance to be transported to hospital. The six-month-old baby was with her mother at a GP surgery at the Downe Hospital when she suffered a cardiac arrest. The irony of that baby having a heart attack at the Downe Hospital, where coronary care had been reduced, then waiting 40 minutes to be taken to another hospital for treatment, has not been missed by the people of south Down.

That was not a one-off incident. Just this morning, my office was contacted by a lady whose son was in a serious car crash in Kilcoo on 26 October 2014. I know many of the young men involved personally. It took 50 minutes for an ambulance to arrive, and it had to come from Newtownabbey. The incident was so serious that the mother has recently been told that her son might never walk again. I will, of course, keep those young men in my prayers, along with the little baby from Downpatrick, but, Minister, you need to take action.

The stroke unit at Daisy Hill is going to close; that is the word on the ground. That is despite overwhelming opposition to the move at the public consultation. The public said no to the move, as they know that it is at least a 40-minute drive, at the very best, to Craigavon Area Hospital from Newry, 55 minutes from Warrenpoint, if there is no traffic, and approximately one hour from Rostrevor. I could not even imagine what the poor people of Kilkeel, if they ever needed an ambulance to take them to any hospital, would have to endure in waiting times, because I know that the optimal time for treatment with clot-busting drugs is one hour. Minister, removing the unit will put lives at risk.

Minister Wells was mistaken last week when he said that there was not a problem and that the public should feel reassured after almost 200 operations were postponed due to the pressures on emergency departments. We have overworked staff and a major issue of bed-blocking due to the lack of resources available to care for our elderly and sick at home. Now, just this morning, we heard that daily meals on wheels are to cease and that, instead, the most lonely and vulnerable people in our society will be given a 14-day supply of frozen meals. Minister, there was a problem, and there is a problem. The problem was caused internally, and the solution to that problem lies in your hands.

Finally, I ask the Minister why the Health Department and trusts will not protect, safeguard and honour the principles of local access to services at the point of delivery and equity of access to those services, particularly in south Down, where they are obviously being so badly affected.

#### 7.45 pm

**Mr Irwin:** As a representative for Newry and Armagh, I have to say that Daisy Hill Hospital is a very important and vital resource for thousands of residents across Newry and the surrounding districts. Daisy Hill Hospital is a cherished facility that has provided a superb service for decades. Therefore, it is easy to understand why the public would be concerned at any potential loss of service.

There have been many concerns raised of late regarding the future of services at Daisy Hill, and the latest plans to see stroke services at Daisy Hill relocated to a specialist unit at Craigavon have created anxiety.



For someone living in Newry or the surrounding district who has suffered a stroke, Craigavon is a considerable distance away, especially in the already difficult situation for elderly people who are leaving their home and are unsure of how things will unfold. There are also issues for the family in travelling, visiting and supporting the stroke victim. The changes proposed for Daisy Hill's stroke services are significant. While they are not immediate, the changes represent a significant shift in provision, and, in reality, it is the physical removal of a very important resource.

I recognise and welcome the fact that, in the Health and Social Care estate, Daisy Hill Hospital continues to feature strongly as a key provider of care in the region. That is illustrated by the investment made in the 24-hour emergency department and a consultant obstetric unit, and includes other significant upgrades in the building. Plans have also been proposed for the centralisation of paediatric services at the hospital. So, it is clear to me that the Department sees Daisy Hill as continuing to play a key role in providing care across a number of specialisms.

The Minister represents South Down, so he will be very well aware of the concerns expressed by all Members this evening, and I, too, will be interested in his views on the subjects raised and to hear his vision for Daisy Hill in the future. I know that he will take on board my concerns on the issue of the relocation of stroke services and the views of people in the Newry area in response to the phased change.

The Minister is facing unprecedented financial pressures on his available spend for health. That has been made very clear in recent weeks. The pressures on the health service budget are significant. I feel that it is important for the Minister to refer to the wider financial picture in his remarks to the House.

The Transforming Your Care strategy is also at the heart of the matter. I have taken many representations on the plan and its implementation, especially as it has already impacted on my constituency through the reorganisation of various services.

Care for the elderly is a sector in our health service that is growing in significance as our population lives longer. With that, we expect pressures to continue to build on the types of services that older people rely on.

Stroke services are so important. It is absolutely critical that people in the Newry area are not unduly inconvenienced or their health jeopardised as a result of further reorganisation.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I also take the opportunity to congratulate you on your elevation.

It is good to see the Minister here. In fairness to him, over many years, he has been very supportive of Daisy Hill. I have attended many meetings at which he has questioned issues surrounding the hospital, and I hope that, as Minister, he will continue to do that and give it the attention that he gave it previously.

At the meeting in November, the board of the Southern Trust proposed the development of a single specialist inpatient stroke unit in the trust at Craigavon. I have to say that that caused great disappointment in Newry, because, for many years, Daisy Hill has been a model of good

practice. It has probably one of the best records in Europe of dealing with strokes.

We were told that centralising the stroke unit in Craigavon would provide enhanced access to brain imaging for stroke patients. That was explicitly an MRI scan. However, CT brain imaging, which is available at Daisy Hill, is highly sensitive for detecting haemorrhage. That is the reason that brain imaging is performed for suspected stroke patients initially admitted to hospital. If a haemorrhage can be excluded, the patient may be eligible for thrombolysis and get a clot-busting drug.

When I was visiting Daisy Hill Hospital with the Health Committee in December 2011, we were told that the record for someone coming in, being assessed and having thrombolysis was eight minutes. That is a fantastic record. We were told that by the people in the hospital. That cannot be bettered. It is so disappointing that people are then having to move to Craigavon.

**Mr Wells (The Minister of Health, Social Services and Public Safety):** Will the Member give way?

**Mr Brady:** Yes, sure.

**Mr Wells:** Before this line goes any further, I want to point out that nothing will change in that respect under the proposals. The person from Newry and Mourne will still be taken to Daisy Hill and will still have the clot-busting drugs within eight minutes or within the quickest time possible. He or she will then move on to Craigavon for more intensive care. The Member is tilting at windmills. That is not going to happen.

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

**Mr Brady:** I thank the Minister for his intervention. I was going to explain further why people are so disappointed. If you consider that stroke beds are being centralised to Craigavon, then stroke patients will be admitted to Daisy Hill to be assessed initially for thrombolysis or otherwise; however, if they are not eligible for the treatment, they will then transfer from Daisy Hill to Craigavon. Obviously, there are logistics involved in getting them from Daisy Hill to Craigavon, including having to wait in an ambulance etc.

It is worth making the point that 75% of stroke patients are over 65 years of age. Moving Newry and Mourne stroke patients to Craigavon will have a significant physical and financial impact on the older population. We are talking about the family and the extended family. I do not know if you have tried to get to Craigavon by bus from Newry, but it can be quite difficult. So, if people do not have access to public transport, they are going to have problems. Often, the spouses of stroke patients are old and may also have health problems, poor mobility and general frailty. They would have to make an approximately 40-mile journey from Newry to Craigavon, which is an 80-mile return journey. If you do not have access to a car or do not have a family who are going to take you there, you will have difficulties.

In 2011-12, Daisy Hill's length of stay for stroke patients was significantly better than Craigavon's. The average length of stay for stroke patients — acute and rehab — was 17 days in Daisy Hill. For Craigavon Hospital, for acute and rehab, it was 46·8 days. Minister, with respect, that is a huge difference.

I will make some points about Daisy Hill. We in Sinn Féin have been very positive in promoting the good work in

essential services that the staff carry out in Daisy Hill. I commend them for the tremendous work they do and have done over many years for our community. Conor Murphy, Martina Anderson and I visited Daisy Hill before Christmas, getting a tour of the facilities and meeting staff. One of the things that struck us was the commitment that staff at all levels have to that hospital. It is commendable; they have a genuine interest in it.

Some of Mrs McKevitt's colleagues, particularly some of her councillor colleagues —

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

**Mr Brady:** — have been extremely gloomy about the whole issue. When Transforming Your Care came out, we had people standing and pointing at the sign, saying that Daisy Hill was going to close. That simply has not happened. We need to project a positive image of Daisy Hill. I have constituents coming to me on a regular basis. If it was not for Daisy Hill Hospital, they would not be here.

**Mr Speaker:** Thank you.

**Mr Brady:** It is as simple as that.

**Mr Kennedy:** I thank Mrs McKevitt for bringing the issue forward for debate. I acknowledge your appointment as Speaker. Of course, I am speaking as a Back-Bench Member for Newry and Armagh.

At the outset, I want to say that I believe that, in Daisy Hill and Downe, we have two excellent hospitals. Both are very fortunate and blessed to have the staff that they do. Even in the most difficult and challenging circumstances, they are both managing to keep their heads above water. That cannot be emphasised enough. As many of our hospitals have come up against the wall, an excellent standard of care locally has been maintained. Only last week, for instance, it was revealed that, whilst the average number of patients being seen within four hours in type-1 emergency departments across Northern Ireland was 73·5%, the figure for Daisy Hill was 86%. That is a credit to the doctors and nurses in that A&E. I have benefited personally from their care.

In addition, the performance at the Downe type-2 emergency department was at an impressive 91·6%. However, on that latter point, I reiterate my party's opposition to the downscaling of the Downe A&E. Whilst I appreciate that the minor injuries unit will have mitigated the worst of the reductions, I will say that it is open only from 9.00 am to 5.00 pm at the weekend. So, the point still stands that, after 8.00 pm during the week and after 5.00 pm at weekends, there is no service, whether emergency or minor injury.

At the time, we were told that the changes were coming about as a result of the trust experiencing difficulty staffing the unit, especially in recruiting middle-grade doctors. I ask the Minister, who I know is very well aware of the issues facing his local hospital, to provide an update on that issue in his response.

Of course, while much of the focus has been on the emergency departments, we must not lose sight of the patients needing surgeries. I was pleased to see that relatively few surgeries in Daisy Hill were cancelled. Nevertheless, just because a condition —

**Mr Wells:** I thank the Member for giving way. In the entire Southern Trust area, there was only one cancellation

out of the 179 in Northern Ireland. Such a magnificent performance is a credit to the staff in the Southern Trust.

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

**Mr Kennedy:** Thank you, Mr Speaker.

I accept entirely that that is indeed a very impressive record, particularly when it is looked at against that of other hospitals. Nevertheless, just because a condition may not be life-threatening, it may still cause debilitating discomfort. That is why cancelled or delayed surgeries cause so much frustration. I accept that the hospitals and their local population may be smaller than those elsewhere in Northern Ireland, but we must understand that they still deserve no less quality of service.

On a wider note, no one will have missed the swathe of cuts to hospital services across Northern Ireland. I know from experience the very real difficulty of having to make swingeing in-year cuts to make available emergency funds. Each of our trusts had to do something similar, albeit that that was to try to balance the books rather than provide additional funding. The Southern Trust was not immune from that and has to make £2·9 million savings by the end of March this year. Nevertheless, decisions such as those to close the minor injuries unit in Armagh and to reduce care in the community for our elderly were still counterproductive. Indeed, those decisions will have placed only further pressure on the likes of Daisy Hill.

In drawing my remarks to a close, I take the opportunity to place on record my thanks to Mairead McAlinden, chief executive of the Southern Trust, as she prepares to move to the new challenges as chief executive of South Down — South Devon Trust in England. Mairead was a very effective and excellent leader. She always established and maintained good relations with local representatives, and that allowed us to address the issues from constituents coming through our offices.

Mr Speaker, I am afraid that, due to other pressures, I am not able to remain for the completion of the debate. I apologise for that and hope that you and other Members will accept that. I will look very closely at the Hansard report of this important debate.

**Mr Speaker:** Thank you. You did notify the Chair that that was the case.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank my South Down colleagues for bringing forward the Adjournment debate this evening, and I share others' sentiments in welcoming you as Speaker of the House.

Mrs McKevitt used the word "angry" to describe the feelings of people in and around Downpatrick. I will focus solely on the Downe Hospital, as my colleague talked about Daisy Hill. "Angry" is definitely the right word. It is the reason why people have come onto the streets in Downpatrick, Ballynahinch, Newcastle and elsewhere to protest at the ongoing cuts and attacks to the Downe Hospital. It is why, as has been pointed out, there will be a rally in Downpatrick on Valentine's Day, 14 February, to show that the community love our local hospital and want to see it enhanced. It is why more than 20,000 people gave their signatures in the wake of the decisions on the A&E closures last year.

Even the Minister's party colleagues in Down have stood side by side with all parties in the local area to say that

this process has to stop and that services at the Downe Hospital must be restored to the level that was envisaged when the new hospital was opened by Bairbre de Brún.

Whilst the South Eastern Trust may be running down available services at the Downe in conjunction with successive Ministers, every single political party, every local sporting organisation, every local school and the entire South Down community is opposed to the reductions. Political and community representatives continue to meet the trust and the Minister. Today, my party colleagues met the chief executive of the health board, and we will continue to champion the virtues of an enhanced local hospital at the Downe.

### 8.00 pm

The most important question remains, and this is perhaps the third or fourth debate that we have had on this issue. Where does the Minister stand on the Downe? We need to hear what the Minister's vision is for the Downe Hospital. We cannot somehow get it out of the South Eastern Trust. There is too much confusion and too much smoke and mirrors. We need to hear what the Minister's plan is for the Downe going forward. The Minister is a South Down representative. There is an onus on him to be transparent, upfront and very public on this. Will you stand with the public and the community on this? Will you help us protect our local service?

The status quo is simply not an option. Indeed, I would argue that the ongoing attacks on the sustainability of the Downe Hospital have created an intolerable situation in which the rights of local residents in Downpatrick are seemingly worth less than residents in, for example, south Belfast, who have, in all reality, a plethora of hospitals and services to choose from. Last week, as my colleague pointed out, a baby at the Downe Hospital was forced to wait for 45 minutes before being transferred to hospital in Belfast. Why should a baby's life in Downpatrick be worth any less than a baby's life in Belfast? If one incident does not awaken the health chiefs to ongoing failure to oversee a fit-for-purpose Downe Hospital and the attached services, I fear what it will take to make them do so.

Another issue that we raised today with Valerie Watts is ambulance cover, and this ties in neatly to the debate. Again, it eats away at the very logic of the trust's centralisation policies and, indeed, is counter-strategic to whatever strategy is being employed. We are a constituency without one inch of dual carriageway or any sort of carriageway at all. Our public transport system simply is not what it should be. If somebody in, for example, Minerstown in the Lecale area had to go to the Ulster Hospital, it would take six buses before they were home. It is simply not feasible to make that person travel to the Ulster Hospital.

Look at some of the contingency measures brought into place in autumn last year. In November, the Minister suggested that some of the contingency measures were counter-strategic.

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

**Mr Hazzard:** It is incumbent upon the Minister to lay out what he will do now and in the future to make sure that the strategy is brought into place. In recent times, we have had

the maternity expansion at the Ulster Hospital site and a £250 million phase B development of the wards.

**Mr Speaker:** Thank you.

**Mr Hazzard:** The people of Down would love even a tenth of that investment for the Downe. I ask the Minister to come out publicly and say what his plans for the future are. Let us end the confusion and the drip, drip of bad news. Let us publish a comprehensive road map for the way forward.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. I thank Mrs McKevitt for bringing the debate to the Floor. Down through the years, the SDLP has been to the fore of efforts to ensure that Daisy Hill Hospital in Newry retained its status and that important services were not removed from it. Despite what Mr Brady says, I want to pay tribute to my colleague Councillor John McArdle of Newry, who has fought long and hard on many occasions to protect services in Daisy Hill. I mention him today because he retires from public life at the end of March and I may not have the opportunity to do so again in the House.

As I said, at various times, efforts were made to remove services from Daisy Hill and those were strenuously and successfully opposed. There was a proposal to remove the laboratories; we fought that and won. Orthopaedic patients were being taken out of the hospital; we stopped that move. Switchboard services were to be centralised; they are still in Daisy Hill. The hydrotherapy pool was to be closed; it is still there and has been refurbished. While some administrative services have left the hospital, the important services have been retained. I welcome the developments and the investments in the hospital and the cross-border services that it provides. I am proud of the hospital, and I fully support the staff.

As Mr Brady mentioned earlier, there is concern about the plan to centralise stroke beds outside of Daisy Hill. The proposal is that Craigavon Area Hospital will be the centre of excellence for stroke patients. After initial stabilisation in Daisy Hill, patients will travel to Craigavon and spend 16 days being treated there before returning to Daisy Hill. The question arises as to what they will return in Daisy Hill. Will it be a general ward or a general rehabilitation ward? The existing unit in Daisy Hill is considered to be excellent, and Daisy Hill has access to brain imaging. On this occasion, we should remember the old adage: "if it isn't broke, don't fix it." Certainly do not dismantle it.

At the moment, Daisy Hill meets the Royal College of Surgeons national clinical guidelines, but if these changes are made, it will no longer meet those criteria. As Mr Brady said, Daisy Hill has the best record for rehabilitation — 17 days, which compares very favourably with other hospitals, some of which have a stay length of 47 days. The geographical relocation of the unit to Craigavon presents huge difficulties for people in the areas that are served by the hospital, particularly the rural areas of south Down and south Armagh. The A27 is not a road which facilitates speedy transfer of patients by ambulance or easy access to visits by family members, not least because it is one of the roads that has the most bends on it. I do not know whether Mr Kennedy — he is gone now — can do anything about that: probably not. It is difficult to access it from Newry; much more difficult from Crossmaglen, Annalong, Forkhill, Attical, Killeen, Hilltown, Cullaville or indeed Cabra.

As we know, 70% of stroke patients are over the age of 65. As Mr Brady said, many of their spouses and family members may be of similar age, with poor mobility and health in some cases.

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

**Mr D Bradley:** Is this improving accessibility? I say no, it is not. I ask the Minister to look again at this decision. If the centre of excellence is needed, it should be where the excellence is, which is at Daisy Hill Hospital in Newry.

**Mr Rogers:** The debate on local National Health Service services is being brought to the House when significant change is taking place at every level. The worrying reports of EU and US trade agreements, transatlantic trade and investment partnerships make us believe that possible privatisation of the health service is under way. Meanwhile, closer to home, the closure of many critical services such as the A&E at the Downe Hospital and the removal of stroke services from Daisy Hill serve as indicators of the direction of travel that the health service is taking.

Patients who are unable to secure appointments via GP surgeries are presenting at already overstretched A&E departments. Cost savings in one department are leading to chaos in others. At this stage, I would like to commend the staff in both of our hospitals and wish Mairead McAlinden all the best in her new role in the South Devon Healthcare NHS Foundation Trust.

Patients who rely on services at Daisy Hill and Downe are being denied access to vital care. South Down constituents are now possibly the most disadvantaged citizens in Northern Ireland when it comes to accessing hospital services. It is quite ironic that the Minister represents that constituency as well. We have heard a lot about stroke services at Daisy Hill. The key point that I want to add is the importance of time when it comes to suffering a stroke. Getting to hospital and getting sorted is of key importance. Daisy Hill's stroke and rehabilitation unit has, to date, returned excellent results for stroke victims, as we have heard from other people. The decision to remove stroke services from Daisy Hill is simply a bad one.

I understand that a very small number of patients may require non-urgent access to an MRI scanner, which cannot be facilitated at Daisy Hill, and they have to be moved to Craigavon. I understand that side of it. With the added value of telemedicine, I have yet to hear a valid reason why stroke services in the form of the specialised stroke unit in Daisy Hill cannot be maintained there.

It has been a litany of downsizing at the Downe Hospital ever since it opened in 2009. The planned short stay unit never materialised following the new build. The 10-bed medical unit was closed around the time it officially opened. Accident and emergency changed from consultant-led at night-time to a GP out-of-hours service. There was the seasonal closure of medical beds, with a 25% reduction over the summer, the temporary removal of nine beds from coronary care, a reduction in domiciliary care, and now, to make things even worse, there is the introduction of car parking charges. Such is the level of cuts at the Downe that the Ambulance Service now takes many patients directly to the Ulster Hospital.

This drastic reduction in services has led to an inevitable reduction in the number of patients presenting at the

Downe. In recent correspondence with my colleague Margaret Ritchie MP, the trust made it known that the decision to remove coronary care beds was due to a drop in admissions — a drop in admissions that was itself due to the fact that patients were being diverted elsewhere. Furthermore, at the same time as cutting access to local services, worrying cases — my colleagues talked about them — are surfacing of access to the Ambulance Service. Quite simply, centralisation does not work. There is a place for local services and local hospitals.

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

**Mr Rogers:** As the new chief executive of the National Health Service said recently, there is a place for smaller hospitals and a shift away from the bigger central hospitals.

Finally, I urge the Minister, if he will not listen to Members of the House, he needs to listen to the people of South Down and the many groups, such as the Ulster Farmers' Union, which felt the need to become more vocal —

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

**Mr Rogers:** — about the attack on rural communities.

**Mr McCallister:** Am I getting four minutes, Mr Speaker? Usually small humble Back-Benchers are hard done by on these occasions.

We are probably fortunate that our Health Minister is a Member for South Down, and I hope that we are not placing too much trust and hope in him, but that is something we are depending on. I know that, in his time not only as Minister but as Chair and Deputy Chair of the Health Committee, he has been to the Downe and Daisy Hill on many occasions.

I will start with Daisy Hill and associate myself with Mr Kennedy's remarks in paying tribute to Mairead McAlinden as she moves on to new challenges. Certainly, she has led the Southern Trust in an exemplary manner. Colleagues spoke about the stroke unit at Daisy Hill. My late father suffered a stroke and received excellent care there. The stroke unit would be a huge loss. It goes to the core of why the public — the citizens whom we serve — get so concerned. We seem to remove services without explaining the rationale or what the changes are going to mean. The trusts are sometimes not good at communication. When they do public consultations, the vast majority assume that the decision has been made and that they are only meeting some sort of legal requirement to do a public consultation, so trust in the whole process goes out the window. That is one of the big challenges for the Minister as he tries to reform health. He also faces the challenge that so much that has to be done ends up as firefighting and counter to his long-term aims and strategies.

The Minister is tied to the Transforming Your Care policy, and yet we have no idea in the Downe, Daisy Hill or, indeed, in other hospitals whether it will be delivered. Has it stalled? Has it only slowed down? Is it over? We were told by the Finance Minister yesterday that the OECD is also looking at health. Where is the strategic vision of the Northern Ireland Executive and the Minister on health? I have some sympathy for the Minister, who probably does not get the support from Executive colleagues that he should, so that it is not always about health responding.



When it comes to local hospitals, such as Daisy Hill and the Downe, I hope that many, many thousands of people turn out on 14 February. I, for one, hope to be there. I hope that many people turn up to show their support and their solidarity with the staff and, more importantly, support for the services that the Downe provides. They are vital to our local community. I look forward to the Minister's response in setting out that vision.

### 8.15 pm

**Mr Wells:** At the outset, I concur with all that has been said about Mairead McAlinden. The honourable Member for Newry and Armagh Mr Kennedy made a slip of the tongue when he said that she had been appointed the new chief executive of the "South Down" health trust. If only. If that was possible, I would be producing the contract document now. She has made an outstanding contribution to health in Northern Ireland over the last 29 years, and she will be sorely missed. However, I say to all those who paid such glowing and deserved testimony to Mairead that she went to Newry and Mourne District Council and made a very strong and articulate case for the changes to the Daisy Hill that they oppose. When you respect someone and their judgement as much as we do with Mairead, it is interesting that you then say that she, her management board and her senior clinicians have got it wrong when it comes to Daisy Hill. You have to bear that in context.

I thank — well, I do not know about that. I note that Members have proposed the Adjournment debate tonight, and I hope to respond to as many of the points raised during the debate as time allows.

This debate is slightly unusual in that we are debating the future of services at two hospitals that are administered by two different trusts, against the background of the current financial pressures. I need to set the context and begin by commenting on the financial pressures faced by the health and social care system. Following that, I will make a few general observations about the necessary beneficial, strategic change that, we know, is needed in all our smaller hospitals. Then I will move on to the specific issue of the two hospitals.

As I have stated previously, given the financial challenge I face, it is simply not possible to maintain current levels of service provision in the absence of all the required funding. Members will certainly hear more of that in the incoming weeks. My priorities are to ensure that the services provided are safe and effective and that my Department achieves financial balance, as is required of all Ministers. In order to achieve financial break-even, each trust has produced a range of contingency plans for this year — 2014-15 — and each trust has provided assurances that its services will remain safe and effective. That includes the Southern Trust and the South Eastern Trust. I have, therefore, had to make difficult choices in allocating resources and determining the measures needed to secure break-even this year, and the same will be required of me for 2015-16. I have no doubt that we will return to this important matter in the House in the weeks and months ahead. That is guaranteed.

It is important that we should not confuse the current financial context with the need for strategic change in how we deliver health and social care in Northern Ireland in order to further improve the quality of services provided and to use the available resources with maximum

efficiency. The strategic change has been set out in 'Transforming Your Care', and it will affect local hospitals such as Daisy Hill and the Downe, bringing challenges and opportunities.

The greatest challenge we face — you are all aware of this — is increasing demand. We have an increasingly elderly population, which, obviously, leads to a rise in demand for services and an over-reliance on those services. Added to that, we have a population that has growing expectations of the quality and accessibility of service. We also have an environment of fast-growing opportunities in technology and medical interventions. That latter development is having an important effect on how we provide services. As knowledge of treatments and interventions grows, it has become obvious — this is backed by all the statistical and clinical evidence — that many of the treatments delivered in the acute sector achieve better results for patients if they are delivered in larger and better-resourced hospitals. That means that we have seen a centralisation of services across a range of specialities. This has had a number of benefits. First, it means that, in clinical terms, patients are being treated by specialists. Secondly, those teams are larger and therefore more resilient and sustainable in terms of recruiting and retaining staff. Thirdly — this is a legitimate concern — it allows services to be provided more efficiently and more cost-effectively. That is particularly important, given the scale of the financial difficulties that we face and to which many of you have already referred.

The out-turn of this process and the need to ensure stability has been that there has been some reduction in the number of services that can be sustained in smaller hospitals. I fully understand Members' concerns. Of all the people in this Building, I have maybe been around South Down and the Daisy Hill Hospital longer than most, and I perfectly understand where Members are coming from. I also understand how difficult it is for local communities and their representatives to see the reduction or removal of highly valued services that have provided excellent care to local people for many years. I understand those concerns because I questioned similar decisions when in another role. However, faced with the evidence and the pressures that I have outlined, significant change in the way we deliver services is required. We simply cannot continue as we are.

We should and do continue to deliver as many services as close to patients as possible, and that is consistent with the direction of travel of Transforming Your Care. However, there will be occasions, whether for reasons of sustainability or safety, that some acute services will need to be changed. This may mean that they are centralised as part of a wider clinical network in order that they can deliver up-to-date, modern services. That is something not to be feared but rather to be welcomed because it provides the opportunity to deliver safer, better and more sustainable services up to the standard that we would like to see for all our constituents.

I will now move on to the two hospitals because I know that those are the main interests here.

**Mr D Bradley:** Will the Minister give way?

**Mr Wells:** I certainly will.

**Mr D Bradley:** I fully accept the Minister's point that the centralisation of services gives the opportunity for the best possible treatment in a certain speciality. None of

us would disagree with that. However, the fact is that, in relation to Daisy Hill Hospital and stroke services, a centre of excellence exists there at the moment. To our minds, the best course of action would be to build on the excellence that has grown and developed there.

**Mr Wells:** The honourable Member will find that all the trusts are moving to one centre of excellence for stroke services in each of their areas. It is not possible to provide the full range of skills and facilities at every hospital.

I will go off-message a bit here and say that I read with great interest what Mairead told Newry and Mourne District Council about this important issue. Councillor John McArdle was there. There is absolutely no doubt that all the empirical and scientific evidence says that what the Southern Trust is doing is absolutely right for patient outcomes. I know that this is a very difficult argument for the folk who live in the Newry area, but the reality is that, in terms of survival and outcome, the best option is to have the highest quality in one centralised unit, in this case Craigavon. Remember, also, that we are asking the Dungannon people to make the same difficult decision. Their patients will also be going to Craigavon.

Let us nail this absolutely: when you have a stroke in the Newry area, you will go to Daisy Hill Hospital. You will be taken by ambulance to Daisy Hill, and, if you require the clot-busting drugs, as they are known, for thrombolysis, you will receive that treatment immediately in Daisy Hill Hospital. The phrase is "door to needle within an hour", and that will almost certainly be achieved by that process. If you require more intensive care, you will be taken for 16 days to Craigavon Area Hospital. After that, you will be brought back to convalesce in Daisy Hill. The message that is going out that they are removing stroke services from Daisy Hill Hospital is simply not true. It might make a good headline, but you will still have your first point of contact at Daisy Hill. You will then be taken to the more intensive facilities that are available in Craigavon Area, and that is exactly what is being done in every other part of Northern Ireland and throughout the United Kingdom and western Europe. All the evidence says that that is the best way to do it.

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

**Mr Wells:** I will, certainly.

**Mr Brady:** Minister, if there is this centre of excellence in Craigavon, and the point has been made, by Mr Bradley and others, about the logistics of getting from Newry to Craigavon. You yourself made a point about the whole strategic issue of Transforming Your Care, which has been much talked about since December 2011.

Will the Minister accept that, at this time, Transforming Your Care is a vision without action?

**Mr Wells:** Can I make it absolutely clear that the decision on Daisy Hill is not being taken as a result of Transforming Your Care or the contingency savings? It is being done purely on the clinical assessment of what we need to do and what is best for the stroke patients of the Southern Trust area.

The science is absolutely overwhelming. Therefore, you have a choice. You can maintain the present service in Daisy Hill, knowing that that is not the best model for the people of Newry and Mourne or south Armagh, or you can

opt for a central model in Craigavon, where the outcomes are quite clearly of a much higher standard.

To put it crudely, you have more chance of surviving a stroke if you go into one of the more modern, central units than if you stay at your local hospital.

**Mr D Bradley:** Minister, thank you for giving way. You are telling us that a non-existent unit in Craigavon will have better outcomes. We already have an excellent unit in Daisy Hill in Newry, which, to our minds, and the statistics prove it, produces excellent outcomes.

As I said earlier, if it ain't broke, why fix it? Certainly, there is no reason to dismantle it.

**Mr Wells:** The Member is right when he says that the unit does not exist at the moment in Craigavon, and there is no question of any transfer of services until it does. However, if he takes time to read the literature, he will see that it shows that, throughout the world where this has been done and the measurements have been taken, people recover more quickly, live longer and have a higher chance of survival in a centralised unit.

This is not rocket science, because it is the same for cancer, for instance, in the City Hospital. We have concentrated services in Northern Ireland for cancer sufferers at the City Hospital, where we can have a large team of expert cancer surgeons and consultants to deal with a full range of conditions.

It is now accepted that people will travel from Strabane, Enniskillen, Ballymena, or wherever, to that centre, because they know that there is where they will get the best treatment. If you were to suggest that we dissipate that level of care around the country, there would be uproar. Therefore, it is not rocket science as far as strokes are concerned.

Yes, Members are absolutely right: we opened Downe Hospital in 2009 at a cost of £64 million. That was an indication of our commitment to the people of Downpatrick. There have been difficulties referred to in this debate, with the temporary closure of some capacity, but there is still a range of services provided, including acute medicine, cardiology, stroke and fracture rehabilitation. Those continue to be provided in the hospital.

Mr Kennedy, Mr Hazzard and several others from the Down district raised the issue of the removal of A&E cover, particularly out-of-hours cover, at Downe Hospital. That was not a cutback. That was simply the reaction to the fact that we did not have the staff to provide it. We were finding it impossible to attract middle-grade doctors to take on those shifts. Legally, you cannot provide that level of service without the expertise.

**Mrs McKevitt:** I thank the Minister for giving way. Would that also be the case for Daisy Hill? The hospital advertised for two senior consultants for the accident and emergency department, and not one person applied.

**Mr Speaker:** Minister, we have about a minute and a half left of the allocated time.

**Mr Wells:** Thank you for your indulgence, Mr Speaker, but the point that she is making is a valid one. We are having great difficulty in the rural hospitals in attracting staff. I will give one recent example. Belfast City Hospital advertised for three consultants. Six people applied, and the hospital took all of them on, because it realised that the supply of

consultants for A&E was so finite that if it did not, it would be causing problems down the line. Altnagelvin needed an extra consultant in A&E, but none was any longer available.

We are having trouble throughout Northern Ireland, away from the teaching hospitals, in attracting middle-grade doctors and consultants in many fields. Again, that lends itself to the concentration of services into particular specialisms in major hospitals. That does not —

**Mrs McKevitt:** Will the Minister give way?

**Mr Wells:** I wish that I could, but I am really running short of time.

### 8.30 pm

That does not mean that there is not a very effective role for hospitals in other fields. Indeed, we have been moving services to Downe Hospital to compensate for the fact that we have been forced, for other reasons, to reduce some services. If patients are transferred to the Ulster for clinical reasons, they are often transferred back to the Downe Hospital at the quickest possible opportunity.

We are committed to delivering a comprehensive range of assessment, diagnostic and treatment services for the local population, including inpatient beds providing 24/7 care for patients with long-term conditions and for the frail elderly close to home. We have a very successful day surgery across a range of surgical specialties. Indeed, the trust is keen to maximise day surgery services. We have a GP out-of-hours service that will continue to operate a seven-day-a-week service. We have a comprehensive range of assessment, diagnostic and treatment services, outpatient, mental health, children's assessment, midwifery-led maternity, therapy and older people's services.

I hope that that indicates that there is still a commitment to Downe Hospital, that some of the services that have been removed have been taken out of our hands in the sense that we had absolutely no choice, and that the decision on Daisy Hill is based on the best clinical assessment of the situation. Now, am I going to ignore the stats and the science and say, with my GCSE biology, that I know better? When all the clinicians and medical experts are telling me that the best way forward for stroke patients in Northern Ireland is centralised specialist units with a wide range of clinical —

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

**Mr Wells:** — teams available, do I ignore that and say that I know better? The answer is that I do not.

**Mr Speaker:** Thank you very much. You were very good to take interventions.

*Adjourned at 8.31 pm.*

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# Northern Ireland Assembly

**Monday 26 January 2015**

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** I draw Members' attention to the fact that someone has a phone that is interfering with the sound system.

## Executive Committee Business

### **Off-street Parking (Functions of District Councils) Bill: Further Consideration Stage**

**Mr Speaker:** I call the Minister for Regional Development, Mr Danny Kennedy, to move the Further Consideration Stage of the Off-street Parking (Functions of District Councils) Bill.

*Moved. — [Mr Kennedy (The Minister for Regional Development).]*

**Mr Speaker:** As no amendments have been selected, there is no opportunity for Members to discuss the Off-street Parking (Functions of District Councils) Bill today. Members will, of course, be able to have a full debate at the Final Stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.



## Pensions Scheme Bill: Legislative Consent Motion

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

*That this Assembly endorses the principle of the extension to Northern Ireland of provisions of the Pension Schemes Bill dealing with independent advice, drawdown, conversion of benefits and lump sums, rights to transfer benefits and the financial assistance scheme as contained in clauses 51 to 53 and 60 to 64 of and schedules 2 and 4 to the Bill as brought from the House of Commons to the Lords.*

The Westminster Pension Schemes Bill before Parliament contains proposals to establish a new legislative framework for private pensions, facilitate greater flexibility in accessing benefits and help people make informed decisions about what to do with their scheme benefits.

The legislative consent motion deals with the extension to Northern Ireland of measures in the Westminster Bill. The provisions primarily relate to provision necessary to ensure that pension law is compatible with the tax changes that will come into operation in April 2015.

Most of the provisions were added to the Westminster Bill at Committee Stage and Report Stage and so were late additions to the Bill. The Bill has progressed through Parliament more quickly than anticipated, and the Third Reading in the Lords is now expected early next month. As Members are aware, pensions law tends to be somewhat complex and technical, so some technical jargon is unfortunately unavoidable, but I will try to keep it to a minimum.

The background to the provisions is the changes announced by the Chancellor in the 2014 Budget, when he proposed changes to private pensions, giving savers greater flexibility in how they access their money purchase pension pots. The Budget reforms introducing the new flexibilities require substantive changes to tax legislation and are set out in the Taxation of Pensions Act 2014, which received Royal Assent last month. The Pension Schemes Bill contains a number of measures to ensure that the tax change flexibilities are reflected in pensions law, that the two bodies of law remain compatible and that appropriate safeguards are in place. The provisions will come into effect from 6 April 2015, to coincide with the tax changes.

In the main, the provisions relate to the following: independent financial advice for those transferring out of defined benefit schemes; sums and assets that may be designated as available for drawdown, the conversion of certain benefits for drawdown and the calculation of lump sums; restrictions on the conversion of benefits while schemes are winding up and the payment of lump sums while schemes are in the assessment phase for access to the pension protection fund; and changes to transfer rules for pension scheme members to facilitate the new flexibilities.

First, in relation to independent advice, trustees or managers will be required to check that a member of a defined benefit scheme has received appropriate independent financial advice before converting safeguarded rights into flexible benefits or transferring them to a scheme that provides flexible benefits. Most money purchase schemes already insist on a transferring

member taking independent financial advice before accepting the transfer. In certain circumstances, the employer may be liable for the costs of such advice — for example, in an employer-led transfer exercise.

Secondly, the provisions relating to drawdown provide that the designation of funds for a drawdown pension is limited to funds that are held to provide money purchase benefits. They also provide for conditions to be applied on the conversion of cash balance benefits to money purchase benefits. They make provision for the calculation of lump sums from accrued rights to a cash balance benefit.

Thirdly, the provisions restrict the conversion of benefits during winding up etc and the taking of a lump sum while a scheme is being assessed for admission to the pension protection fund.

Fourthly, the provisions amend the transfer rules — for example, to ensure that members can transfer separate categories of accrued benefits if they have two or more categories of benefits within the same scheme.

Finally, the provisions amend legislation relating to the financial assistance scheme, which operates on a UK-wide basis to provide help to members of underfunded pension schemes whose employer was insolvent prior to the establishment of the pension protection fund. The reference to “money purchase scheme” is replaced with a reference to:

*“a scheme under which all the benefits that may be provided are money purchase benefits”.*

That does not change the effect of the legislation. Rather, it is a technical change to limit the number of categories that may be attached to a pension scheme.

I think that Members will agree that most of the provisions are somewhat technical. As I mentioned earlier, the provisions must be in operation to coincide with the tax changes in April 2015, and it would not be possible to take forward the provisions by way of an Assembly Bill within that time frame. I am, therefore, seeking approval from the Assembly for these provisions of the Westminster Pension Schemes Bill to extend directly to Northern Ireland. Subject to Executive approval, I anticipate bringing forward an Assembly Bill early in the spring.

**Mr Brady (The Deputy Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for bringing the legislative consent motion to the Assembly. As Deputy Chairperson of the Committee for Social Development, I support the motion.

At its meeting of 15 January 2015, the Committee for Social Development agreed a short report on the legislative consent motion, concluding that it would support the motion. Notification was sent to all Members prior to the debate, drawing attention to the report on the Committee's web pages.

As explained by the Minister, the Bill contains a number of provisions that will establish a new legislative framework for private pensions, defining them on the basis of the promise that they offer to members during the accumulation phase about their retirement benefits; facilitate greater flexibility in accessing benefits; and help people to make informed decisions about what to do with their scheme benefits.

As the Bill contains provisions dealing with certain devolved matters, the legislative consent motion seeks to bring forward provisions relating to a number of matters. These are independent financial advice for those transferring out of defined benefit schemes; sums and assets that may be designated as available for drawdown, the conversion of certain benefits for drawdown and the calculation of lump sums; restrictions on the conversion of benefits while schemes are winding up and on the payment of lump sums while schemes are in the assessment phase for access to the pension protection fund; and changes to transfer rules for pension scheme members to facilitate the new flexibilities.

The Committee took evidence from departmental officials on the proposed legislative consent motion. The Committee recognised that the Assembly's consent was required before the Westminster Bill reached Third Reading in the House of Lords and acknowledged that the provisions come into effect from 6 April 2015.

Members will be only too well aware of the highly technical nature of pensions. Coupled with a range of legislative changes relating to pensions that have occurred over the last few years, planning for one's pension is something that, to a greater or lesser extent, we all tend to avoid. It seems too difficult either to understand or to contemplate — or both. On the plus side, it would appear that we are living longer. However, with those matters taken together, it is more crucial than ever to ensure that people can plan effectively for their retirement. It is vital, therefore, when planning for retirement, that individuals have access to clear advice on the options open to them. That is particularly important with the legislative consent motion, given the option for people to draw down funds from their pension pot from April 2015, once they reach the age of 55. Undoubtedly, that would appear to be an attractive option, but it also must be considered in the context of the impact on the final pension provision for that individual once he or she does retire. In other words, there is a risk that people could make choices that will leave them unable to fund their retirement fully.

Having access to pension guidance should enable individuals to make informed decisions about their longer-term retirement planning. Bearing that in mind, the Committee welcomed the changes to legislation in the knowledge that people will have access to pension guidance regarding their private pensions. However, I would note that this is not pensions advice. As I said, pensions are a complex area. Receiving generic, albeit free, guidance, I believe, might be only a first step in this process. As an individual, determining what is right for you, given your requirements and your financial status, will require specific advice, and I am concerned that people will ultimately have to pay for that advice. We will continue to explore that with the Department.

Notwithstanding the introduction of automatic enrolment, the Committee also expressed concern regarding the number of people who might not be able to afford to save during their working life to secure a comfortable retirement. Those provisions will be before the Assembly in the form of a Pension Schemes Bill, reflecting the legislation in Westminster. You can be assured that the Committee will conduct a full and effective scrutiny of the Bill at this stage.

In conclusion, with the agreement of the Committee, I support the motion.

**Mr Storey:** I thank the Deputy Chair of the Committee for his comments and for the work that has already been carried out by the Committee on this issue. I concur with his comments about these issues being complex and challenging for us all to understand. We certainly have to ensure that we try to make it as simple as we possibly can.

#### 12.15 pm

The Deputy Chair raised a very valid point about advice. Since coming into office, I have been particularly exercised about the issue of the advice and information that we, as the Government, put out to people, not only on pensions but, as we move forward later in the House, on welfare reform. The question has rightly been posed: will independent financial advisers and the advice sector be geared up to meet the demand from April of this year? The Government expect that many consumers will seek further advice and will ensure that the guidance equips consumers to choose the advisory service that suits their needs. Recent research from the Association of Professional Financial Advisers shows that 83% of advisers surveyed have the capacity to take on additional claimants seeking advice following a process of guidance. The changes announced at the time of the Budget represent an opportunity for providers to innovate and develop novel solutions that meet the changing needs of consumers. The Government have committed to working with the Financial Conduct Authority to explore the extent to which regulated advice can be made more affordable through more cost-effective delivery, such as the development of online delivery channels.

In addition, the Financial Conduct Authority is working to encourage innovation in a number of areas, including financial advice. It is consulting on guidance to support the development of retail investment advice that aims to encourage the development of appropriate, affordable advice channels for the sale of financial products. We will have to continue to monitor that. There is a duty and responsibility on us to ensure that we make available appropriate advice to the Northern Ireland community.

In conclusion, the proposed provisions should extend to Northern Ireland. The changes to tax law allowing greater flexibility in how money purchase pension pots may be accessed and used come into operation in April 2015. To ensure that the tax change flexibilities are reflected in and compatible with Northern Ireland pensions law and that appropriate safeguards are in place, the changes to Northern Ireland pensions law must be in place by April 2015. I commend the motion to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of provisions of the Pension Schemes Bill dealing with independent advice, drawdown, conversion of benefits and lump sums, rights to transfer benefits and the financial assistance scheme as contained in clauses 51 to 53 and 60 to 64 of and schedules 2 and 4 to the Bill as brought from the House of Commons to the Lords.*

## Private Members' Business

### Children's Services Co-operation Bill: Second Stage

**Mr Agnew:** I beg to move

*That the Second Stage of the Children's Services Co-operation Bill [NIA Bill 44/11-16] be agreed.*

I commend the Bill to the House. I will give a bit of background to my involvement in this and the principle of a statutory duty to cooperate on the planning, delivery and commissioning of children's services. As far back as 2007, I was a member of the all-party group on children and young people. That was, of course, before I was elected, and I was there representing my employer, Brian Wilson MLA. The idea of a statutory duty to cooperate was brought up continually by representatives of the children's sector. Indeed, I questioned the then junior Ministers on their position on such a duty. I confess, however, that, at that stage, I had not yet been compelled by the arguments for the statutory duty. That did not happen until a meeting at which the Department of Education gave a presentation to the all-party group on its draft early years strategy. One thing I learnt from my time on the all-party group was how important early years are to the development of children. The strategy was to look at early years provision from nought to six years old, which is a key time in a child's life. All the evidence indicates that that is when the impacts of social disadvantage and poverty can really take hold if interventions are not put in place.

To me, as somebody who recognises the value of investing in our children, this was a key strategy. What I felt at the time was quite an innocent question was this: what Department of Health involvement has there been in the drafting of this strategy? I was told quite clearly that this was a Department of Education strategy. If we bear in mind that this was a 0-6 early years strategy and that the Department of Education largely does not come into contact with children until they are aged four — certainly aged three at the earliest — we had the situation where we had a 0-6 strategy that started at age three. For me, that was damning, and that was the day that I began to understand the need for a statutory duty to cooperate.

At the same time, much discussion was taking place on why the 10-year strategy for children and young people, which had been widely commended for its ambition and remit, was not leading to the delivery that was sought. Indeed, I attended an event hosted by Save the Children when the then junior Minister Martina Anderson accepted that the delivery had not been adequate. I suppose the immediate question was this: if the strategy had been so well held up, why had it not led to the desired outcomes?

The analysis and response that continually came back, certainly from the children's sector and, indeed, from a number of organisations, said that there was a lack of joined-up working between Departments. That was laid out in the Northern Ireland Commissioner for Children and Young People (NICCY) report 'Barriers to Effective Government Delivery for Children in Northern Ireland', which academics at Queen's University wrote. Again, one of the conclusions of that report was that the lack of joined-up working was a barrier to effective governance,

and it recommended legislation requiring cooperation as part of the solution to tackling that.

At that time, when I put the questions to the then junior Ministers, the statutory duty was being resisted, and other efforts were made to try to tackle the lack of joined-up working. We had the ministerial subgroup for children and young people, which certainly appeared to be a step in the right direction, but the inability to get Ministers to attend and the irregularity with which it met meant that it could not achieve the necessary aims. Children's champions were also appointed in each Department, but, again, that was felt to be insufficient, because it appeared to be merely an add-on to people's existing roles. The resources and the capacity were not there to allow those people, however well intentioned, to really tackle the lack of joined-up working between Departments.

When I was elected in 2011, I sat down with my party and had a list of ideas. I wanted, as a legislator, to work on a private Member's Bill, and I had a range of ideas. This was the idea that I put to my party as the one that I thought had the potential to have a significant impact. It also had the potential to gain support with virtually all of the children's sector in Northern Ireland. I knew that, as a single-Member party, our resources were limited, we would have that substantial backing. Whilst it did not appear to be an obvious piece of legislation for the Green Party to work on, it was obvious to me, because of what the Greens stand for — looking towards future generations — that this was the Bill that the Green Party should be leading on. I was delighted that my party backed me in going forward with this legislation, and on that basis I met the Bill Office to discuss bringing it forward.

I have to say that the initial meeting with the Bill Office was a bit of a rude awakening. I had an idea and knew what I wanted to achieve — or, at least, I thought I did — but I was immediately asked, "A duty to cooperate on who? A duty to cooperate to do what? When should the duty be required? How can we enforce this duty?" I have to admit that I went away with my tail between my legs, but those were the right questions. I thank the Bill Office for challenging me in such a way, and, indeed, for the work over and above its required duty in helping to produce the Bill. Those questions really set me on the journey, which has been a long one, to reach this point. That meeting was over three years ago now, and it has taken that long to refine the policy objectives, to find the answers to those questions, to get the research showing that it is the right way forward and, finally, to get the Bill drafted.

There are three key aspects to the Bill. There is the high-level duty, which requires all Departments to cooperate in furthering the achievement of the six high-level outcomes that were laid out in the 10-year strategy for children and young people. That was the answer to the question about what it is that Departments must cooperate to do. The six high-level outcomes were agreed between Government and the sector and were an example of cooperation in action. There was input from all sides in bringing together those high-level outcomes. To some extent, they mirror the high-level outcomes that are used in England, and, as I said, they have a high degree of buy-in. As I said previously, the 10-year strategy was lauded for its ambition and scope. That seemed to me to be a good place on which to pin the duty.

The second aspect of the Bill is an amendment to the Children Order. Whereas clause 1 is a duty on Departments to work together, this is essentially a duty on agencies of those Departments to cooperate with each other in the planning, commission and delivery of children's services. I said at the start that there had been a failure to cooperate in the draft early years strategy. I think that was at the strategic level, and I hope it is tackled by the high-level duty. I also said that the failure of the 10-year strategy was in its delivery, not the strategy itself. I believe that the amendment to the Children Order is the vehicle through which to help tackle some of the problems of delivery that we saw with the 10-year strategy.

The third aspect of the Bill is an enabling power to pool budgets. There appears to be a lack of clarity as to whether or not Departments can pool budgets in the way that I understand the pooling of budgets. There is ample evidence that pooling budgets is a resource-efficient way of delivering shared aims and outcomes. It is not required by the Bill, but it is an inevitable consequence of joined-up working. I think that it is important that the legislation is clear that Departments have that power to pool budgets.

Finally, one other aspect of the Bill that is worth outlining is the definition of "children and young people", because it did take some consideration. The definition of "children" is simple to a large extent, but there are various definitions of "young people". The intention of the Bill is for it to apply to all children, and that is why we used the definition of "young people" as outlined in the legislation that created the Children's Commissioner, which defines "young people" as all people under 21. So, it is consistent with the Bill's aim to include all children and young people up to that age.

#### 12.30 pm

The Bill is designed to make good practice common practice. There are examples of good practice. Whilst the Bill seeks to improve working, it is not to say that there is not good working. The Children and Young People's Strategic Partnership (CYPSP) is an example of where agencies have cooperated well, but, often, the evidence came back that the work of the CYPSP was predicated too much on goodwill. The agencies that sit within health had a responsibility to engage with the agencies from other Departments, but those agencies did not have the reciprocal duty to cooperate in return. Whilst goodwill would allow that to happen, in times of stretched resources and other priorities, there was a concern that goodwill was not enough. Clause 4 seeks to strengthen the principles of the CYPSP; indeed, the agencies outlined in clause 4 are members of the CYPSP.

Another recent example of good practice is the early intervention transformation programme. Throughout my journey in the Bill, I have highlighted early intervention as a key example of where lack of joined-up working was leading to the inefficient use of resources. At the all-party group on children and young people presentation from the CYPSP, it was highlighted that there were five Departments each with early intervention programmes. That is five Departments with five different sets of administration. For the organisations seeking funding from those programmes, it is five applications but all with shared aims. That, to me, does not highlight a good way of doing government; it does not highlight a good way

of using limited resources and delivering for children. I welcome the step in the right direction of the early intervention transformation programme.

While we have these good practices, it must become common practice. Cooperation must become systemic because there are plenty of bad examples where lack of cooperation is failing children. When I went out to consultation, and throughout the process of the Bill, I have been inundated with organisations that work with children coming to me with examples of where a lack of cooperation is failing the children whom they work with.

A systemic example of failure was highlighted in the NICCY report on the transition to adult services for young people with disabilities, autism or mental ill health. It highlighted that parallel planning for the transition goes on in health and education. They are both planning for the same young person but separately, and the two never come together.

If we take the example of a child with autism, at any transition, it can be something as simple as the transition from the Christmas holidays to going back to school. That is a difficult transition. So, the transition from child to adult services, new people, new social workers, new health professionals, new education professionals will be a major life change. That difficulty is being exacerbated by the fact that health and education are planning separately for those transitions. Those transitions might take place at a separate time in the child's life and are multiplying the number of transitions that a child has to make. If there was a duty on Departments to cooperate in the planning for the transitions for a child, that anxiety, that disruption, that transition could be eased. Indeed, even without a statutory duty, we should be doing that.

We have evidence from elsewhere that a statutory duty to cooperate is the right way forward.

One of the conclusions of Lord Laming's inquiry into the death of Victoria Climbié was that a lack of joined-up working had failed that child. The Children Act 2004 placed a statutory duty on all local authorities in England to cooperate on children's services. In 2007, that statutory duty was extended to include schools and it was reiterated in the Children and Families Act 2014 for special educational needs provision. In England, where the statutory duty was introduced, that has been the road travelled. Indeed, the duty has been strengthened since its introduction.

In Scotland, the Children (Scotland) Act 1995 contained a duty to commission children's services jointly. That was supplemented in 2004 with guidance for integrated services plans. Most recently, the duty was strengthened under the Children and Young People (Scotland) Act 2014, which places a strict statutory duty to cooperate on the planning, commissioning and delivery of children's services.

When new legislation comes in, there is always concern about any kind of bureaucratic or financial impact. Again, it is important to look at evidence from elsewhere. I looked at case studies done on Barnsley Council and Brighton and Hove City Council. In Barnsley, having integrated services and the pooling of budgets was found to have made savings in management costs. The Audit Commission awarded Barnsley Council three out of four stars for performance when it came to children and young people and three out of four stars for value for money. In Brighton, £255,000 worth of savings was estimated to have been made as a result of the pooling of budgets and the



council's use of resources. The weekly cost of residential or foster care in the council area reduced from £561 a week to £487 a week.

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

Although any change will require adjustment and administrative change, and, in many cases, it will require a change of culture, the evidence shows that, when the changes bed in, resources are found to be used more efficiently. Ultimately, that means that more money can be spent on delivering for children.

To quote one parent —

**Mr Wilson:** Will the Member give way on that point?

**Mr Agnew:** Yes.

**Mr Wilson:** All of us want to see more joined-up government, especially in dealing with children, so can the Member explain how his proposals so far would avoid further bureaucracy as Departments look for ways of working together — on groups, through liaising and so on — and instead result in money going to the front end and to the care of children?

**Mr Agnew:** I can give plenty of examples. I mentioned early intervention. Rather than have five Departments administer five separate funds, administering one fund would seem to be less burdensome. There is a requirement in the Bill for OFMDFM to produce a report on the working of the statutory duty on cooperation between Departments. That would be done every three years. On that, I will say that there is nothing in the Bill that states that the report must be discrete and distinct. OFMDFM already has to report on the child poverty strategy, and, indeed, it is working on a new strategy for children and young people, on which reports will have to be produced. Therefore, the task of having additional reporting on how Departments are cooperating should not be an onerous one.

Clause 4 would reduce the requirement to review and publish a children's plan every year by having a review every two years and, in the third year, a new plan produced, if necessary. The clause essentially mirrors the existing provisions in the Children (Northern Ireland) Order 1995. It adds a requirement to report on cooperation but reduces the frequency with which that reporting must take place.

Sometimes, others can put it better than we can ourselves.

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

**Mr Agnew:** I will finish this point and then I will take an intervention.

In relation to the suggestion that working together would increase bureaucracy, Sir Alan Steer said:

*"I cannot see why a behaviour partnership would be a bureaucratic nightmare ... I really cannot see it. If it did end up becoming a bureaucratic nightmare ... I would say that we are doing it badly. The whole purpose of being in partnership is to solve problems and to reduce pressures and stresses, not to increase them. If you are sitting in a meeting that is a waste of time and a talking shop, I would leave if I were you and do something different."*

There is nothing in the Bill, the principles of cooperative working or pooling budgets that should increase

administration or bureaucracy. Indeed, as I say, the evidence and the rationale for the Bill suggest that, whilst any transition can be difficult, I would only expect to see savings and a reduction in bureaucracy in the medium to long term as a result of the Bill.

**Mr Allister:** Can the Member point the House to anything in recent history in Northern Ireland Departments that would have been handled differently if the Bill had been in place? In other words, can he give tangible examples of actual benefit from the Bill before we come to the question of cost? Are there any obvious examples of that?

**Mr Agnew:** I have outlined some, and I encourage all Members who will be scrutinising the Bill to speak with representatives from the children's sector because, as I say, I have been inundated with quite a few. Often, they tend to be particularly around the lack of joined-up working between Health and Education when it comes to special education needs or disability. An almost bizarre example was presented by the Royal College of Speech and Language Therapists around the owning of equipment for children in schools. Technically, the schools own the equipment, but it is the health providers who know how to work it, and because the equipment was commissioned from the schools' budget, they are responsible for equipment that they do not understand. So, if it came from, for example, a pooled budget and from joint working, the conversations and problems could be ironed out.

As things are, there is still too much separate working, and I used the example of transition planning for young people to adult services. As those things happen separately, the solutions are not found. I believe that cooperative working can help overcome some of the problems, but I am certainly happy to pass on to the Member the many documented examples that I have.

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

**Mr Agnew:** Certainly, yes.

**Mr Swann:** The Member raises the topic of transition for children with special educational needs (SEN). He may be aware that the Committee for Employment and Learning is doing an inquiry into post-19 SEN. One of the avenues that has been brought up to us is the statementing of children, and some parents have asked whether it would be possible to continue that statement into adult life. You talked about the definition of a young person being up to 21. Has anything that you have done in preparation for the Bill shown you any evidence that a statement on a child that extends to the age of 21 or 23 might be an advantage that would help that transition process?

**Mr Agnew:** It is an interesting question. I will be honest: I have not considered that in relation to the Bill. The intent of the Bill is understanding that you do not turn 18 one day and all your needs suddenly disappear overnight. That is increasingly recognised through the services offered, but one of the things is about reducing transitions. Why, immediately on turning 18 years of age, do you have to have a different social worker etc? OK, your schoolteacher is not going to come with you, but, in some of these cases, why can the professionals not continue throughout your development? As I say, that has not been the remit of the Bill, but it is an interesting question and certainly something that I will look at in relation to the SEN review.

**12.45 pm****Mr Wilson:** Will the Member give way?**Mr Agnew:** Certainly, yes.

**Mr Wilson:** Just on that point, while I can see the sense of what he is saying, would he also accept that not all professionals — he used the examples of teachers and social workers — will have the range of skills that can encapsulate the ability to meet all a child's needs? Therefore, you are bound to still get a plethora of people who have to service the child's needs. If he is presenting the Bill as something that would enable us to bring together all that professional expertise in one person, is that not being a bit unrealistic?

**Mr Agnew:** I thank the Member for his intervention. If I have indicated that that was the intention, I apologise. It is not to, I suppose, combine all the skills in one person, but to get those people working together so that there is a better understanding between professionals. Again, a lot of the evidence is that one of the outcomes of a requirement to cooperate is that professionals begin to understand people better.

I will give an example of how good practice works. If you look at, say, an assessment for special educational needs, you will see that there are various assessments. You will look at speech and language, motor skills, autism and various things. When it works, all those professionals sit and do the assessment. I have seen this working. A speech and language therapist might say, "Do you know what? There are no speech and language problems, so I can now leave the room and get on with the rest of my work". When it is done badly, that family and child have to go to each and every one of those professionals individually.

A parent summed it up perfectly when she said that, for her, integrated working meant not having to repeat herself 30 times to every different person or part of the system. It is about the whole-child approach; the system wrapping around the child rather than the child and the family meeting the needs of the system and, as I say, rather going to every separate part of the system at different locations, the services actually come to the child. As I say, where those services are not needed, they step back and get on with other things.

I indicated that there is widespread support for the principles of the Bill throughout the children's sector. To be more explicit about it, I mentioned the support from the children's commission and the report from Queen's University that called for a statutory duty. This is something that the outgoing Children's Commissioner and the commission as a whole have supported. Children in Northern Ireland, the umbrella group for much of the children's sector in Northern Ireland, laid it out in one of its two key policy calls for action along with children's budgeting as being the priority policy issues for children in Northern Ireland. Indeed, when I launched the Bill recently, there were over 40 organisations, all of which work with children to some degree, at the launch event to show their support.

Criminal Justice Inspection, in its 2012 report 'Early Youth Interventions' highlighted the lack of cooperative working as being an issue in delivering the prevention of offending.

**Mr Wilson:** I thank the Member for giving way. On the point that he has made, he has now presented the other

side of the coin: the groups that are involved in looking after or are concerned about children. Is the very fact that, at his launch, he identified 40 different groups not an indication to him that just as it is difficult in the statutory sector to find a way of pulling together everything that is needed to service a child's needs, even within the voluntary, community or lobbying sectors, there is a disparate range of people because, really, these things are not easily brought together under one umbrella or roof?

**Mr Agnew:** I thank the Member for his intervention. There have been great strides forward by the sector in cooperative working. Indeed, Children in Northern Ireland, the umbrella organisation for most of the sector, has been a great channel through which I have been able to engage. Certainly, I have found organisations in the sector speaking with one voice, cooperating and talking with one another.

UNESCO, in its response to the Programme for Government, highlighted its disappointment at the lack of a statutory duty to cooperate. Finally, in 2008 the Committee for the Office of the First Minister and deputy First Minister in its report put forward a statutory duty to cooperate as a key vehicle for improving outcomes for children and young people.

I look forward to the debate. I have outlined the process by which I got here and the Bill got to this point. I understand that it is by no means finished. I look forward to working with the various Departments to shape the Bill, because I know there are concerns about certain aspects of the drafting, while there appears to be broad support for the principles of the Bill from statutory agencies. I am certainly willing to work with Departments, including OFMDFM, on drafting amendments that improve the Bill and enhance the intended principles.

I am also keen to listen to Members' views here today. I presented to the Committee for the Office of the First Minister and deputy First Minister on three occasions and had feedback; indeed, aspects of the Bill were changed as a result of that engagement. It would be remiss of me in moving a Bill promoting cooperation not to seek to cooperate with Members and Committees of this House and, indeed, Departments and agencies.

With one in four children living in poverty in Northern Ireland — a figure that is constantly on the rise — and resources limited and stretched, it is my belief that we cannot simply do what we have always done because it is how we have always done it. Something does need to change, and the Children's Services Co-operation Bill can be a catalyst for that change and achieve greater cooperation in the best interests of the children of Northern Ireland.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I begin by apologising to Mr Agnew for missing the opening section of his remarks.

Mr Agnew is no stranger to the Committee; indeed, the Committee has received no fewer than three briefings from Mr Agnew during the development of the Bill. The first was in February 2012, when Mr Agnew appeared before the Committee to outline proposals to introduce a statutory duty on relevant Departments to collaborate in the planning, commissioning and delivery of children's services. This was followed by a briefing on the draft Bill in

January of last year, and the third briefing, on 14 January this year, followed the Bill's introduction to the Assembly. Officials from the Office of the First Minister and deputy First Minister also briefed the Committee on that third occasion. Through its own experience of the Northern Ireland Public Services Ombudsman Bill, the Committee is aware of the complexities of bringing a Bill to the Floor of the House. While it has been a long road, I congratulate the Member on getting thus far.

One of the main areas of discussion with Mr Agnew on 14 January was his engagement with the bodies that will have duties placed on them, should this Bill become law. Of particular concern to some members of the Committee was the apparent lack of discussion or consultation with the Department of Health, Social Services and Public Safety and also the Health and Social Care Board, especially given the role proposed for the Health and Social Care Board by Mr Agnew. I will come to the issue of the board's role a little later.

**Mr Agnew:** I thank the Member for giving way. Again, to show that I have listened to the Committee, I have been in touch with the Health and Social Care Board, which has indicated that, at this point, it has no problems with the principles of the Bill; indeed, it highlighted that the Bill was in line with its own policies and direction of travel.

**Mr Nesbitt:** I thank the Member for that timely clarification with regard to the Health and Social Care Board. As I said, I will return to those issues later, bearing in mind the Member's comments.

The Committee notes from the evidence session with departmental officials that junior Ministers have offered their support for the general principles of the Bill. I look forward to hearing from the junior Minister later on. The Committee was also pleased to hear of the cooperation that is now happening between the Bill's sponsor and the Department. That is particularly important in light of the concerns raised by officials that the Bill, as drafted, may not deliver on its policy intent and may require what they have called "significant amendments" in order to meet its own objectives. That said, officials also stated that in their view:

*"The Bill will very much strengthen the new children and young people's strategy as we take the old one forward to its conclusion. The key to the strategy is cross-departmental work, so something that legislatively strengthens that would be very effective."*

I will now make some brief remarks on the key issues relating to each clause that arose during our discussions with the Bill's sponsor and the departmental officials.

Clause 1 introduces a duty on all Departments to cooperate in working towards the achievement of the six high-level outcomes for all children. As outlined by Mr Agnew, they are: being healthy; enjoying learning and achieving; living in safety and with stability; experiencing economic and environmental well-being; contributing positively to community and society; and living in a society which respects their rights. Those outcomes are specified in the children and young people's strategy for 2006-2016.

**Mr Wilson:** I thank the Chairman for giving way. Did the Committee have any comment to make on what the high-level issues that were raised in the Bill mean? I will take one that I can think of from my own experience:

enjoying education. Was any probing done as to what that actually means, how it would be delivered and, indeed, whether an institution would fall foul of not achieving that goal if it was challenged by a youngster because they did not particularly like the school that they were at or the experience that they were having at that school?

**Mr Nesbitt:** I thank the Member for his intervention. It is a very interesting point, and one that the Committee will be looking at in more detail going forward, rather than retrospectively. I will come on to, I think, a related issue in a second.

As I say, those six high-level outcomes come from the children and young people's strategy for 2006-2016. A new strategy will need to be considered for post-2016 and, of course, this Bill will need to be sufficiently flexible to adapt to any changes or new outcomes that may be defined in that new strategy. In addition, the Committee last week received a briefing on the draft child poverty strategy for 2014-17. It refers to four, not six, high-level outcomes. We have sought clarity from the Department on whether they might have an impact on the Bill that is before us today. I will read into the record, for completeness, the four high-level outcomes from the child poverty strategy: families experiencing economic well-being; children in poverty to learn and achieve; children in poverty being healthy; and children in poverty living in safe, secure and stable environments.

I refer back to Mr Wilson's intervention. I think there are two issues here: what these high-level outcomes actually mean in practice, and whether there is any tension between having six in one strategy and four in the other. Finally, one should also consider what implications they may have for Mr Agnew's Bill, should it become law.

Members also considered that while the Bill will require people to cooperate, it does not actually require anyone to do anything better or to do anything differently. I think that is key to our considerations. We would be hard-pressed to find anybody who would object to the overarching premise of a Bill that seeks to do better for children. The question that needs to be asked is this: what cooperation already exists, and is it clear what exactly the legislation will do to make things better?

#### 1.00 pm

Clause 2 requires OFMDFM to report on cooperation in working to achieve the outcomes. It also requires all Departments to cooperate with OFMDFM in preparing that report. Concerns were raised by members and officials about the potential increase in bureaucracy and duplication in reporting, and officials noted a concern about resulting resource implications. In addition, what sanctions or penalties might be imposed for late reporting or non-compliance with the duty? I ask this as my Committee has just received a briefing on the child poverty strategy, including the annual report for 2013-14, which should have been laid in March of last year but was 10 months late. It was 10 months late, Mr Deputy Speaker, with no apparent sanction.

Clause 3 enables but does not require the pooling of funds and sharing of resources to achieve the six high-level outcomes. The Committee heard from departmental officials that there will be a need to ensure that there is

correct management audit and accountability to ensure that pooling of resources is done effectively.

Clause 4, which is perhaps the most controversial clause, requires the Health and Social Care Board to review and publish a children and young people's plan and lists a number of public bodies required to cooperate in the planning, commissioning and delivery of children's services. I have already noted the Committee's concern about the level of engagement that Mr Agnew has had with the bodies listed in clause 4. A more serious question was raised by one member as to whether the Bill devolves a level of authority to the Health and Social Care Board that would give it significant powers over Departments. That concern was also shared by officials, but, again, I note the intervention from the sponsor of the Bill, Mr Agnew, a few minutes ago to say that, in his words, the Health and Social Care Board is content with the role being placed on it.

If the Bill passes today, it will move to the Committee for the Office of the First Minister and deputy First Minister for its Committee Stage. I have outlined just a few issues that have been raised by members and officials, and the Committee will examine these and any other issues in greater detail as we go forward. We intend to issue a call for evidence and seek the views of relevant stakeholders to help to inform our deliberations. I am also conscious that Mr Agnew and the OFMDFM officials have mentioned the potential need for amendments. The Committee asks that it be kept fully up to speed in a timely manner on progress. Talking of timings, the Committee has a busy work programme, and I anticipate that an extension will be required to allow the Committee to conduct a full examination of the issues. I cannot go beyond saying that we will need an extension to define how long, but it is important to put on record at this point that an extension to the Committee Stage scrutiny is, I believe, inevitable.

If I may, I want to make a few remarks in a personal capacity. The overarching aim of Mr Agnew's Bill is to bring forward collaborative working. I am conscious that this Government, like many around the globe, tends to work vertically. You have your Health and Education Departments and so on, and we now know that, to really achieve for people, you have to come through, as it were, horizontally with cooperation between Departments to get them out of their silos. So, the principle of the Bill is good.

I believe that the most significant thing that we can do to bring forward collaborative working is to change what we do after an election. Currently, we run d'Hondt, and then we try to devise a Programme for Government. I propose that we switch those around — this is in the Stormont House Agreement — and, after the 2016 election, we sit down, and those who are entitled to be at the Executive table try to agree heads of agreement for the Programme for Government before we run d'Hondt and before people are in their silos. We need to agree the broad outline before we know what it is that we have to do to deliver on it. Mr Wilson.

**Mr Wilson:** Having seen just how wasteful that silo mentality can sometimes be, I agree with the Member, but does he agree that that has massive implications for the way in which we do budgetary policy? The silo mentality is, of course, partly due to the fact that budgets are allocated to Departments, and there is very little room and scope for moving money from one Department to another or having money allocated in a way that allows it

to cross Departments, other than holding it at the centre or, sometimes, giving it to another Department, which then distributes it for particular issues, which in itself, as we have seen, can breed complications.

**Mr Nesbitt:** I thank the Member for his intervention. If he is saying that he perhaps sees potential for greater linkage between a Programme for Government and budgetary planning, I very much agree with him. If we go down this route, which I very much hope that we do, of agreeing a Programme for Government with broad intents as our first step, this will have implications down the line for budgets. However, it seems to me that when we leave the House to go canvassing for the next election, we leave behind a Civil Service that is more than fit to take a look at the broad issues and start drawing up options papers for the parties of the Executive. We can be pretty confident that we know at least four, if not all five, of the parties that are likely to be entitled to a place in government. So it is not as though we are going to try to do what the Conservatives had to do after the 2010 general election, which was suddenly to sit down and see whether they could form a relationship with another party to form the Government. We know what is coming down the tracks, and a lot of work can be done. I take your point that the budgetary implications need to be considered as well in that proposal.

Mr Agnew is placing new statutory duties on Departments, as he made clear. The evidence from elsewhere tends to suggest that, as a matter of principle, that is effective. It is then a question of where those duties lie, especially the coordination of same.

I have a slight question about the impact of the Bill if we implement in full the Stormont House Agreement and reduce the number of Departments from 12 to nine. What might be the implications of that for cross-departmental cooperation? That is just a question at this stage because we do not yet know how the Stormont House Agreement will pan out. The pooling of budgets is not an issue of principle, but how does it work in practice?

Finally, I have a note of caution about the potential burden of the reporting mechanisms. If the focus is to get people thinking less about the inputs of government and more about delivering for children on these high-level outcomes, it would be ironic if one of the implications of the legislation was simply to add to the bureaucratic burden.

Those points are simply to lay down markers from the Committee and me as we welcome the Bill and look forward to scrutinising it over the coming weeks and months.

**Mr Moutray:** I am broadly in support of the Bill. However, I, along with colleagues, have concerns about some of the drafting and the potential increase in bureaucracy should the level of reporting referred to in the Bill be enacted.

As I started to research the Bill and analyse its contents, I took the time to look at other jurisdictions and their take on children and young people. I was somewhat taken by Scotland's Getting it Right for Every Child approach, the aim of which is to promote working across organisational and departmental boundaries in order to put children and young people at the heart of decision-making and give them the best start in life. That is, I believe, the sentiment of the Bill that is before us, but more work needs to be done to ensure that it delivers what Mr Agnew is hoping for. It needs to connect sector providers with government



so that people work collaboratively to deliver. My fear is that the Bill, as it sits, pays lip service to joined-up working but would in no way legislate for or force such working.

As children and young people progress through life, some may have temporary difficulties, live with challenges or experience more complex issues. It is important that we as a government work seamlessly to assist them to reach their potential.

I want every child and young person, as it says in the Bill, to be healthy; enjoy learning and achieving; be able to live in a society with stability; experience economic and environmental well-being; contribute positively to community and society; and live in a society that respects their rights.

The Bill does not go far enough concerning collaboration and the need to work collectively as an Executive. The onus is too much on OFMDFM, which in itself is fine, but ultimately, children and young people's progression cuts across DE, the Department of Health, DEL, DRD and others. There is no one Department that can bring about change in isolation.

I am also concerned that Mr Agnew has not been succinct enough in garnering information from best practice across the world. To that end, it is difficult to ascertain whether this direction of travel will have measurable outputs. The Bill lacks tangible outcomes that can be measured for success.

Another concern is the choice of words and the consequences and outworkings of pooling budgets. That was well discussed at our Committee, and I believe that a significant reworking of the Bill needs to happen in that regard to make it workable.

Also, cognisance needs to be given to the fact that many Departments are already working towards tackling some of the fundamental issues the Bill is aimed at tackling. Therefore, additional work needs to be carried out to ascertain what initiatives and programmes are being carried out and what is best practice so as not to create additional layers of bureaucracy.

As I said at the start, I agree in principle with the Bill, and I have no doubt that the Bill will, and should, look significantly different when it reaches its final stages, but I wish the Member well.

**Ms Fearon:** Go raibh maith agat, a LeasCheann Comhairle. Like others, I welcome the opportunity to speak to this Bill and broadly outline Sinn Féin's stance.

We are keen to support the broad principles behind the Bill. A duty on Departments to cooperate in the delivery of services will surely only lead to better outcomes for the most important people in all of this; our children and young people. We want to see maximum cooperation across Departments to achieve agreed and specified outcomes for children and young people, which, as mentioned by other Members, include being healthy, safety and economic well-being. One of the most important outcomes is for children and young people to live in a society that protects their rights. Too often, children are ignored as right-bearers in their own right. There are a few examples of that which we could go into. This is probably not the time or place to do so, but that is an important point to note.

We have no difficulty with the main thrust of the Bill, and we are not averse to there being a statutory duty to cooperate. In relation to what has been mentioned around OFMDFM reporting to the Assembly —

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

**Ms Fearon:** Yes.

**Mr Wilson:** There has been general support around the House for the aims of the Bill. I ask this because one of the Member's Ministers is responsible, and I would ask the same to my own colleague who is the Minister of Health. The educational results for children in care are very poor compared with those of children who are not in care. What does she envisage being put in place in this Bill that will improve the results of children in care, who, on one hand are under Health, and, on the other hand, are finding that school performance is poor? How does she see this Bill leading to cooperation that would improve the results for children who are in that situation?

**Ms Fearon:** The Member might want to put his name down to speak.

It is all about cooperation. Some agencies do not talk to each other and do not have the information. Steven mentioned the 0-6 early years strategy starting at age three or four. So, cooperation will always be a good thing. I have my own questions about the more specified outcomes, which I will go into. OFMDFM has the policy responsibility for children and young people (CYP), including the taking forward of the CYP strategy, and works already with Departments on the coordination of actions to take that forward.

Concerns have been raised by some that the need to report could just lead to increased bureaucracy, which, arguably, goes against what the Bill is trying to do, but we are happy enough with some of the clarification that we have received on those points. Obviously, the effectiveness of increased cooperation has to be tracked to ensure that outcomes are being met and that we are working as efficiently as possible.

On the sharing and pooling of resources, again, we are happy with the principle behind it, but we have some reservations that it might not go far enough. Delivering Social Change was mentioned earlier, and we see that as an important delivery model. We would like to see more definitive work done on the pooling of resources; on how it is done, what it means in practice and whether a real budget line could be attached to it.

#### 1.15 pm

There are reservations that I pointed out and would welcome feedback on. There does not appear to be any specific requirements to deliver improvements on the current situation or sanctions for not delivering. Essentially, Departments are being enabled, but not compelled, to pool resources.

Clause 4 is probably the most contentious, and we have difficulties with the principles behind it. We see it as the transferring of the control of the planning, development, procuring and commissioning of services for children and young people to the Health and Social Care Board at the expense of elected representatives and, with that, the usurping of ministerial autonomy to set policy direction. We have difficulty with giving control to an arm's-length

body of the Health Department, which has already been criticised for being top-heavy, and also because Ministers should retain their ability to develop plans according to their own priorities. We agree absolutely with the principle of ensuring cooperation and want to support a Bill that puts requirements on people to do that. However, that support stops short of supporting giving authority to an arm's-length body to make determinations or to modify plans, which, in my opinion, takes away from, rather than strengthens, democratic accountability.

In conclusion, there is some ambiguity around the Bill. Sometimes, it can be difficult to make out its policy intent in a clear way. The Bill requires restructuring and amendments, which I am sure we will come to at a later stage. It is important to recognise that there is already good practice and that good work being done in this area. My take on the general intent of the Bill is that it is to make good existing practice systemic. We can support that because, ultimately, the protection of children is paramount.

**Mrs D Kelly:** On behalf of the SDLP, I also congratulate Mr Agnew and welcome his efforts in bringing forward what I believe to be an important piece of legislation. As Mr Agnew and others may know, my colleague Alex Attwood was at the launch of the Bill. He pledged the SDLP's support for the Bill, and I reiterate that support today.

As others said, if passed, the Bill will require Departments to cooperate with one another on the well-being of children and young people in Northern Ireland. A duty to safeguard those children who are deemed at risk was introduced in the Safeguarding Board Act in 2011. It is impossible to compartmentalise children's needs into one Department. It is cross-departmental, and cooperation between Departments is vital for the well-being of all children.

Mr Agnew talked about the levels of poverty experienced by children and young people in the North of Ireland. Twenty-one per cent of children here live in persistent child poverty, which is double the rate of child poverty in Great Britain. We have higher levels of government spend per child but much poorer outcomes. Collaborative working between Departments could bring about changes that would lead to better outcomes for children.

Inadequate integration of children's services in Northern Ireland has been repeatedly identified by a wide range of organisations. Indeed, Mr Agnew referred to some of them in preparing for the drafting of the Bill. These organisations are well experienced, have worked with children and young people over many years, and have their well-being at heart. Those are voices that ought to be respected and listened to. Mr Agnew has done his best to respond to the calls made by those organisations. No doubt, as the Bill progresses through the House, he will take further advice not only from those experts but from potential experts here on how the Bill may be improved upon, and accept some of the amendments that may come forward.

This legislation certainly responds to all those calls. It would also give Departments the ability to pool their budgets to ensure that their limited budgets are used effectively. It is a matter of ongoing regret that Sinn Féin and the DUP dispensed with the Executive fund for children and young people that existed under the former Executive led by the SDLP and the Ulster Unionist Party. It might have addressed some of the concerns articulated in

the debate by Mr Wilson. He asked whether we might have examples of children in care. Well, Kathleen Marshall's report indicated that those children who were exploited fell between the stools of the health service, education and the police, that their experiences were not picked up, and that action could have been taken sooner to help them.

The Bill can have far-reaching consequences. It will look to have not only a duty to cooperate but, in a more meaningful way, a child-centred approach to our legislation and to the service that our public sector has to deliver on behalf of the Assembly and Executive to families, and to children in particular. We are therefore happy to support the legislation's progress.

**Mr Lyttle:** On behalf of the Alliance Party, I give our support to the general principles of Mr Agnew's Bill. It has been a pleasure to work with him on the all-party group on children and young people, and, indeed, with the wider children and young people's sector on a number of key issues.

The Alliance Party had an Assembly election manifesto commitment to support legislation that would introduce a statutory duty on all Departments to cooperate and collaborate. Improved cooperation is needed on many issues, such as early intervention in health and education and the delivery of a shared and prosperous society here, but it is needed particularly in the planning, implementation and monitoring of children's services to ensure that we deliver for children and young people in Northern Ireland.

Cooperation is vital in any Government, and perhaps most particularly in a multiparty Executive. We have some good examples of good practice. We have DRD's cycling unit and the Department of Health's Public Health Agency cooperating and pooling budgets to create the Active School Travel programme, which provides on-road cycle training and improved cycling infrastructure for schools. As a result of that cooperation, we have seen good outcomes achieved for increasing the number of children walking and cycling to school. We have seen the Department for Employment and Learning lead on an Executive strategy for young people not in education, employment or training (NEET) and work with the third sector to create a NEET collaboration and innovation fund. We have also seen the Department for Employment and Learning cooperate and pool budgets with the Department of Justice to improve learning opportunities for young offenders in order to reduce offending and improve educational outcomes for people in those circumstances.

In fairness, OFMDFM created the Delivering Social Change-approach and brought forward high-level outcomes for children and young people through the children and young people's strategy and, indeed, the child poverty strategy, which is a welcome outcomes-based approach. However, my party and I believe that a statutory duty to cooperate — enabling the pooling of budgets and enhanced reporting mechanisms — stands to enhance that cooperation and, as Mr Agnew said, ensure that good practice becomes common practice. Cooperation in children's services is absolutely vital, and we have seen it well modelled by the Children and Young People's Strategic Partnership as well as through other work done by the NEET Youth Forum.

It is essential that the Assembly require the Executive to coordinate services and maximise resources as effectively

as possible, particularly on behalf of children and young people in our community. We have heard stark warnings from the Institute for Fiscal Studies and the UN about the growing issue of child poverty. The UN has warned that failure to achieve positive outcomes for children is one of the most costly mistakes that a society can make, so the Alliance Party will continue to work collaboratively to ensure that we do not make that mistake in Northern Ireland and that we deliver for children and young people. As Deputy Chair of the Committee for the Office of the First Minister and deputy First Minister, I hope to have an opportunity to play an active role in the scrutiny and consideration of the detail of the Bill at Committee Stage. I look forward to that.

**Mrs Hale:** I welcome the opportunity to speak briefly on the Second Stage of the Children's Services Co-operation Bill. I place on the record the hard work that Mr Agnew and his team carried out in bringing the Bill to the House.

It is up to us as representatives to ensure that we keep issues such as child poverty, youth justice and children's mental health at the top of the political agenda. Those issues must remain visible, not hidden, and, for that reason, I welcome the sentiments in the Bill. However, whilst I welcome its sentiments and the drive to ensure that we deliver for children at all levels across our Province, I have a number of concerns about it.

First, I have concerns that, although Mr Agnew believes that budgets pooled amongst Departments will ensure better collaboration on many issues, I do not believe that that will create a culture of mutual benefit or prevent Departments from delivering their own priorities. Whilst this model has grown progressively throughout England and Wales from 2004, there is little evidence that it would work well for Northern Ireland, given our uniqueness in relation to both our systems of government and Departments. Notably, I agree that we must continue to pursue an agenda that strengthens collaboration among Departments when it comes to issues that affect children and young people. However, I do not think that we have enough evidence, at this stage, to show that the model proposed will create outcomes that are any better for the most vulnerable in our society. More information in relation to that specific area would be welcomed and will help us to ensure that we are making the right decision for our children and young people.

Secondly, I share the same concerns as many of my party colleagues in relation to the financial cost, and the indirect cost of planning, managing, reporting and reviewing such collaborative programmes, placed by statutory demands, that would become mandatory for all relevant Departments as part of the Bill. Whilst we do not have the full costs of implementation it is clear, at this stage, that they will be considerably high. My genuine worry is that we spend a huge amount of resource at this time when budgets are already limited. I believe that the additional resources needed, coming off the back of the proposed Bill, could be better used in ensuring that we protect the most vulnerable in society.

Thirdly, I agree —

**Mr Agnew:** I thank the Member for giving way. The issue of cost has come up repeatedly and I have outlined the best evidence that I can find as to how cooperative working improves efficiency and decreases the costs of

administration. I keep hearing, and being told, that this will cost a lot of money. Will the Member give me an example of how it will increase costs?

**Mrs Hale:** I thank Mr Agnew for his intervention. I think that while we are drilling down on this, and on the amount of resources being put into bringing this Bill forward, we need to be assured that the money will be well spent and is not taken away from front-line services.

Going back to the Bill, I think that, in some places, it is a little short on detail. That does not mean that I do not share the sentiments of the Bill; only that, if we are to pass any type of legislation, it must be able to stand up to both current and — more importantly — future litmus tests to ensure best delivery on the ground. So, while we are supporting the Bill today, if it is not radically redrafted, our support cannot be guaranteed.

I take the view, at this stage, that OFMDFM is still best-placed to deal with the collaboration of all other Departments, through its duty of care to monitor, report and produce strategies on issues that directly impact on children. Whilst there have certainly been some challenges in delivering the 10-year strategy for children and young people, the Executive have not shied away from such programmes as Delivering Social Change (DSC). The journey has started in challenging the difficulties that many families find themselves in.

I welcome the moves behind Mr Agnew's Bill, and share the passion that has brought it to the Floor, but I reserve my judgement until more is known about the financial implications of the Bill.

**Mr D McIlveen:** Few in the House could deny that the aspirations behind the Bill are worthy of support. Therefore, I, like my colleagues, take the view that, at this stage, we will not stand in the way of the Bill progressing to its further stages.

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

I share the concerns about how we get to the end the point of the Bill. I do not think that anyone can say, with any degree of credibility, that, if the Bill were to be made law in its current form today, it would not cause an increase in bureaucracy. It is clear that a bureaucratic load would be put on all the Departments that are asked to be part of it.

Now, that said —

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

**Mr D McIlveen:** Yes I will.

**Mr Agnew:** I put to you the same question that I put to your colleague Brenda Hale. Can you outline where you see additional costs? I accept that there may be some transitional costs, but I see them as only marginal. Can you outline where you see costs in the provisions of the Bill?

**Mr D McIlveen:** There are two types of cost. First, there is money, as in the physical cost of the capital that we would put into it; I will speak about that in a moment. However, there is also the human resource cost. I think that the Member, in his challenges, has failed to address the fact that the reports that would be compiled as part of this legislation are statute barred to two years. Colleagues whom I sit with, in the House and, for example, on the Policing Board, know that, when it comes to dealing with a

circle of correspondence, two years is not a long time. In many cases —

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

**Mr D McIlveen:** If you would just let me finish the point. I know the point that you want to make.

**1.30 pm**

The fact is, if we find ourselves in a position in which a case is referred to a health and social care trust, the reply from that will require clarification from the PSNI. The PSNI may require clarification from another area and, by the time that comes back to the PSNI, there may only be a very limited amount of time left to compile the report within the two-year statute bar. We would have a problem with that if the PSNI was to find itself in a position in which it would be in breach of legislation if it did not get the required information in on time and had to pull resources from the front line to deal with it. So, there is a human resource cost as well as a capital cost.

If the Member wants to continue his intervention, I would certainly welcome it.

**Mr Agnew:** I thank the Member for giving way. I would point out that those reports are already required and that the reporting on cooperation would be an additional section. Under the Children's Order, reports are required every year. My Bill would change that to two-year reporting and three years for the production of a new plan. So, clause 4 would actually reduce the level of reporting.

**Mr D McIlveen:** What the Member has failed to address is the fact that the Bill would significantly change the processes through which that would be done. It may just be the way that it is drafted. I accept that, and that is why we are all approaching the Bill with an open mind. However, as it is drafted, I feel that it will put a burden on public bodies that does not currently exist, and I know that it has also been the view of the Committee and other colleagues. We have to be acutely aware of that —

**Mr Lyttle:** I thank the Member for giving way. I do not need to speak on behalf of Mr Agnew, but is the Member seriously saying that Departments giving an account of how well they have worked together and how exactly they have used resources on behalf of children and young people is a bad thing?

**Mr D McIlveen:** No, in no way am I saying that. In fact, I think that most of us, and certainly I have regularly been on record as saying this, that we want better collaboration between Departments. However, we are not talking about the principle of collaboration; nobody is against that principle. What we are talking about is putting that in statute and, when you do that, it goes from being a principle to something that has to be very rigidly adhered to.

We are all long enough in politics to realise that, sometimes, the wheels of Departments do not turn not just as quickly as we want them to, particularly from a cross-departmental point of view. We want to avoid anything coming into statute that is not absolutely crystal clear about the fact that it will not remove front-line resources to deal with unnecessary bureaucratic burdens. That is what we want to deal with when it comes to the passing of this legislation and that is why, in principle, we have no difficulty with what the legislation is trying to achieve. However, we certainly would want to make sure that, as

it progresses through its further stages, including the Committee, all those issues are thoroughly interrogated and that an unnecessary bureaucratic burden is not put on resources and Departments that are hugely under pressure.

**Mrs Overend:** Thank you for the opportunity to speak on behalf of the Ulster Unionist Party, as its spokesperson for children and young people, on the Second Stage of Mr Agnew's Children's Services Co-operation Bill.

The Bill requires Northern Ireland Departments to discharge their functions and cooperate with one another to contribute to the achievement of certain specified outcomes relating to the well-being of children and young people. In terms of the general duty, those outcomes include being healthy; enjoying learning and achieving; living in safety and stability; experiencing economic and environmental well-being; contributing positively to community and society; and living in a society that respects their rights. Those are all very worthy sentiments, and I believe that the Bill will bring about changes that will increase effectiveness in practice, which is likely to lead to better outcomes.

There is presently no requirement for Departments or public bodies to cooperate with each other on the issue of children's services.

The objective of a statutory duty to cooperate is to ensure that Departments work together to devise and implement cross-cutting strategies. The intention is to improve outcomes for children by supporting, enhancing and encouraging cooperation to ensure that children's services are most integrated from the point of view of the recipient.

Inadequate integration of children's services in Northern Ireland has been repeatedly identified by a wide range of organisations and stakeholders with expertise in the area. Two weeks ago, I attended the event in the Long Gallery at which Mr Agnew expanded on his Bill. A number of key stakeholders were present, and a video presentation was shown in which a disabled school pupil highlighted the difficulties that she had experienced throughout her school career in getting health and education authorities to take action and deliver the care to which she was entitled. It was a powerful example of how Departments, when left to their own devices, often revert to the instinct of seeking to pass the buck to others and hoping that a problem will go away. I have seen examples of that time and again brought to my constituency office, and I am sure that other Members will agree that that type of attitude is exactly why I am particularly drawn to the intent of the Bill to ensure that each Northern Ireland Department must cooperate with other Northern Ireland Departments to further the achievement of the specified outcomes.

All too often, joined-up government has not been evident, as Departments have sought to avoid responsibility. The Bill will close down that option, and that can only be of benefit to our children and young people. We should all be striving to ensure collaboration within government in relation to children's services and greater collaboration between government agencies and Departments in order to improve outcomes for children and young people. We should be doing our utmost to ensure that a more efficient and effective system is put in place so that Departments and bodies work together and avoid duplication.



Through my experience of attempting to pursue a cross-departmental strategy for Internet safety, I am only too well aware of the difficulty of achieving that goal. Indeed, I have engaged with the Office of the First Minister and deputy First Minister, and it agreed to my request to carry out a gapping and mapping exercise throughout all Departments to see what work is happening now and where improvements need to be made. As Members know, the Department of Education has responsibility for Internet safety in schools and youth services, while the Department of Health has responsibility for safeguarding. Of course, there are connecting responsibilities in the PSNI and the Department of Justice. Therefore, Internet safety is an issue that requires cross-departmental working, the drafting of a strategy and accountability to ensure delivery. Yet, two years after the aforementioned gapping and mapping exercise, there has been no action to address the dangers that were highlighted or to propose an efficient and coherent cross-departmental strategy to ensure that all our young people obtain uniform messages and parents have good and updated information and guidance. Therefore, if this Bill will enable such strategic cooperation across Departments in a timely and workable manner, it will certainly prove very useful.

I am interested in results, and I believe that placing a duty to cooperate will make cooperation more likely and deliver results for children and young people. Sometimes in the House, we vote on legislation that is ideologically motivated; sometimes we vote on legislation because we are maintaining parity with Great Britain; and sometimes — just sometimes — we implement legislation because it is the right thing to do and because it will make life better for the citizens of Northern Ireland. It seems that the principles of the Bill will help deliver better services for children. On that basis, I am content to support its Second Stage.

**Mr Principal Deputy Speaker:** I call Mr McCallister.

**Mr McCallister:** Thank you, Mr Principal Deputy Speaker. Congratulations to you. This is possibly the first time that you have been in the Chair.

Congratulations to Mr Agnew on bringing the Bill to this stage. As the debate is about the broad principles of the Bill, I think that, listening to the debate, there is broad consensus that anything that we can do as an Assembly to help improve the outcomes for children and young people is to be welcomed.

When you look at the Executive's record in addressing some of the issues, I do not think there is a particularly happy outcome, and when you look at the record of cooperation between Departments, it is not always particularly noticeable where and when they cooperate and to what purpose. Most of the criticism that I have heard about the Bill during the debate has been over the cost elements. I suspect that, if there were better cooperation, it should reduce costs, not increase them. If there were better outcomes for children and young people, it would reduce costs, not increase them.

I have slightly more reservations about the Bill in two areas. When you legislate, making sure that a Bill contains enough flexibility, as strategies evolve and changes become very evident, and as best practice and the evidence base evolve, change and move on, to respond to that and change while always being focused on having

the outcomes for children and young people — not always doing things because we have always done them — is key in any Department, never mind when we start to cooperate.

The other area of concern was a bit of a debate between Mr Nesbitt and Mr Wilson. I agree with parts of that, and it is no surprise that I am working on my own Bill. How do we make all of government coordinate better? That will come about only with things like a Programme for Government that is outcomes-based, not one that is so high-level that it brings everyone into the tent. Of course, the challenge to Mr Nesbitt, although he is not in his place, is this: if you do not get some of that in the Programme for Government, what are you going to do about it? Are you going to not participate in government? Are you going to leave it? The difficulty is that there has to be an electoral price for that. When we talk about cooperation in Mr Agnew's Bill, we need to see that. We need to see it across government. We need to see a properly constituted Programme for Government and collective Cabinet responsibility across the Executive so that, when the Executive and the Departments set their mind, everybody is putting their shoulder to the wheel. I suspect that that is what is driving and motivating Mr Agnew, particularly when it comes to children and young people: every Department that touches on the lives of children and young people should put its shoulder to the wheel and say, "It is not just up to the Department of Education to deal with this; this is our business, too. This is part of Justice, Health or DSD as well" — whatever configuration of Departments we have. It has to look like it is everybody's business if we are going to transform lives.

Budgets, the pooling of them and how you do that has been mentioned. I think that Mr Wilson raised the point about how you pool budgets. The structure that we have at the minute very much encourages that silo mentality. Breaking down that silo mentality lies at the core of Mr Agnew's Bill. We should be looking at other ways of government doing it. Can they buy in, for example, if the newly created change fund is very successful, or if investing to save was more successful? It is about making sure that those are targeted at the core areas that we want to improve. Too much of investing to save has been used to try to pay for redundancies. We know from the wider Budget debate that we are set to borrow about £700 million to make people redundant. Junior Minister Bell has been very much at the forefront of Delivering Social Change. It is about making sure that those strategies are coordinated, meaningful, outcomes-based and focused, so that they are not just nice strategies that read well and say, "We're going to target this". That is always what has bedevilled this Administration with their Programme for Government; it has been too highbrow and not outcomes-based. If Mr Agnew's Bill can help to add to any of that, it is worthy of consideration. It is right and proper that, in this debate on broad principles, we support that and say that it is up to the Committee to scrutinise, take evidence and see how to improve the Bill. I am happy to support the Bill. I apologise to the House that I cannot stay for all the debate, but I hope to hear junior Minister Bell's response.

**1.45 pm**

**Ms Sugden:** This private Member's Bill is essentially about two things: better government and better outcomes for our children and young people. Those two things alone

mean that I can stand here and wholeheartedly support Mr Agnew's Bill. Let us face it: we are failing our children and young people. In fact, we are failing Northern Ireland. Why is that? It is because our Departments exist in a silo mentality, which is ironic given that we are in a power-sharing, consociational arrangement. I do not think that it is controversial to say that. Indeed, I think that many Members will acknowledge the lack of collaboration and, therefore, severe inefficiencies in how we provide public services for the people whom we represent. I say quite wholeheartedly, therefore, that Mr Agnew's private Member's Bill is probably the most important Bill to reach the Floor because it legislates to ensure that our Government do their job right. It sounds ridiculous, but, up until now, we have not been doing that; because of times past, because of our politicians and because of our civil servants, we are not doing the job that we should be doing for the people whom we represent. We are where we are with that. Let us acknowledge it, fix it and move on. Let us take Departments out of their bubble.

Now is the time for change, and it can be only a good thing. Northern Ireland is so apathetic towards this Building and its politicians. So let us start to move forward and to create something positive for the people of Northern Ireland. Let us start to have them say that they are proud to have us as representatives on this hill. Let us have meaningful working together. The Bill starts with children and young people — as it should — but I hope that this is an example to Departments across the Executive. I hope that it is an example of our starting to work together. I wholeheartedly support the Bill.

**Mr Principal Deputy Speaker:** Before calling on the Minister to respond, I advise him that I may have to interrupt him if he has not concluded before 2.00 pm.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** I welcome the opportunity to speak on this important matter. A good level of interest has been shown by all sides of the House on this important issue that Mr Agnew has brought forward. I commend the Member, and I place on record the fact that we recognise his efforts to make a difference to the lives of children and young people and to place their best interests right at the very centre of our government policy.

I do not think that any Member would argue that it is not a good idea for Departments, public bodies and other appropriate agencies to work closely together to deliver services to children and young people. Of course, all organisations that have the best interests of young people and children at their heart should be looking for opportunities to collaborate with other like-minded organisations, because it is all about securing better outcomes for children and young people. We secure such outcomes by delivering better services. My Department, OFMDFM, has always sought to promote cooperation in this area, and, in the development of the 10-year strategy for children and young people, the work of the child poverty strategy and the Delivering Social Change programme, we had extensive consultation and sought the engagement and level of cooperation that is desired here today. So whilst OFMDFM holds the policy lead, a wide range of Departments and agencies are involved, which are delivering those services for children and young people. It is worth noting at this stage that the Executive, at their meeting last Thursday, agreed to the formation of

a new Department for education and children as part of the restructuring of Departments following the Stormont House Agreement.

The exact functions of the new Department are still under consideration. However, it is expected that it will bring together a range of children's services currently dispersed across a number of Departments. That restructuring will support the delivery of more efficient services for our children and young people, and all Departments have the responsibility to ensure that our children and young people have the opportunity to thrive.

There are already good examples of Departments working together. Members are aware of the early intervention transformation programme: the Departments of Health, Social Services and Public Safety, Education, Social Development, Employment and Learning and Justice have contributed funding, along with Atlantic Philanthropies and the Delivering Social Change programme, to deliver a range of programmes aimed at improving the lives and opportunities of children and young people. It is an excellent example of collaborative working where we can pool resources, which the Bill seeks to promote. So, there is absolutely no argument that outcomes for children and young people are not improved when different service providers work together with common cause.

Whilst junior Minister McCann and I agree with the general principles of the Bill and the policy intent, we hold some concerns, which we have shared, about the current draft. If the Bill progresses today, I expect significant revisions and amendments to be put forward to ensure that we get it right and that it has a positive impact on the lives of our children and young people. The Bill must ensure that cooperation happens in both policy and operation. Departments, agencies and relevant partners should work together to plan, implement and monitor the appropriate policies and services that are aimed at our children and young people.

We all accept that there can be instances when Departments or agencies do not adequately join up to support a child or a young person. The incidents are highly regrettable, and, frankly, they should not occur. However, we need to consider whether some poor experiences legitimise the need for legislation. No doubt, the Member and the sector will be able to provide some examples — some have been given — of when collaboration has not happened, but we want to look at those examples to find the reasons for the failure so that we can best consider a remedy, whether it is in the form of legislation or not.

Mr Agnew and I have shared some of our concerns. We do not need a Bill about more reporting or bureaucracy; we need a Bill about improved services and improved delivery. At the minute, there is a lot in the Bill about reporting, whether it is reporting on cooperation, on efficiencies or on services. We do not want to hinder Departments or agencies by burdening them with onerous reporting duties that could prevent them delivering. We perhaps need to ensure that there is a better balance between reporting and action.

We have shared significant concerns with Mr Agnew about clause 4, which seems to place powers and duties on the Health and Social Care Board, placing the functions currently undertaken by the children and young person's strategic partnership on a statutory footing. So, there could be instances when, for example, the board cuts

across the responsibilities of individual Departments or Ministers, which would raise questions about democratic accountability. The clause is quite far-reaching. The impact on the board and the named public bodies, including Departments, would need to be fully understood.

The final concern is the potential cost and resource implications for my Department, OFMDFM, other Departments, the Health and Social Care Board and other relevant bodies that are named in the Bill. In a time of reduced resources, new financial pressures are obviously unwelcome, especially when they are not quantified. For the Bill to progress, it will be important to demonstrate that the benefits outweigh any potential negatives and that the costs are outweighed by efficiencies.

As we take the Bill forward, it will be important to consider best practice in other regions and assess how legislation in this area has worked and perhaps where it has not worked elsewhere. We must also bear in mind that issues that are faced by children and young people elsewhere can be different from here.

In conclusion, in keeping with the spirit of the Bill, it will be important to cooperate with stakeholders in the sector and consider existing local research on the matter. At the forefront of that work should be the goal to improve services, outcomes and opportunities for children and young people. Let me be clear: it is a first step today. Mr Agnew should be commended for getting the Bill this far, for the research that he has carried out and for the work that has been done by the sector. It is positive to be discussing it importantly here today.

In many ways, the work starts now. If the House supports the Bill today, we will be agreeing not only to the principle of working together for children and young people but to working together to get the Bill right. We will need to be flexible as we approach the issue. We approach it with a common cause: the delivery of better services to children and young people. When the House next debates the Bill, I hope that it will truly deliver on those objectives. The Bill is fundamentally about the future of our children and young people. It is important that we get it right. In fact, it is too important for us to get it wrong. I am content to support the principle of the Bill at this stage.

**Mr Principal Deputy Speaker:** As Question Time begins at 2.00 pm, I suggest that the House takes its ease until then. After Question Time, the next Member to speak on the Bill will be Steven Agnew.

*The debate stood suspended.*

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

2.00 pm

## Oral Answers to Questions

### Finance and Personnel

**Mr Deputy Speaker (Mr Beggs):** I advise Members that question 13 has been withdrawn.

#### Education Budget

1. **Mr Dallat** asked the Minister of Finance and Personnel to outline the impact of the Stormont House Agreement on the education budget. (AQO 7388/11-15)

4. **Mr McMullan** asked the Minister of Finance and Personnel to outline the impact of the Stormont House Agreement on the 2015-16 Budget, including details of any increases in departmental spending power as a result of the agreement. (AQO 7391/11-15)

7. **Mr McCarthy** asked the Minister of Finance and Personnel what conditions have been agreed with Treasury on how the £500m of new capital for shared and integrated education should be spent. (AQO 7394/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** Mr Deputy Speaker, with your permission, I would like to answer questions 1, 4 and 7 together, as they relate to the impact of the Stormont House Agreement.

The Stormont House Agreement provided up to £500 million over 10 years of new capital funding to support shared and integrated education. That funding will have an impact on the education budget. Individual projects must be agreed between the Executive and the UK Government. In addition to £50 million for shared and integrated education projects, the Stormont House Agreement provided up to £30 million in 2015-16 for bodies dealing with the past. It also confirmed the capital and resource flexibilities sought in the 2015-16 draft Budget; increased that to allow a further £100 million of reinvestment and reform initiative (RRI) borrowing to be used to fund a voluntary exit scheme; provided an additional £100 million of RRI borrowing for capital projects; and provided the flexibility to pay the £114 million welfare reform penalty from capital. The impact of the Stormont House Agreement on 2015-16 has been incorporated into the Budget 2015-16, which I announced on 19 January.

**Mr Dallat:** I thank the Minister for his comprehensive answer. He will be aware that there are roughly a quarter of a million people between 16 and 64 whose levels of literacy and numeracy are well below what they need to apply for a job, seek promotion or even educate their children. Minister, are you sure that we will not create another generation of children who will leave school not able to read or write?

**Mr Hamilton:** There is clearly no desire in the House to see anyone condemned to the sort of educational underachievement that the Member outlined, and I think that we would all accept, from whatever quarter in the House, that whilst Northern Ireland has a very good education system and that many come through it

with the highest of qualifications and can convert those qualifications into a good university education, university degrees and into well-paying jobs, there are some who unfortunately slip through the net. We should all be deeply concerned about that, and it is one of the reasons why I was pleased last week to boost the Department of Education's allocation in the Budget.

There was an uplift of £63 million for the aggregated schools budget and the Minister then further topped it up by a reallocation in his own budget to take it to £80 million. The Member's party voted against that in the Executive. It has a chance tomorrow, with a debate on the Budget, to rectify that position and to support the increase in the education budget.

We have also further boosted the Department for Employment and Learning's budget with allocations of around £35 million proposed in the Budget. Some of those are successful change fund bids, one of which is deliberately for 14- to 16-year-olds who have issues and problems with educational achievement. That is a joint project between the Department for Employment and Learning and the Department of Education. That is exactly the sort of project and scheme that I wanted to see coming forward through the change fund and is exactly the sort of scheme that the House should be supporting.

**Mr McMullan:** Thank you for that answer. I tabled a question to you on the spend in your Budget, but I can maybe get an answer more quickly today. Where do you see the money for the spend in the Ambulance Service going? Will you hand it to the Minister of Health? How is that money distributed to all ambulance stations?

**Mr Deputy Speaker (Mr Beggs):** I remind Members that the question is on the education budget. The Minister may wish to comment.

**Mr Hamilton:** As the House will be aware, the Health Minister has received additional spending next year of £204 million over and above his allocation for 2014-15.

That represents a 3-4% increase. The Executive took, I think, the right decision in protecting DHSSPS's budget — not completely but around 95% of it — by protecting front-line health and social services provision. That includes the Ambulance Service trust as one of the, I think, six trusts. It has been afforded a degree of protection. It is a matter entirely for the Minister of Health to decide where he spends the additional allocation that he has received. Even though that Department would be perceived as one of the winners — if I can use that phrase — in the Budget, I know that the Minister of Health, who, I think, will be in the House later to answer questions, would be the first to say that, in spite of getting an additional £204 million, this is still a departmental budget that, because of demand and changing demographics, is continually under pressure even over and above a 3-5% increase.

**Mr McCarthy:** I thank the Minister for his response. How will he ensure — in fact, guarantee — that this warmly welcomed additional funding capital will make a real and substantial advance on the current pattern of segregated education throughout Northern Ireland?

**Mr Hamilton:** I take it that the Member is referring to the additional allocation of capital spend for shared and integrated education. Of course, his party's Ministers at the Executive voted against the increase in the allocation

to the Department of Education over and above the draft Budget allocation.

The boost of £50 million a year over the next 10-year period, which, I think, is very welcome, is specifically for shared and integrated education projects. We are still working through with Her Majesty's Government the test that would be applied to those projects to make sure that they met the criteria for being genuine shared and integrated education projects. That is important as we take these forward. A lot of good shared education schemes are starting to work their way through the system. There was a call from the Minister of Education last year for projects to come forward. Some of them have passed muster and are now receiving capital funding not just for this year but for future years.

It is important that one of the criteria that we apply to the additional funding is that it is capable of saving us money. Whilst there are other objectives in shared education in bringing children from different backgrounds together to be educated in the one place, we cannot lose sight of the fact that the money is there to help us to save money in the longer term. In that sense, the shared education projects must not only be of good social and educational value but save us money in our Budget. As the Member and the House know, in spite of what is a much better Budget than the draft Budget that we thought we might have been able to bring forward, there are still huge pressures moving forward, not least in the education sphere. It is important that the projects that come forward also help us to save some money.

**Mr Girvan:** I thank the Minister for his answers thus far. Does the Minister share the concern that some have expressed that the Executive are now too dependent on borrowing?

**Mr Hamilton:** Some picked up the point after the Budget statement last week that the Executive are now borrowing around £1.8 billion. On the face of it, that is a lot of money. If you do a per-head-of-population calculation, you find that it compares unfavourably with the other devolved Administrations in Scotland and Wales. The first point that is worth noting is that Scotland and Wales would like to be able to borrow more, particularly Wales. I met the Welsh finance Minister earlier this month. Her Administration are allowed to borrow only £400 million. She would like to borrow a lot more than that and is actually quite envious of our ability to borrow up to £3 billion.

The £1.8 billion that we have borrowed to date has financed infrastructure projects that otherwise we would not have been able to finance. We have also been able to capitalise some costs around the Northern Ireland Civil Service equal pay claim and bring forward a rescue package for the Presbyterian Mutual Society. Again, that could not have been done without the ability to borrow that money. Although there is the cost of repaying the annual interest of around £3 million to £4 million per £100 million borrowed, it is significant — this has, I think, changed the Executive's approach to borrowing — that the £700 million flexibility through the reinvestment and reform initiative (RRI) to borrow specifically for a voluntary exit scheme will save around £60 million for every £100 million that we spend. Half a billion pounds will therefore be saved as a result of that £700 million. That puts a different complexion on borrowing from what there might have been without that payback from the voluntary exit scheme.



**Mr Kinahan:** The Minister himself said that the Budget was imperfect, and there is much in it that many of us disagree with. What is the extent of the remaining pressures on the Department of Education?

**Mr Hamilton:** That is another question that would be better directed at the Minister of Education.

I had conversations with the Minister of Education, as I met all Ministers leading up to agreement of the Budget. I understand that the Minister is bringing forward pressures of £160 million. There had been a reduction by under £100 million in the draft Budget, and there was roughly another £60 million of pressures. If the Member and I were to pore over all the pressures, we might not agree with the Minister of Education that all were legitimate or that the totality was legitimate in view of the cost pressures on that Department. Very clearly, the allocation of £60 million, which was the lion's share, as I described it, of the additional money will go some way to helping the Minister. My primary concern, which ought to have been the House's primary concern, was that the impact of the reductions in expenditure, which the Department will still face, should be limited on the classroom. Certainly, the £63 million allocation, which the Member's party voted against, topped up by the Minister of Education to a total of £80 million, will assist in ensuring that the classroom is protected and defended in the next financial year.

## Corporation Tax

2. **Mr McCartney** asked the Minister of Finance and Personnel how the proposals for the devolution of corporation tax powers will be Azores-compliant. (AQO 7389/11-15)

3. **Mr Lunn** asked the Minister of Finance and Personnel to outline any departmental research into the increase in productivity levels in the economy that will result from the devolution of corporation tax powers. (AQO 7390/11-15)

5. **Mr I McCrea** asked the Minister of Finance and Personnel to outline how the devolution of corporation tax powers will now progress. (AQO 7392/11-15)

12. **Dr McDonnell** asked the Minister of Finance and Personnel, given the recent announcement by the Secretary of State, for an update on the devolution of corporation tax powers. (AQO 7399/11-15)

**Mr Hamilton:** With your permission, Mr Deputy Speaker, I will answer questions 2, 3, 5 and 12 together, as they all relate to the transfer of corporation tax rate-setting powers.

As, I am sure, Members are aware, the UK Government introduced the Corporation Tax (Northern Ireland) Bill in the House of Commons on 8 January 2015. It will enable the transfer of corporation tax rate-setting powers to the Northern Ireland Assembly from April 2017. The passage of the Bill through the UK Parliament is conditional on the implementation of key measures to deliver sustainable finances for Northern Ireland. Therefore, although I welcome the progress that has been made so far, the momentum must be maintained.

Her Majesty's Government have indicated that they are confident that the proposed design of the Northern Ireland regime will be Azores-compliant. That view has been reached because Northern Ireland has institutional autonomy, in that it has its own administrative status. It will

have procedural autonomy, since the Assembly will have the ability to set a rate free from Westminster influence. Furthermore, it will have economic autonomy, because the block grant will be adjusted to reflect the corporation tax revenues forgone by Her Majesty's Government.

With regard to the economic impact, research commissioned by the Department of Enterprise, Trade and Investment demonstrates a very strong case for reducing corporation tax. Indeed, the research conducted by Ulster University's economic policy centre suggests that, if a reduced rate of 12.5% were implemented from April 2017, productivity would be 5.9% higher by 2033 than it would otherwise have been. In addition, the economy would be 11% larger, and 37,500 net new jobs would be created. Of course, the potential benefits and associated costs of reduced corporation tax will depend on the rate that is struck and the timing of when that lower rate is applied. Ultimately, these will be matters for the Executive and the Assembly to decide in due course.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his comprehensive answer. Does he agree with the court decision that the ability to strike an appropriate rate should be a matter for the Assembly without any external interference?

**Mr Hamilton:** It is a key condition of the Azores ruling that, as well as having economic and administrative autonomy, we are able to set procedurally our level of corporation tax. That is something the Executive will have to ponder, consider and decide on very quickly. Our Budgets for the next three or four years after 2015-16 will be largely set out by the comprehensive spending review. Whatever Administration is formed in London after the general election in May — you never know who might be involved in influencing that — will have a comprehensive spending review that will cover three or four years. Obviously, that will overlap with the timing of our ability to reduce the corporation tax rate from April 2017 onwards.

## 2.15 pm

Very clearly, over the next six months or so, the Assembly and Executive will have to take a very clear decision about where they want to go on this issue. There is a wealth of evidence out there on the benefits. It does not matter what research is done, it is more or less the same on the benefits there would be to Northern Ireland. Clearly, there are issues that we have to consider around cost and how we might pay for the inevitable reduction in our block grant. These are issues that the Executive will have to ponder, and the Executive will recommend to the Assembly. However, the Member is absolutely right: these are entirely in the hands of Executive Ministers and Members of the Assembly.

**Mr Lunn:** I apologise, but it is quite hard to hear the Minister down here today for some reason. I think he said that a 12.5% rate of corporation tax would produce an estimated productivity gain of 5.9%. How does he square that? Does he agree with his ministerial colleague, the Minister of Enterprise, who gave the opinion recently that the introduction of corporation tax here would produce a £3,000 per annum increase in the average wage packet?

**Mr Hamilton:** The work carried out by Ulster University's Northern Ireland economic policy centre follows on from

work carried out by others; in fact, it builds on the work done by Oxford Economics. This piece of work suggests that there would be a net new job increase of 37,500. That is nearly 40,000 jobs, which is not far off the previous estimates. It shows that, by around 2033, there would be an increase in productivity of 5.9% and that the economy as a whole would grow by 11%.

The Enterprise Minister's comments about increases in salaries were not well reported by the BBC. Clearly, if your economy is growing by over 11%, you are bringing in 40,000 new jobs and those new jobs are going to be higher-paid new jobs, the average effect across the economy would be around £3,000 of an increase in salaries. So, there is undoubtedly that case. If the economy is growing, you are bringing in more jobs and they are higher-paid jobs, there will be an increase in average salaries across Northern Ireland. That is something that those of us who have been very supportive of the devolution of corporation tax have wanted to see. It is backed up by the research that has been carried out by various institutions on our behalf and, indeed, not on our behalf. That is the prize of corporation tax.

There is a cost involved, and difficult decisions will be required around that, but there are benefits to doing it. When you look at other states, particularly the South of Ireland, that have reduced their corporation tax rate, you will see what they have been able to do in reducing their rate of corporation tax and bringing in investment. Even in very difficult times, that was still the backbone of their economy and is now boosting their economy into growth. This is a prize that is worth pursuing and will, I hope, result in not just 40,000 new jobs but more and further investment by local firms, as well as attracting foreign direct investment.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire chomh maith. With regard to the introduction of lowered corporation tax, can the Minister advise what measures will be or can be taken to ensure that existing regional economic imbalances will not be exacerbated?

**Mr Hamilton:** I am not sure what has happened procedurally with regard to who has been called.

The reduced rate of corporation tax will apply to all firms across Northern Ireland, irrespective of where they are located. I have had occasion to visit the Member's constituency; indeed, it is Mr McCrea's constituency as well. I visited some of our biggest manufacturers, who are based in that neck of the woods. It is one of our well-hidden secrets that 40% of the world's mobile screening equipment is made in County Tyrone. Firms that have already invested there are well placed to expand their group portfolio in Northern Ireland. There are Swedish and American-owned companies operating in County Tyrone that, perhaps, would see a reduced rate of corporation tax as an opportunity to expand their operations.

This is not a policy that is aimed particularly at benefiting one part of Northern Ireland over another. Indigenous firms, irrespective of where they are located, will be paying a lower rate of corporation tax and, clearly, it is up to all of us right across Northern Ireland, aided and assisted by Invest Northern Ireland but also with the new local government institutions in place, to work to attract investment into Mid Ulster or wherever in Northern Ireland.

It is something that will reap benefits for everyone in all parts of Northern Ireland.

**Mr I McCrea:** There has been a lot of talk about sorting out departmental budgets. What work has been done to prepare for any reduction in budgets that may come about with the reduction in corporation tax?

**Mr Hamilton:** There is no work as such included in the 2015-16 Budget, which was laid before the House last week and will be debated tomorrow. That is because the reduction in the block grant will not come until we have reduced the corporation tax rate in Northern Ireland and there is that gap. At the earliest, that will not be until the 2017-18 financial year. As I pointed out to Mr McCartney earlier, as the Executive plan for either a three-year or a four-year Budget coming out of the next comprehensive spending review, that is something that we will have to bear in mind in crafting that Budget, which will have to be done towards the end of this year.

I was keen, and the Executive agreed, that it was important that the Budget for 2015-16 should do as much as it could to plan in a more material way, rather than a reduction in spending, for skills and continuing to attract investment. Now that the legislation is proceeding through Westminster, it is a good time for Invest Northern Ireland to change what it does and go out and sell Northern Ireland as a place in which to invest in anticipation of a lower rate of corporation tax. That is why I was keen to support and enhance its budget, which has been increased by over 10% in the next year.

Similarly, it is important that we still create a pipeline of skilled workers, who are the engine of any economy. Whilst we were not able to fill in the whole of the gap in the Department for Employment and Learning, there has been targeted investment of around £35 million in key areas, including the development of more skills in conjunction with the Department of Enterprise, Trade and Investment. In that regard, whilst the Budget does not particularly deal with corporation tax, it deals with aspects, including skills and economic development, which are preparing us for the day when we have a reduced rate of corporation tax and the economy, hopefully, grows as a result.

**Mr Nesbitt:** I wonder whether, in setting a rate, the Minister feels that it is a question of matching the Republic, bettering the Republic or ensuring that those who make the investment decisions feel that any differential has become irrelevant, given the other benefits, such as a skilled workforce, that would accrue to investors here in Northern Ireland?

**Mr Hamilton:** These are important points that are worthy of discussion. The Executive would be wrong to proceed directly to a particular rate because that is the rate that they have in mind. It is worth noting that, over the last number of years, whilst we have not been able to compete with the Irish Republic for some of the higher-end, higher-tech jobs, we have competed pretty well and we stand out, in a UK context, as the second-best region — London being the number one — for attracting in foreign direct investment per head of population. That is something that we should be very proud of in Northern Ireland and it is testimony to, for example, our skilled workforce, but also to some of the other policies that the Executive have pursued around high-speed broadband access and ensuring that

there is good collaboration between our universities and colleges and business.

There are other costs that are not affected by the Executive directly, such as the low rental cost of grade A office accommodation, particularly in Belfast city centre. There are other reasons that attract investment into Northern Ireland and those are issues that have to be factored into any conversation and ultimately any decision that the Executive make around the rate of corporation tax they want to set, now that we have the ability to do that.

### Departmental Staffing: Rationalisation

**6. Mr McNarry** asked the Minister of Finance and Personnel what steps he has taken to rationalise the staffing of departmental central functions, such as finance, across Executive Departments. (AQO 7393/11-15)

**Mr Hamilton:** My Department has introduced a range of shared services in relation to HR, training and IT, which were previously the responsibility of individual Departments and which, together, realise efficiencies of around £12 million a year. My Department also recently commissioned an independent review of the Northern Ireland Civil Service's HR arrangements that will make recommendations on future HR organisational structures and staffing levels. That may result in further rationalisation.

Following on from the Stormont House Agreement, I am considering a range of measures aimed at helping Departments to live within their 2015-16 budget and beyond for consideration by the Executive. The proposed reduction in the number of Departments will also assist in the process of rationalising functions.

**Mr McNarry:** I appreciate the Minister's answer. Could he now give a timescale for the rationalisation of Departments down to nine and, perhaps, outline their envisaged central functions?

**Mr Hamilton:** I very much welcome the reduction in the number of Departments. My party thought the number was wrong back in 1999, when the current Departments were created. We have been consistent in the House about that. In fact, one of the first motions that I brought as a Back-Bencher called for a reduction in the number of Departments. I am very glad that that is now happening. The Executive will be able to save money as a result of that rationalisation. Unfortunately, it will not be enough to deal with the budgetary problems that we have. The bigger prize will be in areas where there has been a disjointed approach to policy and policy development and implementation. Those will be brought under the auspices of one Department.

It is not just about cheaper government but smarter government. I welcome the savings that will accrue. The scheme is not being taken forward by my Department but by the Office of the First Minister and deputy First Minister. The Executive discussed this issue last week, and things are proceeding positively. I expect that, when legislation is brought to the House and, hopefully, passed, we will be in a position to see a reduction in the number of Departments from the start of the new mandate in 2016.

**Mr Weir:** What opportunities exist to expand the use of shared services across the public sector?

**Mr Hamilton:** The five Executive parties agreed on 19 December a range of reform and restructuring measures, which went to Her Majesty's Government as part of our negotiations and discussions around the Stormont House Agreement. I developed that into a reform and restructuring plan, which went to and was passed by the Executive last Thursday.

The plan includes a voluntary exit scheme, which was mentioned earlier. It also includes the expansion of shared services. Whilst there has been a lot of consolidation and rationalisation at a central departmental level, that has not always expanded to arm's-length bodies and other agencies.

The Executive are now agreed that every central government body should be brought onto shared services platforms when contracts permit. Interestingly, they also agreed that local government, given where it is in its reform, should also be encouraged to avail itself of the opportunities that our shared services around IT, HR, networks and other areas present for it to save money quickly.

**Mr Byrne:** I thank the Minister for his answers. Can he give an assurance to people in the public service that the voluntary exit scheme will be a voluntary scheme, administered in a fair and equitable way within the functional needs of the public service in general?

**Mr Hamilton:** I have no difficulty in confirming that a voluntary exit scheme will be voluntary. The Executive have agreed outline issues around the scheme. We agreed to create a transformation fund that will be administered by a steering group headed up by the head of the Civil Service. It will be a four-year scheme with £700 million. The flexibility permitted by the Stormont House Agreement will allow us to populate that fund.

Agreement has still to be reached on some of the mechanics of it all, but after we have had consultation with the trade unions, the scheme will, hopefully, be open for applications from around March of this year, with the first civil and public servants availing themselves of the voluntary exit scheme and leaving around the end of the summer or early autumn.

**Mr Deputy Speaker (Mr Beggs):** That is the end of the period for listed questions. We now move on to topical questions.

**2.30 pm**

### Social Houses: Executive Target

**T1. Mrs D Kelly** asked the Minister of Finance and Personnel for an insight into the Programme for Government for the year ahead, particularly for DSD if there is going to be, as predicted, a fall-off from the Executive target of 2,000 social houses to 1,500 social houses, given that many of the earlier questions were about the Budget for the year ahead. (AQT 1981/11-15)

**Mr Hamilton:** Mr Deputy Speaker, I am sure you will have noticed, as I have, that, although this is supposed questions to the Minister of Finance and Personnel, it has morphed very quickly into questions for virtually every other Minister in the Executive.

The Programme for Government, and updating it and extending it by a further year because of the extension in our mandate, is not the responsibility of my Department; it is a responsibility of the Office of the First Minister and deputy First Minister. The extension will be a year, and, whilst there will be some new targets — my Department will be adding targets in a revised Programme for Government — many of the existing targets will have been met and therefore will not need to continue. Some of them will continue, and the Budget has a bearing on them, because Departments do not know whether they can achieve an extension of a target if they do not have the same amount of money within their budget going towards that particular area of spend. Now that the Budget is set for next year, subject to agreement by the House tomorrow, the various Departments can proceed with updating, revising, changing, altering — whatever is required — the Programme for Government targets that are relevant to them.

**Mrs D Kelly:** I hear the chastisement in the Minister's response, but, given that the cart is going before the horse, as per usual in this Assembly, it should come as no surprise that I asked such a question. Therefore, Minister, in relation to your own portfolio, what is your ambition for the year ahead in asset sales and how much do you hope to raise?

**Mr Hamilton:** The Executive have set a target in the Budget of around £158 million of capital receipts, which includes asset sales. The original draft Budget proposal that came forward from officials was £108 million. We thought that that was not ambitious enough, so we have increased the target by £50 million. Sometimes, we talk about the £158 million as "asset sales", but it is not all asset sales: some of it will come from the repayment of, for example, financial transactions capital that has been lent to the private sector. Those repayments come back in as capital receipts, as do repayments of coownership loans and some other housing schemes.

So there is a target, which is not too ambitious. Having had £108 million already identified, we have expanded that by roughly 50% — taking it up by another £50 million. Given where the market is, with some activity and assets starting to sell, that is not an unreasonable target to have, and I hope and trust that we will make it. That money will be able to be used for investment in capital elsewhere.

## Government Contracts: Local Companies

T2. **Mr Newton** asked the Minister of Finance and Personnel to outline what success local companies have had in accessing government contracts, given that he will be aware that some of the largest contracts available to businesses in Northern Ireland are those that come from government and the Departments. (AQT 1982/11-15)

**Mr Hamilton:** The Executive spend roughly between £2.7 billion and £2.8 billion a year on contracts for goods, services and capital projects. Between April and December 2014 — the first nine months of the financial year — centres of procurement expertise in Northern Ireland awarded 2,277 contracts, which had a total value of around £1.2 billion. Interestingly, 83% of those contracts were awarded to SMEs, and 75% of contracts were awarded to Northern Ireland firms. The perception sometimes is that Northern Ireland firms do not win in our government procurement system. A situation where three

quarters of contracts go to Northern Ireland firms and 83% go to SMEs, which dominate our economy, shows that our government procurement system is open for business and is very much open for local business.

**Mr Newton:** I thank the Minister for his answer. Those statistics are very encouraging. Can the Minister outline any more specific steps that he is taking that might further encourage Northern Ireland companies, particularly SMEs, to secure contracts with government?

**Mr Hamilton:** Those statistics are probably quite revealing for many people who would have instinctively thought that the number being awarded to Northern Ireland firms was much, much lower than 75%. This is not a situation where we can rest on our laurels.

We should do everything that we possibly can within the law, which is very much governed by EU directives that have changed and are in the process of changing in a way that will assist local firms and SMEs to gain more contracts.

I can think of a couple of things that we are actively involved in to try to encourage our small to medium-sized enterprises to get involved in procurement. Many of them are put off by the size, scale and complexity of it. The Central Procurement Directorate has been working very closely with InterTradeIreland, which runs several "meet the buyer" events across Northern Ireland and the Republic of Ireland each year. I attended one recently at the Ramada Hotel at Shaw's Bridge. There were lots of public sector buyers there from both sides of the border, and hundreds and hundreds of local companies spoke to them about what they offer and what they could bring. They were just having good conversations about what might be possible. A lot of business was done at, and as a result of, that event.

Another way in which I am trying to simplify the process so that local SMEs can see much more clearly what work is going on is the launch in April 2015 of a new tendering system called eSourcing NI, which will simplify and standardise our approach and make it easier for firms in Northern Ireland to complete tenders. We will continue to pursue anything that we can digitally, process-wise or just in introducing local firms to those in the public sector on both sides of the border, as there are huge opportunities for Northern Ireland firms to sell into the Irish Republic as well.

## Paramilitary Groups: Assembly Resources

T3. **Mr Dallat** asked the Minister of Finance and Personnel whether he is satisfied that paramilitaries, whether masquerading as community workers, political researchers or one of the other lofty titles that they give themselves, are not getting money out of the meagre resources available for the Assembly, given that he will be disturbed at the upsurge in the criminal activity of paramilitary groups, which led to the murder of Brian McIlhagga in Ballymoney. (AQT 1983/11-15)

**Mr Hamilton:** We would all be very concerned and worried if any public funds, or funds from whatever direction they come, were finding their way into the pockets of criminal gangs or paramilitary organisations, irrespective of what community they come from. As the Member would agree, those people, whether they are of loyalist or republican persuasion, have nothing to offer this country and wish only to drag us back. There is no support in the community



for what they do. That is why I am very keen, as I am sure the whole House is, on pursuing all those who are involved in paramilitary activity. Those who are involved in criminal activity should be pursued and brought to justice.

The Minister of Justice has been trying to take forward proposals to extend the remit of the National Crime Agency (NCA) to Northern Ireland. It is very important that that happens forthwith. With the support and assistance of the National Crime Agency elsewhere in the United Kingdom, it has been possible to bring people to justice for a whole range of hideous crimes that have been in the media. However, that has been denied to us in Northern Ireland. It is high time that the resistance of those in this place who have been a roadblock to the NCA extending its remit to Northern Ireland yields, and we are allowed to get the benefits of the NCA operating here.

**Mr Dallat:** I thank the Minister for his comprehensive answer, which I accept as absolutely genuine. He may know that King John, in his day, had a triple lock on his chest of gold. Does the Minister not agree that, despite the best efforts, we really need to redouble our efforts if the Assembly is to have a fair wind and be free from paramilitaries and all their activities?

**Mr Hamilton:** No evidence has come to me in recent times of money being spent by whatever source in the public sector, and certainly not within the remit of the Executive, going to dissident republican or any other paramilitary organisations. If Members have evidence of that, I encourage and urge them to raise that immediately with the appropriate Minister or me so that it can be passed on.

Some in the community complain that the audit situation that we have for many funds — I am thinking particularly of Peace III, or Peace IV, as it will now be — can be too rigorous and difficult. It is important to balance testing properly with ensuring that people who are legitimate can go about their business without too much difficulty. I think that what we do in scrutinising the work can sometimes be criticised as being a little too rigorous and onerous. However, given the difficulties that we have experienced in Northern in the past, and some that there may be even currently, it is still important that we ensure that that level of scrutiny is there.

**Mr Deputy Speaker (Mr Beggs):** I call Samuel Gardiner.

**Mr Gardiner:** I am sure that the Minister will be pleased that I will not be putting a question to him because he has already answered it. Thank you, Minister.

**Mr Deputy Speaker (Mr Beggs):** Ian Milne is not in his place.

## Energy from Waste: Mallusk

T6. **Mr McKinney** asked the Minister of Finance and Personnel to outline the implications for EU funding in relation to energy from waste were the Mallusk plant not to go ahead. (AQT 1986/11-15)

**Mr Hamilton:** Sorry, there was a little noise in the Chamber. I think that he was asking what the plans were for that money if it does not go —

**Mr McKinney:** The implications for EU funding were it not to go ahead.

**Mr Hamilton:** The project that the Member raises is a large one. Obviously, it is subject to planning permission and has to go through various processes in that respect. I certainly would not want my position to influence or be seen to be influencing that one way or the other. I am not aware of, although I would not rule out, a possibility of EU funding being secured by the developers of that scheme. My only interaction with that scheme was through the Budget and a bid by the Department of the Environment, which was working with the Strategic Investment Board on the development of a bid that may use financial transactions capital, which is, of course, a source of capital funding that we receive as an Executive from Westminster, not Europe.

**Mr McKinney:** I thank the Minister, but maybe we can hone this a little. My understanding was that money was set aside in the Executive. Were it not to go ahead, would there be flexibility for the money to be spent elsewhere?

**Mr Hamilton:** I think that we have been talking at cross purposes. Initially, that is what I thought that he was asking, but he mentioned European funding, which confused me a little. An indicative allocation of £50 million has been set aside for that project, which developed as result of work carried out by the Member's own Minister's Department of the Environment, which had been working with the Strategic Investment Board and identified it as a possible project that could avail itself of financial transactions capital. The Member will be aware that my Department has had difficulty in allocating all of our financial transactions capital in-year. Thankfully, we were able to deposit around £40 million to the University of Ulster — sorry, the Ulster University, I still cannot get my head round calling it by its new name — which has eaten up all of the financial transactions capital allocation for this year.

There is a large £50 million allocation against this project for next year. Obviously, that project is subject to planning permission. Should it not go ahead, it creates a difficulty for me in spending that money. The broader point is that the creation of the Northern Ireland investment fund, which I announced in the draft Budget and topped up with a further allocation in the final Budget, is an opportunity for us to deposit money from financial transactions capital that may not be spent in-year for spending on projects in the future year. So, whilst I would be concerned if the project were not able to absorb that amount, I accept that it may not be able to because it is subject to planning and various other processes. Whilst that would create some difficulty for us in spending the money, I will continue to encourage Ministers to put forward schemes that can use financial transactions capital so that we can use all of this new but very difficult-to-spend source of funding.

**Mr Deputy Speaker (Mr Beggs):** That ends questions to the Minister of Finance. I will give the Minister of Health and Social Services a few moments to take his place.

## Health, Social Services and Public Safety

### GP Shortage

1. **Ms McCorley** asked the Minister of Health, Social Services and Public Safety what he is doing to address the shortage of GPs. (AQO 7403/11-15)

**Mr Wells (The Minister of Health, Social Services and Public Safety):** Across Northern Ireland, there are currently 351 GP practices with over 1,215 GPs providing primary care medical services to a population of 1·8 million.

**2.45 pm**

I am fully aware of the issues around recruitment and retention within general practice. As a result, under the remit of the regional workforce planning group, whose role is to take forward the Transforming Your Care (TYC) recommendations relating to workforce issues, a medical workforce planning subgroup was established to develop a suite of medical workforce plans, including for GPs, for the five-year period 2013-14 to 2018-19. The GP medical workforce group included representatives of the board, the Northern Ireland Medical and Dental Training Agency, the Northern Ireland General Practitioners Committee, the Royal College of GPs and my Department. In addition, the Health and Social Care Board has undertaken further work specifically examining potential initiatives aimed at improving the recruitment and retention of trained GPs.

No final decisions will be taken until the Department has considered the findings of those reviews. Increasing the number of GP trainees would, of course, require increased funding, and any decisions would need to take account of the overall financial position of my Department.

**Ms McCorley:** Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Given that this is being flagged up as a really serious issue of concern for GPs, and I heard that, within the next five years, a quarter of existing GPs will be retiring and we will be left with a greater shortfall —

**Mr Deputy Speaker (Mr Beggs):** Will the Member come to her question, please?

**Ms McCorley:** Yes. Can the Minister outline some specific actions that he intends to take to fill that serious gap?

**Mr Wells:** What the honourable Member says is correct. Some 25% of GPs are over 55 and, of course, retirement is at 60. Currently, we have a 20% vacancy rate amongst GPs. I am sure that she understands that, before we can take significant action, we need to have the workforce reviewed to find out exactly what the extent of the problem is and take the necessary action.

There is also another difficulty, in that the GP role is not seen as particularly attractive to young medical graduates. The vast majority seem to want to go onto the hospital floor and, perhaps, become consultants. Therefore, we also have to try to make the GP route more attractive to young qualifying doctors. My understanding is that we will be reporting very soon on what is required to be done.

Let me say that, despite the difficulties that the Member quite rightly outlines, in May 2014, the Patient and Client Council launched a report on access to GP practices, and 73·5% of those who responded said that they were satisfied with access to their GP, which indicates to me that, whilst our GPs are under considerable stress, they are doing excellent work in ensuring that there is access for all their patients throughout Northern Ireland.

**Mr McGimpsey:** In referring to the shortage of GPs, at the last Health Committee meeting at which he was present, the Minister told me that approximately 50 young GPs who

graduated from Queen's had gone off to work in Canada and Australia. Clearly, it is not sustainable for our health service to be providing that. What specific steps does he foresee being able to take to try and cut down that flow?

**Mr Wells:** The Member for South Belfast is absolutely correct. There are over 250 trained GPs from Queen's University who are currently in Australia, Canada and other Commonwealth countries. The difficulty we face — this is something that we could not have foreseen, say, a decade ago — is that Commonwealth countries are offering better salaries and working conditions and more modern hospitals with excellent career progression. The Member will have to understand that, in order to turn round the situation, because training someone to be a GP is such a long-term process, you cannot immediately change your policies to adapt if things move rapidly. It can take seven or maybe eight years to be fully trained as a general practitioner or hospital doctor. Therefore, in this rapidly evolving situation, we are taking on board the trend to move away to other countries.

We do not have an awful lot of evidence of many of those doctors coming back, which is another issue. We thought that maybe they would go off, have a couple of years' experience, and then return to work in Northern Ireland. Maybe it is the sun, the social life or the wonderful scenery, but an awful lot of those young people are not returning. They are settling down in Australia and staying there. That issue does not just affect us but the whole of the United Kingdom, and it is a particular problem in GP surgeries. Whilst we have a general shortage of middle-grade doctors, that is particularly apparent among GPs, as becoming a GP is seen as a less attractive option to recently qualified doctors.

**Mrs Cameron:** I thank the Minister for his answers thus far. How does the number of attendances at GP surgeries in Northern Ireland compare to that in England?

**Mr Wells:** The one thing that the honourable Member for South Antrim will agree with me on is that our GP doctors are extremely popular with their patients.

In 2008-09, 10·2 million consultations were undertaken by GP practices. In 2012-13, that had risen to 12·4 million, which works out as 6·9 consultations for every man, woman and child in Northern Ireland per year — almost seven consultations — which compares to the figure of 3·4 consultations per year in England. In the Republic of Ireland, it is only three, yet there is no indication that the people in the Republic of Ireland are any less healthy as a result of visiting their GPs on less than half the number of occasions that we do.

That places a huge burden on GP surgeries. There is an increase of almost 3·5% per year in demand, and that is bound to put pressure on GP surgeries, particularly when we know that we are 20% understaffed. I pay tribute to the GPs who are dealing with that situation.

The Choose Well campaign indicates that people should go for treatment only if they require it. It may be that, for instance, going to their pharmacy is an option, rather than going to their GP. People must use the service wisely and not automatically think that, if they are feeling a bit under the weather, they should see their doctor.

**Mrs Cochrane:** The Minister will be aware that I recently conducted a survey of all the GPs in Northern Ireland, and

I will come forward with some of their proposals. Given that 90% of health service contacts take place in a GP setting, yet GPs only receive approximately 8% of the budget, does he think that amending that could have an impact on those who may want to pursue a career as a GP?

**Mr Wells:** The Member is aware of the campaign that I think has been organised by the Royal College of General Practitioners and supported by the BMA to increase the proportion of the overall budget from 8.5% to 12%. The initial difficulty is, of course, that that would cost about £130 million and, in the present economic situation, it is very difficult to envisage where that money would come from.

Under Transforming Your Care, we are asking our GPs to come together in confederations in which they could have the scale to enable them to take action to reduce demand. One suggestion is that a group system or collaboration could employ a pharmacist to take on the role of dealing with the huge number of prescriptions and repeat prescriptions, which is a very time-consuming and bureaucratic activity for doctors. The 18 to 20 potential confederations lend themselves to that type of activity. We certainly need to do something to cut down on the inordinate amount of paperwork that our GPs have to carry out.

The reality is that we will only really solve the problem when we encourage more young doctors to take on the role of being general practitioners, rather than going down a route of hospital work, where you can become a consultant as young as 34 or 35. That is the ultimate problem that we face, and the signs are quite worrying. Therefore, it is essential that the workforce review take urgent action to address that difficulty.

## Health: Front-line Services

**2. Mr Rogers** asked the Minister of Health, Social Services and Public Safety what constitutes a front-line service in his Department and its arm's-length bodies. (AQO 7404/11-15)

**Mr Wells:** The front line in health, social care and public safety is a quite complex concept. It comprises a closely integrated team of staff who have direct contact with patients, clients and families, together with other staff who provide a wide range of critical support activities to individuals and the community.

I suspect that the question is aimed at the Northern Ireland Fire and Rescue Service, which would normally fall under the description of a front-line service. However, for the purposes of the draft Budget for 2015-16, which was endorsed by the entire Executive, the protection from reductions for front-line services relates solely to the health and social care elements within my budget — basically the expenditure of the five trusts.

The Northern Ireland Fire and Rescue Service is similar to other front-line services, such as the PSNI, but is not afforded the same protection.

**Mr Rogers:** Minister, focusing on the health and social care aspect of it, do you believe that the enhancement of services at our GP surgeries and out-of-hours facilities will help to alleviate some of the pressures on our front-line services?

**Mr Wells:** Absolutely. As I mentioned, the Choose Well campaign is an attempt to get our 1.8 million citizens to

take sensible decisions on accessing the health service. Often we find that people who should be in out of hours are going to A&E and people who are in out of hours should perhaps be going to their GP's surgery. The wrong choices are being made. Therefore, it is important that that campaign is successful.

We have made commitments in the budget to try to protect those services as much as we can, but my problem is that I still have to find £50 million cash savings and reductions in what are termed "non-front line". That means organisations like the Fire and Rescue Service, the Public Health Agency, the BSO and a whole raft of arm's-length bodies. That has been painful. If we decided that the Fire and Rescue Service was not to be part of that, I think that it would be almost impossible to find that £50 million. By finding that £50 million and taking efficiency savings elsewhere in the budget, we want to retain the protection of front-line services such as GPs, out of hours, minor injuries units and A&E.

**Ms Maeve McLaughlin:** Given the Minister's commitment to the protection of front-line services, will he confirm that he will not move to close the Cottages respite facility in the Western Trust? Go raibh maith agat.

**Mr Wells:** As the Member knows, there is an ongoing consultation on the Cottages facility in Londonderry. I notice that there has been some press speculation in the 'Londonderry Sentinel' and the 'Derry Journal' and on Radio Foyle about my view on this. I have made no determination on the future of the Cottages. It is still being discussed. I am very aware of the excellent resource that it is and the support that it gives to some very profoundly handicapped members of our society. However, at the moment, the board is still discussing the issue. I understand that the chief executive of the trust met local MLAs to discuss the issue last week, and I think that we are quite close to making a determination on it. At the moment, however, there is no final decision on the Cottages.

**Mr Givan:** The emergency departments are on the front line of the health service, and I welcome the steady progress that has been made over the past number of years to reduce the number of people waiting for 12 hours to be seen in those wards. However, there are occasions when the pressures continue to build, and we saw those during the Christmas/new year period. Will the Minister give his assessment of how the health service responded to the pressures that the emergency departments were under during that time?

**Mr Wells:** As I said in the media, I am immensely proud of how our six health trusts handled the enormous pressures in the period just after Christmas. There was a 7.5% increase in demand, and that 7.5% increase was on top of the huge increase in demand in January 2014. Despite that, we did not have the meltdown that was experienced in the Irish Republic, where there were 600 patients on trolley waits at one stage, or the situation in England, where 12 health trusts had to declare emergency incidents when the system completely collapsed.

I accept that 179 routine procedures were postponed, but all those will be carried out within the next three to six weeks. In the Southern Trust, only one procedure was postponed. We got through a terribly difficult period with the minimum of disruption. By the way, those 179 routine procedures were out of several thousand procedures; it

was a very tiny fraction — maybe less than 4%. Therefore, I say, “Well done” to the consultants, the doctors, the nurses and all the allied health care professionals who worked so hard over that period to ensure that we got through those very difficult few weeks without having to worry about the situation that arose a year earlier.

It is worth saying that, in GB, 220 operations a day are being axed as units struggle. That gives you an indication of what is going on in areas where they have a very strong resource base. So, I admire the work that is being done. I pay tribute particularly to the Chief Medical Officer and chief executive of the Belfast Trust, who was seen walking the wards on Christmas Day at the Mater Hospital and the Royal Victoria Hospital. That is the sort of dedication that we have in the health service. I know that that can be replicated by many chief executives throughout the trusts, so I say “Well done” and “Keep up the good work”.

3.00 pm

### Health Care: Rural Areas

3. **Mr McMullan** asked the Minister of Health, Social Services and Public Safety, given that the focus of Transforming Your Care is on a movement towards community and palliative care, to outline when rural areas will start to see the benefits of this strategy. (AQO 7405/11-15)

8. **Ms Sugden** asked the Minister of Health, Social Services and Public Safety, further to his recent meeting with the Ulster Farmers' Union, for his assessment of current health-care provision in rural communities. (AQO 7410/11-15)

**Mr Wells:** With your permission, Mr Deputy Speaker, I will respond to questions 3 and 8 together.

I am committed to improving the health and well-being of the rural population and to taking forward the commitment for health in the rural White Paper action plan. My Department and the Public Health Agency are committed to working jointly with the Department of Agriculture and Rural Development on initiatives such as the maximising access in rural areas (MARA) project and the farm families health checks programme. I also want to ensure that high-quality care continues to be provided to people with palliative and end-of-life care needs, irrespective of where they live or where their care is delivered.

The Health and Social Care Board and the Public Health Agency, in conjunction with Marie Curie, are taking forward the Transforming Your Palliative and End-of-life Care programme. The programme aims to improve the design and delivery of coordinated services and ensure equity of access to services for urban and rural communities. It will do that through the development of person-centred care so that people with palliative and end-of-life care needs will have, as far as possible, choice in how and where their care is provided.

**Mr McMullan:** Go raibh maith agat. I thank the Minister for that partial answer, but he has still not answered the question. When will rural dwellers see the investment in community and palliative care that the all-singing and all-dancing Transforming Your Care promised when it came out and all its plans were announced to the public? Will the Minister guarantee the House and the wider public today

that any decision that he takes through Transforming Your Care for the rural community will first be rural-proofed?

**Mr Wells:** As I already mentioned to the Member, the Executive have adopted the rural White Paper action plan for Northern Ireland. That followed extensive engagement with stakeholders and Departments. It was agreed by the Executive in May 2012. That demonstrates the Executive's commitment to improving the quality of life of those who live in rural areas.

The plan was developed to provide a strategic framework for rural policy for the next 10 years. It provides a framework for a more integrated approach by the Executive to seek to address the challenges facing rural communities and to help ensure the future sustainability of rural areas. It contains commitments on rural issues by all Departments, including mine.

**Ms Sugden:** One of the biggest access issues for rural constituents is community transport. The Blind Centre in my constituency recently lost its transport. How is the Minister working with Minister Kennedy to ensure consistent and adequate rural transport for those specifically with a disability?

**Mr Wells:** As the honourable Member for East Londonderry will know, rural transport is outwith the control of the Department of Health. However, I realise that it is an important factor in people getting access to essential services.

She raised the particular issue of the Blind Centre in Coleraine. I am more than happy to take up that issue with Minister Kennedy to see what is happening. In my area, the Down Armagh Rural Transport Partnership (DART) is having huge difficulties with funding at the moment. Essential services are being withdrawn because the cash is not being made available to enable an extensive service to remain available to the community. I am therefore more than happy to pursue the issue. Coleraine is not the area that I would be in most often, so I am not across the particular issue raised. I know that the Member is raising it on behalf of her constituents, and I am more than happy to follow up on that with Minister Kennedy.

**Mr G Robinson:** Will the Minister provide an update on the paediatric palliative care strategy?

**Mr Wells:** The Department's review of paediatric services — Sorry, I did not quite hear the Member. Was it paediatric or palliative care?

**Mr G Robinson:** Palliative care.

**Mr Wells:** The Department places huge store on protecting and enhancing palliative care services. Indeed, we have an agreement with Marie Curie, which organises visits to those in rural areas who have end-of-life care needs. Indeed, I was also up at the Northern Ireland Children's Hospice, and I noticed that it has a team of nurses who go to every county in Northern Ireland to provide care to people who look after young children who have end-of-life care needs. I was very impressed with the quality of the care that I saw, and I am committed to ensuring that the review of palliative care continues to reach out to rural communities. I want to continue to work with the charitable NGO sector in this respect.

We also provide domiciliary care to 25,000 people in Northern Ireland, many of whom, of course, are elderly



people, and some of whom have palliative care needs. So, there is a commitment throughout Northern Ireland to ensure that we do our best for people who wish to remain in their community in their last days. We know how difficult a period this is in their lives and the lives of their families, and I would like to think that the Department, through the five trusts, is working to ensure that people, in even the most remote areas, are getting the care they require.

**Mrs Overend:** Care in the community is especially important in rural areas, yet each of the trusts is cutting support for domiciliary care. Can the Minister detail how this is justifiable?

**Mr Wells:** The overall level of domiciliary care is actually continuing to increase. I think that she is referring to the fact that, under the contingency plans to save money in the last four months of this financial year, some trusts have been adopting a policy of providing only two out of three non-urgent packages to slow down demand and restrict growth in the budget. This does not mean that there is not an overall growth in the programme, and it continues to be a major component of the social care budget. This will be reviewed, of course, in the context of Budget 2015-16. I have not yet had direction from the trusts on what they intend to do, but, if anyone needs a domiciliary care package urgently, they are still getting it. I emphasise that. It is only the non-essential packages that are being restricted and, even then, it is two out of three, and that policy does not apply to all trusts.

This is a rapidly growing part of our budget, and, indeed, as part of Transforming Your Care, one of the main focuses of that document is to transfer funding from further up the healthcare ladder down to domiciliary care.

**Dr McDonnell:** Mr Deputy Speaker, can I take this opportunity to congratulate the Minister on his earlier warm comments about GPs? They are outstanding people dedicated to serving the community at a level that is far beyond the norm that is expected. *[Laughter.]*

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

**Dr McDonnell:** Minister, your comments will be noted and remembered.

We started off by talking about Transforming Your Care in this question. Minister, to what extent are the health trusts involved in the decision-making to close nursing homes such as Orchard House in Belfast? What assurances can be given to residents affected by those decisions that they will be provided with suitable alternative accommodation or provision in the community?

**Mr Wells:** Orchard is a private facility. The Department has no direct control over private nursing homes. We have had situations where they have announced closure, and, of course, they have to consult before doing so. It then becomes the trust's role, in this case the Belfast Trust, to provide alternative accommodation for the residents of a private home.

We had a similar situation in Bangor. You will understand that, as a privately owned facility, it is a matter between the Belfast Trust and the RQIA that, during the period of notice, they meet all the relevant registration and contractual requirements and that the residents are appropriately and successfully relocated.

From experience, I have found that it is always possible to relocate residents in this situation. I understand, of course, that, if someone has lived a large portion at the end of their life in a private residential or nursing home, the trauma and upheaval of having to be moved out and be split from friends is very difficult. You will understand that the Department could not get into the situation of moving in and bailing out, or rescuing, private residential nursing homes, because, when there is alternative provision, we have to make use of it. There have been some isolated incidents of this happening, but, on all occasions, the residents have been relocated to other facilities in a reasonably short period.

## Nutritional Care Strategy

**4. Mr McGlone** asked the Minister of Health, Social Services and Public Safety for an update on the progress of the vision for good nutritional care strategy for adults in all care settings in Northern Ireland. *(AQO 7406/11-15)*

**Mr Wells:** The Public Health Agency, which leads on the implementation of Promoting Good Nutrition, the vision for good nutritional care strategy for adults in all care settings in Northern Ireland, advises that it aims to have the majority of actions in the strategy that relate to training, assessment and assistance with feeding, food service provision and the patient experience in place during 2014-15, so that is obviously imminent. During 2015-16, they aim to focus on arrangements for governance and related structures, along with any outstanding actions from 2014-15.

**Mr McGlone:** Go raibh maith agat don Aire as an fhreagra sin. Thanks very much to the Minister for that response. Particularly in regard to the recent concerns around the provision of meals to people's homes in the South Eastern Trust area but also more widely, does the strategy apply to the care setting of the individual's home and the nutritional values that should apply there?

**Mr Wells:** It may be of interest to the Member to receive the statistics on what are called community meals. The Belfast Trust gives out 982 meals a week; the Northern Trust 437; the South Eastern Trust 408; the Western Trust 1,227; and the Southern Trust gives out 47. The reason why the number for the Southern Trust is so low is that it has carried out a full reablement programme. Elderly people living on their own are given advice and help on how to manage in a much more effective way, without requiring what many people regard as meals on wheels.

The decision of the South Eastern Trust, which has 408 clients, was based on making the service more effective and more cost-effective, but it also has to be emphasised that it is not a case of simply going with a dozen or 14 meals, putting them in a freezer and driving away. If the person requires help in cooking that meal, that is given. It was not a question of leaving people on their own. Equally, if the person did not have a fridge or freezer that could accommodate those meals, they were not included in that service. I will watch with great interest to see how that new arrangement works. We will monitor it carefully, but it is a genuine attempt by the South Eastern Trust to make the service more effective. It is interesting to note that, when full reablement is carried out, the need for community meals drops dramatically. As I said, in the Southern Trust's case, it is down to only 47.

**Lord Morrow:** The Minister has, to some degree, answered the question that I was going to ask, because it was in a similar vein. I was going to ask him how he explains the significant differences between the numbers of community meals provided in the trust areas. He tells us that 47 are provided in the Southern Trust. I would like to hear —

**Mr Deputy Speaker (Mr Beggs):** Will the Member come to his question?

**Lord Morrow:** That is the question.

**Mr Wells:** I am not actually 100% certain what the question is. What I can say is that the Southern Trust has maybe been more forward-thinking on reablement. It has sent its staff out to give advice to many elderly people, particularly those living on their own, on how they can manage without requiring the community meals service. I represent the Southern Trust area and have done for about 20 years, off and on. Surprisingly, though the service has been scaled back dramatically in places like Newry and Mourne and Banbridge, I have had very little in the way of complaints from constituents about it. That indicates to me that the Southern Trust is able to provide the support that individuals need in such a way as community meals are no longer required.

I suspect that the reason why the other trusts are not just at that level is that they are not through the reablement process to the same extent. Under Transforming Your Care, the intention is that every person in that situation would get that advice and assistance, so I expect that that number will continue to fall.

**Mr Deputy Speaker (Mr Beggs):** That is the end of the period for listed questions. We now move to topical questions.

### Meal Delivery Service: Public Consultation

T1. **Mrs McKevitt** asked the Minister of Health, Social Services and Public Safety why there was no public consultation ahead of the decision to remove the daily meal delivery service. (AQT 1991/11-15)

**Mr Wells:** Transforming Your Care clearly flags up the process of reablement. It is clear that, particularly in the Member's area — the Southern Trust area — there will be an extensive programme. I raise the question with her. She has been a public representative for I do not know how many years — certainly for as long as I can remember. The general assessment of the community seems to be that what the Southern Trust is doing is correct and that older people living on their own now feel much more certain and secure. Therefore, as a result of that, they no longer require community meals. I still say that I want any change in the process to be tested calmly and rationally by those who have specific expertise, particularly in the areas of malnutrition and the care of older people. I want that to be done in a way that minimises the alarm caused to the service users.

3.15 pm

**Mrs McKevitt:** Does the Minister agree that the decision has provoked region-wide inequality for recipients of meals on wheels, which are available in some areas and not in others?

**Mr Wells:** Only to the extent that I have mentioned, which is that some trusts are much further on in the process than others. In the Member's area, I think that the process is more or less complete. The Southern Trust has decided, after a rigorous examination of the facts, that only 47 people in the Southern Trust area require this form of service.

**Mrs McKevitt:** There was no consultation.

**Mr Wells:** As far as consultation is concerned, it was flagged up extensively in Transforming Your Care. There was extensive consultation in it. Also, we are not changing the service as such. We are not losing a service; we are simply changing the way in which the service is delivered to people's homes, in the case of the South Eastern Trust. The food is still coming. OK, it is coming in bulk, as it were, but it is still being given, and there is still help being given for its preparation and serving.

### Nurses: Specialities

T2. **Mrs Cameron** asked the Minister of Health, Social Services and Public Safety for more detail about and the specialities of the extra nurses working in the health service in the Province to which he referred previously. (AQT 1992/11-15)

**Mr Wells:** When the honourable Member for South Belfast was the Minister of Health, I distinctly remember him saying just before he left office that, inevitably, out of the comprehensive spending review Budget agreed by the main parties, there would be 4,000 compulsory redundancies in health. That has not happened. Over the three years when Edwin Poots had control of the Department, we increased the number of nurses in Northern Ireland by 780 or 6%. That is 300 more nurses in acute service; 55 more in mental health; 33 more midwives and student midwives; 30 more district nurses, which is an increase of 4%; 23 more health visitors, which is up 5%; 112 more paediatric nurses, which is up 18%; and 147 more specialist nurses, which is up 21%. That gives an indication of the commitment of the previous Minister and me to making certain that resources are put into front-line care, and you do not get much more in the way of front-line care than nurses. The trusts, the board and the Department are to be congratulated on giving this the priority that it deserves.

**Mrs Cameron:** I thank the Minister for his answer. Does he anticipate that the number of nurses working in the community will expand as well?

**Mr Wells:** Yes. We are doing a workforce review, particularly of district nurses who go round the community looking after people who also have a domiciliary care package. I hope that the workforce review will be published some time in mid-2015. It was due to be 2016, but I asked that it be brought forward. I am certain that the review will indicate that we require more district nurses to meet the needs of Transforming Your Care. I could go on about the number of extra consultants that we have also taken on, but we have shown already by our enormous commitment that we are utterly determined in this Department to put the resources where they are needed, which is where the patient is being cared for — in the community or in the hospital.

## Smoking: Plain Packaging

T3. **Mr McAleer** asked the Minister of Health, Social Services and Public Safety whether he is minded to introduce plain packaging as part of the tobacco directive. (AQT 1993/11-15)

**Mr Wells:** As the honourable Member knows, as far as the rest of the United Kingdom is concerned, last week, the announcement was made that there would be a free vote in Parliament on the issue and that would affect the situation in England. I understand that Scotland, Wales and the Republic of Ireland are at varying stages in implementing plain paper packaging. We as an Assembly unanimously passed a legislative consent motion last year enabling that to happen. It falls on the First Minister and deputy First Minister to take the final decision. That is where the decision will rest. I think that a dominant factor is that, if the rest of the United Kingdom and the Irish Republic are going down the same route, I see practical difficulties in Northern Ireland, which represents only 2% of the British Isles market for cigarettes, having its own brightly coloured packaging whilst the rest of the islands have plain paper packaging. However, that is not my decision; it is a decision for OFMDFM. I understand that it will be looked at very quickly.

**Mr McAleer:** I thank the Minister for his answer. Go raibh maith agat. Does the Minister agree that plain packaging can act as a deterrent to some young people from starting smoking in the first place?

**Mr Wells:** The research that was carried out in Australia indicates that it is an important component in deterring young people from taking up cigarettes. We have also had the point-of-display advertising ban, a ban on vending machines and the very successful ban in restaurants, pubs and clubs, all of which have driven down the number of smokers in Northern Ireland. We are down now to 22%, but — there is a big “but” — unfortunately, in the most vulnerable communities in our society, the prevalence is 31%. We still have to drive that down, and we still have to drive down the number of young smokers taking up the habit. Smoking is unique in that it has to replace half of its customers because those customers die from using its products. Anything that can be done to discourage young people from considering smoking to be glamorous must be considered. This decision has gone past the Department and the Assembly; it rests with OFMDFM. The Member no doubt has influence there and can use it. We await with interest its decision on that issue.

## Ebola: UK Discussions

T4. **Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety to outline any discussions about Ebola that he has had with his UK counterparts. (AQT 1994/11-15)

**Mr Wells:** First of all, I am sure that we are all absolutely delighted that the nurse who was afflicted with Ebola in Sierra Leone is now out of hospital. We were all very pleased to turn on our TVs at the weekend and see that Ms Cafferkey — I am sure that I have got that wrong, but I mean the lady Scottish nurse — is out of intensive care. Since the outbreak began, there has been ongoing and intensive liaison between Northern Ireland and colleagues in Great Britain at official, Chief Medical Officer and ministerial levels. Decisions have focused on the

development of plans and protocols for responding to any case of Ebola that may occur in Northern Ireland. That has covered a wide range of issues, including surge capacity in a number of hospitals to treat any confirmed Ebola cases; protocols for managing and treating suspected and confirmed cases; communications plans; arrangements for an Ebola helpline; the production of guidance for professional groups; and plans for transferring any Ebola patients to an appropriate hospital. I sat in on many of those COBRA conference calls with fellow Ministers. We did a series of dry runs and test cases and, when we had the incident in Glasgow, the systems worked well and fell into place. The Royal Free Hospital gave the person who had Ebola outstanding treatment, and I think that we can have confidence that — we hope and pray that it does not happen — should there be another Ebola case in the United Kingdom, we are now very well geared up in the four Health Departments to deal with that very serious issue.

**Mr D McIlveen:** I thank the Minister for his answer to that question. The Minister will recall that, at the end of November, Dr Sara Hedderwick from the Royal Victoria Hospital suggested that there was almost an inevitability that these shores might be affected by Ebola. In light of what the Minister has just said and in light of what the doctor said, is the Minister satisfied that this part of the United Kingdom — Northern Ireland — is at a ready state of preparedness if that unfortunate eventuality occurs?

**Mr Wells:** As Members know, the overall risk to the general population in Northern Ireland is very low. The virus is only transmitted by direct contact with the body or bodily fluids of an infected person who has symptoms or the remains of a person who has died with Ebola. We had two scares in Northern Ireland: we had one in Londonderry and one in the southern part of Northern Ireland. Both were self-reported, and, on both occasions, the action that we required clicked into force very quickly. Fortunately, in both cases, the tests came back negative, but that showed that we were well prepared for the situation. One of the concerns that I had was about transport, but we have dealt with that. Therefore, should someone be in the unfortunate situation of testing positive for Ebola, the transport arrangements are there to get that person rapidly to the Royal Free in London, which we know, given the previous experience, gives an extraordinarily high level of care.

The good news as far as Sierra Leone and West Africa are concerned is that the incidence of Ebola is dropping rapidly. Some countries such as Nigeria have been able to declare themselves Ebola-free. We hope and pray that we are over the peak of this dreadfully serious condition, but we are still ready and waiting in case something should happen in Northern Ireland.

## Smoking: Car Ban

T5. **Mr McCallister** asked the Minister of Health, Social Services and Public Safety, in welcoming his earlier comments about plain packaging, whether he remembers that, in autumn 2011, I tabled a motion on banning smoking in cars, of which he, while serving as a humble Back-Bencher, was very supportive; if so, is that still his view as Minister, and does he agree that, with the other jurisdictions in the UK moving down this road, it is time that Northern Ireland joined them. (AQT 1995/11-15)

**Mr Wells:** My colleagues in Scotland and Wales have made it very clear that they want to go down this route. Again, I have had a very good few months of discussions on this with Leo Varadkar, the Minister in the Irish Republic. He is very committed to the ending of smoking in cars in which children are travelling. There is a possibility of this happening in the Health (Miscellaneous Provisions) Bill, which could be used as a vehicle to slot in an amendment to prevent smoking in cars.

I remember that debate very well. I spoke passionately in favour of it from the Back Benches. Only two people spoke against it that day. It was almost unanimous. Indeed, I remember Mr McCrea making a very passionate speech against smoking in cars. I do not think that even I could go as far in explaining my views on smoking as he did that day.

That Bill is coming before us very soon. A private individual may wish to amend the legislation. The Committee or the Department may wish to do so. There has been no final decision, but at least we know that a final view on this will come our way within the next few months.

**Mr McCallister:** I welcome the Minister's response and his continued support. I happily put it on record that I would be delighted to bring such an amendment. Will the Minister welcome an early amendment so that he, his Department and the Committee could scrutinise it, and we get the best legislation possible?

**Mr Wells:** My only fear is that the honourable Member would ruthlessly use that in the constituency of South Down as a weapon against his opponents in any future election in the same way as he used his kudos in getting the Caravans Act (Northern Ireland) 2011 through in a previous incarnation.

I am not quite certain what the best vehicle is to achieve this change, but I get the impression from all Members that the argument has been won. What right do adults or parents have to inflict passive smoking on the most vulnerable in our society: young children? It is simply not on that we continue to do this. The Assembly's view on this is well settled. Therefore, my mind is entirely open as to the best way to change legislation on that, subject, of course, to the vote of the Committee and the Assembly. I think that, on this one, there is universal agreement in the Assembly. Sadly, the one person who spoke strongly against that — not as a health issue but on a right-to-choose basis — was the late David McClarty. David is sadly no longer with us. I got the impression that day that, had it come to the crunch, even he would have acquiesced and abstained on that vote.

## Blood Donations: Cost of Court Cases

T6. **Mr Sheehan** asked the Minister of Health, Social Services and Public Safety to explain how he can justify the cost of court cases in relation to the ban on blood donations from the gay community. (AQT 1996/11-15)

**Mr Wells:** May I say, first, that I did not incur any costs. The Member is referring to the cost of £40,000 from the previous Minister. I am in a very difficult position. As you know, the Department has appealed the court decision. We understand that a final judgement will be made in March 2015. That precludes me from saying much in the way of anything substantive on the issue. The Assembly has a well-known view that we do not comment on court cases

that are before a judge for the obvious reason that anything that I may say might be used in that court case either for or against the final decision. I am sorry; I do not like to evade questions, but, on this occasion, the very strong advice that I have is not to take it any further than that.



3.30 pm

*(Mr Speaker in the Chair)*

## Private Members' Business

### Children's Services Co-operation Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Children's Services Co-operation Bill [NIA Bill 44/11-16] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** I call Mr Agnew to wind on the debate.

**Mr Agnew:** At the outset, I welcome the clear indication from the House today that there is cross-party consensus in support of the principles of the Children's Services Co-operation Bill. I outlined in my opening remarks the long journey to introduce the legislation. Perhaps the advantage of that was the opportunity for me and, indeed, the children's sector, to bring others with us by persuading them to support the Bill. Certainly, when first consulting on the Bill, I faced some resistance, and some took longer than others to come to the position of supporting it. Whilst there has been broad agreement on the principles of the Bill, concerns have been raised, and I would like to address them as well as I can. I will go through the themes that came up in the debate rather than Member by Member, so I apologise if I do not cite those who raised some of the issues.

There was concern about the cost of enacting the Bill. Despite listening intently to the contributions from Members, I fail to understand how requiring Departments to work together will yield significant costs. However, I have seen, and presented to some degree, the cost of the lack of cooperation. Indeed, the Laming inquiry found that the lack of cooperation between Departments and agencies in England was an attributable factor in the death of a child. I would hate to see something as important as this derailed because of largely unfounded concerns about financial costs.

Let us look at another example: the review of the risk to young people in care of sexual exploitation is, I think, ongoing, but the first criticism made against the agencies involved was the lack of joined-up working. Children in care are, arguably, some of the most vulnerable children. Certainly, we have most responsibility for them, as they are in the care of the state's Departments. As someone in Scotland put it during lobbying for the Children and Young People (Scotland) Act, the state is their "corporate parent". We should be mindful of that. The conclusion drawn from investigations into the risk of sexual exploitation to children in care is that they are being failed and that a lack of cooperation is part of that failure. These are the costs of not cooperating, and I outline them because, I suppose, of my heartfelt instinct that those children must be cared for.

There is no doubt that the financial costs of getting things wrong in a child's early life are immeasurable. Indeed, the economist Professor James Heckman estimates that having the same impact in adolescence would cost seven times more than early intervention. All the evidence for integrated working and cooperation shows that joined-up working decreases delays in the provision of services, meaning that we can intervene earlier when we cooperate better.

While Mr Wilson — he is not in his place at the moment — questioned some elements of the Bill, he said that the "silo mentality" was wasteful. That was a helpful intervention from a former Finance Minister who has scrutinised our public finances to that level, although compliments from me to Mr Wilson are rarely appreciated.

I appreciate that we must always be mindful of extra financial or bureaucratic burden, but I ask Members who have cited costs to investigate the evidence, because the evidence in England is that, where there has been cooperative working, particularly where there has been pooling of budgets, costs have reduced, efficiency has improved and the delivery of services for children has improved.

I have been asked about the practical outworkings of the Bill. Sandra Overend drew attention to it well. She spoke of examples in her constituency in which constituents have come forward because they have fallen between two Departments and the lack of cooperation has failed them. I would be surprised if any Member had not had that experience. Certainly, I have had constituents with that experience. The most recent example concerned a child with special educational needs. The child's problems were recognised by the teachers, but they had to wait for statements, potentially, from the Department of Health, or an educational psychologist from the Department of Health. The delays between the Department of Education and the Department of Health led to real and tangible difficulties for the young person involved.

I welcome the work that Mrs Overend is doing in relation to Internet safety. I hope and believe that this Bill, the work that Mr Lyttle is doing around children's budgeting and Mrs Overend's work are very much complementary. It is good to see Members putting such effort into improving outcomes for children in Northern Ireland.

Mr Wilson raised the issue of children in care and asked how this would help, practically, with children in care. Sometimes, it is easier to point out where the failings are than where the improvements will be. Ultimately, we hope to stop getting reports that say that a lack of joined-up working failed our children. It is worth noting that the Voice of Young People in Care (VOYPIC) has been very supportive of the Bill, from the outset. It responded to the consultation and attended the recent launch. I spoke to its chief executive about the experience with the children's Bill in Scotland, where they brought in the statutory duty. Children were going up to Alex Salmond and saying, "You know you're my corporate parent". He had hundreds of children calling him daddy, which I am sure was a strange experience. I do not know how that translates over to Northern Ireland. Perhaps, it makes the Department of Education and the Department of Health the mother and father of children in care. I am not sure which is which, but given that both Ministers are men, perhaps we have our own civil partnership in government. However, the responsibility we have to children in care is a serious point. As I said before, the state acts as their parent. I do not think that a lack of joined-up working can be excused when it comes to those children's lives. The outcomes for children in care are all too commonly poor, and we need to look at ways of improving that. I believe that better joined-up working can do that.

Questions were raised about the high-level outcomes. I think that it was Mr Wilson who asked, "What do they

mean"? The issue of what would happen as policy changed was also raised. There is, within the Bill, provision for the outcomes outlined in the Bill to be changed through order. I have also committed to engaging with OFMDFM as it develops the new strategy for children and young people. Should the Bill need to be amended to reflect new outcomes, where those come forward and, indeed, are agreed by the sector, I will be supportive of an amendment. I chose the six high-level outcomes to keep in line with current policy, but, as current policy develops, I am willing to develop the Bill in that direction.

What do the outcomes mean? My understanding is that OFMDFM's intention in the new strategy is to better explain the outcomes and amend them if need be but to be more explicit about what the outcomes entail. In that regard, if need be, the Bill can be amended in line with policy changes.

Mr Wilson made a specific point about enjoying learning and achieving and whether the Department can be challenged over the failure of a child to enjoy school. Of course, not all children enjoy school, but it is a goal and an outcome, and the Bill requires cooperation in seeking to further the achievement of that outcome. It is not a requirement to achieve enjoying learning and achieving; it is a requirement to work together with that goal in mind. There is nothing in the Bill that is unreasonable in that regard.

Mr Nesbitt raised the issue of the four high-level outcomes in the child poverty strategy. I will reiterate what I said in my opening remarks: this is a Bill for all children. While it will encapsulate children in poverty, children with special educational needs and children with disabilities, it is not about targeting one section of children. It is about all children, and, in that regard, it differs from the child poverty strategy. I cannot answer for OFMDFM about the drafting of the child poverty strategy and why those four high-level outcomes were chosen, but the purpose of the Bill is to take in a wider range of children, including those in poverty but not exclusive to those in poverty.

Speaking as the Chair of the Committee, Mr Nesbitt also raised what he saw as a lack of engagement. This was raised most recently when I was before the Committee. It was not for the want of trying in some regards. When I launched the consultation in 2012, direct letters were sent to 300 statutory and voluntary organisations, the majority of which did not reply. I have to say that I got better engagement from the children's sector than I did from the statutory sector, but, to be honest, I can understand that. Very few private Members' Bills get to this Stage, and even fewer pass. The Bill was probably not a priority for Departments or for the agencies consulted. They face a plethora of consultations, so maybe this was not a high priority for them. However, since the indications have been coming that OFMDFM and the Assembly are minded to support the Bill, at least in principle, the engagement has increased. I will work with OFMDFM to engage with the statutory sector as well as the voluntary sector. As I said, efforts were made to consult widely, but I suspect that that work will be stepped up. Indeed, the junior Minister made it clear that this is only the beginning of the work. I acknowledge that there is much work still to do on the Bill, with consultation and potential amendments. However, I look forward to undertaking that work because it will be worthwhile.

A couple of connected issues were raised by Mr McCallister and Mr Nesbitt around an agreed Programme for Government, which might be a better way of improving joined-up working. I agree: an agreed Programme for Government with agreed common cause and corporate responsibility in the Executive is something that my party and I would like to see. Again, however, I point to England and Scotland, where they have an agreed Programme for Government but still feel that a statutory duty is required.

There is a political discussion about the number of Departments. I welcome the junior Minister's statement today that there has been agreement for a Department of education and children. That should help with cooperative working in relation to children, but, again, I look at Scotland, where they have a children's Minister but still require the statutory duty.

### 3.45 pm

I welcome the overall reduction in the number of Departments, although larger Departments could become more impenetrable. This is the perfect time for this legislation to set a new standard and a new requirement for those Departments to work together, so that as we reform the Departments, we reform the cultures within them and end the silo mentality that Members referred to.

What I hear from the Assembly in common today is that the principles of the Bill are right and the important work is now to get the drafting right. I certainly agree with that and am committed to doing that. I am committed to working with the junior Ministers and the Office of the First Minister and deputy First Minister to draft amendments that will strengthen the policy objectives of the Bill.

Dolores Kelly made a useful contribution when she said that we must listen to the experts. I agree: we must listen to the experts in the voluntary and statutory sectors. I will be mindful of those who are being asked to change resisting that change. However, where people come forward with genuine proposals that seek to achieve the policy objectives of the Bill in a better way, I will lend my support to such proposals.

The first question in my consultation in 2012 was whether the Bill would make cooperation more likely. I believe that it will and that should be the objective. Claire Sugden described this as the most important legislation to reach the House. It certainly is for me. That is why I have worked so long and hard on it and why I will continue to work to get it right. As the junior Minister said, we have to get the Bill right because it is too important to get wrong. I absolutely agree with that and would add that it is too important to reject at a later stage. The Assembly needs to give its commitment to the Bill. I give my commitment to working with all stakeholders and getting it right.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Children's Services Co-operation Bill [NIA Bill 44/11-16] be agreed.*

## Assembly Business

**Ms Ruane:** On a point of order, Mr Speaker. A Cheann Comhairle, you will be aware that the motion coming up was changed at the last minute by the UUP, though it was agreed at the Business Committee. That left us very little time to study the wording of the motion. It transpires that the wording is inaccurate and has misleading information. I have been informed of that by the Minister. I understand that the Business Office and your office have also been made aware of that. Given that this inaccurate and misleading information is attached to a motion that we are expected to vote on, I wonder whether the Speaker could maybe take this away and provide guidance to us.

**Mr Speaker:** Thank you for that point of order. This matter was brought to my attention quite late in the day. In fact, it slightly delayed me in taking my place as per the agreed rota.

My initial advice is that motions are published on the no-day-named list and chosen by the Business Committee for inclusion on the provisional Order Papers and, one week later, the final Order Paper. Clearly, there exists an opportunity to correct any factual inaccuracies before the final Order Paper or to submit an amendment to the motion within the usual deadlines. I would have expected, in any event, that any inaccuracies to be raised by the Minister would have been dealt with in that way.

I am content that the correct procedures were followed, and I have had the opportunity to be talked through the steps involved, including any issues that the Business Office might be required to follow up on with the signatories to the motion. I accept that this is quite late in the day, but, in this instance, no concerns were raised in sufficient time for any corrections to be made to the motion in the Order Paper. However, I expect the debate to ensure that those issues are addressed and put on the record.

**Mr Swann:** Further to that point of order, Mr Speaker, can you give a ruling on whether the motion is, in your view, competent?

**Mr Speaker:** Yes, it is, because the correct procedures were followed and there was, in my judgement, sufficient time for people to raise any concerns over factual content. That is not to say that I stand over the composition of the motion; that is a matter for the debate, and I am certain that the Minister will set out his position on any representations, opinions or submissions that he received in coming to his decision.

I labour this point so that we can avoid any confusion in the future: there is no onus on the Business Office to ensure the accuracy of motions that are placed before it. There could be sub judice issues involved; the language used could be offensive to some Members; the Minister could have signalled an intention to address issues and a Member is attempting to anticipate that; or there could be other matters involved that at least require the Business Office to deal with them before a motion appears in the Order Paper. Everyone, whether or not directly involved in a motion that appears in an Order Paper, has a period in which to address any concerns about its factual content or otherwise.

## Private Members' Business

### Coláiste Dhoire: Development Proposal 264

**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 wind. 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 wind. All other Members who are called to speak will have five minutes. A valid petition of concern was presented on Thursday 22 January, so the vote on the motion will be on a cross-community basis.

**Mr Kinahan:** I beg to move

*This Assembly notes with concern the decision of the Minister of Education to approve development proposal 264 to establish a new grant-aided, independent Irish-medium post-primary school Coláiste Dhoire at Owenbeg, Dungiven; further notes that this decision was taken contrary to official advice from the Western Education and Library Board, the North Eastern Education and Library Board, the Education and Training Inspectorate, the ministerial advisory group on Irish-medium education and his own Department; and calls on the Minister of Education and the Executive, in the context of ongoing budgetary pressures, to review this decision on the grounds of rationality, affordability and sustainability.*

We will soon find out that there were not inaccuracies, just differences of opinion. I welcome the chance to propose the motion on behalf of the Ulster Unionist Party.

On 28 November 2014, the head of the area planning policy team at the Department of Education sent the Minister of Education written advice on development proposal 264, which was an application from Coiste Choláiste Dhoire for a new Irish-medium secondary school to be established in September 2015 at Owenbeg, Dungiven. She recommended that the Minister not approve the development proposal and included a draft press statement to announce the decision. The press statement was never released. Instead, on 8 December 2014, the Minister took the decision to approve the development proposal and amended the press statement to announce his decision. It was released two days later. The purpose of the debate is to find out what prompted the Minister between 28 November to 8 December to turn his official advice on its head and approve a proposal for a school that has been variously described as not viable and unsustainable.

This is not an attack on the Irish language or on Irish-medium education. Those who have tabled a petition of concern against the motion are the ones who have politicised the Irish language yet again. It is a motion about value for money. When the decision was announced, I really was shocked given the Budget circumstances. On 8 December, the Minister announced that the school is to be developed at a cost, according to the Department of Education, of £216,000 the first year. There would also be 11 mobiles costing some £600,000 plus VAT a year and a year-end deficit likely to be £100,000, when there will be only 14 pupils that first year, and a mass of other costs as yet undisclosed. All this was against departmental advice. The Department's recommendation is:

*"do not approve the Development Proposal".*

I do not know which is more shocking: the idea of the Minister spending close to £1 million on a new school for 125 pupils, when everyone in the profession is facing cuts, or him ignoring his professional advisers, when almost all of them say that the school is unsustainable.

It has been said that CnaG, the Irish language body in education, is in favour of the proposal. However, it had one of the four places on a ministerial advisory group that reported last year. That report did not identify Dungiven as an optimal location. It recommended an enrolment threshold that, while lower than the sustainable schools policy, is way above that envisaged in this proposal.

Regarding value for money, let me remind you where we were in December when this decision was announced. The Department had just written to every school to advise them that their budgets would be cut by 7% or 8%. In the Budget, capital spend was to be cut by £45 million, minor works by £35 million and schools maintenance by £3 million. Worst of all, some 1,000 teachers were to be laid off. All this was being done at a time when everyone in the whole teaching profession was allowed to go home for the Christmas holidays believing that such drastic cuts really were coming. Yet, the Minister chose to spend £1 million-plus on a project that his advisers had severe doubts about.

I am not attacking or criticising the group that is pushing for this new school in Dungiven. I want to thank Niall O'Hagan for taking the time to come and see me late on Saturday afternoon. He and they are genuine and well-motivated. I listened to all that he said but cannot move away from the fact that we are talking about public money here. The Minister must demonstrate value for money. The Department's full recommendation is as follows:

*"Notwithstanding the Article 89 duty to encourage and facilitate the development of Irish-medium education, it is clear that enrolments at the proposed school will not reach sustainable levels in the medium term, if ever. Nor do they satisfy the less stringent intake numbers set out in the recent MAG report. These very low enrolments present in turn, a number of weaknesses in curricular provision, and difficulties in providing the range of extra-curricular activities which are also necessary for a high-quality education. Also, the school's estimated first year deficit is circa £100,000 and this would have to be carried forward to subsequent years."*

Very definitely, and very clearly, the Department is advising against. When we consider the statutory duty, it is also clear. The Department advises:

*"that application of the duty does not equate to the acceptance of every proposal brought forward on behalf of an IM school and that the Department must be mindful of its statutory duty under Article 44 of the Education and Libraries (NI) Order 1986 and under Managing Public Money to ensure effective and efficient use of public funds."*

That makes it pretty clear that the overriding duty is to ensure the effective and efficient use of public funds.

I move on to sustainability. We know that Bain suggests a minimum enrolment of 500 for post-primary. That is from

the Department's own sustainable schools policy. Yet, here we have a post-primary school with a year 1 anticipated enrolment this September of 14. The Department's study of enrolment is a school enrolment of just 128 in 2019-2020, with a sixth form of just 26 by 2021-22. I use its terms:

*"These are significantly below the minimum ... enrolments of 500"*

for years 8 to 12 and 100 for sixth form. They are significantly below; miles away from the 500.

#### 4.00 pm

It is also way below the less stringent recommendation in the ministerial advisory group report of:

*"initial intake for an Irish-medium post-primary school of 35 in year 8 rising to 65/80 by the fifth year to ensure sustainability".*

I will move to the Western Education and Library Board's comment:

*"The WELB has stated that a proposal for the establishment of a new Post primary school in Dungiven is not considered in the WELB Strategic Area Plan for Post-primary schools ... the establishment of a new Post-primary school would have a negative impact on the current provision within the Dungiven area."*

That, surely, is a recommendation against this proposal: wrong location and will adversely affect other schools.

The North Eastern Education and Library Board was called in to follow up and look at the effect on local schools in that area. It highlighted two highly critical responses: one of which stated that the proposal should be rejected, given the budgetary pressures facing Departments, which is exactly my point about value for money; and the other included some of the comments from St Patrick's College, Maghera, three of which I am going to highlight. One is that previous attempts to provide an Irish-medium post-primary had failed due to low numbers. The numbers in the proposal include pupils from other schools, ie, it will be taking pupils from the other schools and affecting them. Lastly, the school itself will struggle to deliver the entitlement framework.

The inspectorate rightly acknowledges the considerable work and thinking on how to build the school and its 10-year development plan, and I acknowledge that, too. However, the inspectorate points out that it is not one of the eight locations suggested by CnaG to the ministerial advisory group. It also notes:

*"The key challenge is the low number of pupils".*

The inspectorate goes on to say that it is concerned that Key Stage 3 should not "be delivered 100% through Irish" and that "immersion ... may constrain learning pathways". So, I take its comments as leaning heavily towards no.

CnaG has put many strong points in support of the development proposal, most of which I do not disagree with, but none deals with the key reasons of numbers not being enough and the huge financial cost. Is this really the time to spend so much on such a matter, when it does not have basic support from the key bodies and so much doubt



exists? It is not really just £1 million; it is very likely to cost much more. The estate operations team comments that "a total underlying building cost" of approximately £2.5 million may exist, and that does not include VAT or utility costs.

So, today we see a decision to give the go ahead with a school that fails on enrolment, finance and curriculum. The Minister needs to say more than, "I am the Minister; I take the decisions".

When it comes to the amendment, that really is a subject for another debate, not for today. It is a very real debate that we need to have, but it must not dilute today's. I plead with others not to turn this —

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

**Mr Kinahan:** — into another divisive battle over identity politics. This is not the day for playing politics but a day for asking the Minister why he ignores his advisers. We should be finding a sustainable —

**Mr Speaker:** Thank you.

**Mr Kinahan:** — economic and non-political way of supporting the Irish language. Thank you.

**Mr Speaker:** Thank you.

**Miss M McIlveen:** I beg to move the following amendment:

*At end insert:*

*"; and further calls on the Minister of Education to review and bring forward proposals to end the statutory advantage that some sectors enjoy to the detriment of existing schools."*

Just to be clear: the DUP remains committed to ending the benign form of apartheid that exists within our school system. In order to achieve this, it is paramount that the statutory protections afforded to some schools within our education system are removed. That must be done to ensure that there is a level playing field in order that all sectors are fully committed to the principle of shared education for the betterment of our children and society as a whole.

I remain fully behind the concept of shared education, as set out in October 2010 by our party leader, the First Minister. It is no surprise, however, that there are those who choose to confuse the desire to educate children together with uncritical support for the integrated sector, as it exists. It is of great concern that someone cannot speak of reform of the statutory protections given to the Irish-medium and integrated sectors without it being labelled as an attack on someone's culture or heritage, or it being described as an abandonment of our policy on shared education. I am afraid that the statutory protections do not extend to a protection from suggesting reform.

Much has been made over the weekend of my party's call for the ending of the statutory advantage for Irish-medium and integrated education. The policy of the DUP has not changed. We believe that shared education is the way to break down the barriers of division. Today's debate comes at an opportune time, when school budgets have come sharply into focus. As the threat of swingeing cuts hung over the aggregated schools budget, it seemed all the more absurd that the Minister would open an Irish-language secondary school for 14 pupils.

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

**Miss M McIlveen:** No, I will not, if you do not mind. I have a lot to say.

As Departments across government face austerity cuts, it seems inconceivable that a school of that size can be opened. It is well known that the smaller the school in pupil numbers, the more expensive it is to run. The Bain report identified that costs per pupil begin to rise when the numbers of pupils in primary and post-primary schools dip below roughly 200 and 500 respectively and rise more dramatically the further enrolments drop significantly below those levels. Under that report, it was recommended that the minimum enrolments for new primary schools and years 8 to 12 in new post-primary schools should be 140 pupils for primary schools in urban areas and 105 pupils in rural areas, and 500 pupils in post-primary schools. The viability criteria that might apply to the controlled and maintained sectors does not apply to the integrated and Irish-medium schools because of article 64 of the Education Reform (Northern Ireland) Order 1989 and article 89 of the Education (Northern Ireland) Order 1998 respectively.

The Minister's decision in respect to development proposal 264 in Dungiven owes much to those statutory protections, which came about as a result of the Belfast Agreement, negotiated and advocated by the Ulster Unionist Party in 1998, which agreed:

*"a statutory duty on the Department of Education to encourage and facilitate Irish medium education in line with current provision for integrated education"*

That was given effect by the Education (Northern Ireland) Order 1998.

I am happy to support the Ulster Unionists' motion on this as a recognition that, once again, they got it wrong, and I think I am glad to say that they have decided to support our amendment; I am not entirely clear. However, logically speaking, they should support it, since it is the statutory protections afforded to the Irish-medium and integrated sectors that create the irrationality, unaffordability and unsustainability to which they refer.

**Mrs Overend:** Will the Member give way?

**Miss M McIlveen:** No. I have too much to say.

If the Ulster Unionists are not prepared to address the core issue in their motion, then, essentially, what they say is meaningless and toothless.

As I have said on previous occasions, when motions are debated in the Chamber, it is not an attack on either the Irish-medium or integrated sectors but a demand for the principles of fairness and equity to be upheld.

Under the Department's policy for sustainable schools, it is stated that, because of the statutory protections, it is under:

*"a clear duty ... to respond positively to parental demand for integrated and Irish-medium education."*

In doing so, the Department has a duty to consider other factors:

*"including educational standards, premises, intakes and enrolment viability, suitable alternative provision, religious balance for integrated schools, objections to the proposal, public expenditure implications and*

*impact on other schools, and decides on the merits of each case."*

In the case of this school, the Minister made his decision contrary, as we have heard, to a wealth of official advice, including that from the Education and Training Inspectorate; the advisory group on strategic development of Irish-medium post-primary education; and his own Department. This decision, taken against all advice and in the promotion of a narrow, ideological view could probably be successfully judicially reviewed were it not for article 89 of the 1998 Order.

So, what kind of precedent are we setting in relation to development proposals for future schools? In many countries around the world, immersion programmes are part of existing schools. In Canada, classes that are wholly taught in French take place each and every day alongside classes that are taught in English. There is no reason why that type of education could not be expanded in Northern Ireland as well. There is capacity in many schools across Northern Ireland to facilitate and promote Irish-language education as part of an immersion stream.

Whatever parents choose, the wrong way, without doubt, is the course that the Minister is plotting, but he is protected by the statutory duty, and that is one reason why that duty must be repealed. It is not in the best interests of children in Northern Ireland.

One of the key roles of the new Education Authority, which this party helped ensure had representatives from the Irish-medium and integrated sectors among other groups, will be area-based planning. Another key role that we supported was the enshrining of the principle of shared education as a key policy of the new authority. As a party, we want the authority to be capable of fulfilling those responsibilities, without one arm being tied behind its back. How will it be able to carry out area-based planning in a full strategic manner if schools can be created or transformed below the sustainable criteria that are being applied to the controlled and maintained sectors?

The effect of the duties that are contained in legislation gives rise to a requirement to provide preferential treatment in school transport. Mr Justice Treacy held that the duty in article 89 was more than just an aspiration and was intended to have "practical consequences and legislative significance", and:

*"the provision of transport facilities to schools in any sector is critical to the development of that sector".*

The judgement in that case created a hierarchy of duties with regard to schools transport. Mr Justice Treacy noted that the Department:

*"does not have a corresponding duty in relation to the traditional established educational sector".*

If hard decisions have to be made in relation to school transport, it will be the children who attend controlled and maintained schools who will suffer. The new school will now avail itself of that preferential treatment, which will stretch further an already stretched school transport budget.

Of course, establishing new Irish-medium schools is not without other problems. Most notably, there is a lack of teachers with the ability to teach through the medium of Irish in STEM and other subjects that will be required in

Irish-medium post-primary schools. That has a serious impact on how such schools are able to deliver on the entitlement framework. Is the Minister prepared to turn a blind eye to that?

The statutory advantage for integrated education was granted to allow the sector to get a foothold. It is a sector that is fighting for pupils and that is in competition with controlled and maintained schools. It now has that foothold, but the statutory advantage is a challenge to a shared education system. There was little incentive to become part of that process while those statutory provisions remain, and that will not be achieved unless we change course.

Rather than continuing with two sectors holding an advantage over the rest, we need legislation that sets out how we move towards meaningful sharing across sectors throughout Northern Ireland. With such an imbalance in rights between the sectors, how can we expect the vision of shared education to become established as the means by which our children are educated?

The Bain report on area-based planning calls for fairness, equality and cost-effectiveness. That cannot truly happen until the sectors are playing by the same rule book.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Ar dtús, ba mhaith liom fáilte a chur roimh an ghrúpa as Coláiste Dhoire atá anseo inniu suas ar an ardán. I welcome the development group from Coláiste Dhoire, who are in the Public Gallery. Níl mé cinnte an bhfuil mé sásta nó míshasta a bheith ag labhairt ar an rún seo, but we are where we are, mar a déarfá. I am not sure whether I am happy or dissatisfied to be speaking on the issue.

The proposer of the motion referred to the inaccuracies in it as differences of opinion. However, I do not think that there is a difference of opinion when you look at the wording:

*"contrary to official advice from the Western Education and Library Board ... the North Eastern Education and Library Board".*

The NEELB made no response whatever to the proposal. Two schools in that area did, however, and the Western Education and Library Board did not oppose the proposal. There was only one comment about the possible impact on existing English-medium provision in the Dungiven area. You will be aware, of course, from the decision on Drumragh Integrated College that the development of education or Irish-medium education cannot be assessed on the basis of the impact on existing schools. It is also ironic that the motion does not refer to the governing body that advises the Minister — Comhairle na Gaelscolaíochta — which has approved the proposal.

#### 4.15 pm

I pay tribute to the board of governors sealadach — the interim board of governors — and the development body that brought the proposal together. They have worked for some time on this. Indeed, one could say that they have been working for about the last 25 years on the development of Irish-medium education in the wider County Derry area. With that in mind, we now have 450 children attending Irish-medium schools and many more coming through the naíscoileanna. Also, a couple of generations have missed out on the opportunity to attend an Irish-medium secondary school because of the lack of provision.

With that in mind, we will look at the figures across the North. Five thousand children are going through their education through the Irish medium, and there is one secondary school for those 5,000. Where is the equality in that or the preferential treatment? The opportunity to deliver a secondary school in the middle of County Derry has to be taken at this moment and developed. There are six or seven feeder schools, and I take on board the numbers that Mr Kinahan talked about. The proposal is to work towards an annual intake of 65 children, with an eventual school population of 450 to 500. Is that possible? Take the other Irish-medium secondary school, which is, of course, Coláiste Feirste. When Coláiste Feirste started, it had 15 pupils and was in two rooms. There are now 650 children attending Coláiste Feirste, and it is oversubscribed. It was recently named as the best non-selective school in Belfast. That is a fair record. That shows the value for money in Irish-medium education.

Reference was made to St Patrick's College in Maghera. I know St Patrick's College very well; indeed, it is my alma mater. I spent seven relatively happy years there, and I know the standard of its education. However, at no point did St Patrick's College in Maghera bring forward a development proposal for Irish-medium education in County Derry. It does, admittedly, provide a stream, but it is a very limited stream. In fairness to all the parents who have been involved in Irish-medium education, they have voted with their feet and have not enrolled in the numbers that that stream would require to prosper. So I do not think that that is an option.

There is also the community aspect in Irish-medium education. People come together, and there is very much a community feel about Irish-medium education. There are many other beneficial aspects outside the formal —

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

**Mr Ó hOisín:** — education system, but I am saddened —

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

**Mr Ó hOisín:** Yes, absolutely.

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

**Mr Rogers:** I oppose the motion and the amendment. I do not believe that the motion accurately reflects the current situation. I fail to understand why the support of Comhairle na Gaelscolaíochta for the development proposal has been left out of the motion, given that it is the very organisation charged with advising the Minister on Irish-medium education. The Member who spoke previously talked about the North Eastern Education and Library Board and the Western Education and Library Board, and my thoughts are similar. Mr Kinahan talked about the ETI. However, when you read the ETI's response, it is difficult to ascertain whether it is for or against it. In the motion, there is no mention whatsoever of St Patrick's concerns.

On the amendment, I get a bit concerned when I hear a Member talking about apartheid when speaking about education. When the DUP talks about statutory advantage, I can only assume that the context is Irish-medium education. It seems that the DUP wants to undo the statutory duty prescribed in the Good Friday Agreement by which the Department of Education must encourage and facilitate Irish-medium education.

A quality education for each and every child is important. It benefits the society they live in and our wider economy. Whether in a faith-based school, an integrated school or an Irish-medium school, an excellent education that inspires our children and equips them for adult life should be the priority for every Member. Each child's needs and passions vary, and parents and young people are faced with determining which school will best suit their needs. For parents to make the right decision, they must be given a variety of options to enable them to find the best match for their child. Parental preference is key, and that is why the SDLP fought hard for Irish-medium, integrated, voluntary and controlled grammars to be guaranteed seats on the new Education Authority.

When we talk about Irish-medium education, we talk about parents who would like their children to be educated through total immersion in Irish post-primary. Total immersion is an important point as the preferred model is a stand-alone system. That is also the case in Wales.

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

**Mr Rogers:** Yes.

**Mr Dallat:** Does the Member agree that, if a motion like this appeared on the Order Paper of the Welsh Assembly or the Scottish assembly, there would be absolute outrage? Does the Member further agree that this Assembly will have matured when it stops using the Irish language as some kind of weapon for petty party advantage?

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

**Mr Rogers:** Thanks. The Member put his point very well. It is politicising not only the Irish language but our children in terms of Irish-medium education. Very well put, Mr Dallat.

**Mrs Overend:** Will the Member give way?

**Mr Rogers:** Yes.

**Mrs Overend:** Do the Member and the Member who intervened not accept that signing a petition of concern has turned the debate and the Irish language into a party political football? The motion was tabled as a value-for-money motion, not as he portrays it.

**Mr Rogers:** I outlined at the beginning where I saw the failures in the motion. I do not intend going back there now.

St Patrick's was mentioned as well. It is important to acknowledge the quality provision in its Irish-medium unit and understand why it has concerns. If one thing is to come out of the debate today, it is that all providers of Irish-medium education should, even at this late stage, come to some agreement on a way forward that meets the needs of all the young people who want to be educated through Irish and the needs of the whole community.

**Mr Lunn:** I apologise to Mr Kinahan for not being here when he moved the motion. I am sure that it was well worth listening to, but I was detained elsewhere.

I will deal with the DUP amendment first: we will not support it. That will hardly surprise anybody, and I will not waste time on it. It is disappointing that the DUP has swung so abruptly away from a long-standing commitment to supporting IM and integrated education, but it is not really a surprise.

The motion has merit in its expression of concern about the decision, mainly on the grounds of sustainability and affordability. There is no doubt about the major shortfall in capital funding availability. A long list of schools at various stages of development has plans for new builds or extensions. The Minister has difficult decisions to make on prioritisation. As we know, he has established a scoring matrix to make sure that the most urgent projects come forward first. By any normal comparison method, it is doubtful that Coláiste Dhoire would be high on the list. The Western Board and possibly the Northern Board, together with the inspectorate, have advised the Minister against the proposal, as have his Department and the ministerial advisory group.

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

**Mr Lunn:** Yes.

**Mr McCartney:** I am aware that the Member is a member of the Education Committee. Have you seen the official advice?

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

**Mr Lunn:** I thank Mr McCartney for his intervention. I have seen the information that was in the information pack, which is fairly detailed. Bear with me. I might surprise you.

The most urgent projects have to come forward first, and, by any normal comparison, this one would not be on that list. Various boards have advised against it, but I notice that CnaG has been very supportive. That is perhaps the body that should be listened to in this. I also think that the inspectorate and, in fact, all the contributors to those reports were fairly balanced in their view. They made the good points as well as the bad. The inspectorate in particular agreed that the proposal involved considerable work and thinking on how to build on preschool and primary Irish-medium provision, and that is perhaps at the heart of this. We do not know what the demand will be and how the demand for primary education in Irish medium may be affected by the fact that there will be a post-primary school well remote from Belfast in an area where there is considerable interest already in the Irish language.

**Mr Ó hOisín:** Will the Member give way?

**Mr Lunn:** If you make it quick, yes.

**Mr Ó hOisín:** I thank the Member for giving way. Will the Member agree that the provision of Irish-medium education has increased by 30% in the last number of years?

**Mr Lunn:** I would not know offhand, but I will take your word for it.

If this were a proposal for an ordinary secondary school, it would not go anywhere in any other sector. It clearly would not be going ahead. But it is not a proposal for that; it is a proposal for only the second post-primary Irish-medium full-immersion school in Northern Ireland. Within its reasonable catchment area, there are at least five potential Irish-medium feeder primary schools and perhaps six or seven, as, I think, Mr Ó hOisín said. Geographically, it is proposed for as good a location as anywhere in Northern Ireland. It is an area of proven interest in the Irish language.

There is an unknown factor in not knowing how many parents are currently reluctant to commit to Irish-medium primary, and we will see what the effect of that is over the years. I draw the comparison with Coláiste Feirste, which

was established in 1991 with something like 15 pupils: it now has 650. It is a performing school; it does well. This year, as you said, it has the accolade of being the highest-performing secondary school in Belfast, which is good. I am sure that, at that time, we listened to the same arguments. I was not here, but some of you probably were. I believe that the time is right to establish another similar school, in line with Executive policy to facilitate and encourage the sector.

**Mr Givan:** I appreciate the Member giving way. The Member has indicated that, if this was any other sector, it would not have any prospect of getting the go-ahead. Given that he is in a party that stands for equality for all, does he want to explain why he supports discrimination against all those other sectors and a privileged status for the Irish-medium sector?

**Mr Lunn:** I do not see it as discrimination. Discrimination would be if it was not allowed to be established, given the governmental obligation to provide, facilitate, encourage and, indeed, promote this type of education.

There is nothing surprising here. Nobody in the House will change their mind.

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

**Mr Lunn:** No. Miss McIlveen talked about a narrow ideological view: I hope that I am not accused of that. I am trying to be balanced. Nobody will change their mind about this or about the value of preserving the Irish language, a language that, I may say, was saved from extinction by Presbyterians a couple of centuries ago, as well as by what you might call nationalists or Irish speakers. For those of us who recognise the history and the contribution that it has made to our everyday speech, our townland names and our street names, along with Ulster Scots, we think that the proposal is worthy of support. Therefore, we will oppose the motion, which is no surprise, and we will oppose the amendment.

**Mr Campbell:** This issue is not simply about the Irish language. We have in the House, in the past, discussed the Irish language, and I am sure that we will in the future. I and many others will have things to say about it. Some people will like them, and some people will not. That is the way life is.

This is about the prospect of a school being established with a threshold of an intake that is well below that which is required for other schools. People can dress it up; I heard the Alliance Party try to dress it up. Others can dress it up any way they like, but that is the reality.

#### 4.30 pm

If we had a controlled school with an intake barely in double figures, the Minister would have made a decision, and it would not have been this decision. I have had parents of children at maintained schools in the Dungiven area tell me that they fear for the future of the school that they want to send their child to.

**Mr Ó hOisín:** Will the Member give way?

**Mr Campbell:** Yes, I will.

**Mr Ó hOisín:** Does the Member recognise that the Gaelscoil in Dungiven is a controlled school?

**Mr Campbell:** Yes, it is —



**Mr Speaker:** The Member has an extra minute, of course.

**Mr Campbell:** That is about the one appropriate and beneficial thing that I got from that intervention. That controlled school is, of course, not the same as the other 99% of controlled schools. The issue is that there is a significant underachievement in the numbers required to establish a particular school. Mr Kinahan alluded to the ministerial advisory group's decision and advice, which the Minister appears to have ignored. It appears that educationalists, whether they are board educationalists or educationalists on the advisory group, are not convinced by the arguments.

I heard Mr Ó hOisín on the radio this morning claim that the catchment area for the school in Dungiven could even include Londonderry; he did not quite call it that but that is what he meant. That is almost 20 miles away. How far would you like to have the catchment area in order to try to make any school sustainable, when other schools with much smaller catchment areas are struggling to remain open?

Mr Lunn, the Alliance Member, said that we do not know what the demand will be for Irish-language schools, but we know what the demand is. That is the key factor. We know what the demand is, and it is below the threshold required.

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

**Mr Campbell:** Yes, I will.

**Mr Lunn:** What I said was that we do not know what the effect would be on the intake of the primary Irish-medium sector in that area if parents were reassured by the fact that there was a post-primary option available so that those kids could continue their education at the second level.

**Mr Campbell:** I took a precise note of what the Member said, and it was:

*"We do not know what the demand will be".*

However, we do know what the demand is, that is the key point, and it does not reach the threshold requirement. I note that Mr Ó hOisín tells us that it is his alma mater, but St Patrick's, Maghera, has made its position very clear. They are not anti-Irish language. They are not embarking on a campaign to oppose the Irish language in schools because of the stream that they have there, yet they have expressed grave reservations about the Minister's decision. So, if people oppose the ministerial advisory group, the educationalists and St Patrick's, what is it about the proposal that they are trying to say is acceptable, when all the evidence appears to point in the opposite direction? I support the proposal —

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

**Mr Campbell:** Yes, I will give way if I have a few seconds.

**Mr McCausland:** Does the Member accept that there would be huge anger in the Shankill area of Belfast, where Malvern Primary School has been recommended for closure by the Belfast Education and Library Board, despite having around 100 pupils? If they find that the Minister opens an Irish-medium secondary school in Dungiven with 14 pupils and closes a controlled school with around 100 pupils in a unionist area in Belfast, there will be huge anger at the inconsistency and hypocrisy.

**Mr Campbell:** I thank my honourable friend for that intervention. That is precisely the problem that the Minister

now faces when he takes a decision such as he does. There is no justification for it. He cannot make a tenable argument for his proposition. Therefore, as such, he needs to reconsider it. I support our amendment.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I rise as a member of the Education Committee in opposition to the motion and the amendment. So that there is no risk of this debate turning into one about whether a proposal is a proposal or whether a recommendation is a recommendation, let us be very clear again, as my colleague was earlier: the North Eastern Education and Library Board made no response whatsoever to this proposal. Two schools commented on the proposal. However, as an authority, the North Eastern Education and Library Board made no such response.

The Western Education and Library Board, despite some Members in this House saying that it made a recommendation, did not oppose the proposal. Its only comment, as has been pointed out, was in respect of a possible impact on existing English-medium provision in Dungiven. So, I ask the Members of this House this: how can that be referred to as a recommendation? As has been stated, CnaG, which is the body directed and charged with advising the Minister on these matters, formally supported the proposal. The ministerial advisory group made 33 recommendations. It highlighted the expansion of preschool and primary levels, with almost 3,600 children attending Irish-medium primary schools and units. Yet, it was still pointed up that there is a gap in the strategic development of Irish-medium post-primary provision.

The Department of Education has a statutory duty — and we know this — to encourage and facilitate the provision of Irish-medium education. The Minister is simply living up to the statutory responsibility and duty in that regard.

There is a gap in the strategic development of Irish-medium post-primary provision. There are currently 29 Irish-medium schools in the North of Ireland. As was stated earlier, there was a total of 5,000 people in Irish-medium education in 2012-13. That includes 803 children attending Irish-medium preschool settings; 3,061 attending years 1 to 7 in primary school; and 769 in post-primary.

The development proposal is for an all-ability, co-educational, multi-denominational, Irish-medium post-primary school catering for years 8 to 14 pupils, with a long-term enrolment of 350 to 400. The core argument here is that there is a demand for Irish-medium primary provision for pupils attending Irish-medium primary schools in County Derry. The Department has an obligation to meet that demand.

**Mr Ó Muilleoir:** Go raibh maith agat. Ba mhaith liom aird ar leith a dhíriú ar rud atá in easnamh anseo: comhghairdeas leis na tuismitheoirí agus leis an daltaí atá bainteach le Coláiste Dhoire. I thank the Member for giving way. One of the things missing is congratulating the parents and the organising committee, and I know that the author of the report is here today as well, for their courage and boldness in continuing to build for the future of their area and community. Again, the negativity in this motion is in contrast with what I see in Irish schools. I was in Bunscoil Bheann Mhadagáin in north Belfast on Friday, and I met young twins, Nathan and Brendan May, who just started Coláiste Feirste before Christmas. I saw ebullience, a positivity, a joy, a desire and an ambition to

learn. We need to make sure that we do not send out a message to young people and children in particular that this is an attack on them, and I say that especially to my colleague Mr Kinahan. These young children have so much to offer this society —

**Mr Speaker:** Thank you.

**Mr Ó Muilleoir:** They want to build for the future. They want to create a shared future, so maybe you will take that on board.

**Mr Speaker:** Thank you. Interventions are meant to be short.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Member for his intervention. He is right to acknowledge the work of the organisations, the local community and families in that area in taking the case to this point. I hope that, as a result of this debate, we get the equality of education through the Irish medium that is very much required in the County Derry area. It is important to stress that this proposal — it has been documented — is optimal. It is easily accessible from all five of the identified feeder schools. That is an important point. However, it is critical to point out that the arrangements as they stand today do not meet the obligations for a statutory responsibility under the European Charter for Regional or Minority Languages and article 89 of the Education Order 1989. I oppose the motion and the amendment.

**Mr Newton:** I welcome the motion proposed by Mr Kinahan. He has encapsulated in it concerns across the entire education community, and I hope that he will be able to accept the amendment put forward by the Democratic Unionist Party.

The two contributors from Sinn Féin — that is, the ones who spoke officially, not the one who spoke in an intervention — indicated that the Western Education and Library Board, the North Eastern Education and Library Board, the Education and Training Inspectorate and the ministerial advisory board were neglectful and did not make interventions and that it was down to schools in those areas to raise objections. They made much of that. However, whatever the attitude of those bodies — we know that attitudes have varied — some schools that have an Irish-medium-education facility have expressed concerns about the Minister's proposal. In the Western Education and Library Board area, St Patrick's College offers Irish-medium education at post-primary level for 36 pupils through an unrecognised stream that has been operating for 10 years. One of the feeder schools in the proposals is St Brigid's Primary School, which is only 2.3 miles away from St Patrick's and is a feeder school for the Irish-medium stream. Hence, St Patrick's might be considered likely to be affected by the Minister's proposal.

**Mr Ó hOisín:** I thank the Member for giving way. St Patrick's College in Maghera is a school of some 1,600 pupils, 36 of whom are in there on a very limited stream. It is not Irish-immersion education as we know it.

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

**Mr Newton:** I thank the Member for that information, but the fact is that St Patrick's has indicated its concern about the Minister's proposal. That is the how things stand. Whatever way either of the Sinn Féin contributors wishes to dress it up, St Patrick's is concerned, and it is not the only one that is concerned. There were two

other responses — both objections in the North Eastern Education and Library Board — and the Rev Donard Collins, chairperson of the board of governors of Killowen Primary School in Coleraine, felt that the proposal should be rejected, given the budgetary pressures facing Departments. If the Sinn Féin contributors have respect for those who are involved in the education system, they really ought to speak to them and indicate to them that, regardless of their proposals, they will go ahead and support the proposal from the Minister. That indicates that, in not taking account of the opinion of professionals in the field of education, the Minister is showing his preference, which seems to embrace his cultural perspective and, indeed, his political perspective, for trying to push the proposal forward. No other educational establishment outside the Irish-medium sector would even be considered for 15 places, or 14 places — whatever the small number is — and be supported by the Minister.

#### 4.45 pm

I will be absolutely clear: this is not an attack on those who wish to speak Irish or wish to be educated in Irish. It is not an attack on them. It is not to discourage anyone who is in that frame of mind. I have no doubt that many people who are educated in the Irish-medium sector are enthusiastic about that and indeed turn out to be exemplary pupils produced by that education sector. This is about the preference that is given to that sector above that given to others.

I know — the Minister is aware of this because we had the debate on his budget proposals — that there was a massive response from schools to the budget proposals, certainly in my constituency and wider. I presume that, because I am a member of the education and library board, I received correspondence from a wide range of schools regarding the severe impact. Even though the budget has been adjusted to some extent, budgetary factors will still impact on them. The proposed budget, even as it stands, will impact on schools across the boards. For me, what many will regard as — I was going to use the term "waste", but that is not the term to use, so I will use "preference" again — preference being given in order to spend money on a small number of pupils cannot be justified in today's circumstances. The Minister knows this: the proposal is having a detrimental impact across the whole of the educational establishment.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. I would like to declare an interest as somebody who sent her children to Irish-medium education and has a grandchild in Irish-medium education.

Ar dtús, ba mhaith liom comhghairdeas a dhéanamh le Coláiste Dhoire, agus na tuismitheoirí agus Cathal Ó hOisín as an obair atá déanta acu. Comhghairdeas leis an Aire.

I would like to congratulate Coláiste Dhoire, Cathal Ó hOisín for the work that he has done and the Minister for the decision. The decision has been made strategically. It is well thought-out and looks at all the facts. It shows leadership in dealing with the gaps and lack of provision that has been outlined by Sinn Féin, the SDLP and Alliance.

Let us look at the facts. The facts are that Irish-medium education provides academic excellence in two languages — this is the challenge that I would throw out to the

House — in disadvantaged areas in a non-selective, co-educational way. The reality, as has been outlined, is that there is not enough Irish-medium post-primary provision. There are thousands of children in primary provision and nowhere for them to go once they finish P7. That is simply not good enough.

I have heard here that this is not anti the Irish language. I have heard Mr Kinahan appeal to us not to politicise it. The person and the party who have politicised Irish-medium education today are those who tabled the motion. I heard Robin Newton. I would love to take succour from what he said, but I remember the first time that I approved Irish-medium schools when I was in John O'Dowd's position as Minister. There were three of them. If I remember correctly, it was August. I forget the year. All those schools are thriving now. The two parties opposite voted against that. I am sorry if I find it a bit difficult to believe.

Why are we using a petition of concern? I would like to thank the SDLP for supporting it. It is a mechanism for equality. There is a move to discriminate — you can dress it up in all the fancy language you want, but that is what it is — against children who attend Irish-medium schools.

**Mr Givan:** I thank the Member for giving way. The preferential treatment enshrined in law that is given to the Irish-medium and integrated sectors, is not just a concern that we have: Father Tim Bartlett has expressed this concern on behalf of the Catholic Church. Is Sinn Féin saying that the Catholic Church is not right when it says that its maintained sector is discriminated against?

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

**Ms Ruane:** I am sure there is a wide variety of opinions in the Catholic Church. Certainly, anyone I have spoken to in the Catholic Church is very supportive of Irish-medium education. The reason why there is a statutory duty in relation to Irish-medium is that it has been discriminated against in the past.

Let us look at some of the myths: "We are not anti-Irish-medium. Location is the problem". With the greatest of respect, it is not up to the House to decide where every school goes. Comhairle na Gaelscolaíochta was established and funded. It has worked for years to ensure good area-based planning. This is part of its area-based planning. I listened to it carefully when I was in the Minister's position, and I have no doubt that the Minister has great confidence in its advice and looks at the related detail.

We heard the myth that it is going against advice. Yet we now know that it is not going against advice. People have written motions that are incorrect and rushed them through the Business Committee.

**Mr Ó Muilleoir:** Will the Member take a very short intervention?

**Ms Ruane:** I will.

**Mr Ó Muilleoir:** An dóigh leat gur dul chun cinn atá ann nuair a d'oscail siad Bunscoil Phobal Feirste in 1971, bagraíodh príosún ar na daoine a rinne sin? In 1971, when the first bunscoil was opened in Belfast, the promoters were threatened with prison. Do you think we are perhaps making progress in that that threat is not there today?

**Ms Ruane:** That illustrates what happened in the past, but thankfully that is not happening any more, because Sinn Féin is not going to allow it to happen.

Another myth is about displacement. We have the ridiculous situation of a Member getting up and talking about poor St Patrick's in Maghera. My colleague Cathal Ó hOisín has spoken very favourably of St Pat's, but it has 1600 pupils. Is the growth and development of the Irish-medium sector supposed to be conditional on not displacing any numbers from the English-medium sector? That is ridiculous, particularly in a situation of demographic decline. We have heard how the numbers have grown in Coláiste Feirste from 15 to 650. Very soon there will not be enough places in that school; it is probably already oversubscribed. We had the ridiculous situation of a Member claiming that the children have to travel 20 miles. The same Member and his party seem to have no problem with children passing each other in the night going from Downpatrick to grammar schools in Belfast and vice versa and right across the North. In the past, £80 million pounds has been spent on that.

**Mr Ó hOisín:** Will the Member give way?

**Ms Ruane:** Yes.

**Mr Ó hOisín:** I remind the Member of the commitment of the parents of some of the children as far back as the 1990s, when they transported four-year-olds across Glenshane to attend the bunscoil there. Even thereafter, some children from the bunscoil there actually attended Coláiste Feirste, a round trip of 100 miles.

**Ms Ruane:** I thank the Member for his intervention.

**Mr Speaker:** The Member's time is up, but you were very generous with your extra minute. I call Mr John Dallat. John, you have three minutes before I call the Minister. If you take any interventions, there will be no extra time.

**Mr Dallat:** Mr Speaker, the three minutes will be more than sufficient.

As I indicated in an intervention, it is with a heavy heart that I take part in the debate. Sixteen years ago, 71% of the people of Northern Ireland signed an agreement recognising that the Irish language had a special place in our lives and needed to be nurtured. What on earth are the unionists doing to their cause by coming up with a motion and an amendment today that portrays them as being even worse than the people who sat in this Chamber 50 years ago? How on earth are they going to convince people in the nationalist community — people like me, who have no hard-line politics of any kind — and the wider world that they really are capable of respecting civil rights and equality?

I have it from an old friend who, sadly, died recently — Father Kevin McKenna of Dungiven — that, when he was growing up a few miles from Dungiven, Irish was the first language. In his old age, he reminisced about that. Like me, he was not a man who was prone to any kind of extreme views. Surely, a democracy — a fledgling democracy that, by some miracle, was put together again here at Stormont — would at least recognise that the national language needs to be nurtured. You do not have to dwell in Dungiven for that.

**Mr McCausland:** The national language?

**Mr Dallat:** I am sorry that Mr McCausland is trying to deny me the right of free speech and does not take my advice that he should not shout from a sedentary position, but that is just another slip-up. It is another dropping of the mask, so to speak.

In County Galway, an Irish school was established with 10 pupils. Today, there are 450 pupils at that school, with no word about it. Dáil Éireann was not turned upside down because of that initiative to give back to the people of the west of Ireland the language that they lost.

We have a long road to go. A few short years ago, I could not have been registered at birth as “Seán”; that is probably why I am called John. Even more recently, you could not have accents above my name; the electoral register did not allow it. So, we are making a little bit of progress.

**Mr Speaker:** Thank you.

**Mr Dallat:** Do not let yourselves down, for goodness' sake, by prolonging this nonsense.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Cheann Comhairle. Fáiltim roimh an deis labhairt ar an rún seo. I welcome the opportunity to respond to the motion. The inaccuracies in the motion have been widely referred to by colleagues, particularly on this side of the House. I note your ruling on that matter at the start of the debate, Cheann Comhairle.

If the Members who tabled the motion are serious in their comments that this is not anti-Irish language or is not in opposition to the Irish language, why did they rush forward with a motion that is so inaccurate? Why have they done a great disservice to the Western Education and Library Board and the North Eastern Education and Library Board by misquoting them and misusing comments they provided to the development proposal process, if it is not actually that?

The debate has been a bit more measured than I suspected it would be; I welcome that very much. However, having listened to it, I cannot help feeling that the two words in this development proposal that have upset Mr Kinahan and Mrs Overend most are not from comments by the Western Education and Library Board or the North Eastern Education and Library Board; they are the two words “Irish medium”. That is what has most upset the proposers of this inaccurate, deeply flawed motion.

I will go through the points on where those inaccuracies lie, point by point, but I want to give some background on the development proposal that was published on 24 June 2014. It is also worth noting that there have been attempts to bring forward a development proposal for south Derry over the years. A lot of dedication has been shown and a lot of work done by individuals, parents and supporters of Irish-medium education. A lot of detailed work, personal commitment and time have gone into those development proposals, and, yes, at the very heart of them has always been the promotion of Irish-medium, but there was also the promotion of Irish-medium education, which is vital.

As I said, the development proposal was published on 24 June. The proposal was brought forward by Coiste Coláiste Dhoire. It proposed establishing an all-ability, co-educational, multi-denominational, Irish-medium post-primary school catering for year 8 to year 14 pupils, with an estimated long-term enrolment of 350 to 400. I approved the development proposal and commented:

*“After giving careful consideration to this DP, I have decided to approve the Development Proposal. I have taken into consideration my Statutory Duty in regards Irish Medium Education and the capacity of the sponsoring group to take on the challenges ahead.”*

I recognise that there are significant challenges ahead for the school, but I believe that, given the calibre and make-up of the sponsoring body, it can take on those challenges.

**Mr D Bradley:** I thank the Minister for giving way. Go raibh míle maith agat as sin. Does the Minister agree that in the history of the development of Irish-medium education there is a very clear trend that provision increases demand and lack of provision thwarts demand?

**5.00 pm**

**Mr O'Dowd:** I agree with you but I would add that the provision has to be right. The different elements of that provision have to be correct. During my time — my predecessor also had to do this — I have turned down development proposals in the Irish-medium sector, and I have faced severe criticism from that sector for doing so. Some individuals in that sector have lambasted me in the media and on social media for doing so, but I stand by those decisions as I stand by this one, because I believe that it was the correct one. I made my decision after careful consideration of the facts.

If I were to base my decision on the motion that is before us today and the sponsors of the development proposal were to bring me to court, I would lose it hands down. I would have been basing my decision on incorrect information. I have based my decision on all the information available to me —

**Mrs Overend:** Will the Minister give way?

**Mr O'Dowd:** No. You will be making a winding-up speech, so you will have plenty of opportunity to speak.

I have based my decision on all the information available to me, my broader strategic responsibilities and my vision for Irish-medium education moving forward.

I have dealt with the inaccuracies in relation to the North Eastern Education and Library Board and the Western Education and Library Board. I would now like to deal with the inaccuracies in relation to the advice given to me by the Irish-medium post-primary review, the information contained in it and my response to that report. I published a response to that report in November 2014. I will touch on the issue of numbers. My response to the proposal contained in that report, as published by me in November 2014, was:

*“The Department notes the proposed annual intake of 35 in Year 8 rising to 65/80 by the fifth Year for an IM post-primary school. The Department is committed to ensuring that further work is carried out to determine the appropriateness of these levels of intake and the potential to ultimately deliver a viable and sustainable school.”*

So I kept my options open in relation to that recommendation, and I made that quite clear at the time.

In relation to the suitability of Dungiven. I want to make it clear that Micheál Ó Duibh, who sat on the ministerial advisory group along with his three colleagues, was not appointed as a representative of Comhairle na Gaelscolaíochta but as an individual with a significant background in Irish-medium education and a very broad knowledge of the subject. He was not there representing Comhairle na Gaelscolaíochta; he was there, as were the other people on the body, as an individual.



In relation to suitable locations for post-primary education, the group looked at several locations, including Derry city, south Derry, Fermanagh, south Tyrone and other places; they looked at them all. Yes, they made comments about Dungiven, but they also said:

*"The Group was of the view that some solution should be sought to capitalise on community effort before it dissipates into unfruitful disappointment."*

My response, as published in November 2014, to the various options as outlined by the advisory group was:

*"The Department recognises the substantial consideration given to the development of these recommendations by the Group. It will be for the Planning Authorities working with CnaG and the wider sector to bring forward practicable plans and proposals for the future development of IM post-primary provision. This work will undoubtedly be informed by the Advisory Group Report."*

That has been the case. However — this is fact; it is not a boast, but a democratic reality — the Minister of Education is the ultimate decision-maker on all development proposals.

**Mr Humphrey:** I am grateful to the Minister for giving way. My colleague Nelson McCausland raised the issue of Malvern Primary School in west Belfast. I have met the governors, teachers and parents at the school and I have stood on picket lines with them. However, following the education and library board's decision last week, one of the most deprived wards in Northern Ireland is going to lose its school. Those involved with the school are going to write to you as Minister. Given what you have just said, will the fact that you have agreed to close that school not be seen as an attack on that community?

**Mr O'Dowd:** I have not made any decision in relation to Malvern Primary School, and it is absolutely nothing to do with this debate. I will make a decision on that school based on all the pertinent facts involved, as I have done in relation to this matter.

I will return to the subject of today's debate. The ministerial advisory group published its report, which is being used to suggest that the group gave me official advice not to approve this development proposal. That is factually incorrect. At the time, I said in a statement to the House:

*"I assure those who would like to move more quickly that my goal includes the development of additional stand-alone schools." — [Official Report, Bound Volume 99, p63, col 1].*

Since the publication of the advisory group's report on Irish-medium post-primary provision, I have set out quite clearly what I would do and how I would deal with its recommendations. I have moved forward on that basis.

The financial constraints in and pressures on my Department are well recorded, but I still have a statutory duty to give Irish-medium post-primary provision to those parents and pupils who seek it. The very fact that we are establishing only the second post-primary provision in the sector, with approximately 4,300 pupils going through primary schools and naíscóileanna, shows that the figures stack up. Those pupils deserve an opportunity —

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

**Mr O'Dowd:** I will give way in a moment. Those pupils deserve an opportunity to move forward into post-primary provision in the Irish-medium sector in an area where there is a potential intake of approximately 400 pupils. This goes back to a point that my colleague raised, but, given that the Irish-medium sector in rural areas has grown by over 40% over the last number of years, there is great potential, in that, when you provide the services that parents will have confidence in, the sector will move forward.

**Mr Kinahan:** I thank the Minister for giving way. Does he not see that his statutory duty is also to ensure the effective and efficient use of funds and that that conflicts with this proposal? It may be right to have an Irish-language school and the right thing to do, but, when it affects everyone else who is being hit by the Budget, at the moment, it is the wrong thing to do.

**Mr O'Dowd:** I take all my statutory duties very seriously, including all those on finance. I do not believe for one second that I have stepped outside my financial role in this matter. I believe that the decision is prudent, both financially and in the context of my statutory duty to promote Irish-medium education. I do not believe for one second that the Member's party is concerned about financial matters. It goes back to the point that I made at the start. Despite your efforts to drizzle your words in honey, this is all about Irish-medium provision. It has nothing to do with finances, and it has nothing to do with the impact of the advice given to me by my advisers, the Western Board, the North Eastern Board or, indeed, anyone else. It is to do with the very fact that here we have the welcome development of a second post-primary school in the Irish-medium sector, and the Members are opposed to it. That is what it boils down to.

I greatly encourage Members across the Chamber and in general to visit their local Irish-medium school, whether that be the secondary provision in the meánscoil, the primary provision in the bunscoil or the nursery provision in the naíscóil. Those Members should visit those schools and meet the children who attend them, their parents and their teachers. They will find out very quickly that none of them has horns, that they have the same hopes and aspirations as every other young person, that they are deeply proud of the fact that they are being educated through the medium of Irish and that they are open-minded young people who want to see a future for themselves and this society. They want to be left in peace to be taught through the medium of Irish. They do not want to be going out to school in the morning listening to debates from people who are opposed to Irish-medium education. That is what my two children had to listen to this morning as they were having their breakfast and preparing to go to school. They asked me this question: "Daddy, why are those men opposed to our school?" Is that the message that we want to send out to our young people first thing in the morning? Do we want them to ask this: "Why are those men opposed to my school?"? I encourage everyone who has perceptions about Irish-medium education and views that are opposed to it to take what might be in their case a very brave step and visit a school and meet the young people, children and parents. I say to those Members that, if you do that, you will be surprised by your engagement, and I think that you will leave that school encouraged by it.

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

**Mr O'Dowd:** I will quickly give way.

**Mr Swann:** It will be a quick intervention, Minister. Earlier, you described young people's aspirations for and dreams about education and said that they were asking, "Why are those men opposed to our school?" Is that not the same thought that goes through the mind of every child whose school is being closed or whose school's number of teachers is being reduced because of the budget cuts that you are putting forward? The Minister knows well the fight that I put forward for Ballee Community High School and the number of times that those children asked, "Why will the Minister not come here to speak to us?"

**Mr O'Dowd:** I have no doubt that, in different circumstances, children may very well ask those questions, but I have never, and I mean, never, closed a school because of the sector that it was in. Never have I opposed a school because of the sector that it was in, and I have never ever gone on the airwaves and condemned any educational sector. The question has been asked: would you approve a 15-place post-primary school in the controlled sector? Show me the proposal and the area that it is required in, and you might well be surprised. I will also say to you this — *[Interruption.]*

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

**Mr O'Dowd:** There are schools in all sectors below the 500 mark, but I have specifically protected them because of the areas that they are in and the value that they add to the minority communities there. So, no one in the Chamber can point the finger at me and say that I have discriminated against any sector, but there is discrimination against the Irish-medium sector in the Chamber at times.

**Mr Speaker:** Before I call for the wind on the debate, I remind Members of the rules about mobile phones. There is feedback and interference, so, if people have their phones, will they check whether they are on? I include you in that, Minister. It quite possibly was you on this occasion.

**Mr Craig:** I support the DUP amendment and the motion on development proposal 264. There has been much talk about the economics of this and other aspects of the Irish-medium sector, but the one thing that we, as a party, have always advocated is a level playing field for all sectors in education. What we are seeing at the heart of today's debate is the truth: there is not a level playing field for all sectors. That is at the root of this.

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

**Mr Craig:** Yes.

**Mr McCausland:** The submission from the sectoral body for Irish-medium education to the Northern Ireland language strategy said that Irish-medium education was about more than just language; it was also about, "our own sense of identity", protecting us from "trends towards assimilation" and allowing us to "maintain our distinctiveness". Since it says that Irish-medium education is about affirming and validating an Irish identity as much as it is about learning the Irish language, does the Member agree that it is equally important that the cultural rights of children in the controlled sector have the same level of respect, implementation and funding?

**Mr Speaker:** Interventions are meant to be short, but the Member is entitled to, and may need, the extra minute.

**Mr Craig:** I thank the Member for that intervention. He raises a very important point: cultural identity needs to

be respected in all communities in Northern Ireland. That said, whether one calls it positive discrimination or a legal imperative — no matter what way you dress it up — discrimination is at the root of this proposal and at the root of the reason why the Minister can make this proposal. That is the first thing: we need to address the discrimination factor.

Secondly, we need to look at the appalling timing of this proposal. If we were sitting in an Assembly that was coming down with finances and there was enough money for everything in education, this debate might never have arrived on the Floor. However, the simple truth is that it was only a few weeks ago that the Minister put to schools the proposal for a 7% to 8% cut in their budget. I sat in a school that received those proposals. That is a devastating proposal for any school to receive.

I sat in the Committee when his finance director came and announced to the world that at least 1,500 or 1,600 teachers would face redundancy this year because of those cuts. That is the brutal truth of what education faced and still faces, because no other figures have yet been brought forward by him and his Department.

#### 5.15 pm

The timing of all of this is absolutely atrocious. Minister, when we hear in the middle of all of it — when schools are in turmoil and teachers are demoralised — that a school with an intake of 15 is being approved for a £1 million bid, even you must accept that the timing of this is not good in any way, shape or form. Criteria have been set by you and your Department around what should be there for proposals such as this to go ahead. None of that is in place. However, we know why — you have outlined why — this proposal can go ahead: it is because of that legislative imperative. As I said, whether you call it positive discrimination or no matter what way you dress this up, it is a form of discrimination that allows this proposal to move ahead, hence —

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

**Mr Craig:** I will.

**Mr Allister:** I think that I agree with all that the Member and his colleagues have said in the debate, but one thing puzzles me. The Member's party boasted that there would be no more solo runs by the Education Minister, yet we have had two within two weeks: the devastating destruction of Enniskillen Collegiate and now this preposterous proposal. What happened to the ending of solo runs by the Education Minister?

**Mr Craig:** The Member has made his intervention, and I know why he has made it. However, this goes to the heart of the Good Friday Agreement. Whilst others have made play of the finances of this, it is the Good Friday Agreement that has allowed the Minister to go ahead. It is the Good Friday Agreement that is at the root of the problem here.

I could raise a lot of issues. I listened with interest as some Members talked about the criteria that all this was raised under. On a lighter point, I found it amazing to hear John Dallat talk about the fact that he could not name himself Seán when there is a Seán of a similar age sitting in front of him. I do not know where that form of discrimination

came from. Maybe Seán could highlight how he got that name.

I commend our amendment to the House.

**Mr Speaker:** On that lighter point, your time is up.

**Mrs Overend:** I appreciate the opportunity to wind on the motion, which was introduced to the Assembly by the Ulster Unionist Party. I thank my colleague Danny Kinahan for the fine introduction and all those who made contributions. As my South Antrim colleague said and contrary to what the Minister said, we are not refuting this school's case because of its sector. The Minister has said that he is not closing a school because of its sector, and we are not proposing the non-opening of a school because of its sector. This is not an anti-Irish language motion; it is a value-for-money motion.

The Minister of Education has driven a lorry load of political agenda through swathes of advice from various sources, including the Education and Training Inspectorate and the ministerial advisory group, and against the wishes of representations via the Western Education and Library Board and the North Eastern Education and Library Board. Sinn Féin and SDLP Members refuted the opposition, but they certainly did not support the proposal. The planning and development officer of the Western Education and Library Board has said:

*"Future enrolment numbers in the Limavady Borough Council Area are not projected to increase over the next 13 years".*

Therefore, supporting this school would mean taking away numbers from other schools. That is why the support did not come from that area.

Likewise, the NELB was not a formal consultee. However, because the proposal affects schools in the North Eastern Education and Library Board area, it carried out a consultation and forwarded two highly critical responses from schools in its area —

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

**Mrs Overend:** No, I am concluding and will continue. Thank you.

It forwarded two highly critical responses to the proposal from schools in its area. St Patrick's College in Maghera was particularly critical in a detailed letter to the NELB at the end of 2014. The proposal failed to take into account the potential impact on the current, unrecognised Irish-medium provision by St Patrick's College, which felt that, were a new school to be established, some or all of the pupils from the college's feeder schools would be drawn away from St Patrick's.

At this stage, I express my exhaustion at the misuse of the petition of concern. We have been accused of politicising the Irish language: that is complete nonsense. By asking for a cross-community vote, those who have signed the petition of concern have said that the motion adversely affects one community. Therefore, they are saying that Irish-medium education and, by extension, the Irish language are the sole preserve of the nationalist community, so they are again politicising the Irish language.

Members referred to the fact that, in making the decision, the Minister was upholding his statutory duty to develop

and promote the Irish-medium sector. That duty is not unfettered; he has other statutory duties that he must balance. In the development proposal, his Department officials said:

*"application of the duty does not equate to the acceptance of every proposal brought forward on behalf of an Irish-medium school and ... the Department must be mindful of its statutory duty under the Education and Libraries Order ... and under Managing Public Money to ensure effective and efficient use of public funds".*

Notwithstanding that duty, it is clear that the Minister has acted against advice from the Education and Training Inspectorate and from his ministerial advisory group. The Education and Training Inspectorate said that it was not desirable to deliver the Key Stage 3 curriculum 100% through the medium of Irish even if it could be delivered, which is doubtful. The inspectorate also pointed out that Dungiven is not one of the eight locations provided by the Irish-medium support body for inclusion in the ministerial advisory group's report. Furthermore, the ministerial advisory group's report 'On the Strategic Development of Irish-medium Post-primary Education' of April contained 33 recommendations, one of which concerned the identification of eight Irish-medium planning areas and optimal locations of post-primary schools. I understand that Dungiven was not identified as an optimal location.

I am surprised to learn that the proposed school in Dungiven has been approved at the risk of damaging a very good school in my constituency of Mid Ulster, namely St Patrick's College in Maghera. Indeed, I am sure that those in St Patrick's College will be disappointed by the MLAs from the Mid Ulster constituency who signed the petition of concern to enable the motion to fall. St Patrick's objections to the Dungiven proposals were overruled. Indeed, the college outlined that previous attempts at Irish-medium post-primary provision in mid-Ulster/greater Londonderry failed due to a lack of pupil numbers. It said that the projected intake did not meet advisory group recommendations, even by year 5. It also questions the long-term viability of the school.

St Patrick's College also said that a recent BELB report had shown that there were 537 unfilled places between the eight Irish-medium schools in the primary sector for the 2012-13 enrolment. Should there be a further unsuccessful attempt to establish post-primary Irish-medium provision, it would be potentially harmful for the development of Irish-medium education. Apart from that, the proposal does not acknowledge the provision at St Patrick's College; it counts the number of pupils at St Patrick's feeder schools towards the projected intakes.

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

**Mr Ó hOisín:** Will the Member give way?

**Mrs Overend:** Go ahead. Mr Lunn first.

**Mr Lunn:** I thank the Member for giving way. Does she not agree that the proposal does not affect the right of parents in that area, if they want Irish-medium education, to have a choice? St Patrick's does not offer a full-immersion Irish-medium system, whereas this one will. It is really up to the parents. It is parental choice.

**Mrs Overend:** Parental choice is certainly a very important issue. I agree that it is paramount, but, again, I go back to the reason for the debate, which is value for money. At what cost will this school be delivered?

Throughout the debate, I have witnessed the further politicisation of the Irish language. How can the unionist people of Northern Ireland ever be convinced that the Irish language is something that they should take more of an interest in or something that can be valued by more people in Northern Ireland, when purely political decisions are made against all logic? Let us go back to the figures again. At the cost for a new build of some £2.5 million and a yearly cost of some £600,000 at a time of austerity, for all the wind from Sinn Féin denying the politicisation of the Irish language, it has turned around and done just that. To make his decision, the Minister had to weigh up the advice given and the points contained in the 63 pages of the published report.

**Mr McGlone:** I thank the Member for giving way, but it is actually debates such as this that politicise the Irish language. We could really have done without this debate and, rather, we could get on with the promotion of the Irish language — cur chun cinn na teanga. Go raibh maith agat.

**Mrs Overend:** I thank the Member for his contribution, but not talking about an issue to do with money just because it is to do with the Irish language is not good enough.

We have concentrated on the facts and figures. Straw men arguments are a distraction. Even the ministerial advisory group report, which was all about the expansion of the Irish-medium post-primary sector, stated that this project was not viable.

Let me refer to the DUP amendment. I am disappointed that that party saw a need to extend the debate away from the core issue, which is value for money. Indeed, the DUP's amendment is certainly a reason for debate in itself, and I advise the DUP to table it. The DUP attacked the Ulster Unionist Party for promoting the Irish-medium and integrated sectors in our backing of the Belfast Agreement. I say this to the DUP: what about its claims that it fixed everything in the St Andrews Agreement? What did it really achieve in those talks at St Andrews? Oh yes, the on-the-runs issue was a result of the DUP's good negotiations at that time, too. *[Interruption.]*

**Mr Speaker:** Order.

**Mrs Overend:** Thank you, Mr Speaker.

This is a value-for-money decision. The Irish-language post-primary school at Dungiven for an enrolment of 14 pupils is unaffordable and would not have been approved had it been any other type of school.

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

**Mrs Overend:** I remain unconvinced of the Minister's rationale.

**Mr Speaker:** Before I call for the vote, I think it would be appropriate to acknowledge the good temper and manner in which the debate was carried out. It had the potential to be a difficult and possibly controversial debate in itself, so I congratulate Members for the manner in which they conducted themselves.

*Question put, That the amendment be made.*

*The Assembly divided:*

Ayes 47; Noes 46.

## AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wells.

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

## NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, 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, Ms McCorley, Mr B McCrea, Dr McDonnell, Mr McElduff, Mr McGlone, Mr M McGuinness, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

*Tellers for the Noes: Ms Maeve McLaughlin and Mr Ó hOisín.*

*Question accordingly agreed to.*

**Mr Speaker:** I remind Members that the vote on the motion as amended will be on a cross-community basis.

*Main Question, as amended, put.*

*The Assembly divided:*

Ayes 47; Noes 45.

## AYES

### Unionist

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wells.

*Tellers for the Ayes: Mr Kinahan and Mrs Overend.*

## NOES

### Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Mr McGlone, Mr M McGuinness,



*Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin,  
Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ni Chuilín,  
Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill,  
Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

**Other**

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Ms Lo,  
Mr Lunn, Mr Lyttle, Mr McCarthy.*

*Tellers for the Noes: Ms Maeve McLaughlin and Mr Ó hOisín.*

<i>Total Votes</i>	<i>92</i>	<i>Total Ayes</i>	<i>47</i>	<i>[51.1%]</i>
<i>Nationalist Votes</i>	<i>37</i>	<i>Nationalist Ayes</i>	<i>0</i>	<i>[0.0%]</i>
<i>Unionist Votes</i>	<i>47</i>	<i>Unionist Ayes</i>	<i>47</i>	<i>[100.0%]</i>
<i>Other Votes</i>	<i>8</i>	<i>Other Ayes</i>	<i>0</i>	<i>[0.0%]</i>

*The following Member voted in both Lobbies and is  
therefore not counted in the result: Mr B McCrea.*

*Main Question, as amended, accordingly negatived  
(cross-community vote).*

*Adjourned at 5.50 pm.*

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# Northern Ireland Assembly

Tuesday 27 January 2015

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Allister:** On a point of order, Mr Speaker. Why is it that, yet again, when we are about to have quite an important statement on health, the statement is not put in Members' pigeonholes until after 10.15 am, giving us a wholly inadequate opportunity to consider the points that are to be raised? I thought that there was guidance of at least 30 minutes, which has yet again been breached.

**Mr Speaker:** Ministers are required to ensure that Members get statements in sufficient time. There may be issues, which, I am sure, reflect on what the Member has just drawn to our attention. I am sure that the Minister will address those in his statement.

## Ministerial Statement

### Quality of Care in Northern Ireland

**Mr Wells (The Minister of Health, Social Services and Public Safety):** At the outset, I will take up the Member for North Antrim's point. My understanding is that the statement was to have been in Members' pigeonholes by 9.00 am. Given the importance of the statement, I think that it is essential that Members get proper notification.

Last year, my predecessor commissioned an examination of governance arrangements for ensuring the quality of health and social care provision in Northern Ireland. That examination was led by Professor Sir Liam Donaldson. It is now complete, and the report is published today.

I am sure that other Members will wish to join me in paying tribute to the commitment and efforts of all those working in our health and social care system. I thank Sir Liam and his team for completing the review in such a short time. I also thank all those who met his team, including clinicians, managers, patients and members of the public. All of them contributed evidence to inform the team's work and findings.

Sir Liam is a world-renowned expert. The report is far-reaching in its implications, and I agree with Sir Liam's main conclusions. That said, I will need to take more time, as should others, to consider the specifics of some of the associated recommendations.

I want to highlight a quote from Sir Liam's report. He concludes that our health-care system:

*"is likely to be no more or less safe than any other part of the United Kingdom, or indeed any comparable country globally."*

That statement should be of some comfort and reassurance to those in our community who rely on our health service.

The report makes 10 recommendations. While some focus on specialist areas of quality and safety improvement, such as maximising learning from incident reporting, others are broader and focus on our health system. Members will be aware that I have already asked my permanent secretary to look at administrative structures in the health and social care system and the organisations that support it. The purpose of that review is to ensure that the structures in place to support the delivery of health and social care are working, individually and collectively, as effectively and efficiently as possible. That work will feed into future planning cycles, including for 2015-16.

It is clear that, on a number of the recommendations, there is a need to hear the views of other stakeholders, many of whom contributed evidence to Sir Liam and his team but will not have had sight of the recommendations before this morning. There are clearly recommendations that need to be considered by the Executive, and Members will also understand that, in respect of some of the recommendations, we will need to take account of the findings of the inquiry into hyponatraemia-related deaths, which will, hopefully, become available shortly. Despite that, there are a number of recommendations that should be progressed, and I am determined that that should happen as quickly as possible, particularly those that point to opportunities for improving the quality and safety of our services.

My predecessor and I have highlighted issues with commissioning, and this is reflected in Sir Liam's report. My officials have been asked to undertake a review of the existing commissioning arrangements to ensure that they are effective. The review will also take into account the recommendations set out in Sir Liam's report. A copy of the terms of reference for the review is attached to my statement.

A key point made by Sir Liam is that, in the Northern Ireland and broader UK context, the health and social care system that we have is not the one that we need. However, while acknowledging Transforming Your Care (TYC) as a strong forward-thinking piece of work designed to address this issue, he notes that progress has been slow. I wholeheartedly agree with that assessment, but we need to be clear that it does not reflect a lack of ambition or effort. In December 2011, the TYC report set out a change vision that would take three to five years to achieve and require some £70 million of additional transitional funding. Due to a change in the wider financial context, the Executive have been unable to provide that funding to my Department. That said, TYC remains a priority. It directly addresses the challenges facing our hard-pressed health and social care system. By working to safely introduce services in primary and community care, and supporting people to make good health decisions and manage their own conditions with appropriate assistance, we will be able to ensure that service users and patients are treated in the right place, at the right time and by the right people. We need to enthuse our front-line staff and empower them to make the changes that they can make in support of the aspiration for the highest-quality health and social care service. I am determined, even though we are working in a constrained financial context, that we must redouble our efforts to speed up the implementation of TYC. The best change comes from the ground up, and I want to facilitate those at the coalface to play a fuller role in delivering transformation.

I note that Sir Liam's review recognises the potential for pharmacists to expand their role in the provision of community services, and I can confirm that I will shortly announce details of an implementation plan to guide the execution of the Making it Better Through Pharmacy in the Community strategy. That will set out the strategic direction and enhanced role of pharmacists in the community for the next five years.

In addition, I can advise that my Department will be issuing a medicines optimisation quality framework for consultation later this year. This framework complements

existing policies and TYC and aims to support better health and well-being outcomes for our population by improving the appropriate, safe and effective use of medicines throughout Health and Social Care (HSC).

I wish to confirm that a statutory duty of candour will be introduced in Northern Ireland. There should be no ambiguity in respect of my expectation regarding the crucial elements of patient safety, which are openness and transparency. I recognise that despite the best efforts of doctors, nurses, social workers, other staff and managers, mistakes can and do happen. Patients, service users and the public have a right to expect that, when they do, they will be communicated with in an honest and respectful manner and that every effort will be made to correct errors or omissions and to learn from them to prevent reoccurrence. I have asked my officials to begin the process to create a statutory duty of candour in Northern Ireland, so that, supported by professional codes of conduct that already exist, we might bring about the strongest possible form of openness and transparency in Northern Ireland.

The serious adverse incident (SAI) system has been the subject of a great deal of focus over the last 12 to 18 months. Sir Liam highlights that the SAI process needs to be strengthened. I agree with that assessment. However, I want to remind everyone that it is a system for learning, and it should not be used as a source of information to attack the service or to sensationalise issues which affect people at a very difficult time in their life. Such an approach can only serve to undermine the extent to which we are open about and seek to learn from mistakes that occur. The Health and Social Care Board and the Public Health Agency (PHA) jointly manage the operation of the SAI system. I have instructed them to consider the recommendations made in this report, prioritise changes that can be made now and set out the direction of travel for recommendations that will take longer to bring about.

Shortly, I will publish the details of a look-back exercise into SAIs, which was commissioned in 2014. The look-back report will confirm the desire of professionals to involve people, but highlights how hard it can be to get this right, because people want to receive information in a manner of their choosing, which may be unique to them. It will show that reporting of deaths in hospitals to the coroner is generally carried out appropriately. Sir Liam Donaldson and his team have however highlighted that improvements could be made.

I want to reiterate today my commitment to progress to a conclusion work that was previously announced by my predecessor, which was to introduce a regional morbidity and mortality review system as well as the development of proposals, in conjunction with the Department of Finance and Personnel and the Department of Justice, to introduce a new independent system to review deaths in Northern Ireland, complementing the role of and working with the coroner.

A "never events" list will also be developed for Northern Ireland. Never events are serious, largely preventable patient safety incidents that should not occur if available preventative measures have been implemented. They include incidents such as wrong-site surgery, misidentification of patients and dosing errors. Some of these events are already dealt with in Northern Ireland in the context of existing SAI learning letters and other

guidance issued. I have instructed my officials, as an interim measure, to urgently consider the list of never events for England and to determine its applicability to Northern Ireland.

Sir Liam restates the need to use expertise and guidance from regulators in other countries. The Regulation and Quality Improvement Authority (RQIA) already uses and will continue to use experienced professionals from other UK countries in review work and will build on those existing arrangements appropriately in future review work.

Members will recall the announcement made by my predecessor that RQIA will begin a series of unannounced inspections of acute hospitals in April 2015. Members will agree with me that unannounced inspections are often of more value than announced inspections. Best practice from other regulators is already being incorporated in that work, and it will be shaped going forward on an analysis of key trends in the HSC in Northern Ireland on a rolling basis.

#### 10.45 am

I have asked my officials to investigate with the RQIA the possibility of speeding up the roll-out of this programme of unannounced inspections. My officials will also begin work on new policy proposals to review the Health and Personal Social Services (Quality, Improvement and Regulation) Order 2003 with a view to introducing a stronger system of regulation of acute health-care providers. These changes need to be taken forward alongside changes to the current system of regulation. My Department will bring forward proposals to the Executive for changes to that system of regulation of non-acute services, with the aim of issuing the proposals for consultation later this year.

I say again: openness and transparency are vital to ensuring a system that is focused on maintaining quality and continuous improvement. The system must learn to listen to the voices of people who use it and who work in it and to make sure that those voices are heard. It is often those voices that highlight poor standards. The effectiveness of whistle-blowing arrangements in the health and social care system continues to be a cause for concern. As part of the 2015-18 RQIA review programme, I have directed that RQIA should undertake a review of the operation of whistle-blowing in health and social care bodies and make recommendations on how we can improve its effectiveness.

I am conscious of the general conclusions in the report about how the health and care service is both reported and perceived. Focusing on reviews, complaints and "never events" is important. This focus can, however, skew everyone's perceptions about these services. I want more work to be done to measure and report patient and client experience. With this express intention, I have asked my officials to review the current arrangements for measuring patient/client experience to ensure we take the best available worldwide evidence and design a framework to strengthen the voice of patients at every level from the front line up to the Department. Monitoring patient and client experience, good and bad, is a much more effective way of driving improvements in the quality of our services. It is also an approach that will give a much more balanced view of the quality of the services being provided.

This is a time for those who are committed to the delivery of high-quality health and social care services to engage in open, honest, intelligent debate about how we move forward. The report should force us collectively to raise the standard of our debate on health and care and to focus on the prize, which is a world-class health and care service. We need to recognise the realities that we face and to arrive at the right decisions, beginning by ensuring that we are asking the right questions. Too often, discussion about the health service can be overly simplistic and focused on a simple choice between closing or keeping open a particular facility. In this context, the reaction of the local community is understandable and instinctive: a save-our-service mentality. In reality, though, it is not about saving a service, but saving a structure. The real choice that we face is an uncomfortable one for us all, including political representatives. It is this: do we want a world-class service or a service on our doorstep, which, while convenient, may be sub-optimal and compromise quality and safety? The discussion about the right structure for our services and hospitals has been going on for many years under different administrations and under the leadership of Ministers from different political parties.

The message from Sir Liam is clear — I need to emphasise this point — we now need a mature debate and we need to strive for political consensus to empower us collectively to make the right choice. Borne out of a desire for that mature debate, I have chosen to place this report in the public domain and to address the Assembly at an early stage in the interests of openness and transparency. I want to allow a wide range of stakeholders the earliest possible opportunity to reflect on the report and to begin to formulate solutions to meet the challenges in it. These solutions can only be informed by openness and honesty about where we are now and what has to be done to deliver the changes needed.

Whilst we are moving ahead with some of the recommendations that I have outlined today, I am also asking for written comments on the recommendations to be submitted to the Department by the end of April 2015. That gives an opportunity for stakeholders to reflect and engage with one another, political representatives and the Department.

I recognise that the analysis of the report will take some time and that it will need to be given careful, measured consideration. Inevitably, some of the recommendations will have financial implications, and some may require legislative change and Executive approval. Sir Liam, through his report, challenges us on what is best for the people we serve.

The report highlights specific issues on innovation, silo working and standardisation. As part of my approach to addressing those issues, I have specifically asked the six trusts to work with each other, their staff and other stakeholders to develop a combined response to the report and its recommendations. Their response should reflect the views of all front-line staff in particular. It should also focus on their ideas for improving collaboration, ending silos, increasing standardisation and promoting innovation. Front-line staff must be empowered not only as a result of that work but as part of it. In short, they hold the key to delivering on the change that is needed.

The trusts, along with other stakeholders, will be asked to provide their views and comments to the Department,



again by April 2015. I accept that that is quite a challenging deadline for all concerned.

Mr Speaker, in the light of the challenges posed in the report, we must all contemplate the tough choices on improving health and social care that face the Executive. I propose to ask Sir Liam to return next year to advise me of his views on the progress made.

I will conclude by highlighting another quote from Sir Liam's report. He said:

*"the leaders of the Northern Ireland health and social care system should be clear in their ambition, which is in our view realistic, of making Northern Ireland a world leader in the quality and safety of its care. Northern Ireland is the right place for such a transformation, and now is the right time."*

In summary, Sir Liam has concluded that we have a real opportunity to transform our health service into a world leader. I believe that that is an ambition that we should cherish. I look forward to the debate ahead.

**Mr Speaker:** Before I call the Member who will ask the first question, I inform the House that a large number of Members have put their name down to ask questions. I am sure Members will agree with me that as many as possible should be allowed to do that. For that reason, I ask Members to ensure that their questions are brief, not multi-question comments, and that they relate to the ministerial statement.

**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. However, I suggest that there is little in the report that heralds the new dawn, if you like, for our health and social care service.

The Minister said that we need a mature debate. That is absolutely no problem. However, the report cost £116,000 for eight months' work. It has effectively told us that Transforming Your Care is too slow; that there are concerns about commissioning, but it does not outline what those concerns are or, indeed, how they could be rectified; that the health and social care system is not the one we need; that there will be a statutory duty of candour; that there will be a direction for pharmacy; and that there is a need to strengthen the serious adverse incident system. So, how, exactly, Minister, will these 10 recommendations be taken forward by the direct actions that are required to bring our health service into the 21st century and to provide that world-class service that we all strive for?

**Mr Wells:** The lady is absolutely correct. I intended to reveal this anyhow: although not all the invoices are in, we think that the report cost roughly £116,000. That has to be seen in the context of an overall expenditure for 2015-16 of over £5 billion. I believe that, if properly implemented, Sir Liam's report will certainly make us much more cost-effective in many respects.

Where the mature debate is concerned, I remind her that three parties in the Assembly have had the opportunity, or the pleasure, of holding the health service portfolio and that all three have struggled with initiating the debate that Sir Liam clearly flags up, which is that, if Northern Ireland came into existence today, we would not start our health service provision from where we are now. I hope that his

first recommendation will encourage us all to have that mature debate.

Although we had our concerns about issues surrounding Transforming Your Care, commissioning and SAIs, it was very helpful to have a totally independent, detached voice come in, look at the situation and confirm that our reading of that situation and our concerns were correct. That reassures me, and it incentivises me to try to ensure that we deliver what Sir Liam is saying. To some extent, at least the report is saying that Transforming Your Care is the right direction and that, strategically, it is the correct way forward. However, we need to put more resources into it. We can all agree on that.

Some of the recommendations will be implemented almost immediately. I mentioned the end of this financial year, which is quite a challenge. Some recommendations cannot be implemented without Executive support, while others cannot be implemented without changes to legislation. The Chairperson will understand that that is a long-term process. I am very keen to have a public, open and transparent debate on all Sir Liam's findings to get a sense of the support or otherwise among the medical community, service users and the general community, all of whom have a view on health and social care.

Some of this is very challenging and some of it is uncomfortable. I accept that. However, there is not much sense in our having a report that does not challenge us all. I will also be relying on the Committee to provide a sounding board for many of the views on it. I see the report as an extremely important document for the future of health in Northern Ireland.

**Mrs Cameron:** I thank the Minister for his statement on the quality of care in Northern Ireland, which is of utmost importance. What will his review of commissioning examine?

**Mr Wells:** It is important that we distinguish the two reviews. First, Richard Pengelly, the permanent secretary, has initiated a review of administrative structures in the trusts, the board and other aspects of health care to see whether we can make more cost-effective decisions. I know that many Members have expressed their concerns about admin costs. Mr Pengelly's role — it is a challenging one, because he has to report by the end of this financial year — is to examine every aspect of administration to determine whether there is overlapping administration and whether there are ways in which to take costs out of the system.

In addition, attached to the statement are the terms of reference for the review of commissioning arrangements, which focus particularly on the role of the board. The review will have a number of tasks. It will assess the health and social well-being needs of the population of Northern Ireland and assess strategic planning to prioritise needs within the available resources, including the use of financial and other levers to reshape services to meet future needs. It will engage with patients, users, carers, families and other key stakeholders at a local level in the commissioning of health and social care. It will secure, procure, incentivise and agree high-quality, value-for-money service provision to meet the assessed and prioritised needs of the population. It will ensure the delivery of outcomes from services commissioned and evaluate the impact of health and social care services, feeding back into the commissioning process how needs

have changed. It will bring recommended options to improve the effectiveness of the delivery of health and social care in Northern Ireland. We expect that report by the summer of 2015.

Therefore, there are two ongoing processes here that affect commissioning. Of course, we acknowledge Sir Liam's comment that Northern Ireland could be in a position in which we have all the bureaucracy and administrative demands of a commissioning service without any of the real, tangible benefits that commissioning should be yielding. We need to examine that, but, again, that is something that I and my officials realised was an issue before we saw the text of Sir Liam's report. At least it is good to have that independent corroboration that we need to look at this very important issue.

**Mr McKinney:** I am reluctant to say, "I told you so", but does this report not represent a vindication of those who have been rightly critical of a service that has not been delivering, up to and including criticism of who runs the system. I remind the House that this Minister and his predecessor have robustly and at all costs defended that system. In that light, is it not now time, not for another debate, but for decisions, finance and action?

**11.00 am**

**Mr Wells:** First of all, as to who is in charge, I am in charge. I will always hold the ultimate responsibility for any decision that is made. I am not surprised that the Member will maybe try to twist that. The report is quite clear that, whilst there may be confusion over responsibilities and relationships between the multiple bodies in our system — we are looking at that — at the end of the day the ministerial role is at the apex, and that is where the final decisions are made.

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

I believe that Sir Liam's analysis of our health and social care system is that we are no worse or no better than many others but we have massive room for improvement. I accept that. However, the Member, amongst others, has been attacking me when we have tried to make any changes in the structure and the number of buildings that we use to deliver health and social care. We need to have a realistic debate, and nobody has been prepared to grasp the nettle over the past 17 years. Do we need to make radical changes to how we deliver health and social care on the ground? If you read Sir Liam's report, he is saying that we must do that. I am not going to abdicate responsibility: this is something that will have to lead in conjunction with Members of the House. Some of what he has asked us to deliver cannot be delivered without the support of the Executive and the five main parties in the House. That is a great challenge to us all. What I notice from the Member's own party is that they tend to give a nodding acquiescence to that and then, when the final vote comes up at the Executive, they wish to detach themselves so that they can organise a guerrilla war campaign against the difficult decisions.

There is no more difficult decision in Northern Ireland than how we configure our health service. I am at least reassured that on the Budget and on welfare reform we have shown ourselves capable of making those difficult decisions. This is another one that we will have to tackle, but it will need buy-in from everybody in the Chamber

before we deliver this in our community because it is a bitter pill to swallow and a difficult set of decisions to take.

**Mr Swann:** Minister, your statement refers to a regional morbidity and mortality review system but seems to focus solely on a review of deaths in Northern Ireland. What additional steps will you take about the number of patients now being sent outside Northern Ireland for their operations, so that anything that adversely affects their lives is also reviewed by our health service in Northern Ireland?

**Mr Wells:** That is a very good point and one that had not occurred to me. Whilst the review will deal with deaths and the subsequent serious adverse incidents (SAIs) in Northern Ireland, I will check with my officials to see what is the situation if they happen in other parts of the United Kingdom.

As the Member will understand, there are certain services where we simply do not have the capacity or number of patients to deliver a top-class service in Northern Ireland. Therefore, we send patients with specialist conditions such as congenital paediatric to Evelina and Birmingham and those with Duchenne muscular dystrophy to Newcastle upon Tyne. There really is not the population on the island of Ireland for Duchenne muscular dystrophy services, therefore we will have to continue to do that for the foreseeable future. The standard of care is extremely high. The results already coming back from London and Birmingham show that statistically the care is of a very high standard. Sadly, occasionally, things do not work out, and there is the passing away of a child or adult who was receiving care. I will have a look at that and write back to the Member because it is a different angle on an important issue. We will certainly do all we can to answer his concerns.

**Mr McCarthy:** I thank the Minister for his statement. I would like to complain that we have not had even a sight of his statement to examine one recommendation on what we are discussing.

This is yet another report. Reports and reviews are coming out of our ears. I am sure that the people engaged in providing a very good health service for our people are lost. Perhaps the Minister might be able to tell us how many reviews he is engaged in at this time. I see on page 1 of his statement that his officials have been asked to undertake yet another review on account of the recommendations, so there is another review. On page 3 —

**Mr Deputy Speaker (Mr Dallat):** Order, please. Could the Member please come to a question? This is not an opportunity for a statement.

**Mr McCarthy:** The question, Mr Deputy Speaker, is on page 3:

*"The real choice we face is an uncomfortable one".*

Could the Minister — then he goes on to say —

**Mr Deputy Speaker (Mr Dallat):** Please. Really.

**Mr McCarthy:** — "contemplate tough choices". Can the Minister tell us what those tough choices are? Be upfront with the Members of the Assembly. He knows, but he is hiding behind something. Tell us what those tough choices are, so that we can provide a first-class service for our constituents.

**Mr Wells:** First, Mr Allister raised a very valid point and so has the Member. I was given an assurance that the

document would be in the hands of Members by 9.00 am. As soon as I leave the Chamber, I will investigate this, because this statement is far too important for Members to find themselves having it thrust into their hands five minutes before the debate on it. So, point taken. I will make certain, even if I have to go to the pigeonholes myself at 9.00 am, that the Member is not put in this position again.

The tough choices are alluded to in Sir Liam's report, where again he says that we are not where we should be in terms of provision in Northern Ireland. Our essential services and expertise are dissipated and spread too thinly over far too many buildings in Northern Ireland —

**Mr McCarthy:** You are coming to it.

**Mr Wells:** — and that, particularly at night —

**Mr Deputy Speaker (Mr Dallat):** Order, please. It is bad enough going on and on without speaking from a sedentary position. We really will have to do things properly.

**Mr Wells:** I have no doubt that, if I have missed anything he said, I will get it in next week's 'Newtownards Chronicle' anyhow. I guarantee that much of this is for the benefit of the local media rather than me.

To be fair to Mr McCarthy, we simply have to look at the way we deliver our service. When he gets a chance to read the report in detail, particularly recommendation 1, and raise it with Sir Liam tomorrow at the Health Committee, he will see that he has expressed the same concerns as numerous experts about developing better services through TYC and said that we would not start from where we are today in Northern Ireland to provide a high-class sustainable and safe service. That is uncomfortable reading, but we cannot continue to run away from this. We need an open and honest debate among all Members about the best way to provide a first-rate service.

**Mr G Robinson:** What is the Minister's reaction to Sir Liam Donaldson's criticism of the local media?

**Mr Wells:** I have to resist the temptation. Sir Liam was quite critical of the influence of the media in his final report and throughout his review. Some may wish to use the report to engage in a witch-hunt against the media or elements of it, but let me be clear that that is not something that I advocate. I recognise that the media's job is difficult and complex, and my reading of the report is that there is food for thought for all of us in Northern Ireland: those who are in public life; those working in the health service; and members of the public, including the media. The media will give this report intense scrutiny and open up the debate, which I welcome. I noticed this morning that it was the first item of news on all the broadcasts, which was good.

We need the media to give all of Sir Liam's recommendations widespread coverage, and we need to engage the entire community. I do not accept Mr McCarthy's view that this is one review too many. This one, because it is bespoke for Northern Ireland and deals with crucial issues, is complementary to other reviews such as the RQIA's review and the College of Emergency Medicine's review, which have achieved solid changes in how we deliver A&E and ED in Northern Ireland that patients have benefited from. Reviews are only mistaken if we do not act on them. Much of what Sir Liam has indicated in his report will be policy and will be enacted within this calendar year.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas ar maidin. I thank the Minister for his statement. He said that he plans to bring about an enhanced role for pharmacists: in that context, will he ensure that there is appropriate funding to accompany that new plan so that pharmacists are permitted the opportunity to provide a first-class community service?

**Mr Wells:** The Member for West Belfast has raised an issue, and I have to be a wee bit circumspect, because action may be taken by representatives of community pharmacists on the issue of payment. I do not know how far down the line that has gone, but I have to be relatively careful in what I say.

What I can say is that it is clear that pharmacy has so much more to offer than simply the administration and checking of prescriptions. The expertise that is so evident in that profession should be used to make certain that we deliver first-rate care. The strategy for the provision of pharmacy services in the community sets out an expanded role for pharmacists in medical organisation and public health targeted training, such as medicines adherence, brief interventions, self-care and the management of long-term conditions in the community. All those roles align with wider transformational changes in the health service designed to bring care closer to the home. Pharmacists have already shown themselves to be very useful in the minor ailments programme, for instance. There is also a proposal under Transforming Your Care that pharmacists will play a more important role, with GPs forming confederations where they can employ a pharmacist to take on the heavy burden of administering prescriptions and repeat prescriptions in GP surgeries.

I welcome the fact that Sir Liam has raised an issue, as I highlighted at Question Time yesterday, that we had our concerns about, which is that pharmacists are underutilised and their skills could be better used in the community. This will require delicate negotiations with the organisations that represent pharmacists in Northern Ireland, and I am keen to take that forward.

**Mr Weir:** I thank the Minister for his statement. Obviously, one of the major challenges as we move ahead is ensuring that front-line services are maintained and improved where possible. I note that recommendation 9 of the Donaldson report is about moving to the forefront of new technology. What role does the Minister believe technology could play in the key challenge of improving services for patients?

**Mr Wells:** Northern Ireland has shown itself to be adept in using new technology. I had the privilege of visiting Daisy Hill Hospital on Thursday to see the way that new technology is used there for speech and language therapy for stroke patients, and I was very impressed. A few years ago, the Southern Trust won the award for the best telemedicine service in the United Kingdom. That was a remarkable achievement, given the names of some of the other leading health trusts in the United Kingdom that the Southern Trust beat to win that award.

I welcome the fact that Sir Liam has mentioned this. Whilst we are not complacent, we see some very interesting ways forward. For instance, the regional radiology information service, known as NIPACS, is one of the largest systems of its type in the world. We should celebrate the fact that people from around the world have come to see and use

that technology. We are consulting on a draft e-health and care strategy. That has just concluded, and the responses received will be evaluated to consider what steps need to be taken, including any steps necessary to ensure that Northern Ireland remains at the forefront of technological innovation.

Northern Ireland does this well not only in healthcare but in manufacturing. As I have mentioned before, the then Chair of the Health Committee and I were in Cuba two years ago and were very interested to see that a lot of the diagnostics being undertaken in Cuba were being done with equipment made by Randox in Crumlin. I had the pleasure of explaining to the people of Havana where Crumlin was. This offers not only a chance to deliver better medical services but an opportunity for really important secure jobs in the Northern Ireland economy. We have shown ourselves very capable of taking on new medical technology and using it to stimulate our economy and, in the case of Randox, make exports to over 140 countries. Sir Liam has come into the Northern Ireland context and recognised something that we had been concentrating on as well.

**Mr Byrne:** I welcome the Minister's statement.

Recommendation 3 talks about reducing the need for hospital beds and suggests a solution in terms of pharmacists and paramedics. Minister, surely primary care should be advocated and enhanced through the GP system? Why is there no mention of enhancing the role of GPs in reducing the need for hospital beds and improving the general healthcare for the population?

**11.15 am**

**Mr Wells:** You will recall, Mr Byrne, that Sir Liam was originally brought in over specific problems regarding the Northern Trust and the Belfast Trust, particularly the reporting of serious adverse incidents and the openness and transparency within the system. In the course of his investigations, he realised that there were other major issues, such as TYC commissioning and the configuration of health provision, which were so important that they had to be mentioned in his report. He was not actually asked to look, per se, into GPs, pharmacy etc.

As I outlined yesterday, we are having real problems with workforce planning in health care, particularly at that level. We are 20% short of GPs. A quarter of GPs are over 55. We are having a workforce review to address that. Young people coming out of medical school do not see being a GP as an attractive career route. How we increase the number of young people who adopt the view that being a GP is the best career to follow is being regarded as a matter of urgency. So, whilst Sir Liam's report was comprehensive, it could not look into every aspect of health care in Northern Ireland. However, I am content that, were we able to implement fully most or all of his recommendations, many of the structural problems that face health in Northern Ireland would be resolved. I therefore welcome that, but, in the short period he had, he could not have carried out an all-encompassing review of the health service in Northern Ireland.

**Mr I McCrea:** I welcome the Minister's statement. Can he provide further detail on how he plans to develop clinical leaders in patient safety?

**Mr Wells:** The honourable Member has raised a crucial issue, and it ties in clearly with the duty of candour. When all our senior staff are empowered and feel free to report

all incidents, the standard of provision will be raised enormously. At the moment, 80,000 adverse incidents and 400 serious adverse incidents are reported every year. I do not see it as a bad thing if we increase that process, so that we can learn from where we are getting it wrong or getting it right.

We have also undertaken surveys, such as the 10,000 Voices project, to give patients the opportunity to use narrative to describe their experience of the health service, using their unique stories. Patients who share their story retain anonymity from the health-care provider, and I think that senior health professionals can learn from that. Equally, however, we have some absolutely first-rate senior managers in Northern Ireland. Every time I go round hospitals and clinics, I see their work in action; I see them working well beyond their contractual hours and absolutely dedicated to their role. We need to give those individuals the confidence to come forward when they see a role for improvement, and to welcome, encourage and nurture that, rather than this reticence that we still find in some aspects of the health-care system, where proposing change is seen as negative. That should not be occurring. Therefore, again, the duty of candour that will be given to senior clinicians and managers will encourage them to regard candour not as a nice add-on but as an imperative. If they see something wrong or something that can be improved, they have a duty to come forward and be honest and open, without it being held against them in any shape or form.

**Mr Spratt:** I thank the Minister for his statement. The lack of treatment and services during the evening, and particularly at night, is one of the criticisms that we often hear. How can progress be made on making evening and night services as good as they are during daytime?

**Mr Wells:** Sir Liam has highlighted this issue. Whilst in most of our hospitals, during daylight hours, it is possible to provide a high-quality service, in the evenings and at weekends the system is under considerable stress. Whilst I believe that it is still safe and sustainable, if the workforce planning reviews are correct, we are going to find it more and more difficult, and expertise will be spread so thinly over so many units of care while expecting the same high standard 24/7. We are already finding it difficult to fill essential positions such as middle-grade doctors and consultants in many of our hospitals. I again come back to the fact that we would not start from where we are today; we would concentrate resources on a smaller number of sites. We have to initiate a very difficult debate in the Chamber: where do we take the structure? Do we simply try to make do or do we try to improve it? We may reach the stage, as we did with Downe and Lagan Valley, when the decision is taken out of our hands, and the royal colleges and the regulator will say that we have to close a service or reduce its hours because we simply do not have the staff.

I see signs of stress throughout the system, particularly at nights and weekends. It is two tier in the sense that you will still have a good outcome, but it is about how long we can sustain it, and I have my doubts. Sir Liam was absolutely right to raise the issue. It is coming to all the health authorities in the United Kingdom, but particularly so in Northern Ireland, given that, because of history and tradition, we spread our service over so many units in comparison with the rest of the UK.



**Mr Rogers:** Thanks, Minister, for your statement. How will patients, service users and relatives discover whether there has been a never event, particularly as we do not have a list of never events, other than by going down the legal route?

**Mr Wells:** Sir Liam has been very helpful in suggesting that we look at the English situation, where they do have never events. As a matter of urgency, we must devise a list of things that should never happen, and we can do that quite rapidly if we decide that it is the proper route to go down. Absolute basics such as a patient being treated in the wrong ward or given the wrong medication are never events that should not happen if there are proper procedures. Many of those will already fall under the SAI system, whereby, if things go badly wrong, they become serious adverse incidents. The duty of candour will be such that, if that occurs, people will have to be told immediately. We are talking about a tiny minority of cases. When it does happen, however, those can go disastrously wrong. I believe that a culture of transparency and candour will ensure that, when those unfortunate incidents happen — we need to put this in context, given that there are about 1.7 million procedures in hospitals every year — there will be immediate openness, and they will be reported. Basically, one common theme of Sir Liam's report is that you cannot be too open and honest with your clinicians, trusts and, most importantly, patients, so he is pushing on an open door.

**Mr Newton:** I welcome the Minister's very detailed statement, particularly his words about open, honest and intelligent debate on how to move forward. The implications of that are spelled out in paragraph 4.5 of the report. We need to debate the issue further. How can data and metrics help to bring forward the safety agenda?

**Mr Wells:** I do not want the public to come away with a negative impression of the quality of health care in Northern Ireland. The reality is that, in cold, hard statistics, in many aspects of care, we perform extremely well. In prostate cancer, breast cancer and cardiac surgery, Northern Ireland can hold its head up very high in the overall UK and European context. We gather a lot of statistics in Northern Ireland. We have a cancer register, for instance, which is a very modern tool to identify that acute condition. I do not want to indicate that Sir Liam is saying that we have a shortcoming.

I recognise the importance of ensuring that we can measure performance and patient safety and understand our progress in that area. Meaningful, relevant and timely information relating to safety and quality is essential. My Department has been working to develop a number of indicators and targets that can be used to monitor patient safety. Data relating to pressures, pressure ulcers, infections, falls in hospitals, weekend death rates and hospital mortality have all been developed within the last few years. We will continue to explore the development of further metrics as appropriate. Whilst metrics can be compared within and between trusts, we need to ensure that appropriate conclusions are reached. Any disaggregation of information has to be fit for purpose and applicable to Northern Ireland, rather than, of course, on the scale of North America.

So, that is a work in progress. We are already doing quite a bit on that statistical analysis, but it must ultimately lead to improved outcomes and better patient safety. I am glad

that Sir Liam has pointed us in the direction of improving on that.

**Mr Allister:** I was tempted to ask the Minister how many reviews he and his predecessor need to run the health service, but I will ask about recommendation 1 instead. Surely that has to be the most totalitarian, undemocratic recommendation ever seen. It suggests that all the political parties and the public in Northern Ireland should abdicate their critical faculties, sign up to accept whatever is proposed by some faceless panel about the future configuration of our hospitals and merely deliver whatever it is they say. Has there ever been a more totalitarian suggestion?

I invite the Minister —

**Mr Deputy Speaker (Mr Dallat):** Order.

**Mr Allister:** — to repudiate —

**Mr Deputy Speaker (Mr Dallat):** Order. Mr Allister —

**Mr Allister:** — recommendation 1.

**Mr Deputy Speaker (Mr Dallat):** Mr Allister, we really need a question. The same rule applies to all Members.

**Mr Allister:** The question is this: will the Minister repudiate recommendation 1 on the basis that I have outlined?

**Mr Wells:** I detected a question in the previous statement. He is the first Member to have concentrated on recommendation 1. I will not abrogate my responsibility. Any decisions taken on the structure of the health service and provision in Northern Ireland rest with me and the Department, in conjunction and consultation with the Assembly and the Executive.

I think that where this is coming from is that Sir Liam has detected, quite rightly in my opinion, that we have looked at the issue through Developing Better Services and Transforming Your Care and will look at it again as a result of his report. We all understand the considerable pressures that MLAs come under when that is suggested.

Transforming Your Care was quite interesting. Everybody supported reducing the number of buildings and structures in which we provide health care until it came to the structure or building in their area. Suddenly, they manned the barricades and said, "No"; we need to streamline but not in west Tyrone, north Antrim or north Down", or wherever else. The barricades were immediately manned on that issue.

What Sir Liam is saying is that we will come under huge political pressure to deal with that issue, and maybe the only way that we can deliver on it is to hand the decision to somebody else. I see that as a very controversial recommendation, and I give the commitment that decisions will be taken by elected representatives in the Assembly. However, that does not mean that should not have an informed debate about whether we are spreading our expertise and clinical excellence and services over far too many buildings. The answer from every world authority that has looked at Northern Ireland is that we are doing that. We cannot keep running away, for decade after decade, from the fact that our present system is not the one that we want but the one that we have. It is certainly not the one that we need.

**Ms Sugden:** The Minister alluded to my question when he discussed the extended role of community pharmacists.

Great savings can be made through medicines management and more efficient prescribing. How does the Minister see that moving forward, and how do we make savings on drugs in Northern Ireland?

**Mr Wells:** We have made considerable savings. When I first became the Chair of the Health Committee, the total community pharmacy drugs budget was £400 million, and I think that that is now down to £362 million. That has been achieved by driving up the generic prescription rate — I believe that the last rate that I saw was something like 72%. Every one percentage-point improvement in the generic rate saves us about £4 million. So, we are making progress.

We are also looking at proposals to reduce the number of smaller items that are available on prescription. It strikes me as strange that food supplements, suntan oil, Savlon and other potions and medicines available over the counter for a small price are still available on prescription. So, we are moving in the right direction as far as pharmacies are concerned.

**11.30 am**

We are also receiving money through the change fund. We made a successful bid for additional money for medicines management through that fund. That was one of our four successes. I see this as a way of improving efficiency by using pharmacists and their skills better and by bringing the medicines budget under some form of control. At one stage, I thought that it was beginning to run out of control, but at least it has now been brought under some form of control. Again, Sir Liam spotted that and made specific recommendations on how we use pharmacists. We also have to keep the community pharmacists on board, and negotiations are going on at the moment that preclude me from going any further on that.

**Mr McGimpsey:** I thank the Minister for his statement. He called for a mature, open, honest and intelligent debate. I was in his position for over four years, so can I suggest to him that, from my experience, his biggest problem with that open, honest and intelligent debate lies within his own party and that I think that he will have difficulties there when he calls on the rest of us? The fact is that there is not enough money to run the health service. You either increase the money or you reduce the service. Is that not —

**Mr Deputy Speaker (Mr Dallat):** Mr McGimpsey, could we have a question, please?

**Mr McGimpsey:** Pardon?

**Mr Deputy Speaker (Mr Dallat):** Could we have a question?

**Mr McGimpsey:** Yes, you have. I am just doing it. Do you accept — *[Interruption.]*

**Mr Deputy Speaker (Mr Dallat):** Mr McGimpsey —

**Mr McGimpsey:** — that this is, in effect, a plan to reduce the service to match the budget that is available and that it is, in fact, a closure plan? When are we going to see the actual closures and the list?

**Mr Wells:** Sir Liam was not asked to and did not identify any services that should be reduced, expanded or closed. However, he said that we — the “we” being the 108 MLAs in this Building — need that educated, coherent, sensible

debate on what is the best way to deliver the services on the ground. Whatever the decision, it will be made following that debate and with the Assembly's agreement. We could not deliver it any other way. There has to be that mature debate. Once again, we are reminded that a debate that Developing Better Services prompted at least 10 or 12 years ago has not really matured into a decision-making process. We can do that only if the Assembly parties unite, have the debate and come to a common policy on it in conjunction with the Minister.

There is absolutely no indication in Sir Liam's report about what that will lead to on the ground. However, I know that whatever we decide will provoke a massive public reaction. Are we mature enough, as MLAs and as an Executive, to have that debate and to respond to that public reaction in a mature way? I do not know, but I think that Sir Liam is absolutely right to flag this up again as a very important issue that has to be tackled. That is because, eventually, as I said, the royal colleges and the BMA may make the decision for us that we simply will not be able to continue to spread the service as thinly as we have up to now.

**Mr Givan:** I thank the Minister for this statement and his commitment to continue the strategic leadership that he has shown over the Department. It is a Department that other parties bypassed when they had the choice to select it at the Executive. They should bear that in mind when they now criticise.

Will the Minister outline who the duty of candour will be applicable to? How can we have confidence that it will provide the openness and transparency that many people expect to be in the health service already?

**Mr Wells:** First of all, I accept that, when Health was being selected under d'Hondt at the first Executive meeting after the election, I noticed that many parties in this room were not fighting their way to the front demanding that they —

**Mr Swann:** — *[Interruption.]*

**Mr Wells:** — have this portfolio. Maybe, Mr Swann, you want it next time round. Be careful what you wish for, because it is indeed a very challenging position. The fact is that two of the largest parties have already had the opportunity of holding this post and there was not exactly a huge enthusiasm from those Ministers either to implement the inherent changes that Sir Liam mentioned.

The duty of candour, which I see as crucial, will apply to everybody at every level in the health service. We are talking literally from the cleaner who sees an unsafe practice in his or her ward right up to the thoracic surgeon — the eminent clinical expert — who might see something regarding radiography, anaesthetists or something that he or she has a duty to report.

Equally, I want the public to feel absolutely safe. No retribution will be taken against anyone who comes forward with problems. Sometimes, the lessons that we learn from that openness are absolutely invaluable. People spot things on the ground or in the ward or clinic that, you would think, are blindingly obvious but are not until someone spots and reports them. Therefore, I want to instil the view that people will want to do it and do it regularly. I know that there will be the odd facetious or time-wasting complaint, but, on many occasions since I have come into this post, I have learnt enormously from people putting pen to paper, often through their MLA, to say that the

service has fallen below that which is acceptable. We expect that the engagement will be based on the principles of openness and transparency. We also must ensure that we avoid any action that might promote a culture of fear, blame or defensiveness in reporting concerns about patient safety or reporting mistakes when they happen.

**Mr Deputy Speaker (Mr Dallat):** That concludes questions on the statement.

**Mr Spratt:** On a point of order, Mr Deputy Speaker. You challenged Mr McGimpsey, the Member for South Belfast. In my view, he actually challenged your authority in the Chair. I ask you to take Mr McGimpsey's remarks to the Speaker to have them examined by him.

**Mr Deputy Speaker (Mr Dallat):** I will share my view, as the Speaker at the moment, with you: I am more than happy that Mr McGimpsey did not challenge me.

**Some Members:** Hear, hear.

## Executive Committee Business

### Planning (2011 Act) (Commencement No.2) Order (Northern Ireland) 2015

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

*That the draft Planning (2011 Act) (Commencement No.2) Order (Northern Ireland) 2015 be approved.*

I am pleased to bring before the Assembly the draft Planning (2011 Act) (Commencement No.2) Order (Northern Ireland) 2015. The order will be made under section 254 of the Planning Act (Northern Ireland) 2011, which requires the order to be laid in draft and approved by a resolution of the Assembly. The order is the second in a series of commencement orders for the Planning Act.

The order will initially commence Part 3 of the Planning Act from 1 February 2015 for the purpose only of conferring powers to make regulations and orders. That will ensure that the Department has the enabling powers required to put in place the detailed proposals for subordinate legislation necessary to introduce the reforms to the planning system. The order will also commence Part 3 of the Planning Act for all other purposes from 1 April 2015, thus enabling the transfer of responsibility for the majority of planning decisions from central government to the new councils.

The provisions in Part 3 of the Planning Act cover a range of planning control powers, including defining "development" and setting the framework for the processing and determination of planning applications in the reformed planning system. Normally, commencement orders are not required to be laid before the Assembly. However, during the Consideration Stage of the then Planning Bill, the then Environment Committee tabled an amendment that provided that any order commencing Part 3 of the Act shall not be made unless a draft order has been laid before, and approved by a resolution of, the Assembly. The Committee's amendment was to ensure that appropriate governance measures are in place when responsibility for the majority of planning decisions transfers to councils.

As Members will know, there has been significant progress made on local government reform, with a number of important milestones being met, including the Local Government Act receiving Royal Assent in May 2014 and the May 2014 elections, which led to the creation of the 11 new councils. Those are now operating in shadow form alongside the existing 26 councils.

Members will also be aware that the Local Government Act 2014 has introduced a new, modern statutory framework for political governance in the 11 councils and a new ethical standards framework, which includes a mandatory code of conduct for councillors. Part 9 of the code, which deals with the planning element, will come into effect in April 2015 and will set out what is expected of councillors in their new roles and responsibilities in relation to planning.

My Department has undertaken a broad range of capacity building with the new councils over recent months, and, to support the code, the most recent series of events has focused on ethical standards behaviour in relation to planning. These new roles and responsibilities have also

meant that the working relationship protocol between councillors and local government officers has been revised and published. This provides a clear framework as to how the new councils should discharge their enhanced responsibilities in real, practical terms.

The necessary steps are in place to ensure the required systems and structures for the successful transfer of planning functions. This includes a broad range of subordinate legislation required to bring the Planning Act fully into operation and to establish the new two-tier planning system. Capacity building, training and the development of a planning performance management framework are on track. In addition, I am pleased to advise Members that the draft strategic planning policy statement, consolidating existing planning policy into a strategic policy framework for the new two-tier planning system, will be finalised very shortly. The planning portal is being upgraded and amended to take account of the new legislative environment and councils' new planning responsibilities. Transfer arrangements for staff, planning records and IT equipment are also well under way.

The local planning office networks have also been restructured in line with the 11-council model, and new offices have been opened. Planning applications that were previously dealt with centrally in the Department's strategic planning division have been realigned to the new council planning offices to reflect the new responsibilities. Planning managers have been appointed to each of the new councils, and all staff have now been allocated to the relevant councils. This will involve the transfer of nearly 400 staff from my Department to local government. I would like to put on record my sincere thanks and appreciation to all those staff who are transferring to councils, both administrative and professional and technical, for all their hard work for the Department, carried out with dedication and integrity over the years.

Over the past four months, my Department has delivered an extensive capacity-building programme for elected members and council officials. To date, the feedback has been very positive. In addition, advice and guidance is being prepared on a wide variety of planning-related matters. This includes guidance on the application of the councillors' code of conduct in relation to planning matters, the operation of planning committees and practice notes on the reformed two-tier planning system. I am pleased that I have been able to provide funding to the Local Government Training Group to deliver activity on a regional basis as well as to individual councils to deliver on a more local level.

A key way to demonstrate the effectiveness and integrity of the planning system will be through monitoring performance management arrangements. The Department, in close collaboration with the councils, is developing a planning performance management framework. It is important to stress that the Department's approach to performance management, first and foremost, will be one of helping and supporting the role of councils. The Department wants to work with councils to promote good practice. The Department's publication of a 'Protocol for Planning Committees', highlighting what is considered to be best practice with regards to the operation of planning committees, is an example of this.

The transfer of planning powers to councils has been long awaited, and a tremendous amount of preparatory work has already been done. I commend the efforts made by

councils, officials in the Department and a broad range of key stakeholders to prepare for what is the biggest change to planning in 40 years. My staff are working with the local government sector as the final preparations are being made for 1 April, but the work will not stop here. The Department will support councils after transfer and is committed to reviewing the operation of the new system under the Planning Act at regular intervals. I ask the Assembly to approve the draft commencement order.

11.45 am

**Ms Lo (The Chairperson of the Committee for the Environment):** I thank the Minister for his explanation of the background and purpose of the draft affirmative statutory rule and for the progress made to ensure a smooth transfer of the planning function to the new councils.

The Committee was briefed by departmental officials on the SL1 proposal on 11 December 2014 and on the content of the rule at its meeting on 15 January 2015. Officials outlined how the Planning Act 2011 will introduce the framework for processing and determining applications for planning permission. They also described the range of additional governance procedures that will be put in place by the Local Government Act 2014 to ensure the effective implementation of that aspect by the 11 new councils.

The timing of the commencement of that element of the Planning Bill was something that caused the previous Environment Committee a high level of concern because the governance arrangements for ensuring equality and fairness in council decisions were not yet in place. That Committee drew the Department's attention to the equality impact assessment carried out at a strategic level on the reform of the planning system. An assessment of potential section 75 impacts indicated:

*"While there may be no strong indication that religious belief will impact on the regional dimensions to the reformed planning system, given the correlation between political opinion and community background or religion, there may be concerns, whether real or perceived, that the political allegiance of elected members could reflect in local planning decisions at district council level and in particular where elected members are directly involved in any decision-making process. These anxieties should be duly acknowledged in any emerging proposals."*

The previous Committee sought and received reassurance from the Minister that the planning functions of the Bill would not be devolved to local councils until governance structures were in place. Members welcomed that, but, mindful that responsibility for such a decision was on the verge of potential change, sought the reassurance of a legislative mechanism to prevent functions transferring to councils too soon.

Ideally, the Committee wanted to link the commencement of the Bill to that of the local government reform Bill. However, it was advised that this was not technically possible. The next best alternative was deemed to be to ensure that none of the commencement orders passing the responsibility of planning functions to councils could take place without the approval of the Assembly. Members agreed to make the commencement of Part 3, on planning control, subject to draft affirmative procedure, and for that



reason this commencement order has come before the present Committee.

After taking into account the mandatory code of conduct, which will specify how councillors will be expected to address planning matters, and the level of capacity-building that is still being delivered by the Department, the Committee believes that adequate systems of control and councillor confidence will enable those provisions of the Bill to be appropriately delivered. Accordingly, the Environment Committee has agreed to recommend that the motion is affirmed by the Assembly.

**Mrs Cameron:** It is good to have explanations from the Minister and the Chair of the Environment Committee on the draft affirmative statutory rule before the House.

The issue predates my time on the Environment Committee, so it was useful to have the officials brief us at the Committee on 15 January. As Members have already heard, the SR will commence Part 3 of the Planning Act (Northern Ireland) 2011, the section that relates to the devolution of planning control to local councils. I understand that the previous Committee was unhappy with that aspect of the Bill because it did not believe that there was adequate understanding of the equality implications at local council level, and that the Committee was therefore concerned that this part of the Planning Act would not come into operation until the Local Government Act (Northern Ireland) 2014 had implemented appropriate governance measures to ensure that councillors fully understood their responsibilities to consider planning applications in an objective and unbiased way.

The Local Government Act has introduced the councillors' code of conduct, together with appropriate sanctions for any infraction of the code to be investigated and adjudicated by Commissioner of Complaints. The Department has also been delivering high-level training in capacity-building to local councillors and council staff to build up awareness of their new responsibilities.

Having taken all that into account, the present Committee is now satisfied that the appropriate degree of governance will be in place to ensure a smooth transition of planning functions.

I have nothing more to add to the comments of the Chair and the Minister, except to say that I, too, am happy for the motion to be affirmed by the Assembly.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. I welcome that the commencement order has been brought before the House. I hope that it is relevant to mention that my concerns, at this stage, are that the strategic planning policy statement, which comes later, will afford some flexibility to local government to tweak or interpret policy in a rural community, for example, where there might be strong feelings about lack of opportunities. That flexibility is an important point for me.

The Minister made some reference to my second concern, which is the whole human resources aspect of this. People will be transferred from one working location to another. That is a very difficult exercise, which is being undertaken by HR Connect etc. At the heart of that are some people who have particular circumstances and would like or need to remain in the setting in which they currently work, for health or other reasons. So there are a number of challenges in that.

I thank the Minister for bringing forward the commencement order.

**Mr Durkan:** This order will allow my Department to provide for the transfer of responsibility for the majority of planning decisions from central government to the new councils. It is a key step towards the reform of planning to councils. I would like to thank those who have contributed to the debate for their affirmation of the motion. We have had a good contribution from the Chair of the Committee, Ms Lo, and from the Deputy Chair, and Mr McElduff never misses an opportunity to ask about PPS 21. I can assure him that the single strategic planning policy statement is very near finalisation, and I am hopeful that it will be to his satisfaction. I thank the Committee and other Members for their support.

*Question put and agreed to.*

*Resolved:*

*That the draft Planning (2011 Act) (Commencement No.2) Order (Northern Ireland) 2015 be approved.*

## Budget 2015-16

**Mr Deputy Speaker (Mr Dallat):** The Business Committee has agreed to allow up to three hours for this debate. As two amendments have been selected and are published on the Marshalled List, an additional 15 minutes has been added to the total time allowed. The Minister will have up to 45 minutes to allocate as he wishes between proposing and making a winding-up speech. All other Members who are called to speak will have seven minutes. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members called to speak will have 10 minutes.

I remind Members that the vote on the motion requires cross-community support.

**Mr Hamilton (The Minister of Finance and Personnel):** I beg to move

*That this Assembly approves the programme of expenditure proposals for 2015-16 as set out in the Budget laid before the Assembly on 19 January 2015.*

The motion before the House today is one of the more important ones that this House will debate. In any Administration, the Budget is the bedrock that underpins the delivery of services and ultimately plays a pivotal role in the success of those services. Our Budget should, in so far as it can with the limited resources at our disposal, reflect the priorities of our people. I am proud to say that this Budget is one that supports key services, like health and education; underpins economic growth; provides a platform for the reform and restructuring of our public sector; and places Northern Ireland's finances on a secure footing for the future.

I do not intend to rehearse the detail of my speech last week when I presented the Budget to the House, but I want to make a few key points before we debate and vote on the 2015-16 Budget. First, I would like to express my appreciation to the Committee for Finance and Personnel for its work in shaping the Budget and providing the level of scrutiny it does, which helps give the Assembly and the wider public confidence in the Budget that has been agreed. Members will be well aware of the financial environment confronting us in 2015-16 and in the years thereafter. We do not have the luxury of excess in our Budgets. We are faced with the challenge of doing more with less. That scenario means that we must confront difficult decisions on what the public sector should be doing and what it should not be doing. Change is coming. I am sure that no one in this Assembly — or, indeed, beyond — is under any illusion about that fact. The public sector must undergo reform and transformation, and this Budget allows that to commence.

The Stormont House Agreement provided the Executive with a financial package of measures that, along with agreement between the five Executive parties on welfare reform, permits us to place the public sector here on a sustainable footing for future years. The agreement struck between the Executive parties on 19 December is a deal that allows us to move forward with much-needed reform and restructuring of the public sector. The essential agreement on welfare reform, coupled with considerable Barnett consequentials flowing from the Chancellor's autumn statement, allowed the Executive to make allocations of an additional £150 million, bolstering the

budgets of many Departments over and above their draft Budget position. I am pleased that the bulk of that extra funding has gone to education, employment and learning and policing.

Given the position taken by some Executive Ministers on the Budget, I anticipate that a number of Members today will use their time to disagree with the Budget. That is their right. The truth is that this is not a perfect Budget. There will always be differing opinions on budget allocations, in times of prosperity as well as in times of fiscal consolidation. I have spoken about what I would have wanted in this Budget, but I have also listened to other Ministers, Committees and the public, and that has shaped the final Budget. There will always be those who are prepared to stand up and say what services should be funded. There are not so many that are prepared to listen to the reality that we have finite resources and that extra funding for one thing means less funding for another or more taxes for everyone.

In this week, when we mark 50 years since the death of Winston Churchill, our Prime Minister has been encouraging people to share their favourite Churchill quotes. At this point in the debate, with several hours left and many Members to make their contributions, perhaps Churchill's remark:

*"Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen."*

is most appropriate. I hope that Members do both in equal measure.

I will have plenty to say later, especially on one amendment, which, at this point in time, I would describe as very courageous. In the meantime, I commend the Budget to the Assembly.

**Mr Deputy Speaker (Mr Dallat):** Before calling the first Member to speak, I am sure that you all noted the deliberate mistake in my brief. Each Member will have seven minutes, not 10 as was indicated.

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

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

*"notes the lack of transparency contained in the programme of expenditure proposals for 2015-16; believes that the failure of many Departments to produce draft spending and saving plans weakened and invalidated the process; notes with perplexity how the tens of thousands of consultation responses could have been analysed between the close of the consultation period on 29 December 2014 and the Executive final decision only two weeks later; notes that the proposals were created in a vacuum of strategic direction and have not been based on a revised Programme for Government; and calls on the Minister of Finance and Personnel to modify the proposals, as set out in the Budget laid before the Assembly on 19 January 2015, including (i) removing the £26 million DEL allocated for the social investment fund, in light of its inability to spend the budget it had been allocated between 2011 and 2015; (ii) removing the reference to the relocation of the Department of Agriculture and Rural Development headquarters to Ballykelly, as the project should not continue until a full business case is produced and value for money*

*has been demonstrated — and changing its budget allocation accordingly; (iii) allocating £5 million resource DEL to the Department of Health, Social Services and Public Safety to partially alleviate the pressures on the health and social care trusts; (iv) allocating £3 million resource DEL to the Department for Regional Development to partially assist with funding Northern Ireland Water to the PC15 final determination; (v) allocating £1.5 million resource DEL to the Department of Culture, Arts and Leisure to partially alleviate the reductions to the arts and Northern Ireland museums; (vi) allocating £1.5 million resource DEL to the Department of Health, Social Services and Public Safety to partially alleviate the reduction to the Fire and Rescue Service; (vii) allocating £15 million capital DEL to the Department for Regional Development to partially alleviate the pressures on Transport NI and to assist with funding Northern Ireland Water to the PC15 final determination.”*

I will begin by acknowledging the remarks from the Minister of Finance and Personnel, particularly that the Budget is the bedrock — nobody will disagree with that, I am sure — and also his acknowledgement that it is not a perfect Budget. Is there a little room for improvement, even at this stage?

I am acutely aware of the fact that the Executive's resource departmental expenditure limit (DEL) has been cut by 1.6% in real terms. That is a big issue, but so is debt.

Nationally, the UK Government now spend more servicing their debt than they do on public services here and in Wales combined. That is not a legacy that we should happily hand on to our children. There is no party with a realistic prospect of occupying 10 Downing Street on 8 May that is not committed to tackling that debt issue, so we know that we need to plan for continued pressures on our Budget. There is nothing new about that, so why oh why was this year's Budget rushed? That was entirely avoidable. The key fact that needs to be clarified by the Minister is this: the Executive were informed of their allocation for 2015-16 as part of the UK spending round in June 2013, yet it took the Department of Finance 18 months to produce a draft Budget. Somebody was clearly asleep at the wheel.

## 12.00 noon

It gave us no pleasure, just immense frustration, when the 2011-15 Budget finally disintegrated. Many Departments were forced to make swingeing in-year cuts in order to provide emergency funding to prevent essential public services collapsing. In response to the worsening state of public finances, the Finance Minister had to turn to the UK Government for a £100 million bailout — embarrassing. It was against that dysfunctional backdrop that the Budget for 2015-16 had to be prepared. Yet it was all so avoidable. We warned consistently — generically and specifically. We specifically highlighted that year 4 in the health budget was the most acute pressure point. In 2011, Michael McGimpsey said that the budget could just about work on £4.8 billion. With Edwin Poots's last-minute Damascus conversion of asking for an extra £140 million in-year, his final figure for the year was £4.799 billion. If Michael McGimpsey can see it coming to within three decimal points three years out, why did we have to go cap

in hand to the Treasury for a £100 million loan when the Department of Finance should have seen it coming 18 months out?

The last four years have been a missed opportunity to get our public funding in order. There was no major reform of the public sector. While the number of civil servants in England has been reduced by almost one fifth, Northern Ireland actually saw a rise. Had workforce restructuring been looked at four years ago, the sheer scale of the proposed voluntary exit scheme could have been much reduced, and be in no doubt that the success of the proposed exit scheme is far from guaranteed. The only certainty is that it should not have been necessary to bring on such a large-scale project with a timeline that leaves no wriggle room if anything should go wrong, such as failure to attract the right numbers at the right grades to make the scheme work to budget.

I now wish to address each point of our amendment in turn. First, there is the lack of transparency. There was a fundamental lack of openness in the determination of baselines. We note that they are predominantly benchmarked on previous years. However, I have heard on numerous occasions that, during the initial consideration in October, the Department of Education's baseline increased by £75 million in the space of a couple of hours. How come? If ever a Department lacked financial transparency, surely it is our Department of Education, yet that lack of transparency appears to have been rewarded. Even if it was part of the fallout of a previous agreement on the aggregated schools budget, that should have been laid out in public, not left to a Sinn Féin/DUP trade-off.

The next point is that the failure of many Departments to produce draft spending and savings plans weakened and invalidated the process. Departments such as Finance and Culture, Arts and Leisure failed to provide even the most basic information in their spending or savings plans. It was wrong that each Department was allowed to produce plans in a manner of its own choosing. It made it impossible to compare all or even most Departments in a like-for-like manner and thus weakened and invalidated the consultation exercise. By the way, we note that our call for DFP to reproduce its savings plan has been left out of the synopsis of responses on its website. How curious.

Next, we are perplexed at how the tens of thousands of consultation responses could have been processed in just two weeks. Can the Minister indeed clarify how many consultation responses there were? The Budget document presented to the Assembly referred to over 50,000, yet he has previously referred to a number more like 20,000. Either way, how can you give those respondents due weight and consideration in such a short time?

Next is our concern that the proposals have not been based on a revised Programme for Government. The decision to simply roll over the 2011-15 Programme for Government commitments demonstrates a lack of vision and determination, two points and values that, I am sure, the Minister would recognise in Winston Churchill. In essence, the Assembly is drifting for the next 12 months.

For those who wonder what we would have done differently, let us start by removing the £26 million DEL allocated to the social investment fund. Of the original £80 million, £50 million has now been spent. Does the Minister wish me to give way?

**Lord Morrow:** I wish you to give way.

**Mr Nesbitt:** I am asking the Minister. I will give way if I have time.

As of last week's announcement of the additional £13 million, £50 million of the original £80 million has been spent. It was meant to be £20 million per year over four years. Until recently, the First Minister and the deputy First Minister could not give the money away: you know that, Minister. Whatever the intention of the social investment fund — there is a question about that — it simply has not worked. Be mature: say so and put the remaining millions to better use. Next, is the —

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

**Mr Nesbitt:** I would give way to the Minister, but I will make progress — *[Interruption.]* Next is the relocation of the Department of Agriculture and Rural Development to Ballykelly. Quite simply, value for money has never been demonstrated, even though it is a £41 million project. It is like the head of a household saying to his family, "We are going to move house even though the mortgage lender says that we cannot afford it and half the family say that they do not want to go". Ballykelly should be delayed.

We called for £5 million resource DEL for the Health Department to partially alleviate the pressure on the health and social care trusts. Of course, in health spend, £5 million is not very much, but look at it like this: had the South Eastern Trust had an extra £5 million this year, it would not have had to close 20 beds in Bangor Community Hospital, six in Lagan Valley Hospital and nine in the Downe Hospital, as well as a swathe of other service reductions. We note that the Department believes that it can recoup £113 million in the form of cash-releasing efficiencies and productivity gains in trusts. I would like to put it on the record that the Ulster Unionist Party does not believe that this £113 million will be achieved in 2015-16. How are they meant to do this, especially in the absence of any strategic change from the Department?

We call for £3 million resource DEL for the Department for Regional Development to partially assist with the funding of Northern Ireland Water to its PC15 final determination. At present, there is an almost £15 million resource DEL shortfall in NI Water for reasons such as the impact of the ongoing non-domestic rate revaluation.

We call for £1.5 million resource DEL for the Department of Culture, Arts and Leisure to partially alleviate the reduction to arts and Northern Ireland's museums. We are all aware of the campaign around culture in Northern Ireland accounting for 13p per head of population in direct funding with many millions of pounds generated in return. Do we really want to create a society that merely functions, with no appreciation of culture and the arts? That is not my vision of a new Northern Ireland.

Finally, we call for £1.5 million of resource DEL for the Department of Health, Social Services and Public Safety to partially alleviate the reduction to the Fire and Rescue Service. It is bizarre that, even after the production of the spending plan, which itself prioritised front-line services, the Health Department has no final position on what those services are. Yet, it still managed to determine that fire and rescue is not front-line. That meant that the cuts to the Fire and Rescue Service, which overall accounts for 1.5% of

the DHSSPS budget, have been exacerbated. They have been cut by 9.9% —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr Nesbitt:** I have merely scratched the surface. As the Minister says, the Budget is not perfect. Here are some recommendations to make it better.

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

*At end insert:*

*"; notes with caution the flexibility to use £200 million borrowing for a voluntary exit scheme; and calls on the Executive to improve on their record of public-sector reform by ensuring that the voluntary exit scheme forms part of a published strategic plan, which outlines measures to improve the efficiency of the Civil Service and the wider public sector and generate reductions in administrative costs."*

I will make a few observations in opening and proposing my amendment. I welcome it that, at least, after the Stormont House Agreement, there seems to have been a rebooting of the relationship between the DUP and Sinn Féin and the First Minister and the deputy First Minister.

In my amendment I note with caution the £200 million for the voluntary exit scheme because I have very limited confidence that it forms part of a strategic vision for wider public-sector reform and efficiency. I am happy for the Minister to convince me of that when he replies.

The Minister has already admitted that he does not know the terms or conditions of the interest on the loans that he is taking out and has not carried out an economic impact assessment. The Executive have ditched the policy of investing in infrastructure with a long-term economic benefit or multiplier effect for one of borrowing to make people retire or, indeed, redundant. There seems to be no wider link to a strategy for public-sector reform. What happens if the Executive do not reach their targets for voluntary redundancies? How do we avoid a brain drain of our top civil servants? Will we end up in a position similar to that of the police after the Patten reforms, where we have to bring people back at a much higher cost because there is a brain drain, meaning that the Department and Executive have not gathered the savings they had hoped for? Half of Departments show an increase in administrative costs in the budgetary period to date, while PEDU, which the First Minister set up when he was Finance Minister, and the public sector reform division that this Minister set up have achieved very little in the eight years that the Minister and I have been Members of the House.

As Ulster University's economic policy centre stated in its submission on the Budget, the Executive have still not shifted their focus from defending Budget lines to evidence-based policy that delivers outcomes for the people of Northern Ireland. I suspect that the Minister would like to go to an outcomes-based policy but struggles to get Executive colleagues and the Executive as a whole to commit to that. The public sector reform division has in some ways outsourced its work to the OECD, but that will not report back until the end of this year, which is halfway through the period in which we are supposed to be implementing a voluntary redundancy scheme. That is



why I am concerned and cautious and why I want to see a published strategy accompany the Budget.

I have to say that the Executive's record on major public-sector reform projects is woefully inadequate. We have been debating the Education and Skills Authority since the Minister and I arrived in the Chamber. We debated local government reform for eight or nine years before that, and the new councillors will only take up office shortly. Transforming Your Care has been going for three years. Then there is the rationalisation of teacher training, the shared future agenda, welfare reform, a police training college and DARD headquarters. All those policies to date have failed, stalled or been greatly diminished. At any rate, virtually no savings or improved outcomes for society have yet been realised from any of these major public-sector reform initiatives. That is why I am, rightly I think, raising the question with the Executive and the Minister of whether they have the ability to deliver on the size and scale of the public-sector reform that the Minister proposes to take on. I want to be convinced that they have.

I note that the OECD will also look at health reform. You have to ask this question: why? We are now three years into Transforming Your Care. Is it now stalled? Is it ditched? Is it over? Where is Transforming Your Care? We heard today that the Minister of Health was announcing another review under Sir Liam Donaldson. The one thing that the Assembly has been remarkably good at is reviews, but we are not good at implementing a strategy or reforming, when the challenge arises. The Budget debate goes to the core of the Executive's problem, which is a complete lack of collective responsibility or any sense of strategic direction. I ask the Minister and any members of the Executive these questions: during the Stormont House talks, did they go as one Executive to the Secretary of State with one negotiating position? Were the Executive members and party leaders involved in agreeing that around the Executive table in Stormont Castle? If they did not go as one to negotiate with the Secretary of State on Budget lines, why did they not?

## 12.15 pm

I am sure this point will come up in the Alliance contributions. I have some sympathy with Alliance colleagues on revenue-raising proposals, but I apply one caveat to that: why would any member of the public — any of us who is a taxpayer or a ratepayer — want to sign up to paying further taxes or charges when you look at the record of delivery of this Executive? Why would you have confidence in doing that? Generally, if you are going to put a charge on something, the public will want to know that you are capable of spending that money wisely.

I also take issue with the Finance Minister's claim that we are a low-tax Assembly. We are virtually a no-tax Assembly. The only control of tax that the Minister has at the moment is over the regional rate. That accounts for something like 5% to 6% of what he spends. Therefore, 5% is raised locally, and £10 billion —

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

**Mr McCallister:** Briefly.

**Mr Allister:** Regardless of whether we are a low-tax Assembly, we are certainly a huge-borrowing Assembly. We now have the ignoble title of being the biggest borrower in any of the devolved regions of the United

Kingdom. Has the Member any concerns about what that says about the burdens that we are placing on future generations?

**Mr McCallister:** Absolutely. The Member makes a very valid point, which I am coming to.

We are faced with a situation in which 5% of tax is raised locally, there is £10 billion of annual deficit with the rest of the UK and £2,000 more per head is spent in Northern Ireland. However, we still sound as if we want to reform only because there is pressure from the evil Tories. We have been very generously looked after by our fellow UK taxpayers, yet we still think that it is not enough. We would not have reform if we were not being forced into it. Therefore, why would anyone have the confidence to believe that we can manage the level of borrowing that we are heading towards?

We look to see whether there are any plans or strategies from the Minister and his colleagues to close the economic productivity gap. We look at corporation tax and at what Allstate NI's Bro McFerran said:

*"Our Northern Irish politicians need to show that they can deal and resolve the existing issues before they get into the realms of corporation tax. I think if we introduce something where we need much greater understanding and nuance and sophistication, I'm not sure those are words that we naturally associate with our Northern Irish politicians, and I think that is something that we have to be very careful about."*

The bottom line is that the First Minister is right when he describes the Executive as dysfunctional. He is right to say that it is dysfunctional, when we have members of the Executive agreeing to things in Stormont House and then voting against them and we hear people speaking out of both sides of their mouth at the one time. That does not build courage and confidence out there with the public. The people need to hear about the difficult choices, but they also need to be sure that the Executive and the Finance Minister have a plan to deal with them.

I know that the Minister has been keen on quotations. He quoted Churchill, and one of his opening remarks was about JFK. I will use a JFK quotation back to him:

*"effort and courage are not enough without purpose and direction."*

In his response today, I would like the Minister to prove to me that he and his Executive colleagues have that purpose and direction.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. It was clear from the Committee's recent take-note debate that this Budget process has been far from ideal both in the time and the information available for consultation on and scrutiny of Departments' spending plans. A number of factors caused a rather exceptional set of circumstances and a truncated process. I hope that we can now look to improving future budgetary processes, which is a point that I will return to in closing.

First, I wish to pick up on some of the developments between the draft Budget and final Budget and reiterate some of the key recommendations from the Committee's coordinated report. Following the Minister's statement on the final Budget on 19 January, the Committee was briefed

by officials at its meeting last Wednesday. In examining the changes and allocations in the final Budget, the Committee questioned officials on the detail of a range of issues including, for example, the provision to mitigate the worst impacts of Westminster's welfare proposals, the funding for bodies to deal with the past, the financial performance of the Health Department, to which the Finance Minister has drawn attention in the past, assurances in relation to financial transactions capital (FTC) and the applications to the change fund. It was noted that the change fund was oversubscribed by five times its value, and members have sought further information on the successful and unsuccessful applications.

While seeking assurance regarding any risk of underspend in the FTC diverted to the investment fund for 2015-16, the Committee also queried the basis for the significant reduced requirement from DETI in this regard between the draft Budget and final Budget, which amounted to some £27.5 million. A further point explored with departmental officials was the reference in the Minister's statement detailing DFP's plans to assess the financial performance of the Health Department. The Committee asked how the outcome of DFP's in-year monitoring work in this regard would be reported. Also, clarification was sought of:

*"the timetable for the longer-term measure involving a case study as part of the ongoing OECD review".*

Perhaps the Minister could provide more detail on these measures today and an assurance of their effectiveness. I request this particularly in light of the key finding in the Committee's report that, following devolution, DFP's role has changed from:

*"one of challenge to one of pure co-ordination".*

This raises the question of whether the provisions for assessing the financial performance of the Health Department will have the desired effect.

A further recommendation from the Committee's report that I would reiterate is the need for DFP and the wider Executive to provide complete information on all the options across Departments for raising additional revenue through charges and further devolved taxes and duties. This should include projected costs, benefits and risks and impacts to enable a fully informed and mature public debate on how best to help meet the further budgetary challenges in coming years. Again, I would welcome the Minister's view on this proposal, particularly in terms of assuring ourselves of available options, in the event that they are needed, to meet the challenges that lie ahead and to deliver the services that the public rightly expect.

In the coming weeks, the Committee will consider the Department's response to the Committee's report. Other areas that the Committee will be keen to see progressed include the memorandum of understanding between the Assembly and the Executive to improve future Budget processes. Also, as part of its ongoing scrutiny of public sector reform, the Committee will wish to closely monitor the work of DFP in overseeing the implementation of workforce restructuring, particularly how this will be managed in a way that safeguards the delivery of key public services.

I want to make a few comments from a party perspective. There are a number of amendments to the motion, and we will support John McCallister's amendment. Sinn Féin

has concerns about the voluntary exit scheme, which needs to be thought through and prepared properly. Mr McCallister's amendment refers to ensuring that there is improved efficiency. Generating reductions in administrative costs is something that we return to again and again in our Committee work, so we will support Mr McCallister's amendment on the basis that there is concern about the scheme and it needs to be handled carefully in the weeks and months ahead.

We will not support the Ulster Unionist amendment. Yesterday, they were attacking the rural community of Dungiven, and today they are attacking the entire rural community of the north-west and rural public servants in general. We support the transfer of public service jobs to rural communities and to rural areas such as Ballykelly. There are 800 places available, and 1,600 people want to go there, so there is more than enough demand for that. It is a shame that the Ulster Unionists are using this Budget debate to try to deprive the north-west once again.

We have made it clear that there were opportunities to make more savings in the Budget. In recent talks, we have raised proposals that concern ourselves as Members of the Assembly. We need to take a cut as well. Sinn Féin wants to see Assembly Members take a 15% cut in wages. We want to see the same cut for special advisers. We want to see a 15% reduction in ministerial salaries and an end to remuneration for Chairs of Committees. It is important that the Assembly sends a message out to the public. People are suffering and having to deal with the rising cost of living and, until recently, the rising cost of oil. There is also the rising cost of food and so on. They expect that we should take some of the pain as well. That is something that perhaps the Executive should return to. My party would certainly have no problem supporting such a proposal and ensuring that the public see that the politicians are taking as much pain as the public.

I would be interested in the Minister's position on the Smith commission and developments in Scotland. Scotland looks likely to get the transfer of powers for air passenger duty. We need to see that here. We could get it if we had a more collective call from the parties here for the transfer of that power. Scotland is moving ahead; we need to do the same. Also, interestingly, full control of the Crown Estate is due to be transferred to Scotland. That is something that we need to see here.

**Mr Dallat:** The Member's time is almost up.

**Mr McKay:** That was raised by my party colleague Oliver McMullan, and I would be interested to hear the Minister's view on that.

**Mr Deputy Speaker (Mr Dallat):** 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 12.26 pm.*

*On resuming (Mr Speaker in the Chair) —*

2.00 pm

## Oral Answers to Questions

### Justice

#### Michaela McCollum

1. **Mr Allister** asked the Minister of Justice to outline the terms of the transfer of Michaela McCollum, as agreed with the Peruvian authorities. (AQO 7418/11-15)

**Mr Ford (The Minister of Justice):** I understand that the Peruvian Ministry of Justice and Human Rights has yet to indicate that it has consented to Michaela McCollum's repatriation. Therefore, the terms of her transfer have yet to be agreed.

**Mr Allister:** Is it correct that the Peruvian authorities, as a term of the transfer, would have to agree the length of prison sentence she would serve in Northern Ireland? Does the Minister anticipate that she will serve less than she would have served in Peru?

**Mr Ford:** I cannot go into the detail of that, but the expectation is that sentences will be worked out on the basis of our normal provisions from the time at which somebody is repatriated to Northern Ireland. That is a matter of detail that will have to be worked through if there is an agreement by the Peruvian authorities to repatriation.

**Lord Morrow:** If this individual is transferred to Northern Ireland, will she be eligible for early release? Does the Minister intend to authorise expenditure on legal aid in the transaction?

**Mr Ford:** I am not sure of the circumstances in which the issue of legal aid would arise. There are set arrangements that apply to the way in which sentences are carried through, and the precise details depend on the nature of the sentence in Peru and how matters would be considered on the basis of a sentence in Northern Ireland. Those issues will have to be worked out, if there is consent on the part of the Peruvian authorities.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire chomh maith. Will the Minister provide us with any detail he might have of the costs to the local public purse associated with the transfer, repatriation and imprisonment of Michaela McCollum?

**Mr Ford:** I cannot provide details of the cost in relation to Michaela McCollum, but I can outline the costs as they apply in the case of any prisoner who is repatriated. MPs and MLAs from a variety of parties have suggested a number of measures about the repatriation of prisoners in different circumstances. The costs are met by the receiving jurisdiction under the UK convention and bilateral agreements that the UK has. The expectation for any prisoner being repatriated to Northern Ireland is that they pay the cost of their fare. Once they are a prisoner here, their costs are met by the Prison Service from its budget.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. In the event that Miss McCollum's application for repatriation is successful, will the Minister ensure that

his Department's emphasis will be on rehabilitation and training so that she can successfully integrate into society again on her release?

**Mr Ford:** Without discussing any individual, the Prison Service's emphasis in general is on rehabilitation. One of the key reasons why prisoners can be repatriated to their home jurisdiction is to aid rehabilitation through maintaining family contacts. That is an established process under, as I said, the European Convention and a number of bilateral agreements, and that is the basis on which we seek to work with all those who are in custody in Northern Ireland.

**Mr Elliott:** The Minister has been quite vague in his answers about this case. Has an application or request been made for the repatriation of Miss McCollum to a Northern Ireland prison? If so, who has it been made by?

**Mr Ford:** I have not been the least bit vague; I have answered the questions that were put. The question related to the terms and conditions, which have not been set because there is no agreement. It is absolutely clear and a matter of public record that Michaela McCollum has made an application that has been accepted in this jurisdiction but has not yet been accepted in Peru.

#### Legal Aid

2. **Mr Easton** asked the Minister of Justice for an update on how he plans to deal with legal aid exceeding its budget. (AQO 7419/11-15)

**Mr Ford:** I have set out my plans to reduce expenditure on legal aid on a number of occasions. In my response to the Member in November, I outlined some of the pressures facing the legal aid budget. I have already reduced the fees paid to lawyers by over £22 million, with further significant reductions to be implemented shortly. However, the demand for legal aid continues to increase, and, in reality, this cannot be addressed without reducing scope. I am consulting on a range of measures.

I cannot, however, deliver the changes on my own. The reforms will be significant, and, as I have already advised my Executive colleagues, support across all areas of government will be required. I was disappointed that the reference to support for legal aid reform was removed from the Budget paper issued last week. I have made and will continue to make strong representations at the Executive for support. I hope that all Members will also support my reforms.

**Mr Easton:** I thank the Minister for his answer. The Minister mentioned reducing the scope that he is going to look at. Can he outline what ways he will reduce the scope of how people can apply? What areas is he looking at?

**Mr Ford:** As I intend to speak to the Justice Committee on the issue tomorrow, I do not really wish to go into the detail of the potential. However, recognising that there will be a need to remove some items from the scope of legal aid, let me say that the emphasis will be on protecting those who are most vulnerable and ensuring that family cases, for example, continue to attract legal aid for the basic hearing; that, where we look at changing matters, it is because we are better implementing financial controls over, for example, criminal defence work, where there have been allegations of some defendants who have significant resources being supported by legal aid; and that, when

money damages are being taken into account and there is the potential for payment through an insurance scheme or something similar, those are the areas where we will look to reduce scope. We will certainly do our best to ensure that we protect the vulnerable as far as is possible given the extremely difficult Budget that we now have.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. Will the Minister ensure that whatever plans he has regarding legal aid will go through an equality impact assessment?

**Mr Ford:** I am happy to confirm to Mr Lynch, as I confirmed to one of his colleagues at the Executive last week, that any changes will be subject to an equality impact assessment.

**Mr McKinney:** Can the Minister confirm that dealing with backlog issues belies the reality that there have been substantial reductions and a downward trend in legal aid cases of up to around £20 million in criminal defence?

**Mr Ford:** The position is that expenditure in each year from 2010-11 has been between £101 million and £110 million. That is the estimate, obviously, for the current year. All of that takes into account the significant reductions that I have already referred to, with over £20 million being taken from the criminal defence budget. The reality is that it is an indication of rising demand that, even though significant sums have been reduced, the cost continues at a very similar level. That is why we need to look at further significant reforms.

**Mr Lunn:** How big is the financial pressure on the legal aid budget and, therefore, his entire departmental budget? What would be the implications if the Executive and the Assembly did not support him when he brings forward further measures to tackle the issue?

**Mr Ford:** In round terms, the pressure that was anticipated for the incoming year is £36 million. With additional funding having been allocated in the Department's work between draft Budget and now, the pressure remains in excess of £20 million. That £36 million pressure on legal aid — not the total cost of legal aid — exceeds the cost of running the core Department. That is the scale of it. Given that the Executive's decision was to provide additional funding to the PSNI — ring-fenced to the PSNI — it actually gives very little room for manoeuvre in the 30% of departmental spending that is not policing. The pressure across the rest of the Department is unsustainable if we do not get significant reductions in legal aid. That is why I trust that I will see the Executive and the House support those necessary measures.

### Roe House: Stocktake Recommendations

3. **Mr McElduff** asked the Minister of Justice for an update on the implementation of the recommendations made in the independent assessors' stocktake of the regime in Roe House, Maghaberry prison. (AQO 7420/11-15)

**Mr Ford:** I received the stocktake report from the independent assessors on 25 September last. The Northern Ireland Prison Service (NIPS) accepted the nine recommendations within its responsibility and continues to work towards their implementation. Progress that has been made includes my appointment of an independent chair for the prisoner forum. The Prison Service has taken a first incremental step towards normalising the regime by allowing four prisoners onto each of the two

landings. NIPS has also made changes, in line with the recommendations, to the approach to full-body searching, which is now more acutely focused on intelligence and risk. Those are clear signals that the Prison Service is prepared to normalise the regime offered to prisoners as and when it is appropriate to do so. However, that will be only in an environment where the security of the establishment and the safety of staff, visitors and prisoners remain the priority.

I made it clear when the stocktake was published that addressing the recommendations was a responsibility shared by the Prison Service and the prisoners. If momentum for change is to be maintained, I would and others with influence should encourage the prisoners to fully engage with that process.

**Mr McElduff:** Go raibh maith agat. Is the Minister satisfied that the recommendations are being addressed to ensure that everyone is treated with dignity and respect? To be specific but not too specific, I am concerned that a prisoner from the Omagh area has been in solitary confinement for over two years. I have spoken to his family. Can the Minister undertake to investigate the background to that unhealthy situation and perhaps communicate directly with me on the matter?

**Mr Ford:** Mr McElduff first asked whether everybody was adhering to the agreement. Sadly, it is the case that threats on Roe House and through social media continue against prison officers. If we are talking about everybody adhering to the agreement, let us be clear that a number of prisoners and their support groups are not doing that.

On the specific question of individuals, I believe that a small number remain in the care and supervision unit because they have not met the criteria for admission to the separated accommodation and have been unwilling to integrate into the remainder of the prison. That is clearly an unfortunate situation, but, if individuals do not meet the criteria, which are set not by me — they are for the Secretary of State — there is nothing else that the Prison Service can do to manage those prisoners safely.

**Mr Ross:** In recent weeks, I have met prison officers who are becomingly increasingly concerned about their safety and the arrangements in place at Maghaberry prison. Is the Justice Minister confident that the arrangements are adequate to avoid a major incident in the coming weeks and that prison officers are not under any threat because of them?

**Mr Ford:** My Committee's Chair asks a very serious question. There is absolutely no doubt that threats are being made, and there are concerns for the safety of prison officers outside and inside the prison. That should stop. Those who wanted the agreement to be reached in August 2010 should accept it, live up to it and encourage their colleagues outside to accept it as well. That includes ending any threats to any member of the prison staff, whether on or off duty.

The key issue of maintaining the safety of prison officers and that of all others outside the jail rests with the Police Service. I know that the Police Service is very active in its work to protect those most under threat.

**Mr Ramsey:** I concur with the Minister's clear comments to the Chamber about threats. Given how sensitive and volatile the situation in Roe House is and given that



one of the key elements in the stocktake report was the involvement of an independent chair, is the Minister content and confident that the arrangements put in place are such that the staff and prisoners would have confidence in that person?

**Mr Ford:** It is not always easy to have confidence in how other people will perceive things. I certainly believe that the individual who was selected has a background that shows a degree of independence and understanding of the way in which the prison operates, as well as the ability to do the task that was requested of him.

However, the issue of how confidence is carried forward in the operation of the arrangements on both sides will depend to a considerable degree on goodwill on both sides.

**2.15 pm**

**Mr A Maginness:** Question number —

**Mr Ford:** Four.

**Mr A Maginness:** — four.

### **Criminal Records: Under-18s**

4. **Mr A Maginness** asked the Minister of Justice if he supports the campaign to see minor offences, committed before an individual was 18 years old, removed from their criminal record. (AQO 7421/11-15)

7. **Mrs Overend** asked the Minister of Justice for his assessment of the call for childhood offences to be removed from criminal records. (AQO 7424/11-15)

**Mr Ford:** Always happy to help out, Mr Speaker. With your permission, I will take questions 4 and 7 together.

The campaign referred to, concerning the removal of childhood offences, is being led by NIACRO. I met NIACRO, with Bob Ashford and Simon Weston, when they launched the campaign. Bob and Simon's cases are compelling. However, it is a complex issue that requires the careful balancing of public protection with the need to ensure that young people are not stigmatised for the rest of their life because of a single poor choice, leading to a record for a minor offence at an early age. One aspect of that is disclosures by Access NI. I have already taken important steps towards achieving a more balanced approach. The filtering arrangements that the Assembly agreed last year have seen a significant number of old and minor offences removed from the standard and enhanced criminal record certificates issued to those who want to work or volunteer within regulated activities. Shorter timescales for removal are applied to those who are under 18 in recognition of their youth and the importance of their rehabilitation. As a further step, and one that goes beyond the position in England and Wales, I am preparing to bring forward a review mechanism for filtering as part of the Justice Bill. That means that people will be able to ask for an independent review of their case, even after the application of filtering, if they believe that the disclosure of the information is disproportionate. The new process will include an automatic referral for cases with offences committed only under the age of 18. I am happy to continue to engage with NIACRO and others on the issue to ensure that the right balance is struck.

**Mr A Maginness:** I welcome the general thrust of the Minister's answer, which certainly indicates sympathy with

the whole idea of removing minor offences from young people's criminal records. Would the Minister support the idea of a multidisciplinary panel to look at more contentious cases? Would he be supportive of that general concept?

**Mr Ford:** I have to confess that I am somewhat reticent about the idea of a multidisciplinary panel to carry out what is effectively the review process that we are looking at introducing. There are clear issues around the complexity, the cost and the ease of getting a speedy decision for those who seek to be referred to the panel. If it can be done correctly by a single reviewer, there may be no need to look at the wider panel. The clear issue will be to recognise that significant progress is being made, and I am grateful to Mr Maginness for acknowledging that, and to ensure that we get a speedy way for individuals to have their case reconsidered that is not overly bureaucratic and that ensures that we make the right decisions as far as possible.

**Mrs Overend:** I thank the Minister for his response so far. Does he recognise that the current and proposed filtering processes mean that young people cautioned or given a discretionary disposal for a specified offence will not benefit from filtering, contrary to the youth justice review's assertion that diversionary disposals should not attract a criminal record or be subject to employer disclosure?

**Mr Ford:** I thank Mrs Overend for the question. It is a point that needs to be considered in detail. The reality is that diversionary disposals follow through from the youth engagement clinics, which are designed to ensure that the process is significantly speeded up. At those clinics, when the diversionary disposal is recorded, a clear explanation is given to young people as to the potential effects on that. Therefore, I am not sure that the concerns raised by some Members about the potential for that to be a disincentive have proven to be the case in practice. However, it is certainly one of the issues that we will keep under review.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Alban Maginness referred to the particular campaign. Perhaps the easiest way in which to go forward is for the Department to define what it considers to be a minor offence and for it then to seek to legislate to ensure that such offences are not taken into account and, indeed, are taken off the record. Does the Minister agree that that is a sensible way in which to go forward?

**Mr Ford:** Mr McCartney's idea certainly sounds simple, but in practice it is probably easier to define what is not a minor offence than what is a minor offence. A number of issues would have to be considered, as that would also relate to how many offences there were and how frequently they were committed. There are also differences of gradation and degree, even between what might be termed "minor offences". So, I am not sure that it is that easy to say that something is a minor offence and does not count. The important thing is to find those, and I believe that the potential for review means that we can test this in individual cases perhaps rather more easily than trying to legislate to specify, at which point we will always come across those cases that do not quite fit the system.

**Mr Douglas:** I thank the Minister for his answers so far. Recently, he referred to the filtering arrangements for minor offences, or so-called minor offences, and talked

about reviewing them. Will he expand a bit more on how he will do that?

**Mr Ford:** I have a feeling that this could end up in an entire Committee Stage of the Bill. The key issue is to ensure that, if, when the filtering process is applied, individuals still feel that inappropriate convictions remain on their records, they get the opportunity to request a review. This will mean that there will be a second examination to assess the appropriateness of those specific instances being kept on a criminal record for a period of time.

For younger people, the filtering out will be at half the length of time than it will be for adults. Secondly, there would be an automatic referral when offences were only committed before the age of 18. So, those who have committed offences when they were young would not have to specifically apply and there would be automatic referral. I believe that those two processes working together give us the opportunity to ensure that we get things done right; but, as I said to Mrs Overend, we will clearly have to keep that under review.

**Mr Speaker:** Mr Gregory Campbell is not in his place.

## Policing and Community Safety Partnership: Grants

6. **Mr Beggs** asked the Minister of Justice what assessment has been made of the value for money of Policing and Community Safety Partnership grants to the community and voluntary sector. (AQO 7423/11-15)

**Mr Ford:** Policing and community safety partnerships evaluate the projects they fund, including those delivered by the community and voluntary sector, as part of an assessment of how the partnerships have met the strategic objectives set for them by the DOJ/Policing Board joint committee.

The recent Criminal Justice Inspection Northern Ireland (CJINI) review of PCSPs highlighted the need for a post-project evaluation to be made against a recognised baseline of agreed measures. While there were some examples of successful projects that represented good value for money, inspectors noted the lack of evidence of value added by others and recommended the development of baseline measures against which projects can be assessed.

The Department and the Policing Board want to ensure that PCSPs make a positive difference to local policing and community safety issues through effective and efficient interventions and welcome CJINI's recommendations. My officials are working with colleagues in the Policing Board to develop a joint management response, with an action plan, by mid-February.

**Mr Beggs:** I declare an interest as a member of the Carrickfergus Community Drugs and Alcohol Advisory Group. Given that many voluntary groups provide value for money and value to the community and community safety issues, how will the Minister ensure that very worthwhile projects will not adversely affect the community by their absence during the transition to the new PCSP arrangements within the new council boundaries?

**Mr Ford:** I appreciate Mr Beggs's point. At this stage, it is unlikely that the PCSPs will be fully operational, with the appointment of independent members, before June, whereas the new councils, which will supply the elected

members to PCSPs, will be in place from 1 April. Work has been done between the Department and others to ensure there is a joining up so that work can continue during the three months in which PCSPs will not be fully operational.

I have also made arrangements to meet council chief executives and others who are involved on the community safety side of the partnerships to look at exactly how we will implement this. That will put the best possible arrangements in place for the transition period and ensure that it does not delay the introduction of workable plans for the new partnerships when they become fully operational in the summertime.

**Mrs McKevitt:** The grants that are available are very important to the community, particularly within our elderly population. What percentage or assessment do we have of the grants that are given for the security and protection of our elderly?

**Mr Ford:** I cannot give Mrs McKevitt a precise figure for the proposals for grants, as details for budgets around that are being worked out. It is, of course, the case that councils will have the ability to put funding into PCSPs as well as the grant that is received from the joint committee, so there is a range of opportunities. There are also issues about building the widest possible partnerships with potentially other providers, so that, whilst I fully accept the value of the grants, in many cases, the value is from the voluntary effort and the joined-up partnership working, rather than the money that appears from the centre, because there cannot be an expectation, sadly in the current position, that grants will continue at the current level.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. Has the Minister given any thought to expanding or developing the role of PCSPs in the broader community?

**Mr Ford:** It is not entirely for me to develop the role of PCSPs, but Members may recall that when the Justice Bill was going through the legislature and the Assembly had to consider the concept of PCSPs in the first year of devolution, there was talk about community planning on the horizon for councils, and I made it clear that I saw the PCSPs as being set up in a way that would aid the transition into community planning. It seems to me that the real question now is the wider community planning responsibilities and how they will fit round the existing pattern of PCSPs. It will be a challenge for the councils and the other responsible agencies to ensure that that joining up, which has happened at PCSP level, is extended into the wider community planning process.

## PSNI: Injury on Duty Awards

8. **Mr Brady** asked the Minister of Justice when he will be responding to the Scofield report regarding injury on duty awards for the PSNI. (AQO 7425/11-15)

**Mr Ford:** I will not be responding to the Scofield report, as it was a report commissioned by, and submitted to, the Policing Board. My Department is taking actions to address issues relating to the injury on duty (IOD) scheme, including reviewing policy and regulations. The Department also provided new guidance on reassessments to the Policing Board on 19 December. The Policing Board also has steps to take to ensure that it meets its statutory responsibilities, including its role as the decision maker in the scheme.

**Mr Brady:** I thank the Minister for his answer. Is he aware that a number of the recommendations in the Scofield report relate to new regulations or legislation that is required? Given the vast sums of public money involved in the injury on duty awards scheme, when will the Minister bring forward proposals to implement those recommendations or reform of the scheme?

**Mr Ford:** The Department issued guidance on reassessments to the Policing Board in December last year. The wider issues, such as looking at the potential for change, are being reviewed in relation to the IOD scheme generally by the Department. However, the specific issue at this stage is to ensure that the current arrangements are carried through, and the Scofield report made those recommendations to the Policing Board in terms of its responsibilities.

**Mrs D Kelly:** Will the Minister outline his Department's responsibilities in the matter, because it is my understanding that that is where the real decision and the responsibility for the decision lies?

**Mr Ford:** With due respect to Mrs Kelly, that is not my understanding. My understanding is that the Policing Board has the statutory responsibility for carrying out the reviews. The Department has issued guidance, but the Policing Board has the statutory responsibility for all issues relating to decisions, and it is one of those issues that needs to be carried through there with support from the Department, but not with the Department taking responsibility.

**Mr Speaker:** That ends the period for listed questions. We now move on to topical questions. Mr Dallat is not in his place.

## PSNI: Community Policing Budget

T2. **Mr McCallister** asked the Minister of Justice whether he will ensure that the policy of community policing is continued, given that he will be aware that the Chief Constable is on record as saying that, with budget cuts, the Police Service might be unrecognisable. (AQT 2002/11-15)

2.30 pm

**Mr Ford:** Mr McCallister's assumption in his question is correct: that is what the Chief Constable said. However, it is not up to the Minister to ensure that community policing is maintained. It is up to the Minister from the Department to set the budget for the Policing Board and the Police Service, and it is up to the Chief Constable to implement the budget that he is given in the way that he sees will best meet the needs and statutory duties that apply to the Police Service. Many Members will be concerned about community policing in their constituency, but it has to be for the Chief Constable to assess how resources are applied.

**Mr McCallister:** I am grateful to the Minister. There are many great examples in my constituency of where contact with the police in helping to address issues like antisocial behaviour has been vital. I wish that the Minister would at least give his commitment to and support for the continuation of that to make sure that it stays as a priority for the police.

**Mr Ford:** I am tempted to say, "Thank goodness this is topical and we won't now have five supplementaries praising five separate constituencies". Mr McCallister can make the point, but the Minister of Justice cannot direct the Chief Constable. Mr McCallister, as a constituency MLA, can meet his local police commanders to talk about how they respond and meet the needs there. I am sure that he is not the only person who has already done that or is contemplating doing it. As a constituency MLA, I met my two local commanders recently to talk about the way in which they manage local issues, but I probably need to be even more reticent than any other MLA in case there is any suggestion that it was anything other than an MLA and councillors meeting the local commander. It is one of the difficult issues that flows from the Budget that was set and the budget given to my Department, which, even allowing for the additional money given to the Police Service, leaves it in a very difficult position at present.

## Maghaberry Prison: Staffing Levels

T3. **Mrs Hale** asked the Minister of Justice what steps he has taken to improve the safety in Maghaberry prison, which has been raised with her at several meetings with prison staff from her constituency who have highlighted serious issues about staffing levels at Maghaberry and the resultant increase in prisoner-on-prisoner assaults. (AQT 2003/11-15)

**Mr Ford:** Concerns about that are certainly being addressed. One key determinant of safety in the prison seems to be overcrowding. That is why, with the reopening of one of the blocks, there has been a reduction in overcrowding, which is providing some benefits. However, it is almost like the answer that I have just given to Mr McCallister: the Prison Service is managing with a significantly reduced budget this year and next year. That means that the work done previously on rehabilitation cannot always be done as well or as optimistically as was the situation a couple of years ago.

**Mrs Hale:** I thank the Minister for his answer. Given that Maghaberry houses every category of prisoner within its walls — you have already touched on this in answer to my colleague — what do you intend to do to ensure the safety of prison officers so that it is a priority in Maghaberry prison?

**Mr Ford:** As Mrs Hale rightly points out, Maghaberry is one of the most complex prisons anywhere in these islands, given the number of prisoners. As a result of the prison review team (PRT) report, work is being done to reconfigure it into three mini-prisons so that those on remand are kept in different circumstances from those who are sentenced and those who are seen as requiring top security are managed in a different way. That makes it easier to provide support to the broad range of prisoners who are less likely to create major difficulties, but, because Maghaberry is a single prison coping with such a range of people, it is quite difficult to manage all that. I make the key point that the work that is being done on overcrowding, even against the cost problem that we face at the moment, means that there has been some reduction in internal assaults.

## Bloody Sunday: Murder Investigations

T4. **Ms McCorley** asked the Minister of Justice whether he welcomes the fact that murder investigations have been reinstated for Bloody Sunday. (AQT 2004/11-15)

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire as a fhreagraí go dtí seo.

**Mr Ford:** That, again, is an operational issue for the Chief Constable. It is an issue that was being looked at anyway, and, as part of the work that is being reconfigured around legacy, that work has been reinstated. Of course, the key challenge for this House and, indeed, potentially for Westminster will be to look to the formation of the historical investigations unit agreed in the Stormont House Agreement and to ensure that we find the best way possible of dealing with the legacy issues from the past so that they do not obstruct the good work being done by the police, the ombudsman and other agencies for the present day.

**Ms McCorley:** Go raibh maith agat. Will the Minister not agree with me that this will have an immediate impact on raising confidence in policing and justice structures?

**Mr Ford:** I suspect that, certainly amongst those most affected by Bloody Sunday, the work being done will add to confidence. The problem is that, as we have heard at community policing level in south Down and as we hear about a number of things, confidence in policing has to be an overall package. That requires difficult prioritisation decisions in difficult circumstances. Those who are waiting to see the investigation flowing from the Saville inquiry operating fully will have the opportunity to see that work being done, but, as I said before, there will be real challenges to ensure that we get the HIU functional as quickly as possible and meeting the needs of those who have concerns about the past.

### Policing Board: Reconstitution

T5. **Mr G Kelly** asked the Minister of Justice to reconsider his controversial proposals for the reconstitution of the Policing Board, which will limit the independence and effectiveness of independent members and will prevent the board, as a corporate body, from working together and retaining current working relationships; and to explain why he issued the selective consultation on 19 December, which was just before Christmas, and announced then that he would seek appointments to the board at the end of January. (AQT 2005/11-15)

**Mr Ford:** Was that the supplementary question as well, Mr Speaker? The answer is that I am consulting at the moment. I will consult the Justice Committee tomorrow afternoon and am keen to hear what it says. It is a bit rich to be asked to reconsider something on which I am consulting. I do not believe that some of Mr Kelly's points accurately represent what is proposed, because I believe that the potential for having a rolling reconstitution of the independent members actually provides for better opportunities for continuity and for experience to be built up and kept at a high level, rather than the situation that we faced four years ago when the Policing Board was reconstituted with only three of the 19 members having any previous service on it. That was not conducive to getting the Policing Board off onto a good footing four years ago. The important issue is to find the best way of maintaining continuity, and the concept of a rolling replacement is fully supported by the Commissioner for Public Appointments, who believes that it is preferable to the blanket appointment that is currently the case.

**Mr G Kelly:** Mo bhuíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for the answer up to now. It is

interesting that he says that it is out for consultation and then tells us what his view of it is. It seems that the Minister has already come to a conclusion about rolling change or rolling appointments, and, of course, that is the great difficulty in it because you will have independent members. Is the Minister aware that a number of councillors have already rejected this idea? He puts it to the front himself, and he will know that this will have an impact on the independence of independent members on the basis that they will be reviewed on a yearly basis. How can they be independent and maintain that position?

**Mr Ford:** I am sorry, Mr Speaker, but Mr Kelly has got it utterly wrong if he is suggesting that there is a review on a yearly basis. What I have suggested is my preferred method, on which I am consulting, and it is not entirely unknown for Ministers to put forward recommendations when they do consultations. I seem to remember OFMDFM occasionally doing it in the past when Mr Kelly was a junior Minister. I have proposed that individuals be appointed for three years with a potential further three years. That is not an annual review, as was stated in a letter that Mr Kelly and colleagues sent to me recently; that is an appointment for three years. Others will be appointed after a year, but those who have been appointed will be appointed for a three-year process. It is utter nonsense to suggest that that would have any effect on their independence.

### Victims of Crime: DOJ Support

T6. **Mr McCarthy** asked the Minister of Justice for an update on recent developments in his Department to improve the work for and experience of victims of crime in Northern Ireland. (AQT 2006/11-15)

**Mr Ford:** Members will know of a number of bits of work, but perhaps it does no harm to remind people of some of the work that has been done, much of which flows from work previously done by the Justice Committee in its inquiry into the needs of victims and witnesses. First of all, we formally launched the new victim charter on 14 January. That is a major step forward in defining the services to victims of crime, and it was shaped by that work of the Justice Committee and by feedback from victims and those who represent them. It is a pretty comprehensive document, so there is an easy-read version and a young person's version. I believe that it shows the right way to set out those kinds of points.

Other things have been done recently under the five-year strategy. As well as the victim charter, we have seen the establishment of the victim and witness care unit to provide a single point of contact as much as possible for the criminal justice process. We have just seen the second batch of registered intermediaries in place. So far, they have assisted over 300 children and adults with significant communication difficulties. We have formalised the use of victim personal statements. We have extended remote live links. There is a lot of extremely good work that, frequently, does not get noticed but in which the Assembly and, in particular, the former members of the Justice Committee should take the same pride as I do.

**Mr McCarthy:** I thank the Minister for his comprehensive response. He mentioned the charter for victims. Can he confirm that that will be put on a statutory footing to ensure that it becomes a fundamental part of our justice system?



**Mr Ford:** Yes, subject to the approval of the Assembly for the Justice Bill as it is currently in place, I hope that it will — looking across to the Chair of the Justice Committee, I see no suggestion that it will not — receive the support of the Committee at least and that the victim charter will be on a statutory footing by the end of this year, after Royal Assent to the Justice Bill. That will be a further underpinning of that work with a clear statutory basis, not just a policy document setting out intentions.

### On-the-run Letter: Gareth O'Connor Murder

T7. **Mrs D Kelly** asked the Minister of Justice whether he shares the concerns of many in the community about the on-the-run letter that was given to the alleged killer of Gareth O'Connor; if so, what conversations he has had with the British Government about the matter; and has he expressed his disgust at this happening, particularly in relation to a post-Good Friday Agreement murder. (AQT 2007/11-15)

**Mr Ford:** I suspect that Mrs Kelly knows what David Ford's personal opinion is on the issue. As Minister, I have made it clear that the on-the-run (OTR) scheme was nothing to do with the Department of Justice, has been nothing to do with the Department of Justice and will be nothing to do with the Department of Justice. I made known my displeasure with the way that the scheme functioned post devolution to Lady Justice Hallett, to the Northern Ireland Affairs Committee in the House of Commons and to the Secretary of State on more than one occasion. There are real issues of challenge, given that, as the Member put it, the dreadful murder of Gareth O'Connor was significantly after the Good Friday Agreement. I certainly expect to follow up the issues that flow from that with the Chief Constable when I next speak to him about general issues.

**Mrs D Kelly:** Given that your permanent secretary had a role in the NIO at that time, what confidence do you have in his ability to inform you of the scale and nature of the letters that were delivered by a Member of the House, Mr Gerry Kelly, about whose role in the matter the coroner has serious concerns?

**Mr Ford:** It is not for me to answer for Gerry Kelly, but let me repeat what I have said in the House before: the permanent secretary of the Department of Justice did not have a role in the scheme. The individual who is now the permanent secretary of the Department of Justice previously worked for the Northern Ireland Office. Just as I do not expect senior officials who have worked in the DOJ and transferred to another Department to tell Ministers from other parties what I am up to, I would not expect anybody who transfers into the DOJ to break the confidence that they had with the Minister whom they served during the time that they were in another Department. That is the practical reality of the way that civil servants operate. That is how the code of conduct applies, and that is what I would expect. I believe that the behaviour of my permanent secretary was entirely proper.

2.45 pm

## Regional Development

### Bicycle Strategy

1. **Mr McCallister** asked the Minister for Regional Development if his bicycle strategy will include amendments to the design manual for roads and bridges. (AQO 7433/11-15)

**Mr Kennedy (The Minister for Regional Development):** In publishing my draft bicycle strategy, I set out my commitment to develop specific design guidance for cycling provision in Northern Ireland, which will encourage more people to adopt cycling as an everyday mode of travel. That work is ongoing, and I am keen to explore best practice elsewhere to develop the most appropriate cycling design guidance for Northern Ireland. That is why my Department facilitated a training seminar on cycling for Transport NI engineers as part of a round of visits to Northern Ireland by the Cyclists' Touring Club and the Cycling Embassy of Denmark to promote new design concepts in 2012. Sustrans also delivered training to Transport NI engineers in August 2014 on its new design guide, 'Handbook for Cycle-friendly Design'.

More recently, I hosted a very successful conference in Belfast to promote cycling. As part of that conference, Transport NI engineers attended a training workshop with Transport for London to discuss and debate new standards for cycling design.

**Mr McCallister:** I am grateful to the Minister and encouraged by some of his response. No doubt he will want to spread the cycling revolution out beyond urban areas. Does he agree that it might be time to look at shifting the investment decisions for cycling and other non-motorised forms of transport from just assessing past or current use to possibly building in growth potential?

Will the Minister also reflect on the two-metre minimum standard width for footpaths? Does he feel that that puts walkers and families off using them? Will he look at reviewing that standard throughout Northern Ireland?

**Mr Kennedy:** I am grateful to the Member for his supplementary question and, indeed, for the encouraging noises that he appears to be making on cycling. He knows that I am greatly seized with the opportunity that Northern Ireland has to exploit cycling to its maximum, not just for sport but for broader, healthier lifestyles. There are huge opportunities, and that is what we are seeking to do with the cycling revolution. We do not want just to have it in place in the greater Belfast area but to present opportunities through the use of greenways. The Member knows about the exciting proposals for a greenway between Newry and Mourne, which is part of his area, and the Cooley peninsula, and there are other opportunities.

We continue to look at opportunities whereby infrastructure can be improved. The Member knows that Transport NI recently completed a section of shared cycle track and footway from the Burrendale Hotel towards Newcastle, which is part of his constituency. Transport NI is in the process of completing the necessary legislative requirements to designate that new facility as a cycle track.

**Mr Ramsey:** I welcome the Minister's response. Whatever the manuals may say, and given that you have invested a huge amount of time in cycling, are you satisfied that good progress is being made in the design of roads and footpaths to ensure that, over the next decade, there will be a serious increase in the number of cyclists using them?

**Mr Kennedy:** I am grateful to the Member for the encouragement that he offers for the overall cycling strategy. It will take time and, if you like, a change of culture. However, the benefits of adopting more sustainable modes of transport are huge for the environment, the economy and saving people money. Huge and positive tourist consequences may flow from that, and we had a flavour of that with the Giro d'Italia. Overall, we can tap into great opportunities for lifestyle and, in particular, health style. I think that we are winning the public argument and encouraging more and more people to see cycling not just as a sport or a leisure activity but as a possible means of affordable transport.

**Mr Lyttle:** Will the Minister give the Assembly an update on progress on the Belfast public bike hire scheme and the Sustrans on-road cycle training, which will be available in conjunction with that scheme? How does he believe that that will help to promote cycling as an active and sustainable mode of transport?

**Mr Kennedy:** I thank the Member for the encouragement behind his question. He will know that my Department has funded Belfast City Council to bring forward the cycle hire scheme. We very much hope that it will be in place later this year, in the coming months, and, hopefully, within weeks. That will give people the opportunity to see that we are serious about transforming not only public transport in Belfast, in conjunction with Belfast rapid transit, but the enhancements that we have made to rail and bus transport and the greater opportunities for more sustainable modes of transport to be used, including cycling and walking.

If it is an encouragement to the Member, I have now taken to taking serious exercise around this complex at lunchtime, and he is welcome to join me at that so that we can show a healthier lifestyle to everybody concerned.

## Street Lighting

2. **Mr Ross** asked the Minister for Regional Development what proportion of street lighting is currently in need of maintenance. (AQO 7434/11-15)

**Mr Kennedy:** Following the Executive's agreement to meet my Department's bid in the January monitoring round for additional funding to repair street lights, I can confirm that I reinstated the use of external contractors on 19 January 2015 to carry out street lighting repairs to supplement my Department's internal resources. Last week, some 4,359 job cards were issued to external contractors and, together with internal resources, I estimate that my Department has already reduced the backlog of outages by some 3,000. Currently, the total number of street lights out is around 20,000.

Members will be aware that, due to pressures on my Department's resource budget, I had to suspend the use of external contractors for routine street lighting repairs on 8 August 2014. My Department continued to bid for that money at every possible opportunity. Although my Department's staff continued to fix as many street lights as

possible, a backlog of defective lights has been developing since last August.

Members should understand that it will take time to catch up. Nonetheless, I am committed to having the backlog cleared as quickly as possible. Contractors have been on the ground since early last week. I want to make it clear that the funding provided in January monitoring is for this financial year only.

**Mr Ross:** I am sure that the Minister is grateful for the allocation from the Finance Minister to help work on that backlog. Can the Minister advise the House when the existing backlog will be finished or when he anticipates that he will be able to catch up on the backlog of some 20,000 lights? Is he introducing any new mechanisms into his Department to ensure that there is better budgeting of his resources to ensure that it does not happen again?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I will say at the outset that I need no lectures on how to manage a budget; if the budget is properly funded as it should be, there will not be any problems. I hope that the Member can bring that message back to his colleagues and that some of the games that we have seen being played out recently can be stopped.

In the period since 8 August, my Department has been notified of almost 32,000 street lights that were out. Of those defective lights, my staff repaired close to 10,000, or approximately 30%. I want to acknowledge the good work of the staff involved; they were doing their best to provide a service to the public in very difficult circumstances. As I outlined in my original answer, since I ramped it up last week, we are now repairing approximately 600 per day, and we hope to continue with that progress.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answers so far. You have probably to some degree answered the question that I was going to ask, which was this: could the Minister confirm the number of lights repaired through DSD on grounds of safety?

**Mr Kennedy:** "Through DSD", the Member said. I was not —

**Mr Brady:** Sorry; DRD.

**Mr Kennedy:** As I indicated, this is where we are. The current backlog of street lighting repairs that has accumulated since last August is effectively my Department's street lighting contractors' normal workload over a five- to six-month period. However, to clear the backlog as quickly as possible now that I have secured the necessary funding, I have asked that all available resources are put to the task so that that work can be expedited.

**Mr Kinahan:** Does the Minister agree with me that, had Mr Ross's colleague the Finance Minister made the adequate funding available in October or maybe budgeted better when it was first requested, the backlog might have been avoided?

**Mr Kennedy:** I thank the Member for his question, and I agree. The records will show that I bid for resources to cover the shortfall as far back as last year, and certainly in October. Had additional resources been provided then, some of the misery that people experienced as a result of this could have been avoided. If people want to play games, let us hope that they can be a bit more responsible in the future.

**Mr Eastwood:** I thank the Minister for his answers thus far. Given the importance of street lighting in deterring antisocial behaviour, has the Minister done any studies to find out what impact the cuts have had on antisocial behaviour and public safety in general?

**Mr Kennedy:** I thank the Member for his question. I am not aware of any significant impact at this stage — clearly, the Department of Justice may assist with the evaluation of that — nor am I aware of any significant increase in claims against the Department because of defective street lights. As I have made plain since August, I was never content or happy with this situation, and I am very pleased that my requests for proper funding for the service were finally heard and that we can now address the situation and move forward. As I outlined in my original answer, there are challenges with the new financial settlement in the Budget next year. I hope very much that we are not heading towards any repeat scenario. Everyone should have learned the lessons of this, which are that we need to keep front-line services funded and properly working for the people whom we seek to represent.

### January Monitoring Round

3. **Mr Elliott** asked the Minister for Regional Development for his assessment of the outcome of the January monitoring round for his Department. (AQO 7435/11-15)

**Mr Kennedy:** January monitoring provided my Department with allocations of £5.2 million resource and £3 million in capital. The resource allocation came with the stipulation that it was to be used solely for addressing street lighting repairs and the operation and maintenance of roads and bridges. It was not to be used to meet the pressure arising from the £20 million release of value from Belfast Harbour Commissioners, for which I put forward an £18 million bid. As a consequence of the Executive not meeting either in full or partially the £18 million bid that I put forward for the release of value and despite the Budget review group's recommendation that the issue should be addressed in monitoring rounds, my Department faces the very real prospect of breaching its control total. I find that position astonishing, particularly given that the Finance Minister's paper identified £13.9 million of non-ring-fenced resource DEL that was available for further allocations but recommended that it be taken forward to next year.

### 3.00 pm

I have made considerable efforts to reduce my Department's spend to address the pressure identified. In addition to the £19 million of cuts that the Executive's 4.4% reduction required, I have identified a further £6.8 million to go towards the release-of-value pressure, although that is not without risk. The remaining £13 million could be achieved only through service reductions that would damage core services severely and have an impact on public safety. They include stopping winter services and all routine road maintenance. As a consequence, I issued my accounting officer with a direction to continue to provide such services.

**Mr Elliott:** The Minister mentioned the £20 million shortfall regarding the harbour: can he outline some of the background to that and, indeed, the impact that it has on his ongoing spending in the Department?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. It is somewhat ironic that my request for the funding gap to be plugged because of the release of value was not met. It is ironic that funding was released against street-lighting repairs, possibly in the expectation that it could not even be spent on street-lighting repairs because of the issues surrounding the port and the £20 million that was extracted from my budget. I remind the Member and the House that £20 million was extracted from my budget this year and last and was spent at the centre. The previous Finance Minister replaced it last year, but, this year, the current Finance Minister has not, despite money being held at the centre to do so. My instinct is that some people are playing games and rather juvenile ones at that.

**Mr Girvan:** Does the Minister deem it necessary to look for monitoring round funding to deliver what are key functions of the Department for Regional Development?

**Mr Kennedy:** I thank the Member for his question. In fact, he makes a reasonable point on my behalf — one that I have made consistently — about proper funding and the timing of that funding. With that in place, it makes more sense. A Department such as the Department for Regional Development gets better value for money when it is able to plan ahead with its resource budget and even its capital budget for schemes that it would like to do, including repairs and structural maintenance. All that work is better carried out at times of the year when it is warmer and there is better weather. Generally, the Department for Regional Development has always been treated like a Cinderella Department and given money at a late stage in the financial year — money that could and should be released earlier and that would allow greater value for money to be deployed for the important schemes that we want to see and the repairs that need to be carried out.

**Mr Speaker:** Mr Paul Givan is not in his place.

### Glenmachan Sewer Project

5. **Mr Spratt** asked the Minister for Regional Development for an update on the Glenmachan sewer project. (AQO 7437/11-15)

**Mr Kennedy:** NI Water has advised me that phase 1a, the upgrade of Sicily Park and Marguerite Park, and phase 1b, Greystown and Upper Malone Road, of the Glenmachan strategic project are planned to commence in May 2015, with a construction period of two years, subject to obtaining statutory approvals and concluding third-party land issues. The estimated combined cost of the projects is £11 million, with phase 1b being part-funded by the Rivers Agency. That part of the overall Glenmachan strategic project was advanced following the flooding of June 2012 and required extensive investigation, design and stakeholder engagement owing to the complexity of the solution. There are still some third-party land issues to conclude and statutory approvals required for this phase of the project, but progress is being made.

The attenuation of storm water in Balmoral Golf Club is integral to the scheme, and there has therefore been ongoing engagement with the golf club to reach agreement and enable commencement of the project in May 2015. The remainder of the work to complete the Glenmachan strategic project is a longer-term commitment, currently estimated to cost in the region of £110 million. I can

confirm that NI Water has included sufficient development funding in its PC15 business plan to progress the feasibility, planning and design work, which will take up to three years to complete. It is important that sufficient time is taken at development stage to ensure the best solution for this significant capital investment.

**Mr Spratt:** I thank the Minister for his answer. Will he confirm that the temporary fix work, as it was described, to alleviate the problem in Sicily Park has now been completed? Some folk there have been flooded out three or four times, as the Minister will know, and, certainly, they do not want it to happen again.

**Mr Kennedy:** I am grateful to the Member for his supplementary. I confirm that NI Water completed a short-term investment in the area in September 2013 when over £100,000 was spent to improve and rehabilitate existing infrastructure and assist Rivers Agency to identify additional utility services in undesignated culverts in the area. This work proved very successful, maximising the carrying capacity of the existing storm-water sewers, culverts and watercourses in the area and reducing the risk of flooding in the short term.

**Mr McKinney:** The Minister has already highlighted the issue of Balmoral Golf Club. Will he confirm that officials at the club have indeed engaged in positive and meaningful discussions with Northern Ireland Water in order to achieve a positive outcome for flood alleviation? That positive outcome will not be achieved if, ultimately, it is detrimental to the golf club business.

**Mr Kennedy:** I am grateful to the Member for his question. Obviously, the design of the scheme — I am sure he will not underestimate its importance — includes proposals to carry out works on the Taughmonagh stream within the grounds of the golf club. I understand that the concerns raised are technical in nature and are associated with the detailed plans for attenuation of the Taughmonagh stream. Northern Ireland Water has actively engaged with the management and the committee of Balmoral Golf Club to address the concerns raised and to find a solution satisfactory to all parties that will allow the scheme to proceed without undue delay. It is my hope that that progress can continue and the scheme completed, because it is important to the area. I very much hope that we will see the early resolution and ironing out of any existing issues. Any influence that the Member may be in a position to bring to bear in a positive way — I am not sure if he is a golfer — would be very welcome.

**Mr McGimpsey:** It is crucial that the drainage project includes Balmoral Golf Club land to provide protection for Sicily Park and Greystown Avenue. How long does the Minister envisage contractors being on site in Balmoral? In other words, for how long will golfers face inconvenience?

**Mr Kennedy:** I am grateful to the Member for indicating his support for the scheme. He has regularly lobbied me on the importance of the scheme for that area of his constituency. Clearly, in moving forward with the scheme, NI Water is seeking to find agreement with the golf club and reduce inconvenience to an absolute minimum. I do not have a timescale for the necessary work on the site of the golf club, but, clearly, every effort will be made to facilitate the club on the understanding that, obviously, it will want to continue with as much normal service as it can. We will seek to undertake to do that.

## Road Safety: Ballyholland

6. **Mrs McKeivitt** asked the Minister for Regional Development if he will introduce road safety measures in Ballyholland, Newry. (AQO 7438/11-15)

**Mr Kennedy:** As the number of requests for traffic calming far exceeds the budget available, my Department has established assessment methodology to prioritise those requests. My officials completed an assessment for the provision of traffic-calming measures in Ballyholland in February 2014, which indicated that there was merit in introducing traffic-calming measures in the area. However, at present, there are other locations in the Newry area with a higher merit rating, which is a key consideration when work programmes are being formulated.

Just this week, officials carried out a manual traffic count at the Temple Hill Road junction to assess that location for a junction improvement scheme to increase safety by improving visibility for road users and to confirm up-to-date traffic volumes at that location. That information will allow officials to carry out a technical assessment for improvement works at the Temple Hill Road junction, and it will be used to update the assessment for the provision of traffic-calming measures in the area. The revised assessment should be completed within the next few weeks, and I have requested that officials update you with the results. Ballyholland will however remain under consideration for traffic-calming measures when works have been completed at other prioritised locations in the Newry and Mourne area.

**Mrs McKeivitt:** I thank the Minister for his answer. The people of Ballyholland could not put a price on a life. I take the opportunity to request that the Minister joins me in a meeting on site within a specific time. I would allow a few weeks for the assessment to take place and have the meeting after that.

**Mr Kennedy:** I thank the Member for her supplementary. Clearly, it would be sensible to wait until the assessments were carried out before proceeding to a site meeting. I have noted the request. Hopefully, we will be able to follow that through.

**Mr Dunne:** In relation to road safety generally, does the Minister see the recent television adverts as an effective means of reducing the number of accidents? Does he agree that more needs to be done to reduce accidents and the risk of accidents, especially in rural areas?

**Mr Kennedy:** I am grateful to the Member for his question. The Member will, of course, know that road safety is primarily the responsibility of Minister Durkan; certainly, it is the Department of the Environment that funds and arranges the television publicity associated with road safety. That is not to say, of course, that my Department and, indeed, the Department of Justice do not meet regularly to exchange information and look at ways in which we can all improve the situation. The tragedies that occur on our road network and generally are very real to those who suffer as a consequence the enormous grief and sadness from which families rarely, if ever, recover. Whilst my Department certainly works with DOE and other agencies, our prime thoughts must always be for those who have suffered tragedy and loss as a result of road traffic accidents.



**Mr Speaker:** Time is up. We now move on to topical questions.

### Hospital Bus Services: Newry and Mourne

T2. **Mrs McKevitt** asked the Minister for Regional Development whether he will meet with representatives of Translink to discuss the prospect of a direct bus service from Newry to Craigavon Area Hospital, given that people who live in that area have to travel on at least three buses to get to the hospital, coupled with the increase in the number of patients from Newry and Mourne who have to travel to Craigavon Area Hospital for appointments and surgery. (AQT 2012/11-15)

3.15 pm

**Mr Kennedy:** I am grateful to the Member for her question and understand the rationale behind it. It may well be helpful for the Member to approach Translink, if she has not already done so, to facilitate a meeting to discuss the issue at senior official level. I am happy to be kept apprised of any outcome. I have constituency concerns that I probably share with the Member, but, initially, it is a matter for Translink to look at, assess and reflect on.

**Mrs McKevitt:** Will the Minister undertake to jointly engage with the likes of the Patient and Client Council and the trusts to bring urgently to their attention the matter of a direct bus link from Newry for those who rely on our public transport service?

**Mr Kennedy:** Again, I am grateful to the Member. I think that I heard her making a similar point yesterday in exchanges during questions to the Health Minister. Of course, I am very happy to liaise with the Health Minister or through agencies in his Department, and my officials and, perhaps, Translink can look at how best this issue can be carried forward.

### Winter Weather: DRD Resources

T4. **Mr Swann** asked the Minister for Regional Development what resources are available to him in face of the bad weather that is predicted for Northern Ireland in the next few days. (AQT 2014/11-15)

**Mr Kennedy:** I thank the Member for a very helpful question. The displaced Arctic polar vortex is likely to have an impact on Northern Ireland in the coming days. The southerly position of the jet stream will pull colder Arctic air over the United Kingdom. There is the prospect of up to 10 cm of snow tomorrow, even at some lower levels. On higher ground, there is the risk of strong winds causing drifting and even blizzards.

I have been advised that commuters and travellers are likely to face winter hazards. Therefore, my available fleet of over 120 gritters is available to salt the 7,000 kilometres — 4,300 miles — of main roads in just over three hours, which is a massive logistical exercise that costs over £80,000 each time. Almost 51,000 tons of salt have been used so far this season. At the same point last year, just over 35,000 tons had been used.

That is the forecast, but I hope that we will not see the full impact of the Arctic polar vortex.

**Mr Speaker:** I thought that Mr Robin Swann was going to bolt for home there before the weather came in.

**Mr Swann:** I thank the Minister for the weather forecast. [Laughter.] Can he confirm that a full winter service will be available in my constituency of North Antrim?

**Mr Kennedy:** I thank the Member for his supplementary. I am not sure whether he wants to be Barra Best or Frank Mitchell, or wants me to be either of them, but a full service will be available in North Antrim in the coming days.

I can also confirm that six salting actions on the scheduled salted network in the Ballymoney and Moyle areas, spreading 336 tons of salt, were directed from 3.30 am on Friday 16 January 2015 until 2.00 am on Sunday 18 January. On Saturday 17 January alone, three actions were directed, at 3.30 am, 4.00 pm and 9.30 pm, spreading 178 tons of salt, with gritters ploughing snow on affected roads as they travelled.

Private contract snow ploughing was also deployed throughout the area on many minor roads. There can, of course, be no guarantee of ice-free roads, and I reiterate that road users should always be aware of the need to drive with care on the road network, regardless of whether roads are treated or not. Salting actions take two to three and a half hours to complete, so there is always a possibility that a journey will start or end on an untreated section. Rapidly changing weather patterns also presented particular challenges for officials, with snow, sleet, hail and rain showers, interspersed with freezing and thawing conditions, sometimes compromising the effect of the salt and giving rise to the possibility of icy stretches.

So far this year, an estimated £4.5 million has been spent on the winter service programme. At the same point last year, some £3.7 million had been spent. North Antrim and the Ballymena area are mainly salted from the Ballykeel and Ballymoney depots. During the current season, Ballykeel has carried out 56 actions and used 2,834 tonnes of salt.

I am not sure you need much more detail.

### Grit Boxes: Replacement

T5. **Mr Moutray** asked the Minister for Regional Development to outline his Department's policy on replacing grit boxes that are removed annually on a seasonal basis. (AQT 2015/11-15)

**Mr Kennedy:** I thank the Member for his question. He will know that some 4,500 grit boxes are distributed during the winter period, and a considerable number of grit piles — in the region of 50,000 — are left at various locations. We attempt, wherever possible, to at least leave the facilities available for self-help, and we very much recognise that many communities help to distribute salt, particularly in rural areas and areas where the elderly or more vulnerable live. I welcome that, and I would like to see it continue.

**Mr Moutray:** I thank the Minister for his response. Does he find the timescale of over three weeks for replacing a grit box on Wood Lane, Lurgan acceptable? If not, will he investigate it, given that several minor accidents have taken place at that location since 5 January, when my office reported the box missing?

**Mr Kennedy:** I am grateful to the Member for his question. We will undertake to investigate the reasons for that, but more especially to ensure that that grit box is restored to its place as quickly as possible, if it has not been already.

## Rail Network: Expansion Plans

T6. **Mrs Cameron** asked the Minister for Regional Development whether he has any plans to extend the Northern Ireland rail network. (AQT 2016/11-15)

**Mr Kennedy:** I am grateful to the Member for her question. She is probably aware that, some months back, I issued future plans for rail provision in Northern Ireland. That was a 30-year plan in which I envisage the extension of rail travel across Northern Ireland in various places.

We can build in a very real way — no pun intended — on the opportunities that exist. We have found success with the purchase of the new trains, the restoration of the Coleraine to Londonderry line and improved facilities at some of our stations, including Ballymoney, Portadown and Antrim bus station. Other bus improvements are planned, including in Banbridge. We are seeing a renaissance in rail travel in Northern Ireland. Record numbers since the '60s are using the railways, and we are heading to record numbers since the 1950s, so the opportunities are there. I would like to see the opportunity being given and moneys being allocated to see how we can further develop that network.

**Mrs Cameron:** I thank the Minister for his answer, which I very much welcome. I agree with everything he has just said. However, in light of the news yesterday that Irish Rail is considering an extension to its network that would allow users to travel directly from Belfast to Dublin airport, what plans, if any, are there to extend our rail link to Belfast International Airport?

**Mr Kennedy:** I am grateful to the Member for her supplementary. The railway investment prioritisation strategy that I published includes proposals for feasibility studies of extensions to the network, west along the road network on the A6 towards Castledawson roundabout and along either the M1, the A4, the A3 or the A29 corridors in the vicinity of Dungannon and Armagh. The feasibility of reopening the Antrim to Knockmore line will also be reconsidered, with an option of a future rail link to Belfast International Airport, should air passenger numbers grow towards 10 million, as is predicted by the airport operator. We are already on the case. Investment in our railways is one way in which we can make a difference in public transport and hugely transform the way in which, and the mode by which, we travel.

## A5: Public Consultation Findings

T7. **Ms Maeve McLaughlin** asked the Minister for Regional Development to outline the key findings from the public consultation on the A5. (AQT 2017/11-15)

**Mr Kennedy:** I am grateful to the Member for her question. We continue to work through the processes on the A5. The latest consultation that was undertaken was that on Tully Bog. We are assessing the total number of representations and the quality of those representations. The next stage will be deciding whether we will need to move to a public inquiry, after the fresh statutory orders are made. A total of 18 responses to the consultation exercises were received. These have now been analysed by my Department and will be taken into consideration as the scheme and the appropriate assessment process progress.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for that detail, particularly on the level of responses. Could the Minister indicate whether he anticipates that there will be a public inquiry and give a sense of a timescale for that?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. The Member will know that the next stage will be to publish the draft statutory orders for the scheme. This involves the publication of the draft vesting orders and the draft direction order, together with the environmental statement for the scheme. That, in turn, will initiate a six-week public consultation period. It will also be my intention, during this time, to hold a series of public exhibitions at venues local to the scheme. I stress that only on completion of this six-week consultation period can a decision be made on the need for a public inquiry, although I have to say that, given the scale of the scheme, a public inquiry is highly likely. If deemed necessary, a public inquiry is likely to be held later this year.

**Mr Speaker:** I call Mr Trevor Lunn. I am afraid that we will have time only for your original question and not your supplementary.

**Mr Lunn:** I will ask my supplementary first then. *[Laughter.]*

## Potholes: Successful Claims

T8. **Mr Lunn** asked the Minister for Regional Development to outline the criteria on which a successful claim against Roads Service and his Department for defective road services, such as potholes, would have to be based. (AQT 2018/11-15)

**Mr Kennedy:** I am grateful to the Member for asking a very ingenious question of the Minister: how to get a claim paid. I am not sure that I should be drawn into such detail in the way that I suggested he framed the question; I am having some fun with it.

Criteria have been set down and are published and available on the Department's website. If it is helpful, I will ensure that a copy is made available to you at the earliest possible opportunity.

3.30 pm

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

## Executive Committee Business

### Budget 2015-16

Debate resumed on amendments to motion:

*That this Assembly approves the programme of expenditure proposals for 2015-16 as set out in the Budget laid before the Assembly on 19 January 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]*

Which amendments were:

(1)

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

*"notes the lack of transparency contained in the programme of expenditure proposals for 2015-16; believes that the failure of many Departments to produce draft spending and saving plans weakened and invalidated the process; notes with perplexity how the tens of thousands of consultation responses could have been analysed between the close of the consultation period on 29 December 2014 and the Executive final decision only two weeks later; notes that the proposals were created in a vacuum of strategic direction and have not been based on a revised Programme for Government; and calls on the Minister of Finance and Personnel to modify the proposals, as set out in the Budget laid before the Assembly on 19 January 2015, including (i) removing the £26 million DEL allocated for the social investment fund, in light of its inability to spend the budget it had been allocated between 2011 and 2015; (ii) removing the reference to the relocation of the Department of Agriculture and Rural Development headquarters to Ballykelly, as the project should not continue until a full business case is produced and value for money has been demonstrated — and changing its budget allocation accordingly; (iii) allocating £5 million resource DEL to the Department of Health, Social Services and Public Safety to partially alleviate the pressures on the health and social care trusts; (iv) allocating £3 million resource DEL to the Department for Regional Development to partially assist with funding Northern Ireland Water to the PC15 final determination; (v) allocating £1.5 million resource DEL to the Department of Culture, Arts and Leisure to partially alleviate the reductions to the arts and Northern Ireland museums; (vi) allocating £1.5 million resource DEL to the Department of Health, Social Services and Public Safety to partially alleviate the reduction to the Fire and Rescue Service; (vii) allocating £15 million capital DEL to the Department for Regional Development to partially alleviate the pressures on Transport NI and to assist with funding Northern Ireland Water to the PC15 final determination." — [Mr Nesbitt.]*

(2)

At end insert:

*“; notes with caution the flexibility to use £200 million borrowing for a voluntary exit scheme; and calls on the Executive to improve on their record of public-sector reform by ensuring that the voluntary exit scheme forms part of a published strategic plan, which outlines measures to improve the efficiency of the Civil Service and the wider public sector and generate reductions in administrative costs.” — [Mr McCallister.]*

**Mr Girvan:** The Finance Minister's motion is to move the spend of almost £12 billion of the Northern Ireland Executive's Budget that we are allowed to spend, and I appreciate that amendments have been tabled, which could be seen as just an opportunity to grab money and send it to Departments that parties have responsibility for. I am talking about the Ulster Unionist amendment, which relates to about 0.25% of the overall Budget. That must mean that Ulster Unionist Members are fairly happy with 99.75% of the Budget, even though they voted against it. It is interesting that some people have ideas as to what they should or should not do with that. However, the UUP amendment does something that the SDLP has not done in the past: it shows where money will come from to be dispensed through Departments. I appreciate that being included, albeit that it comes from community projects that I deem important — I am thinking of the strategic investment fund.

**Mr Spratt:** I thank my friend for giving way. Is it not incredible that the Ulster Unionist Party is suggesting taking money away? In my South Belfast constituency, they propose to take from the Taughmonagh area almost £1 million that was intended for the extension of a day nursery and healthy living centre that is already up and running and from Sandy Row some £800,000 that was intended for the creation of an education and training centre that is operating very well. Does Mr Nesbitt's Member for South Belfast condone that? This is all just to save the blushes of their Minister, who has mismanaged his budget.

**Mr Deputy Speaker (Mr Beggs):** I remind Members that interventions should be brief. The Member has an extra minute.

**Mr Girvan:** I agree with my colleague's comments. I appreciate that we are in a political forum, but, instead of trying to score political points, a number of Budget areas — I think of a debate in the Chamber yesterday — are associated with Ministers' vanity projects or personal agendas that they want to drive through, and they are using this as an opportunity to do so. It does not give a good impression to the public. For those from their constituencies who may have a vested interest, it might play out as good politics, but it does not help in the overall scheme of things in Northern Ireland. It does not deliver value for money, and it is important that we get that throughout the area.

To go back to the amendment, I appreciate that there were concerns over the timing of the draft Budget and the consultation period. I have to disagree with what Mr Nesbitt said when moving the amendment. In the budgets that were in place in 2011 and agreed prior to this Assembly being formed, health was an area with major

concerns. Had we gone along with that, there would have been 4,000 redundancies in the Department of Health and a major reduction in delivery. Today, we have 780 more nurses than in 2011, when that budget was set, and we have over 200 more doctors and 100-odd additional consultants. It has been increasing, never mind the redundancies that everyone talked about.

I turn to the timing of the debate. On 19 January, the Budget was presented to the House. I appreciate that there is some difficulty around why we have to bring it forward in this format. I appreciate that new money became available and the draft Budget as presented had no reflection on the final outworkings. Some Departments were able to get additional moneys through the process. The Department of Health got additional funding, somewhere in the region of £200 million. I am in receipt of an email in which some Members claim to have spearheaded the fight to revitalise and rejig the Budget. I appreciate that we did not depend on certain people to rejig the Budget; they never agreed the Budget. Therefore, I have difficulty accepting those who claim to have been involved in those areas. They have not delivered and would not vote for the Budget, yet they are happy to take all the benefits that are the outworkings of the Budget, including £64.5 million going to education. We all received the emails lobbying on the problems that would be associated with schools. We took that on board, we prioritised it and we fed it into the centre. We made sure that, when moneys became available, they were used.

I come back to the point in the amendment tabled by Mr McCallister about funding and the borrowing of money. We have the opportunity to borrow money, but it is on the basis that we will get people to take part in the voluntary exit scheme. Provided that that works effectively, we can borrow against it. However, we have already had to make a business case for where those savings will be. By making that spend, we will save. In fact, we will save more in the first year than it would have cost us to deliver, providing that we get adequate uptake and the process is properly managed. I understand that the process used by the PSNI under Patten showed up glaring problems when a full tier of upper management decided that they all wanted to go at the same time. Because of ineffective workforce planning, we ended up having to re-engage and re-employ. That was a false economy. There has to be proper management of the process. That is an area that needs major focus, and we have a very small window in which to make it effective. How Ministers break up their budget is one area. Last week, I asked in the House —

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

**Mr Girvan:** Last week, I asked a question in the House about budgets and Ministers. The answer was that the Minister prioritised where he made his spend. That is a vital message.

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Mrs Cochrane:** The Budget before us for approval is not the balanced Budget that the Stormont House Agreement called for. Yes, it is balanced in the sense that it allocates money across Departments within the available resources, but it does little to make public finances more sustainable. It is not a balanced approach to budgeting for the future. The Alliance Ministers opposed the Budget at the Executive, but, unlike other parties that voiced their

opposition, our reasons go much wider than the direct impact on Departments that our Ministers run. We believe that Northern Ireland deserves a more strategic, more innovative and more radical approach.

Alliance believes that, in drawing up the Budget, there should have been a fundamental reassessment of the needs of each service and that money should have been allocated to the Departments on that basis. Before anyone suggests that there was no time to do that, let me say that of course there was. The Finance Minister has been warning for some time about the need to do more with less, yet we have not been planning how best to do that.

We know that there are inefficiencies in our health and education provision. High-level benchmarking of costs and spending profiles compared with other jurisdictions highlights that, yet the Budget does not challenge those inefficiencies. Rather, the large degree of protection for those budgets creates less incentive for reform. Before it is suggested that I do not want money to be spent in those areas, let me be clear about this: I want our health and education systems to be funded in a way that ensures the best service for patients and pupils, where every pound is used to deliver the best outcomes, not where a proportion of every pound is wasted.

In his opening remarks, the Minister said that the Budget would lead to reforms, but there is nothing in the proposals that will ensure that DHSSPS properly pursues its efficiency agenda. Health reforms need to be driven forward through investing in the way that services are provided and in further prevention measures, not by using resources to simply plug gaps here and there. The Budget also does nothing to ensure that education protections are directed into schools and away from administration. It says nothing about tackling the cost of division, nothing about making savings through North/South shared service delivery and nothing about support for reforms to legal aid that will ultimately be necessary to make the Budget balance. It is a Budget that will leave us in exactly the same position this time next year. That is hardly moving Northern Ireland forward.

Given that it is not a perfect budget, what specifically would Alliance do differently? First, the economy is supposedly the top priority in the Programme for Government, so more consideration needs to be given to the wider economic impact of specific departmental reductions. For example, we know the importance of the availability of third-level talent for attracting FDI and building our economy. We would, therefore, rebalance resources between the Department of Education and the Department for Employment and Learning, giving DEL more money in recognition of the importance of the skills agenda. As things stand, the Budget has DEL, which is already an efficient Department, making greater cuts than the Department of Education. DEL could end up cutting higher and further education places at the same time as DE presides over 70,000 empty school places. There are no empty places in higher and further education.

Alliance would also abolish the social investment fund, which needlessly duplicates what other Departments can already do. Alliance would halt the relocation of the DARD headquarters to Ballykelly. At a time of limited public resources, the cost of that project needs to be redirected to front-line services. Alliance would also include a commitment to remove certain inappropriate



populist subsidies. I make no apology for being honest with the public about these things. Free prescriptions for those who can afford to pay and free bus passes for those who have not yet retired are simply not sustainable. Only by considering those options can we, as a devolved Administration, show that we are taking some real responsibility in managing the budgetary challenges. Of course, when I raised that with the Finance Minister last week, he did his best to twist my words and suggested that we wanted to take away bus passes completely, which is, of course —

**Lord Morrow:** Will the Member give way?

**Mrs Cochrane:** No. I have quite a lot to get through, thanks.

Of course, that is wrong, as, in the long term, we would like to see free public transport for schoolchildren also. The additional health and social benefits of that could provide savings in other areas, but such a policy can be taken forward only when we get our finances in better order.

We would also propose a modest increase in the regional rate. A 1% rise would raise about £5 million, and the removal of rate capping, with new measures to support the asset-rich and income-poor, such as pensioners, could raise another £5 million. Those are all things that could have been taken forward in the incoming financial year.

I know that the Finance Minister has said that he is proud that we continue to have the lowest household taxes in the UK, but would he not be more proud if our public services were so efficiently run that we did not have to cut services to keep the taxes low? A sensible approach would be to offset some of the current cuts with a small proportion of revenue raising, but fair revenue-raising structures must go hand in hand with other reforms. That is a major challenge, but it is one that the people of Northern Ireland expect our Executive to deliver on.

**3.45 pm**

The Stormont House Agreement also states:

*"There should be an independent audit of departmental spending to identify how divisions in society impact on the delivery of goods, facilities and services, and to then consider how best to reconfigure service delivery in a manner consistent with a shared future."*

The Alliance Party is once again calling for that independent audit to be a formal Executive commitment in the 2015-16 Budget. The Finance Minister suggested last week that he would be out on the doorsteps telling people about the Alliance Party's revenue-raising ideas. Perhaps he can also take the opportunity to remind the people of Northern Ireland of his party's revenue-wasting approach: taxpayers' money continually wasted by sustaining a divided society.

Of course, I know that a one-year Budget will not be the place where all those problems are solved. However, in setting the Budget, we must also consider the 2016-2020 Budget, which could see an even smaller block grant, as well as the potential added pressure of funding a lower level of corporation tax. This Budget must therefore lay the groundwork for much more radical reform, which will deliver better outcomes for all in Northern Ireland. The Executive still have the opportunity to make

further improvements, and I hope that they will take the opportunity to do so.

**Mr I McCrea:** In considering the motion and the amendments, I was intrigued most by the amendment tabled in the name of the Ulster Unionist Party Members. The amendment, which the leader of the Ulster Unionist Party, Mike Nesbitt, proposed, has shed new light on things. It is important that, from a Mid Ulster constituency perspective, people are fully aware of the implications if that amendment were to pass today. The Ulster Unionist Party has been very clear that it opposes the Budget, and that was clear when Danny Kennedy voted against it at the Executive. Mind you, the Finance Minister said that he did not bring forward any ideas for why that party opposed the Budget, nor did he suggest any amendments at the Executive meeting. Mind you, I do not think that the SDLP or the Alliance Party did either.

The Ulster Unionist Party believes that its amendment is very important. It sets out what it would take for its Members to support the Budget today. It details what important changes the party proposes to make to the Budget that will get it over the line to support the motion today. If what is in its amendment is all that stopped it from supporting the Budget in the first place, dear help us all.

However, I will give the Ulster Unionist Party some credit. Unlike any other party that opposed the Budget in the Executive, it has at least made an attempt through the amendment to make it right. Its only error, in my opinion, was to propose to move £26 million from the social investment fund. As Members will be aware, OFMDFM announced last week an allocation of approximately £1.4 million from the social investment fund to my constituency. I want to read into the record what that money would fund: Coagh Orange Hall, Castledawson Orange Hall, Lisnamorrow Orange Hall, Ballymaguigan Orange Hall, Kennedy's Memorial Orange Hall in Stewartstown, Moneymore Recreation Centre and An Bruach Dearg Community Centre.

**Mr Douglas:** I thank the Member for giving way. I want to highlight two projects that could be jeopardised if that amendment is made. I declare an interest in both projects: one is Titanic People, which is in Westbourne Presbyterian Church on the lower Newtownards Road, and the international visitor centre, which we hope will be ready by next August; and the other is a Van Morrison event that will attract a lot of international visitors next August. Does the Member agree that, if we do go down the road of shifting the social investment fund money, it will jeopardise excellent projects such as those that would help to regenerate the whole east Belfast area?

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

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

**Mr I McCrea:** I will deal with the amendment first. However, as the Member who has requested me to give way would earlier give way only to the Minister, I am not sure how he expects any of the rest of us to want to give way to him.

I agree with the Member: the projects he mentioned in east Belfast — like those that are receiving funding in my constituency — are important. If we were to go down the route of accepting the amendment, they would be seriously

jeopardised; indeed, it is likely that they would not go ahead.

I — like many others in my constituency, and especially, no doubt, the members of the lodges in each of the five halls — welcome the funding announced last week by OFMDFM. Whilst I am the first to admit that the timeline for getting it to this stage has been long — and I am sure that any Member who has been involved in the process will understand that — not one of the representatives of those lodges has said to me, “It took too long, so, no thanks; we don’t want the money”. It is a fact that they are delighted and are looking forward to getting the work started and seeing the end results.

It is now time for the Ulster Unionist Party, and especially the Member for Mid Ulster Sandra Overend, to state clearly that, through the amendment, it proposes to stop any money being released to rebuild and refurbish those halls.

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

**Mr I McCrea:** I am happy to give way to any Member from the Ulster Unionist Benches — and I am glad the Member has asked — to put on record and tell the people of Mid Ulster that their amendment proposes to do just that.

**Mr Swann:** I thank the Member very much for giving way. I will clarify: our amendment does nothing of the sort. Our amendment talks about the SIF money that is sitting in the centre at the minute and that has not been spent or allocated. The Member talked about the delay and postponement of the projects. As a member of the northern zone SIF, which approved and assessed the award that went to those Orange halls in Mid Ulster, the Member well knows that in no shape or form does the amendment remove or threaten that money. What threatens the money and the projects that Mr Douglas referred to is the delay in SIF, which has been mismanaged by OFMDFM from the start. We have worked through the —

**Mr Deputy Speaker (Mr Beggs):** I remind the Member that interventions should be brief.

**Mr I McCrea:** I thank the Member for at least attempting to clarify exactly what the amendment will do. If the money has not been spent, where is it going to come from? The £26 million that the Ulster Unionist Party proposes to remove from the social investment fund will stop every project that has not received funding. The Member is well off the mark. It ill behoves any Member to call for money to be made available for projects for their constituency and then instruct their Minister to vote against the Budget.

Mrs Overend is not in her place, but no doubt she will hear about this. It is important, from my constituency perspective, that Mrs Overend and the Ulster Unionist Party tell the principals of schools across Mid Ulster why the party told them that it would do what it could to ensure that additional funding was allocated to front-line services and, when £65 million or thereabouts was allocated by the Finance Minister to Education, her party voted against it. Will Mrs Overend and the Ulster Unionist Party tell the people of Mid Ulster why, when an additional £5 million was allocated to the Regional Development Minister to help with town bus services and other roads issues, her Minister, for whom she is the assistant private secretary, voted against it? When additional money was allocated

to the health service, the Ulster Unionist Party’s Minister voted against it.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr I McCrea:** I have some sympathy for the issues that the Ulster Unionist Party refers to in its amendment, but if we look at the crux of the issue, it is all about taking money from the social investment fund and reallocating the bulk of it —

**Mr Deputy Speaker (Mr Beggs):** The Member’s time is up.

**Mr I McCrea:** — to the Department for Regional Development, for which the Ulster Unionist Party holds the ministership.

**Mr Deputy Speaker (Mr Beggs):** The Member’s time is up.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. When the Minister introduced the debate, I was musing on his journey through a number of quotations. It is interesting to note that, during this budgetary process, he began by quoting a revolutionary socialist: Nelson Mandela. He then moved on to an American social democrat, John F Kennedy, and, today, he quoted a high Tory, Winston Churchill. So, I am wondering whether there is a story in that progression through those quotations. The Minister said that the Budget was not perfect, and he was encouraging us to quote from Churchill, so I will quote from Churchill, who said:

*“To improve is to change; to be perfect is to change often.”*

This is a revised Budget. There has been some change in it, but there is room for more change. I say this particularly in reference to the financing of the Department of the Environment.

The DOE is facing the highest percentage budget reduction across the whole of the public service. The proposed allocation to DOE will certainly adversely impact on financial assistance to councils, particularly to the less wealthy councils. During the consultation on this Budget, the Minister of the Environment asked the Finance Minister to ring-fence grants to councils. That was to enable them to have a sound basis for local government reform. Unfortunately, this did not happen. While, as part of the final Budget, an allocation was made for the statutory derating grant paid to councils, that will only restore the existing and inadequate provision for the derating grant. DOE is statutorily required to pay this, and the amounts are determined by derating policies applied by the Department of Finance and Personnel. So, the consequence of the proposed allocation to DOE is likely to be an across-the-board cut in the order of 15% having to be applied to all other spending programmes. It will make it impossible for the Minister to provide financial assistance to local government through the rates support grant. This will affect all councils, but it will have a significant adverse impact on councils that are less well off. For example, this could mean a hit of £560,000 for Derry City and Strabane District Council and around £400,000 for the new council that will hopefully be named Newry, Mourne, Down and Gullion Council. This could mean higher rates bills for many citizens, including those who can least afford them.

**Mr Eastwood:** Will the Minister give way? Will the Member give way?

**Mr D Bradley:** I will.

**Mr Eastwood:** I promoted you there. I thank the Member for giving way. The rates support grant is there to look after the poorest councils, which, by the way, happen to be largely in the west of the North. I do not know why that is. Will the Member agree that, if we cut that grant, we will end up hitting long-suffering families and long-suffering businesses with rates hikes or will end up having to cut services drastically in those areas? That is no way to go about reviving our economy.

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

**Mr D Bradley:** I thank the Member for the promotion and for the intervention. Of course, I totally agree with what he has to say.

I turn to health. The SDLP has recognised that there are great difficulties at the heart of the health service. There is no strategic plan, and the health-care system is crumbling at its knees. This morning, we had a report on the health system that pointed to major weaknesses. Indeed, barely a week goes by when stresses in the system do not make the headlines. During the Christmas period, we saw the difficulties in A&E and the cancellation of operations. We do, of course, welcome the £204 million additional funding to protect our front-line service, but questions remain over the delivery of the core strategic plan that is Transforming Your Care. Shifting health-care delivery from the expensive hospital model to caring for people in the community is at the heart of this, but the plan continues not to be properly funded, and targets are not being met.

There is no measurement of progress and no strategic vision. We must therefore ask, at this time, what price we will ultimately pay for it. Are we sacrificing long-term strategy for low-hanging fruit in the short term?

#### 4.00 pm

If one thing sums up the lack of strategy, it is the implementation of trusts' contingency plans late last year. It is evident that there is a complete lack of strategic focus but a core focus on the financial bottom line. It is worrying that copious counter-strategic measures have already been adopted: for example, the plans to close Bangor and Armagh minor injury units, and we all witnessed the shambolic Dalriada decision. Domiciliary care packages, which consist of 15-minute visits, have been curtailed, and there are plans to further dilute the meals-on-wheels service and provide a fortnightly supply of frozen meals. We have yet to hear any detail of the £113 million targeted savings for HSC trusts projected for 2015-16. How will that impact on the delivery of health care in the community?

We must look at alternative ways of making savings. There is an obvious need to ensure that all appropriate options are thoroughly considered. We must look at wastage in the health service, where significant savings can be made. We must look at the use of bank and agency staff, the duplication of administrative roles, the prevalence of fraud and medicine wastage and appointment cancellations by not only patients but staff.

I wish to move on now to deal with public-sector reform. In principle, the SDLP supports —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr D Bradley:** With regard to the voluntary exit scheme, any exit scheme must be voluntary and voluntary only. It should be agreed here and now that there will not be any other approach. As my time has now come to an end, I thank you, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

Members, this is the first occasion on which we will hear from Mr Máirtín Ó Muilleoir. I remind Members that it is the convention that a maiden speech should be uncontroversial and heard without interruption.

**Mr Ó Muilleoir:** Go raibh maith agat, a LeasCheann Comhairle. I know that that is a warning to the Minister not to interrupt. I wanted to start, as we should when discussing matters of finance and budgets, by quoting Lennon, but, first, I want to congratulate our friends in Syriza. I congratulate the Greek people. It is a great blow against austerity. Those of us battling the austerity ideologues in London will take great heart from that, as will people across Europe.

On to Lennon — I know that the Minister snapped to attention, but I will quote not Vladimir but John, who said:

*"I don't care too much for money; money can't buy me love".*

The Minister, more than most, knows that that is true, but, with money, we can set out our priorities and spell out our values, and that is what we have done with the Budget. It is a Budget that, despite the assault on our block grant from London, protects the vulnerable, builds the economy and underpins the peace that we have come to value.

Particularly for us, making sure that welfare cuts were not implemented as proposed by Mr Cameron and his colleagues in London was an absolute priority. Looking after those in the margins, easing the burden on working families and making sure that those who have lost out in the economy are looked after is essential. In the face of the slash-and-burn approach of London, the Budget — looking after the vulnerable and making sure that we grow the economy — is quite a feat.

When Minister Hamilton addressed the Committee, the figure that he gave for cuts to the block grant since 2011 was £1.5 billion. That is an absolutely staggering amount to lose from the block grant. Make no mistake: this Budget is a great achievement against that type of savage assault. In the Budget, we managed to secure £204 million extra for the Department of Health. That, I think, shows our unwavering commitment to a free health service and front-line health services.

In relation to this blitz on welfare rights, condemned by the Churches in Britain and Ireland, we have stood firm in our intention, conviction and resolve to protect the vulnerable. In his Budget speech before Christmas, the Minister quoted JFK and Nelson Mandela, as my colleague an tUasal Ó Brollacháin mentioned. I want to see his JFK and Mandela and raise him a Pope Francis because Pope Francis is the leader in the world in speaking out against inequality and for fair play and equal treatment. Pope Francis asked the question:

*"How can it be that it is not a news item when an elderly homeless person dies of exposure, but it is news when the stock market loses two points?"*

I speak for those of us who are in favour of this motion and this Budget when I say that we take very seriously our duty to defend those on the margins. That is why, in this package and this Budget, we have agreed a considerable kitty of £565 million to mitigate the potential loss of benefits to individuals and families under the proposed welfare cuts. We have retained a series of anti-poverty measures and set up a supplementary payment fund to provide protection specifically for families with children, people with disabilities and those who are long-term sick.

In education, to the delight of teachers and parents — all of us were lobbied on this matter — we managed to secure a £63 million uplift for the Minister of Education, his Department and schools.

In relation to DEL, the draft Budget was unsatisfactory. The major parties went to work. We managed to find £33 million extra, in the hope that the Minister would focus on those elements within further and higher education that would skill up our young people and secure jobs for them. Sadly, the Minister has instead spent most of his energy attacking St Mary's University College. Instead of talking about investment, he is talking about disinvestment and tearing the heart out of west Belfast.

I welcome the innovative efforts of the Minister of Finance to find or borrow money to ensure that we can set up new funds. I think, in particular, of the £500 million shared and integrated education kitty, which I think will be very important over the next 10 years, and I also give the thumbs up to the social innovation fund, which is in the small print. That, again, is £5 million. It solves the issue of dormant funds and releases money that we can use and faith-based groups, community groups and charities can borrow. I think that that is a little bit of a breakthrough for us. I hope that we can engage with others to increase that kitty. I know that the Minister talked about the £5 million growing to £10 million, and I hope that we can do that in the time ahead.

Tomorrow, I put on my snow boots and go to Boston, New York and Toronto. In those cities, I think we will find that those who support the peace process also want to support the growth of the economy here. I think that we will find a ready ear in the diaspora if we ask it to back, support and engage, especially with the social innovation fund, in the time ahead.

A big result for all of us in the Budget was to have the devolution of corporation tax and that gives us great potential in the time ahead as well. The Minister has focused on growing the economy. There is no doubt that he realises the threat to the economy from the London Government's assault on our Budget and funds but, at the same time, I think that he has ensured that our friends in Invest NI have the firepower to continue to create jobs in the time ahead.

In relation to the efforts to rebalance our economy, we state again that a voluntary redundancy scheme should not diminish or damage the front-line public services. We will guarantee that and stand by it. There will be no compulsory redundancies on our watch and we will make sure that, as we start to grow this economy, we will emerge stronger in the time ahead. None of us got all we wanted in this Budget, but those who criticise it come up with no alternative of any type at all.

I wanted to finish by asking my friend Mr Raymond McCartney to sing us out with "Money can't buy me love", but Mr McCartney is not here. So, instead of that, I want to pay tribute to the small business owners who form the spine of our economy. I thank them for creating jobs and growing wealth, and I want to send out the message that, as we start our recovery, now is the time to invest, build and, in particular, employ.

**Mr Weir:** I support the Budget. While I digress from the remarks of the previous Member who spoke with enthusiasm of the Greek election result, it is perhaps appropriate that he quoted John Lennon. As we face an age of austerity and move along the "long and winding road" of the Budget today, it is tempting to fall into the words of Paul McCartney and simply "long for yesterday". I am waiting for the next Member to start quoting Ringo Starr.

While it is tempting to cling to the position of a few years ago when, financially, it was much easier because of the wider context of public finances, I believe that the Executive have faced the very difficult challenges of the current Budget and met their responsibilities very well. I suspect that the significance of this Budget will be realised more when we look back at it in a few years' time. I highlighted some of the issues in the debate on the draft Budget, but I think that a number of aspects of the Budget are very significant. While I do not necessarily agree with the amendment that has been put forward by Mr McCallister, I will say that at least he has identified important strategic issues, and a number of important strategic issues have been identified in the Budget.

Mention has been made of the voluntary exit scheme. The criticism that can be made at times of Departments simply trying to chip away at the edges to meet financial problems was highlighted by Mr Bradley in his speech, and it is, in many ways, tackled head on. We have to realise that there is a major challenge for the public sector in how we move forward. Therefore, the voluntary exit scheme — and some have caused a degree of mischief with that — is very important for the future. Let me make it absolutely clear: as they used to say on 'Blankety Blank', the clue is in the question: it is a voluntary exit scheme. It is not an issue of compulsory redundancies; it is an issue of a scheme that is based on the voluntary principle of people choosing to leave.

Other aspects of the Budget are also significant. Mention has been made of: the creation of the change fund, which, I believe, will become increasingly significant in years to come; the Northern Ireland investment fund that has been put in place; and the social innovation fund, which is allowing the money, particularly from the dormant bank account side of it, for groups who feel that there are problems with the system. All those things are important innovations. What we are faced with is a very innovative Budget.

Since we have moved on in the past couple of weeks from the draft Budget, the Finance Minister and the Executive have done a good deal of work to try to improve the situation regarding some of the concerns that were raised in the draft Budget. One criticism that probably was made because of the tightness of the Budget before was the issue of support for the universities and the position of DEL. I am glad to see that there has been movement on that. Indeed, from that point of view, producing a joined-up approach is also vital as we face our economy. We have seen the money that has been allocated through the collaborative skills fund, which will be worked jointly



between DEL and DETI. That is a very positive way forward.

For those of us who are involved in local education, the concern about the pressure that was being put on local schools was very evident from the consultation responses. The £63 million that has now been allocated, taken with the additional money that has come from the Department of Education, more or less moves that problem away from the pressure that was being put in place.

It is also the case that we must look at the issue of joined-up government. For example, the additional money that is being put in place for nurture units through the change fund is vital. Some of the changes that have been put in place by way of the social investment fund are also vital.

I have to say that I am somewhat bemused by the Ulster Unionist amendment. There are a couple of questions that need to be asked in relation to it. As I understand it, when the Ulster Unionists made submissions on the Budget, they indicated that, particularly as regards the fund, they would not be looking to alter in any way where there were already contractual commitments. Yet, at a stroke, they wipe out the entire £26 million that has been allocated to this Budget. I would be interested to hear from the Finance Minister at the end on that. Are we going to be in a situation in which things that are contractually agreed, which are legally obliged, are simply going to be rode roughshod over. The Ulster Unionist position not only defies logic but goes against its submission to the draft Budget. It runs contrary to that.

I will listen to hear that explained at the end of the debate. That would similarly impact on a number of other projects. My colleague mentioned some of those, and, in north Down, it would impact on the scoping exercise for community house facilities in Bangor and in neighbouring Ards and on the planned sport facilities in Kilcooley under the project. All those would end under the Ulster Unionist proposals. It would be similar with transition money in the south-eastern zone, which would be aimed particularly at early intervention projects looking at educational attainment and the school readiness and transition between the primary and post-primary sector. All that would be scrapped under the proposals, because that is what the £26 million is paying for. I will wait with interest to find out which Lobby my colleague from North Down goes through to see whether he is voting against those projects.

#### 4.15 pm

Where will the money go to? Disraeli was accused of and often gloried in being a one-nation Conservative. It seems that, with these proposals, the Ulster Unionist Party has become a one-Department party. Everything is to plug the mistakes that are being made in DRD. That is effectively where the money is going, with a few other projects and the remainder of the allocation being thrown around. The allocation is back-of-a-fag-packet economics. It is a belief that the party will take the principled stand of voting against the Budget, yet its changes in the Budget —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr Weir:** — offer us a change of 0.25%. That is the shallowness of the Ulster Unionist Party analysis, and it deprives projects that are legally entitled to money to try to plug the gap created by its own failures in DRD.

**Ms Maeve McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I will speak from the Health Committee's perspective. The Committee identified the Department's approach to the Budget as a key area of work and took evidence on it from October/November. We had planned to take evidence from expert witnesses on approaches to health spend in other countries and regions that have been applied during economically challenging times, with a view to analysing whether such approaches could be usefully applied here by the Department of Health for the 2015-16 Budget. However, given the limited time frame allocated for Committee consultation, we were able to take evidence only from one such expert witness.

Linked to the timetable issue is the issue of the information that was provided to the Committee to enable us to scrutinise the draft Budget. The Department was not in a position to advise the Committee of the areas in which the trusts would make savings in the 2015-16 Budget or, indeed, the budget reductions that would be applied to the smaller arm's-length bodies. We were told that, ultimately, that information would not be available until January 2015 at the earliest. Given that the public consultation on the draft Budget is now closed, that afforded the Committee an extremely limited opportunity to influence those crucial decisions.

I want to focus on the strategic priorities for the health budget. I will provide some context. When the former Health Minister briefed the Committee in September on the request to the Executive for the additional £160 million, he stated that the areas of spend that he would have to pull back on, which we are now witnessing, were not in any way strategic but were simply based on stopping money where it was not contractually committed. That is an important reference point. Those remarks made it very clear to the Committee that the Department has an understanding that, if spend has to be curtailed, there are areas that could be targeted that do not undermine strategic priorities. We were told that, for 2014-15, there was not sufficient time left in the financial year to do that. However, that should not have been the case for the 2015-16 Budget, given that the Department is already fully aware of the pressures that it faces, including a 6% to 7% increase in demand from the trusts. Therefore, the Committee believes that the Department should have been in a position to approach the draft Budget in a planned and strategic manner so that the allocation that it receives is spent on priorities rather than on things that are simply committed to at an early stage of the financial year and therefore cannot be pulled back on.

When the Committee turned to scrutinise the 2015-16 Budget, we wanted to determine whether the Department's proposed spending decisions flowing from the draft Budget were based on a clear understanding of its strategic priorities and whether the allocation of spend would indeed be directed towards those strategic priorities. The Minister advised the Committee that his top two strategic priorities are — number one — the provision of high-quality front-line care and — number two — the implementation of Transforming Your Care. Whilst the Committee has no issue with those priorities, it was concerned that the priorities are not clearly reflected in the Department's approach to allocating its budget. The Department's approach to allocating the budget and its emphasis seems to be much more on using the budget to maintain existing services. Whilst the Committee accepts that the Department is required to provide certain services

to fulfil statutory obligations, it believes that much more consideration could now be given to how those services are provided. This should not be limited to whether a service is being provided in a resource-effective manner or whether it provides value for money. Rather, we need to look at the outcomes of the services and whether they provide high-quality front-line care and do indeed reflect the principles of Transforming Your Care — one of the Minister's strategic priorities.

During an evidence session, the Minister told us:

*"At the moment, I do not know if we will have the luxury in the next 18 months to have much strategic thinking on this. Unless something changes radically, we are going to spend most of our time trying to balance the books."*

We are therefore concerned that the strategic priorities are not actually driving how money will be allocated. Indeed, one expert witness from whom we took evidence described the Minister's separation of strategy from spending as "disturbing". We should not lose sight of that word.

Given that the provision of high-quality front-line care is the Minister's number one strategic priority, the Committee asked the Department for its definition of front-line services. We were surprised and somewhat concerned when officials informed us that they did not have a definition of front-line services. Without such a definition, the Committee is not clear how the Department will ensure that resources are directed to that end or that the additional £204 million allocated in the Budget will be spent as intended by the Executive.

I conclude with remarks as a constituency MLA. It is important to reflect and welcome the fact that health has been protected in the Budget. The £204 million has been allocated. We now need to take the tough decisions around the current health spend, how it is allocated and how it will target and eradicate —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close?

**Ms Maeve McLaughlin:** — the health inequalities in our communities.

**Mr Rogers:** I too have a quotation: after the Government takes enough time to balance the budget, the public has the job of budgeting the balance. That is what it really comes down to. While this might be an interesting debate and there is a bit of point-scoring going on from court to court and even in the same court of Mid Ulster at times, it comes down to how this affects our constituents and the questions that they might ask. Will I be safe in my own home? Will I get medical care when I need it? Could I lose out on some of my benefits? Will I lose my house if I cannot keep making the mortgage payments? Will I get a job? Will my child get the necessary early intervention to address their special educational needs? As a classroom assistant, will I have a job next September? As a health worker, will I get my 1% pay rise? As a first-year student at St Mary's University College, will I be able to finish my degree there? Will I be able to pay the increase in rates and keep in business? Where will I store 14 freezer meals? As a farmer, how will I make ends meet after the drop in the price of milk? Those are maybe just some of the questions that they could ask.

I commend the Ulster Unionists and Alliance, which recognised Mark H Durkan's good sense and decided to exercise their vote on the final Budget. While Sinn Féin and the DUP pushed this Budget through, it is vital that the people who will be affected by the cuts know that they have a voice in the Executive.

My colleagues spoke about the impact on health in particular. One little thing comes to mind. John McCallister talked about the failure to implement a strategic plan.

I do not think that there is a strategic plan for health or education. While Simon Stevens, a National Health Service chief, pushes for the decentralisation of services to cottage hospitals, we have a Health Minister who is bent on the centralisation of services. We are not prepared to look at good practice models in the other parts of the EU where decentralisation works.

I will begin my remarks on education by commending the thousands of young people, teachers and parents who made the case for education so well in the lead-up to Christmas. Providing our children and young people with a quality education makes sense for our society and economy. For young people to be fully prepared to enter the workforce or to progress to further or higher education, as much money and resources as possible must go to the classroom. Therefore, it is with caution that I welcome the additional allocation of £63 million to the Department of Education. Unlike allocations to other Departments, the Minister of Finance and Personnel did not ring-fence the additional spending. It has been a week since the final Budget was announced, and the Education Minister has yet to guarantee that even the majority of this money will go to front-line services. That would be worrying from any Minister, but it is particularly so from one who has proposed to cut the aggregated schools budget by £87 million, to cut the entitlement framework by 29% and to take a meagre £3 million from his departmental expenditure.

School principals have been given no clarity on the situation that faces them in April. The 1,000 teachers and 1,500 classroom assistants who were told that they might lose their job have not been told otherwise. Schools have agreed a three-year budget plan to which they will match a school development plan, but here we are at the end of January with two months left in this financial year and schools have no idea of their budget for next year. Before Christmas, the draft education budget sent shock waves through educational establishments. Can schools rely any more on the three-year budget plan? One school principal said to me in correspondence:

*"Do we have any idea what cuts, if any, are likely to come into effect, or what the changes will be as to how schools receive their aggregated schools budget? The board has no idea at present when it is likely to be notified. CCMS have asked schools to survey their staff for possible uptake of voluntary redundancies."*

It goes on.

Paul Girvan made a comment, which I think was very valid, on the voluntary exit scheme:

*"Provided that that works effectively, we can borrow against it."*

We all remember the mess in the scheme in education last year where teachers who believed they were retiring had to go back to work in September.

Schools were already on a slippery slope, and the draft Budget would have caused them to collapse. Our schools simply cannot cut any more without that detrimentally impacting on our children's education. It will not only damage each child's educational prospects but will have a knock-on effect on our economy, which is already in the midst of a skills deficit.

An education is never a waste of money. Our young people will be in a much more secure position in times of austerity if they are equipped with a good education. The SDLP made clear the inherent contradiction in the draft Budget — additional funds for DETI while the budgets of DE and DEL were slashed. The Northern Ireland economy will not flourish without a pool of highly qualified and skilled young people who are ready to work. Investment in our young people is an investment in our economy.

#### 4.30 pm

Finally, the Education Authority offers us a real opportunity to slash wastage. I hear what the Minister said: we have to do more for less. I think that everybody is up for doing more for less, and I trust that the Minister of Education is up for doing more for less, will not squander funds and can account for every penny. We need a long-term strategic plan —

**Mr Deputy Speaker (Mr Beggs):** The Member's time is almost up.

**Mr Rogers:** — for education that makes our children's education the priority.

**Mr Cree:** We all know that this year's Budget process has been particularly difficult and truncated. In many instances, Departments failed to produce spending plans for scrutiny by the relevant Statutory Committees. The consultation extended over the Christmas period, and there is little evidence that the tens of thousands of responses were studied, analysed and taken on board by the Executive. Indeed, several Members acknowledged that the draft Budget was counter-strategic in many areas and that the Programme for Government had not been revised. Most seemed satisfied that a Budget had been agreed by the two largest parties and would do in the meantime.

Surely that is not good enough. The areas in which Departments have failed to deliver need to be considered and monitored and their failures highlighted. The social investment fund is one such example. Its budget for 2011-15 was £80 million, and it was due to be completed by March of this year. Clearly, it has not been completed, and, at the last count, something approaching half the sum had still not been expended for the benefit of vulnerable people in Northern Ireland. We are not intending to suggest that any money should be reallocated from that which has already been allocated to specific projects. We are referring to the money that remains unexpended and, indeed, has done throughout the life of this mandate, from the beginning of 2011 until today. The money was always there, but it has never been pushed out for what it was intended for.

However, we are all aware of the pressures on several budgets and of the need to protect our front-line services, even if we do not have a definition of what that means. Not to spend a budget when there is urgent need is very difficult to defend. Therefore, the Ulster Unionist Party amendment seeks to remove £26 million of resource and

capital DEL and to redistribute it to other areas in which it is urgently required.

The health service is constantly in the news, with problems in service delivery right across the Province, including in my constituency of North Down, where, only last week, the elderly and vulnerable were once again being targeted by the South Eastern Trust's budget cuts. Domiciliary care packages and the meals-on-wheels service are being cut back, and, in the latter's case, without any consultation. At the end of last year, the Bangor Community Hospital had its 20-bed step-down ward closed temporarily. We all know what "temporary" can mean. Indeed, it can mean a very long time.

Our amendment would allow for £5 million of resource DEL to be passed to the Health Department to assist trusts' budget difficulties, in addition to the new moneys in the draft Budget. The Department for Regional Development would benefit from an allocation of £3 million of resource DEL to help fund Northern Ireland Water to comply with the PC15 final determination. We also propose that the Department of Culture, Arts and Leisure be allocated £1.5 million of resource DEL to alleviate the significant pressures caused by reductions to the arts and Northern Ireland's museums' budgets.

Earlier, I touched on the definition of "front-line services". The Fire Brigades Union provided Members with its response to the draft Budget. In it, the union set out a very convincing case for treating the Fire Service as a front-line service. I know that the relevant Minister does not share that view. He is entitled to his opinion, but the facts are that the Fire Service deals directly with the public as a result of life- or property-threatening emergencies, provides a vital service to the public at a time of an emergency and can be utilised directly at the point of need. It deserves to be treated fairly. Our amendment would allocate a further £1.5 million resource DEL to the Department of Health, Social Services and Public Safety for the use of the Northern Ireland Fire and Rescue Service.

All the foregoing allocations amount to £11 million resource DEL, and we all know that resources are very tight in the period 2015-16.

The capital side is not so critical. The Ulster Unionist amendment envisages transferring £15 million to the Department for Regional Development. That is a requirement for major water and sewerage infrastructure investment, as set out in the PC15 determination, which covers the period 2015-2021. Transport Northern Ireland has an urgent need for more capital, as it is £70 million short. The £15 million would help in both cases.

The draft Budget contains provisions for the removal of the Department of Agriculture and Rural Development headquarters from Dundonald House to Ballykelly. A full business case has not been prepared. Therefore, there is no case of value for money. The condition of the buildings at Ballykelly is very poor. I believe that this is a material consideration that has not been factored in. Until these basic steps are concluded, there should not be Budget inclusion for that proposal.

We need a better system than the current Budget process, with all its shortcomings. I know that the Minister will say I am being consistent. We agreed a new financial process years ago and it is still stuck in the Executive. The existing process does not cater for meaningful involvement of

parties and individual Members. It is not sufficient just to be able to ask questions and, perhaps, have some of them answered by a Minister.

I hope that Members will consider this amendment and support these changes to the Budget, which my party proposes.

**Mr Ross (The Chairperson of the Committee for Justice):**

I am pleased to speak in the debate on behalf of the Committee for Justice. As I outlined in the take-note debate on 12 January, the Department of Justice is facing a range of funding pressures in 2015-16. Whilst the Budget is a somewhat cruel necessity, the Committee is concerned that a number of front-line services will not be protected.

One area of particular concern is the resilience challenges facing the PSNI and the Chief Constable's ability to recruit to ensure that he has the necessary number of officers available, and the funding needed to deliver front-line policing, including community policing, and to protect public safety. The provision of an additional £20 million by the Executive, as announced by the Minister of Finance and Personnel on 19 January, specifically to address those pressures is, therefore, very welcome. In my view, it is also appropriate that the money will go to the PSNI and not be used by the Department to address other financial pressures such as legal aid, as has been the case.

While the legal aid pressures which we are very much aware of must be addressed; rather than diverting funding from other areas, it will require radical and innovative approaches. I look forward to considering the detail of the measures that the Minister has indicated he is developing as a matter of urgency to bring down the cost of legal aid within the available budget. I listened carefully to the Minister of Justice during Question Time this afternoon and he said he was going to bring forward such proposals.

The Department submitted 13 bids to the change fund totalling £6.2 million. I am pleased that the Northern Ireland Prison Service and the Probation Board received £772,000 for two projects linked to addressing re-offending. One related to under-achieving boys that will support young offenders to change their lives through education, and the other is an intensive resettlement and rehabilitation project. It is disappointing that none of the other projects was successful in attracting funding.

Taking account of the additional allocations, it is clear that the Department will still face substantial pressures in the next financial year. The allocation of available resources will require careful consideration to ensure that front-line services are maintained and decisions to cut funding in one area will not have a negative impact and increase resource requirements in another.

The Committee highlighted to the Minister before Christmas the need to ensure that funding decisions took into account the potential impact on other areas of the criminal justice system to avoid false economies being made. Some examples of funding reductions that are likely to have an adverse impact on the PSNI, the Courts and Tribunals Service and the Prison Service have come to the attention of the Committee. Those include reductions in funding for drug arrest referral and harm reduction centres, funding for organisations such as NIACRO, which provide rehabilitation and resettlement programmes, and funding for the seven voluntary search and rescue services, which carry out vital work with regard to missing persons.

**Mr Frew:** I thank the Member for giving way. He will know only too well that those voluntary rescue groups, including one in my area — the north east mountain rescue group — do not only work up mountains looking for people who are missing or have been cut off due to weather; they help in cities and towns to find vulnerable people who have mental health issues or are vulnerable in other ways. The police call out those groups for help because the police do not have the capacity to do that work.

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

**Mr Ross:** I thank the Member for that intervention. He has been very vocal on those three specific issues at the Committee. He is absolutely right, and that is perhaps one of the best examples of how spending a small amount of money in one area can save money in another area of the budget. That is something that we will want to explore. The Minister, as the Member will know, will be in front of the Committee tomorrow to discuss the final 2015-16 Budget, and we will, no doubt, explore areas such as that with him to ensure that decisions that have been made will have the impact that is required and will not have a negative impact upon other areas of his budget.

Back on 12 January, I indicated that the Department had not yet provided detailed information on the proposed allocations for each spending area or the savings delivery plans in time to inform the consultation on the draft Budget, which was regrettable. The Committee received this information yesterday, together with the results of the consultation, and I note that a number of respondents also raised concerns regarding the lack of information available to assess the budget proposals.

The Committee, in its response to the 2015-16 draft Budget, asked the Minister of Justice to reconsider the proposed budget for the Probation Board, given the potential adverse impact that had been outlined on its ability to deliver front-line services, including the very important work it undertakes on the monitoring of offenders, including sex offenders, who live within our community. The organisation has a relatively small budget and has had to deal with reductions in funding and a rising workload over the past number of years, which leaves very little scope to manoeuvre.

I am also aware of the pressures on the Prison Service and, in particular, the officers working on the front line in each of the prisons. The Committee noted the assurance provided to the Assembly by the Minister during a debate late last year that the current prison officer vacancies would be filled. It will be interesting to see how that commitment will be delivered, given the proposed reduction to the Prison Service budget. During Question Time today, I raised my own concerns about the impact that a staff shortage at Maghaberry is having on prisoner safety and prison officer safety. That is an issue that we need clarity from the Minister on. No doubt, the Committee will want to explore those issues in further detail tomorrow.

In conclusion, it is clear that the Department of Justice faces a difficult budgetary climate in 2015-16, and funding will have to be carefully managed to ensure that key priorities and targets continue to be delivered to the required standard and that front-line services are protected. I commend the Executive for providing an additional £20 million to the PSNI to assist in achieving that.



The Committee will wish to ensure that the budget allocations proposed by the Minister of Justice also support the key priorities and protect front-line services and, as I have already indicated, that short-term funding decisions will not be detrimental to other areas of the budget.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. Our achievements in agreeing both this Budget and the Stormont House Agreement should not be underestimated. The unjust, unequal, austerity-driven agenda of the Tory Administration has decimated our local budgets, and it continues to do so.

Britain is waging an unrelenting war on our welfare state, and we in Sinn Féin have stood firm on our objectives to protect the vulnerable and the disabled in our society. We have ensured that vulnerable people, disadvantaged people and people with disabilities are protected and not exploited. We have secured a package over six years of almost £565 million to protect against the potential loss of benefits to individuals and families. We have prioritised anti-poverty measures and a supplementary payment fund to provide protections, specifically to families with children and people with disabilities.

We have secured safeguards for people here who are moving from DLA and for lone parents, and we have protected local people from the bedroom tax. We must do all that we can to protect our people and our economy.

#### 4.45 pm

The relentless raiding of the block grant by Westminster is stifling our capacity for economic growth. For every £100 million cut by the Tories, we lose £3.41 million from our local Budget. We are caught in an austerity trap, and our people here are caught in a poverty trap. Gone are the days when poverty was about scarcity; today, poverty exists as a direct result of economic decisions and economic inequality driven by Westminster. Austerity has become the price of the union with Britain. There is no doubt that, collectively, we have to make some difficult decisions in order to live within our Budget, which has been cut by well over £1 billion since 2011.

In spite of all of this, our Budget underpins economic growth and paves the way for us to take control of corporation tax. We are investing in health, job creation, education and skills development. As my party colleague said in his maiden speech, there is a £204 million increase in spending for the Department of Health, Social Services and Public Safety that reflects our determination to protect front-line services in the health sector and means a final Budget outcome for health that is some 3.4% higher than last year.

Education has received an extra £64.6 million. This additional money will go a long way in helping to protect front-line services, such as the jobs of teaching and non-teaching staff, and ensuring that important provisions for our youth and early years continue. Sinn Féin was successful in negotiating £500 million over 10 years for our education budget to be spent on shared and integrated education capital projects as part of the Stormont House Agreement. Sinn Féin is proud that health and education will account for 65% of resource expenditure in the North next year. In the final Budget, the Department for Employment and Learning also receives a total of £33.2 million in additional funding.

Against the backdrop of Tory-driven austerity, we in Sinn Féin will continue to work to ensure that those on the lowest incomes get a living wage. We will provide security to public sector workers through our policy of no compulsory redundancies. Our approach to reform is about ensuring that we are able to protect public services in the North on which our people depend and in which they have confidence. Sinn Féin is committed to ensuring that Ireland, North and South, is prosperous, just, fair and equal. We are working for an Ireland in which all people are protected and not exploited. We believe that those who can pay should contribute to our local economy. We believe that Ireland, North and South, should aspire to a strong business sector that pays the high wages that will yield the taxes needed to fulfil the economic and social ambitions of all our people.

I pose a challenge to the House. I ask all of us to work collectively to exploit every avenue to build a progressive and strong local revenue base, one that does not harm but strengthens our people, our competitiveness, our economic security and our economic growth. Westminster promises us only continued poverty. Locally, we can seize the opportunity to do things differently.

Finally, on behalf of the Public Accounts Committee, I want to address the provision in the final Budget for the Audit Office, the work of which is critical to the operation of the PAC. Last week, I and others were briefed by the Comptroller and Auditor General on the impact that the proposed Budget cuts would have on the Audit Office. A rather bleak picture was painted. Achieving the required reduction of 6% in 2015-16 would inevitably lead to a reduction in staff numbers due to the make-up of the Audit Office budget. That, in turn, would lead to a reduction in services. A reduction in services would almost exclusively affect the value-for money audits that feed the work of the PAC. A reduction in value-for-money reports would restrict the number of inquiries that the PAC could undertake, and that would be detrimental to the public interest and, indeed, the public purse. The proposed budget cuts to the Audit Office would seriously weaken the Assembly's public spending watchdog, the PAC, precisely when it needs to be at its strongest in identifying areas of misspending and excess. On behalf of the Public Accounts Committee, I call on the Finance Minister to reconsider his proposed 2015-16 budget allocation to the Audit Office —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close?

**Ms Boyle:** — and ensure that it is given adequate resources to do its very important job.

**Mr Allister:** There is nothing prudent, balanced or reasoned about the Budget. It is a Budget that was cobbled together, not informed by good financial management, not informed by a clear, united vision of where the Government want to go but informed only by the necessity of cobbling together something in order to keep the Executive on the rails. Where it takes us is a secondary consideration; it was all about whatever it took to hatch this mishmash of proposals to apply the sticking plaster a little more to Stormont. It is no surprise, then, that it is such a flawed document.

You have just heard from the previous Member to speak — I am sure that it came as a surprise to the Minister — that Sinn Féin negotiated £500 million for shared education.

There was our Finance Minister thinking that he had a hand in it, but it seems not. What, of course, Sinn Féin did not tell us was that it has to go hand in glove with the Treasury to spend the money. Maybe the Finance Minister will expand on how that expending arrangement will work. As I read and understand the arrangements, it seems to be that the strings attached to this £500 million very much mean that you have to get the consent of Mother Treasury. It is interesting to see Sinn Féin put itself in that position.

Of course, the net outcome is that this whole Budget is underpinned by huge borrowings that take us to that most unenviable place of being the devolved region with the highest level of borrowing per head of population anywhere — £1.8 billion and rising, as we embrace the folly of uncoded corporation tax and as we embrace the folly of perpetually underwriting no welfare reform and continuing to top up losses there from the block grant. The borrowings are likely to go in only one way. Of course, that will not concern Sinn Féin, because it is happy to bankrupt Northern Ireland. That fits entirely with the mantra of the failed political entity. They have no intention of looking for prudence or good government. They are not in government to give anyone in Northern Ireland good government. It is no surprise, then, that, when they get the opportunity, they are happy to bankrupt Northern Ireland and then Greek-like, with the biggest begging bowl they can find, they will look to the rest of the world and say, "Everyone owes us a living. Everyone must rescue us. Everyone must write off our borrowings that we foolishly ran up". That is the mentality of those who tell us that they shaped the Budget, which is leading us in very much the wrong direction.

Let us think about welfare reform. There is a distinct opaqueness in the Budget about how the new cost of welfare reform will be paid. Some things are pretty clear: we will continue, it seems, to pay 6,600 families in Northern Ireland benefits in excess of the cap of £26,000. We will continue to keep them at the standard to which they have become accustomed on public handouts, and we will do that, it seems, in perpetuity. How many millions, therefore, into the future is that? Who knows? If the cap in GB drops to £23,000, as is anticipated, at current figures, we will sustain undiluted benefits to 12,000 families. How will we pay for it? Well, quite clearly there is no new money from Westminster to pay for it, so it has to come out of the money for health, education, roads and everything in the block grant.

The choice that the Finance Minister and his colleagues have made is to fund all that by prejudicing expenditure on the real needs that are catered for in the block grant. That is an albatross that has been fitted around the neck of Northern Ireland for years to come. That is along with the unspecified cost of reducing corporation tax, which again will raid the block grant to an unspecified but, nonetheless, huge amount. Yet we have the silliness of an Enterprise Minister telling us that lower corporation tax will put £3,000 in wages into everyone's pocket — such patent, unproven nonsense. That is some of the spin that attaches to this. Here we have corporation tax being negotiated, but, when you ask the Finance Minister, as I have, to tell us the Department's estimate of how much was raised in corporation tax in Northern Ireland for the 2013-14 financial year, the answer is, "Sorry, we don't know". How then, Minister, did you negotiate in any informed way with the Treasury in the absence of such essential data? That is a further reason why I think that the whole idea around

corporation tax is ill thought-out and ill produced. We will reap pretty horrendous consequences, I suspect, in the further raiding of the block grant.

This is a Budget of the Executive. But is it? We are in a unique position in the western democratic world where you can be in government, it seems, and yet vote against the very Budget of that Government —

**Mr Deputy Speaker (Mr Beggs):** Would the Member draw his remarks to a close?

**Mr Allister:** It is unthinkable and unheard of anywhere else and indicates, of course, the absolute folly and stupidity of the system of government.

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development):** I speak as Chairperson of the Committee for Agriculture and Rural Development and will represent the views of that Committee. I start by saying that the ARD Committee has just left a meeting with the Minister at 2.00 pm today to discuss the DARD consultation on the final budget allocations for DARD. I shall therefore outline a few issues that the Committee explored with the Minister today.

First, I want to raise the issue of the DARD relocation project. It is proposed that, in the final 2015-16 Budget, DARD will receive an additional £1 million of resource for its HQ relocation. From a written briefing that the Committee received from the Department on the Budget I note that the consultation responses supported the relocation of Forest Service, fisheries division and Rivers Agency but were divided on the relocation of DARD headquarters to Ballykelly. Those opposed to the move appear to have the opinion that the decentralisation of jobs should not be prioritised, given the constrained and difficult financial position. There is now another factor to consider in this, and that is the recent announcement in the media regarding the decision by the Executive to reduce the number of Departments and the possibility that some functions of DOE will move to DARD. As a Committee, we raised this very issue in our response to the draft Budget and discussed it with the Minister earlier today.

The Committee noted that farmers are subject to a range of field inspections relating to a wide range of subject areas by both DARD and other government officials. The Committee was of the opinion that there is an opportunity to drive efficiencies in the area with other organisations and bodies with an inspecting role, such as NIEA, having their functions transferred to DARD.

The Committee will want to know whether those proposed transfers of functions will be taken account of in the DARD relocation programme.

#### 5.00 pm

Another further change to the DARD budget is the additional £1 million of resource funding that was received for Going for Growth. My understanding is that most of the allocation will go to the farm business improvement scheme and that the focus will be on helping farmers to complete the business planning process. As the final farm business improvement scheme will involve the possibility of a grant of up to a quarter of a million pounds, the Committee will want to see proper preparation and strong planning by DARD and farmers. That is why I have

proposed that we hear more about that aspect from DARD officials in the near future.

I also note that DARD has received £1 million in resources from the change fund to allow for integration of control information for EU area-based schemes. Recently, the Committee was pleased to see information that indicated that the disallowance penalties imposed by the EU had been reduced, in part due to the better controls that have been put in place by DARD. That is another step in getting our controls up to an acceptable level, thus reducing the substantial disallowance penalties that were imposed by EU auditors.

The most important issue for the Committee is that front-line services to farmers and wider rural communities should not be affected. The Committee indicated that at least a continuation of the current level of service regarding payments to farmers was its first and main priority. In exploring that further, the Committee questioned the Minister on the proposals for staff reductions and received assurances that the reduction in staff numbers would not affect the payment timetable.

I mentioned staff numbers, and there has been much discussion about the Stormont House Agreement and the reduction in Civil Service posts. DARD has set itself a target of achieving 300 fewer jobs this year, and the Committee had some concerns about, first, its ability to achieve that level of reductions in one year and, secondly, its lack of planning for what would happen if it did not achieve that. DARD's original plan was to lose 300 staff and save £5.6 million. I raised that point with the Minister when we met earlier.

The Committee noted that administration costs had risen between 2011-12 and 2014-15. When the Committee questioned officials on that, it noted that the increase appeared to be attributable to two causes: increasing pay inflation and pension costs; and increasing staff levels. The Committee agreed that it was not content with that and would urge the Minister to ensure that, notwithstanding the reduction of 300 staff posts, a very close watching brief be kept on administration costs to ensure that they are reduced immediately.

The Committee noted that the Minister has confirmed that the tackling rural poverty and social isolation programme, as with the other PFG targets, would remain a priority. The Committee considered the budget cut that the programme will be faced with in 2015-16 and noted that there was provision for £1.7 million of capital funding. The Committee questioned the usefulness of capital funding in that programme.

Given the range of cuts expected across the wider public sector, the Committee encourages the Department to ensure that other Departments remain committed to the actions in the rural White Paper and that those other Departments, in making their budget decisions, take rural proofing into account.

The final major issue that I want to cover is the new IT system: the Northern Ireland food animal information system (NIFAIS). The Committee has had a full and frank discussion on NIFAIS with officials on a number of occasions and made its view very well known. The Committee is not convinced that the NIFAIS programme, in its current format, represents value for money, and it remains to be convinced that what is proposed by DARD

is not a Rolls-Royce model. I was interested to note that the Committee's concerns are shared by others and that the cost of the NIFAIS programme was raised during the DARD consultation. We raised that issue with the Minister earlier and urged her to revisit the programme to ensure that it is fit for purpose and does not have unnecessary elements.

**Ms Lo:** I will make some comments on behalf of the Audit Committee. It is important that we clarify the position in respect of the provision for the Audit Office, which, according to the Executive's Budget, has been reduced by 5%. No one should be in any doubt about the role that the Audit Office has played and continues to play in making efficiencies. First, it has already made substantial savings. Since 2009-2010, the Audit Committee has reduced the Audit Office requirement by 14.5% in cash terms and 25% in real terms. How many Departments have made such savings? The Audit Office has been ahead of the game in making efficiencies. If the Minister now wants to compare the Audit Office to Departments, he needs to acknowledge what has already been done. Secondly, the Committee has made it perfectly clear that the Audit Office should continue to pursue efficiencies and cost reductions wherever possible. Likewise, the Audit Office has said that it, too, wishes to build on the savings that it has achieved over the past five years.

However, it describes the cuts set out in the Executive Budget as unmanageable in 2015-16. Finally, the Executive's Budget does not and cannot pre-empt the Committee's role of agreeing the estimate for the Audit Office. The Audit Office is entirely independent of DFP, the Executive and their Ministers. Therefore, we, the Audit Committee, will agree its estimate, just as we do every year. In doing so, we will explore every avenue for achieving further savings. We will, of course, have regard to the advice of DFP and PAC in carrying out that function, but, ultimately, we will have to decide how much that estimate should be. We do not intend to agree an estimate that will damage the crucial service that the office provides. Now, more than ever, we need its expertise in identifying efficiencies.

The Audit Office's value-for-money programme saves the public purse over £20 million every year. Does anybody think that our public finances would be better off if we stopped funding this work? Of course not. The Audit Office is re-evaluating all its budget lines. We will look carefully at its proposals, and we shall ensure that all realistic and sensible efficiencies are realised. We are confident that we can reduce the NIAO's estimate next year, subject to the provision of a voluntary exit scheme using the restructuring funds available to the Executive.

The Audit Office provides us with a vital service that saves all of us millions. In demanding that this service be delivered as efficiently as possible, we must not lose sight of what we would lose if we failed to provide it with adequate resources.

I will now speak as the Alliance Party's environment spokesperson. As we know, the Department of the Environment is getting the biggest cut of all. Since the last budget proposal, the only reprieve is the £1.9 million derating grant, which will go directly to local government. The Department gets no additional finance. I am gravely concerned as to how the Department will be able to carry

out all its functions if cutting one third of its workforce is necessary to balance the books.

I am deeply worried about the workings of the proposed voluntary exit scheme, which is open to all posts. Given that the majority of the staff in the Department are in professional or technical grades, that could result in a disproportionate loss of such staff, depleting the Department of its knowledge-based expertise. That could have additional long-term costs if such expertise had to be bought in later on. Furthermore, the redundancy scheme is unlikely to be operational immediately; it will take time to achieve savings. There is no guarantee that sufficient numbers will opt for redundancy, especially given the lack of available jobs elsewhere.

The Alliance Party fears the consequences of the Department failing to promote road safety education efficiently, particularly in view of the rising level of road fatalities and the imminent implementation of the Road Traffic (Amendment) Act, which will require publicity to raise awareness about the many changes to driving. The Department relies on the voluntary and community sector to carry out many projects on the ground on its behalf, and it is expected that a number of grants programmes will be cut. Such cuts will be a false economy, as so many of the organisations deploy volunteers and are great value for money. We will also see job losses in the sector when funding is withdrawn from existing projects.

After paying staff salaries, the Department of the Environment is left with a meagre £1.2 million to run all its services. It is incredible that public funds, which protect our environment for now and for many future generations, will be cut. I cannot stress —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw her remarks to a close?

**Ms Lo:** — how disastrous that will be. The Stormont House Agreement committed to a Budget, but I cannot support this Budget when so much about our environment is at risk.

**Mr McNarry:** I appreciate this opportunity. Some weeks ago, the Executive were in turmoil. They were dubbed as being unfit for purpose, yet here we are with the same Executive — there is no change — up and ready and allegedly fit for purpose on the back of economic direct rule. It is a Tory-led Budget, contrived with the DUP, Sinn Féin and the Treasury. The rollovers have hung their hat on borrowing £700 million to put 20,000 people out of work, but what of the toughies — they seem sparse in their seats — who have backed the Tories into putting 20,000 people out of work? What of the toughies holding out for better terms, more money and no welfare tax? So much for their bravado. They will implement and vote for welfare tax, they got lousy terms for borrowing and they have put the whole country in hock for the next 10 years.

The same incompetent ministerial collective is attempting to crawl out of the financial black hole it created by plunging us into a debt-ridden future. Maybe somebody is thinking, “Well, what would UKIP have done?” My answer is this: we were not invited, even though they called it “all-party talks”. That is the reason why this a Tory/DUP/Sinn Féin plan. It is a plan A without, it seems, a plan B.

What of the others from that fabulous five — the three amigos? They did not sign up to anything, but they did not resign. They tell us that there were talks, and then they

tell us in the same breath that they were not at those talks. That sums up their integrity, so I am not going to waste any more time on them.

That soothing spin doctor’s term “a voluntary exit scheme” is brutal. Five thousand workers will be knocked out of a job every year for the next four years. Is it social engineering? Is it discrimination built on the premise of age, not ability? Is it a Budget attacking the over-50s for wanting to stay at work? There are 60,000 unemployed out there now, so what is the plan to find them work and which end of the queue do the voluntary exits join?

Years ago, I warned of a black hole in our Budget.

I warned that the receipts assumed in the Budget projections were simply not coming in and that departmental spending was going out of control. I warned about relying on Departments’ efficiency in spending their allocations and about the brazen use of the in-year monitoring process, and I warned about the lack of control at the centre over indefensible spending on what were and are pet ministerial projects.

### 5.15 pm

I have to say that, resulting from their negligence, Ministers are talking of pain for workers today as if it were some kind of toothache. So far, there appear to be no realisable proposals in the Budget and no specific targets on asset sales or revenue intakes. Assuming that the Welfare Reform Bill reaches us before the Budget Bill does, where are the drilled-out, bottom-line calculations on the new welfare fund that the Budget will finance? They are not there.

Not only is this a Budget for departmental trade-offs, it is a Budget for a trade-off on welfare reform. Shame on those who will do it. Some have called it a Budget to catch up on Tory cuts that were implemented elsewhere. I wish that that were the only reason. This is a duck-and-diver Budget, with wide-eyed boys willing to put extra stress and strain on those in work and to pull apart those who are out of work. Frankly, it is not a Budget for a Government fit for purpose. This is a Budget of desperation to cover up years of bad departmental accounting. This is a Budget of reckless disregard for the future. Do you know what? It is exactly what the Tories asked for, and you have given it to them. They have got what they wanted. Frankly, people no longer trust this Executive, and you will hear about that later.

**Mr Anderson:** I welcome the opportunity to speak briefly on the motion, specifically on amendment No 1. I have to say that I am totally flabbergasted by the amendment from the Ulster Unionist Party. If that is the level of financial expertise in that party, I am glad that it is not in the driving seat with our country’s finances. The Ulster Unionist Party amendment serves only one useful purpose, which is to expose their real agenda on the Budget, for it is fairly obvious that they simply want to move some money around so that they can put a small fig leaf over the total mismanagement of the Department that they are supposed to be running. The Ulster Unionist Party is so desperate to get its hands on some extra money that it is prepared to rob the social investment fund, which does sterling work right across our community.

I am greatly concerned that, if the amendment is passed, vital funds will be lost to key schemes in my Upper Bann constituency. At a time when the social investment fund is beginning to roll out, with a number of projects approved,



today we have the Ulster Unionist Party trying to pull the carpet from under its feet. This is £26 million of funding. Major projects in my constituency, such as the YMCA in Lurgan, Banbridge Orange Hall, Seapatrick parish church in Banbridge and Corcrair Orange Hall in Portadown, could all be brought to an end if amendment No 1 were to succeed. All as a direct result of the Ulster Unionist Party's Budget proposals. Those are all community-led projects that go right to the heart of our communities. There are others in the pipeline that would be under threat as well and unable to get the funding that they need so much. Much hard work has been put into those worthwhile projects, but, at the stroke of a pen, the Ulster Unionist Party wants to wipe them out.

I know that Mrs Dobson is not in the Chamber today, but maybe the Upper Bann Ulster Unionist MLA Mrs Dobson, who was formerly Minister Kennedy's APS, would like to explain the fiasco to my constituents and say why she and her party propose to scupper those very worthwhile projects, which have the ability and potential to transform our community throughout Upper Bann. I am sure that she will read Hansard, and maybe sometime she will give an explanation.

**Mr Frew:** I thank the Member for giving way. Of course, with every investment fund — even the rural development programme rolled out from Europe and administered through DARD — it takes time to administer the fund and roll it out in order to get real, meaningful funding on the ground in communities. Does the Member agree that this smacks of big-house unionism? Some things in that party can never change.

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

**Mr Anderson:** Thank you. I thank the Member for that intervention. I certainly agree.

We are talking about rural development funding. I have just left today's Agriculture Committee meeting, where I asked the Minister what lessons can be learned in relation to getting funding out quickly on to the ground where it is most needed. The social investment fund is no different. Those who have been working behind the scenes to roll it out have been doing tremendous work, and we now see it coming to fruition. I hope that it will continue to roll out.

There has been comment today by, I think, Mr Swann and Mr Cree. I believe that what they were trying to do on the £26 million was to gloss over the fact that it is not money coming out of the Budget, but I am sure that the Minister will clarify later that it is money that is in the Budget and that would be taken out by the amendment, which would, at the end of the day, possibly scupper those projects.

In the amendment there is a proposal to give £18 million — if I read it right — to the DRD. Even if the DRD does get that £18 million by robbing, as I see it, the social investment fund, there is no guarantee that one extra street light will be repaired or one additional road gritted as a result. It would just be another £18 million lost to key projects like those that I have identified in my constituency. It would be £18 million that would disappear into the black hole of the DRD.

There are many aspects to the Budget, of which the social investment fund is only a small part. However, it is significant and vital right across the community. Even to

suggest its removal and drag money through the back door of the DRD in the form of the amendment is quite pitiful, to say the least, and shows the complete incompetence of the Ulster Unionist Party, whose only motive is to cover its failure in the DRD portfolio.

**Mr McCallister:** Most of the comments during the debate have been directed at the Executive and are demanding that we have some strategic direction. I agree with many of those calls, but the difficulty you have with that and that, I suspect, the Minister has is that he has no way of making any of that happen. He has no control over it. He is not in the position of the Chancellor of the Exchequer or some all-powerful government body so that he can coordinate government policy or put pressure on Departments to spend. That is the problem that the Minister has when he goes to deliver any of this.

We hear calls from the various parties about strategic plans and strategic direction. When we have some of that and we have Transforming Your Care, we then hear from the Chair of the Health Committee that it seems to have stalled and we are looking to the OECD and Sir Liam Donaldson doing a review. I listened to colleagues talking about that right throughout. Consider Mr Allister's point about the debt burden that the Executive will now carry. I listened to Mr Ó Muilleoir's maiden speech, in which he congratulated the Greeks. The thing that we will have most in common with the Greeks is that they are the most indebted country in Europe and we will be the most indebted part of the United Kingdom. Is that something that we have the ability to sustain? Have we the collective Cabinet-style responsibility that we need to drive the reforms that the Minister talks about?

As I said, at no point have I heard any semblance of collective responsibility from anyone in the Executive or from any member of a party in the Executive. I happily say that I felt one of the best contributions to be that of Judith Cochrane of the Alliance Party, who made the case that we might need to look at revenue raising and that we needed this reform. However, again, it comes back to the fact that the Alliance Party is in the Executive, so it is part of this almighty mess. The Alliance Party was at the Stormont House negotiations, and it still sits on the Executive.

There are parties in the Executive that feel that they are minority parties, not properly loved, cared for, nurtured or listened to. They delude themselves and do themselves a great disservice. Many of us have heard this great line from colleagues whose party sits on the Executive: "It is different for our Minister, who does great work in the Executive. Imagine what it would be like if they were not there? Our Minister does great work in DOE or Justice or Regional Development". I am sure that they might do bits and pieces of good things, but that is not at all the challenge that faces them. It is about getting a collective strategic approach and a Programme for Government that means something and that every Minister puts their shoulder to the wheel to deliver.

The Finance Minister has to have some way of delivering on the public sector reform agenda. Mr McNarry pointed out that he has tried this, and his predecessors in Finance have tried it, right back to when Peter Robinson was Finance Minister with PEDU. Minister Hamilton is trying it now with the public sector reform division, but he has no way of delivering on any of the issues. Some 20,000

public sector workers are to go, all to be done by voluntary redundancies, with no open strategy as to how that will be achieved. What will be the consequences if it is not achieved? That is the problem that the Minister will face. How will he get into that? Without any collective buy-in, when this Minister or any other hits any difficult decision, parties will defend their own Budget lines rather than defend the outcome.

What do we hear when Minister Farry talks about the challenges in teacher training? We hear about the need to defend St Mary's University College, and the sectarian card is immediately played. That will continue until we run out of road. That is why the UK Government stood very firm —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr McCallister:** — with the parties and demanded that public sector reform had to happen. In the meantime, we are borrowing and mortgaging. On a rate that we do not know what we are paying for it, we are mortgaging our children's futures —

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Mr McCallister:** — on the basis that the Minister will be fit to deliver public sector reform.

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up. Robin Swann will make a winding-up speech on amendment No 1.

**Mr Swann:** A lot of quotations have been cited today. One of Churchill's is:

*"Politics is the ability to foretell what is going to happen tomorrow, next week, next month and next year. And to have the ability afterwards to explain why it didn't happen."*

That is what a lot of the debate on the Budget has been about. Members from the DUP made reference to the amount specified in our amendment:

*"They dismiss it as almost trivial. However, when we look for extra money to pay for essential services in various Departments we are told that hardly another penny can be squeezed out of the system."* — [Official Report, Bound Volume 8, p81, col 2].

That is another quotation — from Nigel Dodds MP, when the DUP proposed an amendment to the 1999-2002 Budget for a total of £12 million. So there are precedents for this.

### 5.30 pm

A number of DUP Members referred to and laboured on the social investment fund. Mr Anderson explained that the Minister will tell me why after I have finished. The Minister has 40 minutes and I have five, so I will not give way to him. Are some DUP Members really saying that the unallocated social investment fund is more important than extra funding for our hospitals? The Northern Ireland Fire and Rescue Service is warning that it could be forced to lay off 100 firefighters. Is unallocated SIF money more important than that? Mr Ross and Mr Frew put the case for the voluntary search and rescue services, with Mr Ross saying that a small amount of money can make an awful difference. That is where we are coming from.

Mr Givan referred to the opportunity for amendments to be used for political point-scoring. I will give him credit — he did not. Unfortunately, I cannot give the same credit to Mr McCrea or Mr Anderson, who took the opportunity of this debate on a very serious issue to do exactly that.

**Mr I McCrea:** I stated facts.

**Mr Swann:** And the facts will speak for themselves. One of the things that comes through in our amendment is our concern about Ballykelly. At my last meeting as a member of the Agriculture and Rural Development Committee — a number of Members here today were also on it — I pushed the Minister and the permanent secretary on the business case for the relocation to Ballykelly. I am not sure whether I heard this correctly, but I thought that the current Chair of the Committee said today that it had decided that it was against the moving of DARD headquarters to Ballykelly. I will check Hansard afterwards, but that was definitely what it sounded like from down here. The Committee was concerned that the timing and the finances were not right. It is amazing that, if that is so, the Committee has now taken on part of our amendment.

Moving on to the contributions from the Sinn Féin Members, I congratulate Máirtín Ó Muilleoir on his maiden speech. He said that he was in favour of this Budget. A few days ago, and probably a few hours ago, he was outside criticising it for taking away the small college premia, which, as I said to the Employment and Learning Minister, will signal the death knell for St Mary's and Stranmillis.

Mr McKay said that it was a positive Budget.

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

**Mr Swann:** I have only five minutes, Fra.

Mr McKay said that it was a great Budget and that we were moving forward. Sinn Féin would have removed 15% from MLAs' pay and would have removed the allowance for Committee Chairs, but there was no amendment, Mr McKay, to find out how that would have played out with other Members.

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

**Mr Swann:** I have only a couple of minutes left. If I have time left at the end, I will.

Michaela Boyle said what a great achievement the Budget was. She said that everyone in the Chamber should rally round and show to the wider world what a great place we are and how we can agree. Then, she finished by saying how much more money was needed for the Audit Office and that the Budget weakened the scrutiny of the Public Accounts Committee. The Minister's statement referred to that body, when he dismissed its attitude because it had not made any attempt whatsoever to make any cost savings.

At the beginning, Mike Nesbitt said that there were claims, and it has been proven —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr Swann:** — that the cuts to our Budget were known in June 2013. It should have been made clear then. The Executive and DFP had the opportunity then to put in place these cuts and the reductions to Departments, rather than doing so in-year and in-house.

**Mr Hamilton (The Minister of Finance and Personnel):**

I begin by thanking Members for their contributions to the debate, which has been useful. I especially thank those who supported the 2015-16 Budget. I tried listening to those who spoke against it and noted several of the comments that they made. In the 40 minutes or so allotted to me, I will attempt to respond to as many of those as I possibly can. I hope that, given that short time, there will be an understanding across the House that I will not be able to respond to every single point raised by Members.

I will go almost in reverse order. I will come to what I described in my opening comments as the very courageous amendment that was put forward in the names of Members from the Ulster Unionist Party, but I want to go in reverse and deal with Mr McCallister's amendment first, if I might. I do not disagree with a lot the sentiment in the wording of the amendment or, indeed, in many of the comments. I am sure that the Member will appreciate and understand that I disagree with several of the comments that he made, but I could agree with the general thrust of where he was headed.

There are several points that I want to make in response to that amendment. The first is around the idea of noting "with caution". It is almost those two words that would prevent me from supporting the amendment, which asks us to note with caution the flexibility to borrow to pay for the voluntary exit scheme. We are all handling the voluntary exit scheme with caution. It is a very radical initiative that is being taken by the Executive to move forward with reducing headcount and the number of posts in the broad public sector. Some 215,000 people are employed across Northern Ireland in the public sector, and we are trying to reduce that by 20,000 posts, through a variety of means, including, predominantly, a voluntary exit scheme. That is a very radical and very ambitious plan, and it needs to be handled with a degree of sensitivity and caution. I can give the assurance, not just to Mr McCallister but to the House, that, as we take that very serious piece of work forward, it will be dealt with with sensitivity and in a cautious manner.

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

**Mr Hamilton:** No, I will not. I am in the middle of a point that I wish to make to Mr McCallister and, indeed, to the whole House.

With the VES, the operative word, as Mr Weir said, is "voluntary". Mr McCallister and others referred to it as a voluntary redundancy scheme. It is not a voluntary redundancy scheme. It is a voluntary exit scheme and there is a distinct and important difference between them. I brought a paper to the Executive outlining the early-stage work that is required for a voluntary exit scheme to move forward within the timetable that we and Departments need it to move forward in, which is that it opens in early March and the first tranche of people will leave the public sector in and around August/September. The business case on that is being completed. In fact, I think that it has been completed. The Executive agreed last week that the business case would be brought back to the Executive before it gets final agreement and moves forward. So, I hope that that illustrates the degree of caution that the Executive are exercising around that. Whilst we are committed, as parties in the Executive, to taking forward the voluntary exit scheme, we are handling it with a degree of sensitivity. There are lots of issues around where people will come from, what grades they are at and what areas of

the public sector they come from. It needs to be handled with a huge degree of sensitivity and, indeed, caution, to use that word.

We have developed the scheme as one. I think that the Member asked whether five parties approached the Government around our plans for reform and restructuring the public sector, and the answer is yes. Whilst the Stormont House Agreement was published on 23 December, I think that the more significant work was done and agreed on 19 December, when the five Executive parties went to the Government with their proposals for reforming and restructuring the public sector.

I understand that there is a lot of focus on a voluntary exit scheme because it is so big, so radical and so ambitious, but there are other facets to it as well, including the extension of shared services across the public sector. It includes the OECD review, which the Member cited. Whilst he has been critical of that OECD review, I think that we should welcome the fact that a prestigious organisation like the OECD wishes to carry out and conduct its first ever public governance review in a sub-national and regional Government and that it has chosen Northern Ireland to do that. The timetable for completing that was, in part, dictated by the fact that the Executive took some time to agree to proceed with a review by the OECD. We took that decision back in June, and the timetable has been very much dictated by a formula that the OECD has in place and that it has used in other member states. So, it is not a timetable of my making.

Of course, we have also agreed to move forward — again, the Executive have signed off on early stages of this — with the reduction in the number of Departments from 12 to nine. A range of Executive agreements on various facets of reforming and restructuring the public sector go well beyond a voluntary exit scheme. Last week, we also agreed that a review group will be established to oversee the public-sector transformation fund, which will be used to fund the voluntary exit scheme. Beyond that, the review group will assess reform and share experiences from one Department right across Departments. That work will be ongoing. I think that the group is due to meet at the tail end of this week, so that work has already started.

I appreciate and understand that Mr McCallister, like many Members, will be unsighted of much of that and certainly of the detail. I am content to explore with Executive colleagues and with their agreement ways in which progress against that report might regularly be made public. It is important to do that.

I am very content with the current position of public-sector reform. We will all have different definitions of what should be reformed and what our primary, secondary and tertiary focus should be, but, having started out 18 months ago talking about the need to reform the public sector, I think that it is quite gratifying to hear Members from different parts of the House now openly talking about and discussing the subject of public-sector reform. It has moved from being seen as a bit of a sideshow or a project that was nice and desirable but not important to one that is front and centre.

I understand the cynicism. The Member is far too young to be as cynical as he is, but I can understand his cynicism about taking forward a big project like this. The absolute and essential nature of this — living within our means on

a sustainable basis — means that we have to progress with reforming and restructuring the public sector as the Executive have started to do. There is no finite list to be completed. Other reforms can be added over time as circumstances dictate. I hope that I can assure the Member that the sentiment and spirit of his amendment are already being embraced, not just by me but by the Executive as a whole.

**Mr McKay:** I thank the Minister for giving way. I welcome the fact that the VES business case will be signed off by the Executive and the assurances that you have given. We are happy to support an unamended motion. The Minister made a point about sensitivity on the scheme. Does he agree that not only should the Executive and the main parties be sensitive about the issue but all parties should, because it is not a compulsory scheme? It is a voluntary scheme. Whatever number of workers want to sign up for it, it is up to them. Political parties should not deliberately put out any misinterpretation of that to make political points.

**Mr Hamilton:** I thank the Member for his points, particularly the final one. Some people are doing a lot of scaremongering, undoubtedly for party political reasons. This is a voluntary exit scheme. It will be open, not for a short period but for four years. There is no scheme of any kind for the headcount that we are considering. It is a voluntary exit scheme and a voluntary exit scheme alone that is being taken forward by the Executive.

I will turn to other Members' comments. I will start with Judith Cochrane's comments, which were declared by the aforementioned Mr McCallister to be the best contribution of the day. I am sure that he excluded himself from that. I have to say to the Member in respect of her brave crusade in raising the Alliance Party's support for what are, of course, tax increases whilst being couched as revenue raising. I was at the Executive; others were at the Executive. We all heard Alliance Party Ministers calling for concessionary fares to be stopped. That is not scaremongering; that is what was raised, along with the introduction of water charges, and, to be fair to Alliance Party Members, they on the record as supporting those charges for a long time. They on the record for a long time as supporting significant increases in the regional rate. They also seek us to look at and scrap other subsidies, as they are sometimes referred to, or super-parity measures, which include concessionary fares.

#### 5.45 pm

As I said last week, I am very proud of the fact that, even in our difficulties over the past number of years, we have maintained the lowest household taxes in the whole of the United Kingdom.

That is something that I am proud of, and it is something that others in the House are proud of. I do not believe that, in the times we are in, when people still face the pressures that they do, it is right to ask them to pay more, whether through water charges, increased rates or taking away things that many people rely on. The best part about it is that the Member herself does not even agree with her party's policy. On 12 January, at a take-note debate on the draft Budget in this House, she said:

*"we cannot ask people to contribute additional revenue to the Executive if it is being allocated to public services that are not operating efficiently".*

I agree. It is the job of all Ministers in the Executive, supported by the reform and restructuring plan, to ensure that we operate as efficiently and as effectively as possible. It is only at that stage that we could even contemplate increasing local taxes.

*(Mr Speaker in the Chair)*

Dominic Bradley told the House that more change was required to the Budget, but no amendment was proposed by the SDLP. That is something that I will come back to with other parties. There is an opportunity to amend the Budget, which needs change in his view, and yet no amendment came forward. I am well aware of what the SDLP is against — they keep telling us — but I have no idea what they are for. They are against the Budget, but not an idea came forward from their Minister, Mark Durkan, in the Executive. Not a single amendment was made by him, and not a single amendment was put forward by the SDLP today. I have already addressed Mr McCallister's amendment, and I will come to the Ulster Unionist Party amendment, which has many fatal flaws. However, at least they came forward with an amendment; at least they put forward an alternative suggestion, something that the SDLP failed to do.

I congratulate Máirtín Ó Muilleoir on his maiden speech. It was not the first time that I have heard from him, but it was the first time I have heard from him in the House. When he said he was going to start with a quotation from Lenin, I worried that it was the great Marxist, because we are well used to Sinn Féin Members taking Marxist positions in the House, although, as Minister Kennedy once said, they sound much more like Groucho Marx than Karl Marx.

I am cautious about saying this: I too have a favourite Pope Francis quotation — not words you would expect to hear echoing from this side of the Chamber:

*"Where there is no work, there is no dignity."*

I was glad to hear Máirtín Ó Muilleoir focus on the economic aspects of the Budget. This is a Budget that is very focused on underpinning economic growth, and I am glad that he welcomed the progress that has been made on corporation tax. We have also made progress on welfare reform, while mitigating its worst elements. That will hopefully allow — this is something that has often been missed in the debate — for the many aspects of welfare reform that are good and positive and will help people to get back into work, giving them the dignity that was talked about.

Michaela Boyle also had a quotation. I started by quoting famous people, and now I am quoting Members. She said:

*"Austerity has become the price of the union with Britain."*

Let us not forget, Mr Speaker, that the union with Britain brings us almost £10 billion a year in the form of a top-up, a subvention above and beyond what we are able as a region of the United Kingdom to raise ourselves. That is £10 billion that we would not be able to provide ourselves and which the Irish Republic in its perilous state certainly could not provide to the people of Northern Ireland either. So whilst one has to take, because of the nature of the state that we are in, the rough with the smooth in the Union, it is the £10 billion a year subvention that helps Northern Ireland out greatly.



The Member also made comments in her capacity as Chair of PAC, comments that were also made by Anna Lo. She referred to the Budget as my Budget and said that I should review my Budget and what I have proposed for the Northern Ireland Audit Office. It is also, I remind her, Sinn Féin's Budget. The broader point, though, that I would make to her and Ms Lo, who raised concerns about the allocation to the Northern Ireland Audit Office, is why it above all others should be exempt from the difficulties, the reductions and the adjustments that Departments face. Having spoken in favour of the Audit Office getting more money, Ms Lo then makes comments about the cuts that have been placed on the Department of the Environment, the Committee of which she is Chair. You cannot have it both ways: if you want to protect and boost the Audit Office's budget, you will find that that money has to come from somewhere. If we had continued to protect that budget, we would have found that that money had to come from the very budget that she also wants to see boosted, which is that of Department of the Environment. You cannot have it all ways.

I will turn now to Mr Allister's comments on welfare reform. He asked about the lack of detail in the various aspects that will come forward. I have enough on my plate; I have enough to worry about. I will leave the detail to the Social Development Minister at Consideration Stage, which, I believe, is scheduled for a couple of weeks' time. Mr Allister will recall that the 2015-16 draft Budget allocated some £70 million back in November for a fund to mitigate the worst of welfare reform. Given what was agreed between the parties in the run-up to the Stormont House Agreement, the full cost of that package of measures for next year, 2015-16, was lower than £70 million. It was around £50 million; in fact, I think it was £54 million. As the penalties are still in and the legislation will not pass until the midway point of the year, we hope, I am hopeful that we can get that back, and we have built in to the Budget an overcommitment on that basis. Around £25 million or £26 million has been set aside in the Budget to pay for that package of measures for half a year.

There will be a cost in future years, but it is significant that Mr Allister seems to be opposed to us using our resources and the power of devolution to mitigate the worst of welfare reform. I hope that he is not arguing that everything is fine and dandy with how welfare reform would roll out in Northern Ireland if it was unadulterated or unchanged. Whilst I have long accepted that we needed to implement welfare reform in Northern Ireland, we always agreed, as a party, that it needed to be changed to reflect Northern Ireland's particular needs. That is why the previous Minister for Social Development and the current Minister worked aggressively with their counterparts in the Department for Work and Pensions to get flexibilities in place that would suit Northern Ireland. If that is not the Member's position and he thinks that we should not mitigate the worst of welfare reform — irrespective of where we are coming from on the issue, that has at least united all the parties, certainly those in the Executive and those that were involved in the talks — I am happy to let him clarify that.

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

**Mr Hamilton:** Yes.

**Mr Allister:** Will the Minister indicate whether it is now the Executive's position that, in perpetuity, they will continue to

fund benefits above the cap level in the rest of the United Kingdom? That is the point that I was making about the albatross that we are creating to put around our necks. I think there were sensible reforms to be made about the bedroom tax etc that had to be ameliorated, but what we now seem to have committed to and what I have issue with is a far more extensive and long-lasting commitment to keep topping up benefits at a level that will not be sustained in the rest of the United Kingdom.

**Mr Hamilton:** I am glad that the Member has clarified his position somewhat. He will have more opportunity when the Bill comes back to the House. He will see at that stage that many of the aspects of the package that we have agreed are not in perpetuity but have a lifespan. He will see that in clearer detail when my colleague Minister Storey comes back to the House in a week or so. I am glad that he has clarified that he wants to see the worst aspects of welfare reform ameliorated and mitigated by a package of measures. Of course, that runs contrary to his broader political position, which is that he wants to see this place disappear. He wants to see a restoration of direct rule. That would have meant welfare reform, unadulterated, being forced on Northern Ireland by direct rule Ministers. That is what would have happened if the Member had his way. In many different ways, that would, of course, be bad for the people of Northern Ireland.

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

**Mr Hamilton:** No. I will turn to a point made by Mr Allister and, indeed, by Mr McNarry about borrowing. I run the risk of repeating myself from yesterday, but there are several points that I wish to make about our position on borrowing. The capacity that we have to borrow up to £200 million a year up to a limit of £3 billion is the envy of others. A number of weeks ago, I met the Welsh Finance Minister, who is permitted to borrow only up to £400 million. She wants to borrow significantly more than that to invest in infrastructure in Wales. The borrowing that we have has ensured investment in infrastructure projects that would otherwise not have been funded or not have happened. Roads, schools and whatever else would not have happened had it not been for our ability to borrow that money.

We were also able to capitalise the costs of two significant things: the settlement of the Northern Ireland Civil Service equal pay claim and the rescue package for the Presbyterian Mutual Society. I am presuming a lot about Mr Allister, which is a dangerous game to play, but I presume that he was in favour of the rescue package for the Presbyterian Mutual Society. That was financed through borrowing that he now lambastes. That was how we financed that essential rescue package for savers in the PMS, and he now attacks the means by which we were able to help those savers out.

**Mr Frew:** It is easy.

**Mr Hamilton:** Mr Frew is right: it is easy for him. Mr Allister can just sit and object. He can be in favour of one thing one day and against it the next from his lonely position on the Back Benches.

The flexibility to borrow £700 million to pay for a voluntary exit scheme puts a slightly different complexion on borrowing moving forward. That borrowing of £700 million will, it is estimated, yield savings of around half a billion pounds by the end of the scheme. That is not a one-off half a billion pounds but half a billion pounds

of recurring savings — every year. That puts an entirely different complexion on it. If we were borrowing it for just infrastructure and having to repay it, we might be in a position in which we wanted to limit what we were borrowing. However, we are borrowing to save a significant amount and in a way that is affordable. The Member can look at the Stormont House Agreement if he wishes. It costs us roughly £3 million to £4 million a year to service £100 million. It is affordable and provides us with much-needed finance for the voluntary exit scheme and infrastructure, just as it has in the past allowed us to have essential moneys for investment in infrastructure and to rescue the PMS.

Mr McNarry also had the opportunity to propose an amendment to this awful Budget that he spoke about, but he did not bother to attempt to put one forward.

I now turn to what I have already described as the very courageous amendment by the Ulster Unionist Party. Before I get on to the more significant point about the social investment fund, which I have a lot to say about, I will make a couple of other points. One concerns the consultation. I do not know how that party thinks consultations operate. I do not think that they understand how consultations are dealt with by those receiving consultation responses. The consultation opened on, I think, 3 November, when I made my draft Budget statement in the House. The first response was received that afternoon. Several came the day after and the day after that, right through the two months that the consultation was open. What we do not do is keep those responses sealed in an envelope or box, put them in a corner or lock them in a room and, almost like a Christmas present, say that we cannot open them until 29 December when the consultation ends. They are opened, looked at and analysed immediately they come in.

There were thousands of consultation responses. There were 20,000 to the overall consultation. It is interesting to note, because it is relevant to where the Ulster Unionist Party wants to spend the money that comes from the social investment fund, that a very low number of responses raised any concerns about the Department for Regional Development's budget. Out of 32,500 responses to departmental budget spending plans, on top of the 20,000 to the overall Budget consultation, only 57 were on the Department for Regional Development. It is also worth noting that many responses are part of standardised postcard campaigns, which we will be familiar with, and many are signatures on petitions and therefore do not require as much analysis as other responses.

## 6.00 pm

The Ulster Unionist Party has reiterated — it does so in its amendment — its opposition now to the move of DARD's headquarters to Ballykelly. The party seemingly opposes that relocation but does not address it in the Budget. As Mr Irwin, the Chair of the Agriculture Committee, pointed out, there was an additional allocation between the draft Budget and the final Budget of £1 million in resource DEL to assist the Department of Agriculture and Rural Development with that move. Yet, whilst saying that all references to the move must be removed from the Budget, the party does not propose to do anything with the money that is in the Budget for that Budget line. So, that money

will not be spent or used; it will be left in DARD's budget, even though they want to do away with the move.

I appreciate that there are sensitive personnel issues — much like the voluntary exit scheme — surrounding the move of DARD's headquarters to Ballykelly, and those need to be handled appropriately over the next number of years. However, I point out, as I have done so before in the House, the capital cost of the move, irrespective of any benefits to the local area. Mr George Robinson is here, and I am sure that he will testify to the support there is in the East Londonderry constituency for the move. There is not a lot of support in the East Londonderry constituency for the Ulster Unionist Party, and perhaps that is explained by their position on the issue.

**Mr G Robinson:** Will the Minister give way?

**Mr Hamilton:** I will give way.

**Mr G Robinson:** I am glad to hear the Minister agreeing with me. As far as Ballykelly is concerned, it is an area where an awful lot of jobs have been lost. The move to Ballykelly would make up for a quite a lot of those job losses, and I would love to see the Minister and the Executive going ahead with the move. There is agreement that Ballykelly, Limavady and the north-west need all the jobs they can get because they have lost so many in recent years.

**Mr Hamilton:** I thank the Member for his contribution. I am sure he speaks on behalf of the majority of people in East Londonderry. He would understand that, equally, there are sensitivities and concerns for those who are working in Dundonald House, which need to be dealt with appropriately over the next number of years.

As I have said in the House before, irrespective of the economic benefits this yields for East Londonderry, there are comparable capital costs in moving to Ballykelly versus refurbishing Dundonald House. I accept that there is a resource cost of roughly £41 million in the move: that is a cost over 25 years and is only marginally higher than what it would cost to remain in Dundonald House.

I turn to the substantial areas of the Ulster Unionist amendment, namely what they would do and what they would change in the Budget. I am not going to get into why our resource budget is down by 1.6% in real terms. Everybody in the House and beyond knows the culpability of the Ulster Unionist Party, who were in league with the Tory Party at the last election —

**Mr Frew:** Campaigned with them.

**Mr Hamilton:** Campaigned with them. The manifesto they shared was a manifesto of austerity. We can all recall how the Prime Minister, the then Leader of the Opposition, sat and singled out Northern Ireland and the north east of England as the areas that he wanted to hit hardest. There are many Members who sit on those Benches, and indeed on other Benches, who ran on that manifesto and wanted to cut the tripe out of public spending in Northern Ireland.

At least we can now see what their opposition to the Budget was about and, unlike other parties, this is to their credit. It all hinged on less than one quarter of 1% of the total Budget of Northern Ireland. So, from a Budget of around £12 billion, because of less than one quarter of 1%, the Ulster Unionist Party is opposing it. I presume they would change their position from opposition to support if that one quarter of 1% were changed. If it were based

on such a relatively small amount of money, it begs the question as to why Danny Kennedy, when he was at the Executive a fortnight ago, did not come forward with such a proposal. At least Mr Nesbitt and others have come forward with a proposal today. Moving less than 0.25% of the total Budget around is hardly major reconstruction. The corollary of saying that you want to move around less than a quarter of 1% is to say that you are happy with 99.75% of the Budget. I am happy to take 99.75%; I think that that is an A\* in most examinations. They seem to be pretty content with it if all that they are arguing over is less than a quarter of 1%.

Some of the Ulster Unionist Party's suggested allocations are allocations that no one in the House, least of all me, would oppose. I am sure that nobody would oppose more money for the Department of Health, Social Services and Public Safety. I am sure that, in a perfect world, nobody would argue against £1.5 million for DCAL for the arts and other things, although I want to make a couple of points around the campaign for more money for the arts. It is worth noting that that campaign seems to be more about saving the Arts Council than the arts. It is quite disgraceful that the chief executive of the Arts Council accepted and agreed on radio recently that it utilised its own communications budget, which was granted to it by the Assembly and the Executive, to campaign against the Executive. That is certainly an issue that I want to take up with the Culture, Arts and Leisure Minister.

DCAL is facing an 8.3% resource DEL reduction. It has offered a degree of protection in that context, with the arts having only a 7.1% reduction. A percentage point reduction for the arts is the same as a percentage point reduction for the Audit Office. Whenever health is not completely protected and education is not protected, why should the arts be protected? It also, I have to say, misunderstands, as does the proposal put forward, that DCAL is not the only Department that funds the arts. We are aware of the Enterprise, Trade and Investment Minister's restoration of the events fund, which she announced last week. Much of that £1 million will go to the arts community to run various events.

Whilst we would not disagree with many of the allocations that are proposed, it is noteworthy that the single biggest beneficiary of the £26 million reallocation proposed by the Ulster Unionist Party is the Department for Regional Development, which — surprise, surprise — is a Department run by an Ulster Unionist Minister; how did that happen? The Ulster Unionist Party is proposing that £18 million of the £26 million, 70% of the total, goes to its own Minister's Department. If that is not self-serving and party political, I do not know what is. That is looking after its own Minister first and to hell again with everybody else.

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

**Mr Hamilton:** Very, very briefly.

**Mr B McCrea:** I just want to ask this question, because I have followed his advice and listened to most of the debate. Where is it appropriate to make the argument about DCAL or something else? I could answer his question by saying that, for the smallest Department with only £100 million, a 10% cut is £10 million, which is a mere drop in the ocean. We would like to make that argument, and I think that we should. Where should that argument be made if we do not have the opportunity in this place?

**Mr Hamilton:** I hope that it is not being taken that I am saying that people should not make those points. I have acknowledged that the amendment is a competent amendment. It balances in that it would take money from one place and move it to another. It is perfectly acceptable for the Ulster Unionist Party to do that. I am making an argument against the proposal for where it should go and more importantly — and I will come onto this — where it should come from. If you take the DCAL issue, I believe that the argument is best made to the Culture Minister. Perhaps it is a reflection of the argument that she put to me as to why that issue has not been addressed to everybody's satisfaction. When 70% of what the Ulster Unionist Party wants to reallocate is going to its own Minister's Department, that begs another question as to why more of it is not going to some of those other Departments, such as DCAL, which, as you say, is facing a proportionately much higher cut.

This is the most important point: any allocation has to come from somewhere. The Ulster Unionist Party's target for where this £26 million is to come from is the social investment fund. I am the first to accept that the social investment fund has been much maligned and much criticised. I am being careful about what I say given that I am standing beside the junior Minister from the Office of the First Minister and deputy First Minister. However, I think that he, too, would agree that it was certainly slow to get off the ground. Those are fair and legitimate criticisms, but you cannot criticise it on those grounds now. The mistake that the Ulster Unionist Party is making here is that it is some sort of nebulous concept, that it does not exist, that it is money that is sitting in the centre unallocated, that there is nothing moving forward, and that there is nothing for it to be allocated towards. Quite the opposite. I am not sure that the Ulster Unionist Party understands what is going on at all. If it did, it would not have tabled this amendment. We are well used to division in the ranks of the Ulster Unionist Party. Again, its Members are arguing against themselves. In their response to the draft Budget, a response that we looked at carefully, they said that they believed that existing commitments should be honoured, a point reiterated by Mr Swann in his contribution. However, the point that they miss is that the £26 million that they want to take from SIF and spend elsewhere — 70% going to their own Minister — is the only allocation to SIF. It is the only allocation to SIF in the 2015-16 financial year. It is clearly mentioned in the Budget. If you go to the OFMDFM section, you will see that £26 million is what has been allocated to SIF in 2015-16.

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

**Mr Hamilton:** No.

In the 2015-16 year, £26 million is all that SIF has.

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

**Mr Hamilton:** Bear with me a second.

That means that every single project working through the pipeline — those approved and still having money spent on them or those approved and not yet started — is being defunded by the Ulster Unionist Party. Let us take a look at those. So far, 33 projects have been proposed. Every single one of them, to one degree or another, would be stopped by the Ulster Unionist Party's amendment. The question for every member of the Ulster Unionist Party, particularly every constituency MLA is this: do they

support bringing an end to all those projects? Many of the projects have been mentioned by my colleagues who are deeply concerned about what is being put forward. That concern will be reflected in the communities that the Ulster Unionist Party is targeting.

It is £1 million of funding for the development of a purpose-built community doctors' surgery at Bryson Street in Mr Douglas's East Belfast constituency. Does Michael Copeland support that? It is funding for five Orange halls in the Cookstown and Magherafelt area. Does Mrs Overend support withdrawing funding from those? It is the Halls Together Now project, which would refurbish St Macartin's church hall in Enniskillen. Does Tom Elliott support withdrawing funding from that? That is what your amendment would do. You shake your head, but you are taking away £26 million — the only allocation to SIF in the Budget for next year — from those projects.

There are other projects. You are taking funding away from, as Mr Spratt mentioned in his contribution, the extension of a day nursery and healthy living centre at Taughmonagh and the development of a training and education centre in Sandy Row — close to £2 million would be withdrawn from those two projects. You are taking away £733,000 of funding for the Kilcluney community hall and the YMCA in Lurgan. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Hamilton:** Is that withdrawal of funding supported by Mrs Dobson and Mr Kennedy? You are taking funding away from capital improvements to Dromore Orange hall, Banbridge Orange hall, Corcrair Orange hall and Clogher Orange hall? Are those things that the Ulster Unionist Party supports withdrawing funding from?

Mr Nesbitt said earlier, on the record, that he wanted to put the remaining millions to better use. Mr Nesbitt will be familiar with some of the projects awaiting approval. However, even if approval came, they would not get any money because you are taking all the money away from them. One is the scoping exercise to develop community houses in north Down and Ards. Another is five community-operated sports facilities, including one in Kilcooley in Bangor, which is in Mr Cree's constituency, and the Glen estate in Newtownards, which is in Mr Nesbitt's constituency, a project that I understand the Member has offered his support to in the past but for which he now wants to withdraw funding. We move finally to north Belfast. They would defund capital projects supporting the likes of Crusaders Football Club and a community-based arts group on the York Road, at the same time as wanting to give money to DCAL for the arts.

That the Ulster Unionist Party would seek to defund the whole list is a shame. They want to take money from PIPS, the suicide prevention charity, and from very worthwhile, meaningful community development projects across Northern Ireland, and give 70% of it to their own Minister. That is a shame and a disgrace, and they will be indicted for what they have done.

In fact, even if they were right in their analysis, projects such as those in Mr Nesbitt's constituency would have no money left to move forward, because he wants to take the remaining millions and put them to better use. He does not want to put them to good use in his constituency; he wants to put them to better use by giving them to his party colleague.

## 6.15 pm

I have only a few minutes left. I have glossed over the fact that several letters of offer have been issued to the projects that are being funded, so actually, legally, what the Ulster Unionists propose to do would not be possible. However, it is a matter for them and their Assembly Members to justify to their constituents and the community organisations in their area why they seek to defund them and to explain why they are doing it. We will not support that amendment, as you might appreciate and understand, and I am sure that the House will also not support the shameful amendment put forward in the name of Mr Nesbitt and others from the Ulster Unionist Party.

I have never pretended that this was a perfect Budget. I would love to have more money, and I would love it if there were no more cuts. However, in the circumstances that we find ourselves in, I think it is a good deal for Northern Ireland. It supports key services such as health and education, underpins economic growth and readies Northern Ireland for the required reform and restructuring. It is a Budget of tough choices and difficult decisions. It is far from ideal. Today's debate, however, has shown that those who oppose it have no serious suggestions and no credible alternatives. I commend the Budget to the House.

**Mr Speaker:** Before we proceed to the Question, I remind Members that the vote on the motion, whether or not amended, requires cross-community support but votes on the amendments are by simple majority only. Before I put the Question on amendment No 1, I advise Members that, if this amendment is made, the second amendment will fall and I will proceed to put the Question on the motion as amended.

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

*The Assembly divided:*

Ayes 10; Noes 83.

## AYES

*Mr Allister, Mr Cree, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

*Tellers for the Ayes: Mr Kinahan and Mrs Overend.*

## NOES

*Mr Agnew, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Devenney, 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, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, 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, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.*



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

*Question accordingly negated.*

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

*Main Question put.*

*The Assembly divided:*

*Ayes 56; Noes 30.*

## AYES

### Nationalist

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Ms Ní Chuilín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

### Unionist

*Mr Anderson, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

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

## NOES

### Nationalist

*Mr Attwood, Mr D Bradley, Mr Byrne, Mr Eastwood, Mrs D Kelly, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

### Unionist

*Mr Allister, Mr Cree, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.*

### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.*

*Tellers for the Noes: Mr Kinahan and Mr McKinney.*

Total Votes	86	Total Ayes	56	[65.1%]
Nationalist Votes	37	Nationalist Ayes	25	[67.6%]
Unionist Votes	42	Unionist Ayes	31	[73.8%]
Other Votes	7	Other Ayes	0	[0.0%]

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr B McCrea.*

*Main Question accordingly agreed to.*

*Resolved (with cross-community support):*

*That this Assembly approves the programme of expenditure proposals for 2015-16 as set out in the Budget laid before the Assembly on 19 January 2015.*

## Private Members' Business

### Older People: Abuse

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to wind. All other Members who wish to speak will have five minutes.

**Ms Maeve McLaughlin:** I beg to move

*This Assembly notes with concern the worrying increase in the number of allegations of abuse against older people in care homes, from 1,715 in 2011-12 to 3,023 in 2013-14; and calls on the Minister of Health, Social Services and Public Safety, in conjunction with Executive colleagues, to introduce legislation to define clearly abuse and protect and safeguard our older population.*

Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to bring the motion to the Floor of the Assembly today. It is an extremely important issue for all of our communities and society in general. Put frankly, the abuse of elderly and vulnerable people should be a concern for everyone in our society, no less us as legislators. How we treat, respect and protect elderly residents is a reflection on all our communities and on society. Therefore, that protection should be a priority for all of us. It is nothing short of shocking that allegations of abuse against older people have increased from 1,715 in 2011 to 3,023 in 2013-14

### 6.45 pm

The motion simply calls on the Minister of Health to introduce legislation to do two things: to clearly define abuse and to put in place the necessary legislative protections for our elderly population. In 2013-14, the adult safeguarding report suggested that some trusts still appeared to be under-reporting allegations of abuse. For example, in the Western Health and Social Care Trust, the accounts for allegations of abuse was for only 8% of referrals, but that actually makes up 16% of the population. It is for that very reason that legislation needs to be in place to define abuse. Abuse and, indeed, harm do not only take place in care homes and can take many forms: physical, sexual, emotional or even financial.

The findings of the recent review of the Cherry Tree House Nursing and Residential Home are deeply concerning to us all. The Commissioner for Older People pointed out how:

*"Over 8 years Cherry Tree House continually failed to fully comply with regulations, and did not meet even the expected minimum standards of care required. ... The staff and relatives who raised concerns about care at Cherry Tree House felt bullied and victimized, ignored and disregarded with their concerns not properly addressed".*

She went on:

*"This is a disgraceful account of a poisonous combination of poor management, bullying behaviour, abuse, neglect and generally substandard care by a care home, compounded by a regulator (the RQIA) which did not adequately ensure that improvements were made, and Health and Social Care Trusts which*

*continued to place vulnerable older people in a care home that over many years did not even meet the minimum standards required."*

Those words are a damning indictment of our society and cannot or should not be ignored.

Older people deserve to have confidence that, if they experience abuse or are at risk of it, the law can adequately protect them and punish those who inflict that abuse. As it stands, there is no single piece of legislation in the North of Ireland that protects older people from abuse. That means that people who may be vulnerable or at risk of abuse are not afforded the legal protection afforded to people in England, Scotland or Wales, all of which have dedicated laws in place to protect all older people from abuse. Professor John Williams, an expert in adult safeguarding, recently attended an evidence session with the Health Committee. He indicated that such laws must achieve a careful balance between the older person's right to be safe and their right to make their own decisions.

The BBC's 'Panorama' programme, 'Behind Closed Doors: Elderly Care Exposed', shocked us all but also highlighted the need for whistle-blowers to be protected, so that they can have the confidence to report abuse and neglect. On too many occasions, the whistle-blowers, who are aiming to expose flaws and protect our vulnerable, are expected to jump through hoops, often with very individual personal circumstances. It is important, therefore, to reflect on the definition of harm and the absence of legislation around goods, facilities and services linked to the Equality Act 2010.

The current consultation on adult safeguarding is welcome, but policy and guidance will not provide adequate safeguards and protections against the misuse or abuse of statutory powers. Professor Williams suggested that other models, where legislation is in place, be examined. He stated that England can be considered as having a minimalist approach, Scotland a maximalist approach and Wales as somewhere in between. The Scottish legislation provides significant powers of intervention. However, the lesson from Scotland is that the legislation led not to the use of those powers but to more preventative work.

It is important that, as legislators, we tackle head-on the 3,023 allegations of abuse in 2013-14 and provide safeguards and protections in a legislative framework for all of our elderly community.

**Mrs Cameron:** I welcome the opportunity to speak on this important matter today. The abuse of older people is to be reviled and treated as the most abhorrent of crimes. I would like to take the opportunity to thank the Commissioner for Older People, Ms Claire Keatinge, and Professor John Williams for their presentations to the Health Committee and the vital insights that they provided on the matter.

Abuse of older people can take many forms, including physical, sexual, psychological or emotional, financial and institutional neglect or exploitation. Indeed, more often than not, when one form is identified, it exposes a catalogue of mistreatment. Tackling the abuse of older people is not just a matter that concerns a small sector of our society; it is a responsibility incumbent on each and every one of us.

Unfortunately, the abuse of older people is significantly under-reported, and I believe that the figures could be the

tip of the iceberg. As with all forms of domestic abuse, all too often the abuser is a family member, so-called friend or carer. The adult safeguarding policy consultation that was launched in November 2014 forms the starting point from which the Department of Health will gauge how it moves forward with protecting our older people. The policy is based on the principle that we should do all that we can to prevent the abuse, exploitation or neglect of older people. It also highlights the fact that safeguarding is the business of everyone and calls on a wide range of service providers, such as voluntary and community groups, financial institutions, the legal profession, churches and care providers to recognise the signs of abuse and report it immediately.

The central focus of the policy is on a zero-tolerance, multi-agency approach that aims to identify those at risk of harm or needing protection. Whilst legislation of varying degrees is in place in England, Scotland and Wales, Northern Ireland remains the only part of the UK without specific measures to protect older people. Interestingly, with the Scottish model of adult safeguarding, which has the highest level of statutory provision, the threat of intervention has led to a great deal of preventative work, resulting in a significant drop in abuse levels. I hope that, if we are able to draw on other UK legislatures and tailor their procedures to suit Northern Ireland, coupled with policy findings, we can provide a system that will protect our older people from harm or injury. However, it is vital that any proposed legislation comes with a sea change in our attitude to how we see and treat our older generation.

In evidence to the Committee, Professor Williams described our society as institutionally ageist, which, sadly, when we look at how older people are treated, at times, in institutional and domiciliary care, is all too evident. In my constituency, I recently dealt with the case of a gentleman who, in the early stages of dementia, was admitted to a nursing home following his wife's death. As he had never displayed any violent or disruptive tendencies, his family was disturbed to find him incoherent due to a high dosage of lorazepam, which had been given to him for, allegedly, exhibiting such behaviour. Despite the family's request not to give him any further medication, the gentleman was subsequently admitted in an unresponsive condition to hospital. There, sadly, he passed away, having, essentially, overdosed on extremely high levels of drugs. I fear that that is not the only episode of residential abuse of its kind, with other such incidents, including malnourishment and dehydration, coming to the fore.

In conjunction with any changes to legislation, we must strive to ensure that our carers become a much more professional workforce. We also need to embark on an awareness campaign. We are all familiar with the campaigns on child abuse and domestic violence. Those are extremely important in raising public awareness, but it should be borne in mind that the abuse of older people is no less pertinent. The violation of a person's dignity and self-respect in whatever form must be viewed as abuse, and any awareness campaign should be welcomed and considered.

We must do more to protect our older people. Whilst a great many are on the radar of social services for various reasons, I suspect that a great many more are falling between the cracks and remain subject to examples of the abuse that I have outlined. We must do all that we can

to protect those vulnerable people, and I feel that, whilst legislation is important, awareness and change in attitudes is key to removing that blight from our society.

**Mr McKinney:** I welcome the opportunity to participate in today's debate about abuse in care home settings, which is a topic that is very important to all of us. Without doubt, every person has the right to safety, free from abuse and neglect, and everyone is entitled to receive care delivered by well-trained, properly managed, committed and compassionate staff. We must be determined to make that reality. I therefore commend the rationale that underpins the motion and the fact that it focuses on abuse, but we need to be aware that abuse comes in many forms and is perpetrated by individuals and organisations that might like to forget that or even have us forget about it.

The SDLP supports the motion, but it also recognises that it is distinctly limited, given that it only concentrates on abuse of the elderly in care homes. Of course, institutional abuse involves not just the elderly but those with other care needs, such as people with learning disabilities, and it is our contention that any proposed legislation that calls for a definition, as the motion does, would ultimately lead to embracing those two at least.

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

**Mr McKinney:** Yes.

**Mr Poots:** I thank the Member for mentioning that abuse takes place not just in care homes but outside them as well. Does the Member support tougher sentencing for people who perpetrate crimes against the elderly?

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

**Mr McKinney:** Absolutely. Ultimately, that will become an issue for the judicial service, post a definition of abuse. We have seen footage taken, not just here but elsewhere, of the types of abuse, and anybody who perpetrates that type of abuse should be subjected to a zero-tolerance approach. I welcome the intervention.

We must question whether existing legislation, such as that on autism, is delivering to the extent to which it should and whether the outcomes of reports such as Bamford, which made important recommendations, have been delivered. Remember that we are still waiting on the goods, facilities and services legislation that will address inequalities, not just for elderly people but for the younger population. Finally, we must ask whether the system has the potential to abuse, not just in care settings but in the home, and whether the financial pressure that leads to pressure on staff, 15-minute domiciliary care packages and people receiving meals but no contact has the potential to create neglect and whether that is ultimately abuse. I refer to the Age NI report, 'Would You Eat Sandwiches for Your Tea Every Night?', which highlighted the need to focus on the needs of the person and not the finance, and I welcomed the comment, which reflected that in its entirety, in Sir Liam Donaldson's report, which was published today.

Our older population is living longer, has more active lives and is engaging in and contributing significantly to society as a whole. For example, the recent report, 'Appreciating Age', identifies that our older population will contribute something in the order of £25 billion to the Northern Ireland economy in the next 50 years. It is in part due to Northern Ireland having an increasing age population. NISRA has projected that, by 2062, there will be an

additional 318,000 people over 60 compared with today, but, with a shift in our demographics, we must look at the wider picture. In reality, that increase means that we will be more heavily reliant on nursing homes and residential care homes and the provision, as I articulated, of care in our communities. If Transforming Your Care and its ambition were to be realised, that would increase care in the community and in homes, with home being the hub.

It is important to acknowledge the work that our Commissioner for Older People, Claire Keatinge, has undertaken in promoting the needs of our older generation, in raising much-needed awareness and, importantly, in advocating a change to our legal framework to protect older people. In that regard, the events that took place at Cherry Tree House and Ralph's Close are damning indictments of our current approach to protecting the vulnerable and marginalised groups in our society. It is evident that our current approach is not fit for purpose. As I highlighted, it is the same as was experienced in Winterbourne View in Bristol and in unit 3 of the bungalow in the Republic: different jurisdictions with different safeguarding mechanisms but the same abuse.

#### 7.00 pm

The current legal framework here is obviously disjointed and convoluted. It consists of a range of statutes, policies and guidance. We have seen at first hand that, when these rules are slack and we lose sight of the person, when monitoring and care standards are relaxed, the presence of abuse is witnessed. The adult safeguarding Bill is an attempt to bridge the gaps in our current approach by providing a more robust framework in reporting and responding to allegations of abuse and promoting greater collaborative partnerships between the various statutory bodies, voluntary organisations and the independent sector.

As I said, we must see this as an ambition, if you like, not gesture legislation. It should be seen as a platform in the ongoing journey of providing key mechanisms and safeguarding individuals from abuse and neglect. It must also act as the impetus to raising much-needed awareness. We must begin to value older people truly and to invest in their lives and care.

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

**Mr McKinney:** Older people should not be seen as a cost that society needs to bear. They are an integral part of our lives and community. We should value them.

**Mr McGimpsey:** I thank the proposers for tabling the motion, which, of course, in common with others, I support. It is important to reflect on the fact that we are talking about older people in care homes and institutional settings. Allegations of abuse have risen quite dramatically over the past three years, and that is a disgrace. We are in a position to do something about it. Guidance has been in place since 2010. The Commissioner for Older People is now saying that it is time for legislation, which I also support. It is important to bring forward that legislation.

In an institutional setting, whether a care home or a nursing home, we have the capacity to deal with the issue, not least because staff there can be registered, trained and properly inspected. It is probably easier to oversee that setting and ensure that the vulnerable elderly population in it are properly protected. In investigations of abuse, around 50% of cases are in care home settings.

Most of our elderly population are not in care homes but in their own homes. Indeed, the whole thrust of health provision is to keep individuals in their own homes for as long as possible. It is much more difficult to provide protection for vulnerable adults and frail elderly people in that type of setting. Very often, the abuse comes from family members in the form of physical, financial and emotional abuse and neglect. It is most difficult to provide protection. That is where we need legislation, penalties, as Mr Poots said, and proper investigations to ensure that we provide the best protections we can.

The elderly population is growing: the demographics are quite clear. Most older people will be supported in their own homes for most of the last third of their lives, and our responsibility lies there. I am concerned that domiciliary care packages will be cut back, because it is about more than the simple physical provision of various personal services. It is also about staff going into people's homes and having time to spend with the individuals to talk to them and to ensure that they are in good heart and are not being subjected to any form of abuse as far as they can possibly determine. I have always seen that type of inspection by our domiciliary care providers as a key part of the protections for our elderly population. One visit a day is certainly inadequate. Domiciliary care packages have been squeezed over the past number of months and longer, but they provide much more than simple physical support for our elderly: they are also a means of protection.

I have no problem in supporting this. I look forward to hearing what the Minister has to say and what the thinking of the Department is now. It was very much in favour of guidance when I was in his shoes. I assume that he will come forward with ideas for legislation, but legislation on its own will not do it. Legislation has to be backed up. We need to hear what sort of support the Department is proposing to put in place to deal with the situation. The evidence suggests that abuse has virtually doubled — and that is in the institutional setting, so we can imagine that in the private home setting the problem is probably much greater. I therefore look forward to hearing what the Minister has to say.

**Mr McCarthy:** I thank the Chair of the Committee, Maeve McLaughlin, and, indeed, Assembly colleagues for bringing this very important issue to the Floor of the House. Hopefully, the outcome of the debate will be better safeguards for all our elderly constituents. All cases of abuse should be stopped, and, as has already been said, the culprits severely dealt with.

The Health Committee, of which I am a long-standing member, has tackled the issue on a number of occasions. The figures in the motion are horrific and disgusting. There can be no excuse whatsoever; whether abuse takes place in a family setting, in a care home or anywhere else, it must never be tolerated. As recently as our meeting on 15 October of last year, the Committee heard from health officials on the adult safeguarding policy and the need to consult, starting in November and completing by March of next year. At that stage, a decision will be made on whether to progress an adult safeguarding Bill.

At that same meeting, we heard from Claire Keatinge, the Commissioner for Older People for Northern Ireland, who explicitly indicated that there were clear gaps in the current legislation, meaning that, in some areas, older people are not protected from abuse. That anomaly has to be put

right. We would be failing in our duty if we did not use all the power available to us to ensure that every older person is protected.

Claire Keatinge called at our meeting for a new, single adult safeguarding Bill and offered suggestions as to what might be included, such as a power to remove the person at risk and the power to ban a suspected abuser from the home of an elderly person. Claire reminded us that most abuse of older people takes place in their own home and is carried out by family members, friends and neighbours, people with whom the older person has had — so they think — a good relationship and whom they trust. That situation is really hard to understand and probably hard to detect, as it can all go on behind closed doors. The commissioner in her submission to the Health Committee also asked for what is reiterated in our motion today: a clear and defined legislative position on which to develop further good practice.

Another very important aspect of our debate today is the need to protect from civil liability anybody who reports suspected abuse. The same must also apply to whistle-blowers, who do not feel sufficiently protected and who are therefore not encouraged to report their concerns to their superiors, who are in a position to stop any abuse and to take the necessary action against those personnel perpetrating abuse against an elder person.

I congratulate Claire Keatinge on her work to date on behalf of our elder citizens.

She and her office have published documents and offered solutions to assist our older population that undoubtedly will give confidence to all concerned. For her efforts, we are eternally grateful. Some time ago, it was asked that a commissioner be appointed. Thankfully, Claire Keatinge was appointed as the commissioner, despite a lengthy delay by the Executive. She has proved her worth. It is incumbent on all of us in the Assembly to continue to support her in her endeavours and to work with her to ensure that our elderly folk enjoy the dignity and rights to which they are entitled and to ensure that all abuse will be a thing of the past. Only this week, Claire spoke out loud and clear at the shocking proposal to have community meals delivered only once a fortnight. Let us hope that the providers of that service hear what Claire and, indeed, others have said and reconsider their proposals.

In conclusion, I put on record my sincere thanks to and appreciation for all carers for the work that they do to help our elderly citizens. That includes the volunteers and community care workers who are out in all weathers —

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

**Mr McCarthy:** — caring for our elderly people. On behalf of the Alliance Party, I support the motion.

**Mr Givan:** I thank Ms McLaughlin and her colleagues for tabling the motion.

Older people deserve our support. Many of us will have older relatives and friends, and we know the vulnerabilities that exist with them. Only this weekend past, I was able to celebrate with my wife's side of the family her grandmother's ninety-third birthday. She is still able to live at home with the support that is provided for her there. She is living a good life and is enjoying life. The protection of people like her should be paramount in all our minds when



we conduct ourselves in the House and consider what we can do to support them.

Undoubtedly, there was universal revulsion and indignation at the scenes of abuse that we witnessed in the behind-closed-doors exposés on our TV screens. I know the thoughts that went through my mind about what could happen if you had been able to get hold of the individuals who were carrying out that abuse on people who were so vulnerable and unable to help themselves. When we read the findings of the Cherry Tree House review, we see the litany of failures. Clearly, something is wrong, and, clearly, changes need to happen. What changes need to happen? I think that is the important question that we need to consider. Is new legislation needed? That is something that, certainly, I would be open to considering. Do we need to drill down and say, "How come we've had some of these failings already?" I read what Claire Keatinge said about the RQIA in her findings in the Cherry Tree House review. She said that it was a:

*"disgraceful account of a poisonous combination of poor management, bullying behaviour, abuse, neglect and generally substandard care by a care home, compounded by a regulator (the RQIA) which did not adequately ensure that improvements were made, and Health and Social Care Trusts which continued to place vulnerable older people in a care home that over many years did not even meet the minimum standards required."*

Would new legislation have resulted in the RQIA doing its job the way it should have? Would new legislation have resulted in the health trust not placing people into this care home? I do not know. I suppose it goes to Mr McGimpsey's point, which was that legislation, in and of itself, will not deal with this. It needs to be backed up. There needs to be the proper enforcement and proper implementation of the regulations. Unfortunately, the commissioner found that the RQIA was not doing that when it came to Cherry Tree. The commissioner found that the health trusts were not doing it. I doubt that new legislation would effect change in them. In considering whether there needs to be new legislation, we need to think about what will be there to back it up. What impact would it have, and how would it change what happens now? What would the legislation bring into effect?

### 7.15 pm

The motion, as Mr McKinney pointed out, relates exclusively to care homes. We know that abuse of older people is much broader than just in our care homes. Of course, when individuals are placed in institutions by the state, there is a particular responsibility on the state to take action. The proposer of the motion said that the abusers needed to be punished. That is an important point and raises the issue of sentencing. When people are brought before the courts, there must be proper sentencing by the judiciary for attacks on and abuse of our elderly.

How we treat the most vulnerable in our community defines the society that we live in. Our older people deserve to be treated with dignity and treasured in our society. For the years of service that they have given to our community, it is only right that, in their twilight years, they are afforded the best support and protection that we can provide. If new legislation is needed for that, I will certainly

support it. If that can be more effectively done within the existing framework, I will want the Health Minister to challenge those authorities to make sure that they are doing that, and I have no doubt that he will do that.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I, too, support the motion. In many ways, it is sad that in 2015 we have to deal with a subject such as elder abuse.

Part of the difficulty is that people have become a commodity. In my constituency, going back 25 or 30 years, there were a number of statutory residentials. Those have been supplanted by private residentials. At this point, I will take a moment to say that the vast majority of residential accommodation is excellent, with staff who are caring in how they look after the people in their care. We all owe a duty of care to older people, who have contributed so much to society. Like Kieran McCarthy, I commend carers, who save the health service here billions of pounds a year yet often go unrecognised and unrewarded for the work that they do. Those people are to be commended.

Part of the difficulty — Fearghal McKinney alluded to it — is that it is not in just residential care that abuse happens. People live in social isolation, which is a form of abuse in many ways. Those people are possibly suffering from depression and other ailments, physical and mental, yet are left very much to their own devices. They are the people who most need our help.

I read an article a couple of years ago about an elder abuse helpline. Approximately 5% of the population here were in residential care, and 23% of calls to that helpline came from residentials. Older people in that situation are often afraid because they have nowhere else to go. In many cases, they are paid for out of the public purse, because they have no other means. Owing to the reduction in domiciliary care, which was also referred to, people are often put in a position in which they have no choice but to go into residential care.

Paul Givan mentioned his wife's granny, who is 93 years old. I can trump that, because my mother will be 106 in approximately six weeks. I make the point that I was a very late baby. *[Laughter.]* I just want to make that very clear. In many ways, it is the luck of the draw. If you have a quality of life and are mentally alert but physically frail, to live to that age is something worthwhile. Many people who are much younger do not have that quality of life but need that quality of life. It is important to make that point.

We talked about the reduction in domiciliary care. We had a trust giving people frozen meals for 14 days. Do those people have the facilities for storing or cooking those meals? Kieran McCarthy, who is no longer in the Chamber, other members of the Health Committee and I went out with meals on wheels in our constituencies about three years ago. One thing that struck me was that the person who delivered the meals was the only social contact that an elderly person had all day. Most of the people we visited were in their 80s. There was not just the social aspect: the person who delivered the meal also checked the fridge to make sure that the meal from the day before had been eaten. If not, the person might have flagged up a problem and contacted the doctor or social services.

The point has been well made that, if you introduce legislation that deals with these issues, there has to be enforcement. It is no good having legislation that does not have any effect. I repeat that we owe that duty of care

to older people. In terms of what the Minister may or may not do, it is incumbent on him to introduce legislation. I commend Claire Keatinge, the Commissioner for Older People, who has done an excellent job in talking about the need for a new adult safeguarding Bill.

It is good that there is cross-party consensus in the debate. This is an issue that we are all concerned about. We realise that we have an elderly population that is continually growing. In many ways, it seems to be ignored. Money can be found for other things, for defence or other issues, yet the people who are most important — those who have given us the lifestyle and quality of life that we have — are often ignored. I ask the Minister to come forward with legislation as soon as possible and make sure that it is enforced.

**Mr Poots:** I welcome the opportunity to speak on the matter. At the outset, I indicate my appreciation to the many good people who provide care for our elderly population, whether it is in residential homes, nursing homes or through domiciliary care or whatever else. Indeed, many volunteers provide support to our elderly.

Abuse is wrong when it is perpetrated against vulnerable people, whether they happen to be the elderly, children, the learning disabled or whatever. It is always wrong, and we, as a society, should always take whatever actions we can to ensure that the people who perpetrate abuse are brought to justice for it. I welcome the motion and the opportunity it creates to debate a very important subject.

Mr McKinney rightly pointed out that the motion deals only with allegations of abuse against older people in care homes. We know that people in the domiciliary care setting — in their own homes — have also been victims of abuse. There have been cases where people have stolen people's food and done other things to them that have made the headlines. Therefore, it is incumbent on us and it is very important that, whatever we do, we ensure that we encompass all aspects of care of our elderly population and ensure that we offer adequate protection and safeguarding.

Legislation in and of itself may be helpful. That is something that we need to tease out and investigate further. However, legislation alone will not be enough. The truth is that we need to look at how we care for our older people. In my previous role, I expressed many times the view that the most significant challenge I had was the care of the elderly. It is not about cardiac care or cancers, because those things can be dealt with. Sometimes we have success and sometimes we do not, but there is a means of dealing with them. With the growing elderly population, we face a real challenge as an Assembly and an Executive along with the Department in how we respond to that.

There is a massive difference between care homes. Some of them are superb, and others fall well short of expectations. Very often, you will know instantly when you enter a care home — just by the smell of it — whether it is a good home or not. Very often, the care homes that deliver the best are the ones that have a fairly modest top-up of maybe £30 per week. That suggests to me that if all care homes were operating with a bit more money — not lots more money, but a bit more money — the standards would rise fairly dramatically across the system.

In Northern Ireland, we are not in a position to pay that money. That is the crude reality of it.

The truth is that, if you want to address the problem, you need to ensure that care homes can, first, employ people whom they have had the opportunity to adequately train and who are suitable to work with the elderly. Tesco is able to offer £2 or £3 an hour more for a job stacking shelves than people get for looking after our elderly. We need to ensure that care homes can take on the right people, can train them adequately and have the right management structures in place for supervision.

I must make it clear that I am not against legislation, but there is so much more that can be done without legislation. We need to work closely with the care home sector and ensure that the standards that it provides are standards that we find acceptable. These people are our elderly population and our relatives, and, some day, it may well be us. It is absolutely critical that we get this one right and provide the appropriate care for our elderly population. If legislation helps, bring it on, but we need to look at a much wider picture than legislation alone.

**Mr Ramsey:** I welcome the opportunity to participate in the debate, and I thank my Foyle colleague Maeve McLaughlin for taking the lead on this.

On 18 November last year, I stood on this very spot and commended the Older People's Commissioner's 'Appreciating Age' report to the House. We discussed the positive contributions made by older people through caring, childcare, volunteering and working. The report challenged the one-dimensional view of ageing and told of the positive ways that older people contribute to all our communities day in, day out. Like the former Health Minister and Mickey Brady, I acknowledge the immense contribution that so many people make in hospital, private care and hospice settings across Northern Ireland. They give kindness, help and care painstakingly. However, unfortunately, our healthcare has not been up to par at times. We need to look at that and ensure that the examples given by a number of Members do not happen again. We must offer the best protection possible to those who are potentially at risk of harm. As I have said, I know that the large majority of staff who care for patients are kind and generous and go beyond the mark in providing that care and in giving patients what is best for them.

There clearly is a lack of planning and commitment to healthcare, especially domiciliary care. It is seen as a discretionary spend and something that is the first to be cut. I agree with Mickey Brady that it is important that there is a unity of purpose in this discussion. It is a good message to send out across Northern Ireland that the Assembly takes seriously the abuse that is happening in older people's settings. People live longer and healthier lives, which clearly means that there will be increased demand on the health and social care system.

The increase in the number of allegations of abuse of older people is most worrying. The figures from the Northern Ireland Adult Safeguarding Partnership (NIASP) report are damning and shocking. The dramatic rise is something that we should all be worried about. I echo the call from many Members for legislation to clearly define abuse, and I welcome the ongoing consultation on the adult safeguarding policy. This consultation aims to define some of the vaguer aspects of abuse, including "adults at

risk of harm" and "abuse" suggesting that abuse is single or possibly even a repeated act, or lack of appropriate action occurring within relationships where there is an expectation of trust. I hope that the consultation will be able to define these aspects, thus constructing a more comprehensive policy on safeguarding adults.

I agree with the concept of changing the policy to ensure that it moves away from using the term "vulnerability", which can be misinterpreted as weakness, and towards a concept of "at risk". I am aware that there are minimum standards of protection for vulnerable adults in care homes, but they need to be more rigorously enforced and people made more accountable. I do not believe, for example, that refresher training every three years is acceptable. I suggest that it be done on a much more consistent and regular basis.

### 7.30 pm

As Edwin Poots said in an intervention, we should have a policy of zero tolerance of the abuse and exploitation of adults. It is important to change the way in which society thinks about harm to adults. We should establish clear procedures, seek collaborative work, promote access to justice and ensure continuous learning among all those involved in safeguarding. Many people, after years of work, paying taxes and looking after others will come to depend on the state to supply excellent health and nursing care. Our older people across Northern Ireland deserve nothing less. The best health care is what we expect for our families, neighbours and communities across Northern Ireland. I am pleased to participate in the debate.

**Mr Gardiner:** I am impressed by the Older People's Commissioner's analysis of the treatment of older people. The commissioner listed the main types of abuse of the elderly as physical, emotional, sexual or financial abuse and neglect. Her proposal for an Act of the Assembly — an adult safeguarding Bill — is one that I believe would find widespread support in the Chamber. As of June 2014, abuse referrals in Northern Ireland had risen by 76% in three years. Clearly, there is a good reason to legislate. Older people in Northern Ireland who may be vulnerable or at risk of abuse do not have the same legal protection as their counterparts in England, Scotland and Wales. I call on the Executive and the responsible Minister to frame the legislation and bring it before the Assembly as soon as the legislative timetable allows. It is important that the legislation contains provisions to allow a properly trained professional — a social worker, for example — the right to speak to an older person alone without members of the family present. Sadly, abuse is often carried out by those closest to an older person. That is particularly true of the financial abuse of vulnerable older people.

I welcome the motion and thank the Members who tabled it. The issue needs to be framed in the wider context of the general attitude to older people. I have commented on that issue many times. As Father of the House, I feel that I have a right and duty to speak up for senior citizens. We have a society that does not value age and experience sufficiently, and we are all the poorer for it. It is an attitude that shows itself in many ways. It can be as simple as a manufacturer not making packaging that older people, with reduced strength in their hands, can open. That may seem trivial to some, but it betrays the underlying attitude that what older people do is of no value compared with what

younger people do. I remind everyone in the Chamber that older people have a vote that is equal to the vote of younger people and that, as a rule, older people cast their vote, while younger people do not bother. So, at the very lowest level of self-interest, every Member should seek to legislate fairly and considerately for older people. I support the motion.

**Mr B McCrea:** It is not often that I agree with Mr Poots, but I agree with him on this. The issue about top-ups tells the story. I have to say that many of our nursing homes are trying to make do on very scant income. One of the things that we ought to recognise is that, when you give a lot of bad publicity to nursing homes, there is no differential between the good ones and the bad ones. That actually puts fear into our community. I accept the point that he was making: that a little bit of extra money is required and that we currently do not have that money. I am also struck by the big rise predicted in the number of older people in Northern Ireland. The BBC kindly told me that the number of people over 65 will increase by a quarter by 2022. I am not the Father of the House, but I had to get my calculator out to check whether I was in that over-65 group. I only miss it by a year or two.

**Mr Wells (The Minister of Health, Social Services and Public Safety):** Will the Member give way?

**Mr B McCrea:** I will indeed.

**Mr Wells:** Just for clarification, the Father of the House is not the oldest Member but the longest-serving Member of the House. I think it is important that I emphasise that point to the honourable Member.

**Mr B McCrea:** I am glad that the Minister took the opportunity to make that point. He thinks it is important. However, this is an important issue for me. I have a family member who, only this weekend, went into a nursing home in my constituency. I have also written to the Minister, as he will be aware, and I have to say I was dissatisfied with the response that came back.

I had a constituent who came to me and said that she had not been to see her mother for a short time, and, when she went in, her mother, who suffers from third-stage Parkinson's, had lost about a third of her body weight. She went through all the systems about whether there was any record of it, and they were all manual. Nobody knew how to use the computer system. When I took her to the RQIA, the response that I got back was, frankly, confused and convoluted. In fact, the message that I got from the Minister, dated 2 December, said that the trust's quality team had recently undertaken a review of some areas and that he was now happy. Well, I have to tell you that, had it not been for the energetic action of the woman's daughter, I am not sure that that would have been the case. Here is the point that she made: in this case, which I am only using as an example, there is one nurse and one care assistant to look after one wing. When somebody has a problem, they have to go and look after it, meaning that everybody else is left with no support. We have to find a way of calculating how much resource is required. When people bring out the minimum standards, they are not sufficient, and they have to be costed.

While I am on the issue of how we actually record people who are guilty of abusing vulnerable adults, I wonder what the process is. Should we name and shame? I am certainly aware of reports of people who have been dismissed

over various issues, but how do we communicate to other people that they should not be re-employed or should be retrained? What I see, Minister, is a chronic shortage of well-trained, well-paid staff in the sector. That is why I started this speech by saying that I agreed with Mr Poots that we need to put additional resources into this.

I am not saying that I do not recognise the pressures; we have been talking about the Budget all day. I am not saying that I do not recognise the pressures that we will have on our budget, but for us simply to stand up here and say, "Do you know what? Somebody should do something" is not acceptable. I am really interested in how we get proper legislation and how we get some overarching, coordinated body that will take responsibility for this. I have no doubt, Minister, that you are actually interested in the issue and I want to hear what you have to say, but I am telling you that my experience, on a number of occasions, is of organisations with no clear line of communication and no understanding of what is really needed to work together. A number of people come in and say, "It's not me. Let's pass the buck from one to another".

When you get into that situation, vulnerable people are at risk.

I will conclude by saying this: some people in here have said, "Do you know what? Abuse takes place in other areas outside care homes or whatever". This is a specific area where we can and should do something. We are behind with legislation in comparison with other parts of the United Kingdom. There is a pressing need to deal with the issue, and I am quite sure that the Minister would get a lot of support if he were to bring forward legislation soon. He would have my complete support, and I will write to him again about my constituent's concerns.

**Mr Wells:** At the outset, may I say that it is remarkable that Mr Brady's mother is doing so well and is about to reach the ripe old age of 106? I am sure that he is aware that Mrs Brady is entitled to a telegram from Her Majesty The Queen, not only for her 100th birthday but for each subsequent year, so she could be owed seven telegrams. If he requires any assistance, I have quite a lot of experience of doing that and have a contact in the palace. I could arrange the seven telegrams that I am sure she is missing at the moment.

I listened to the debate carefully and am grateful for the opportunity to respond. Let me start by making my position very clear. As people like Mr Poots, Mr Givan and Mr McCarthy said, the abuse of any adult who cannot protect himself or herself is intolerable, no matter where it happens or who is responsible. It is particularly abhorrent when it is perpetrated by individuals who are entrusted with their care or support needs, whether they are a carer, someone in a residential setting or a family member in the adult's home.

Statistics produced by the Health and Social Care Board-led Northern Ireland Adult Safeguarding Partnership (NIASP) show an increase in adult safeguarding referrals, not just in relation to older people but in general. Referrals were also received relating to adults who were experiencing mental health difficulties or adults with a learning disability.

The statistics also show that harm was perpetrated outside the care home system. The NIASP annual report for 2013-14 shows that the majority of adult safeguarding

investigations — some 70% and covering all programmes of care — did not take place in care home settings. It is, of course, highly probable that the true extent of harm that is caused to adults in their homes is unknown as a result of under-reporting.

Many Members quoted the dramatic statistical rise for abuse referrals. Whilst that rise is shocking and absolutely intolerable, I urge Members to exercise some caution. The issue has had a much higher public profile in recent years, and there is no doubt that many people are more aware of the subject and are also more aware of how to report it. To some extent, that explains the very significant increase in the figures, but the statistics are still very worrying indeed.

The NIASP report recorded a total of 7,782 referrals concerning potential adult harm for 2013, an increase of 36% on the previous year. Some 39% of those referrals — more than 3,000 — related to older people, 52% of which related to potential physical harm. The next most prevalent form of harm to older people was financial abuse, which accounted for 20% of all referrals.

The most recent available statistics are for April to September 2014. They show 4,500 referrals during that period, 1,596 of which — just over 35% — related to older people. Some 825 of the reported cases involved regulated facilities or services relating to older people's programmes of care. The most prevalent type of harm to older people continues to be physical abuse. During the same period, 33% of all referrals — some 1,493 — related to adults with a learning disability. The remainder related to the acute sector and the mental health, physical health and disability programmes of care.

#### 7.45 pm

I should point out that not every referral or allegation results in the implementation of a care and protection programme. Approximately 28% of total referrals in 2013-14 categorised under the older people's programme of care were screened out at different points in the process. Screening out can happen for a variety of reasons; for example, the matter can be addressed through an alternative process such as the complaints procedure or the allegation may be withdrawn. The latest available figures for April to September 2014 show that 33% — 529 of the referrals for older people — were screened out and 947 care and protection plans were implemented. Nine hundred and forty-seven is still a worrying figure, but it is in stark contrast to some of the figures quoted earlier. By quoting those statistics, I am making three points: first, unfortunately, adult abuse extends beyond our adult population; secondly, not all elder abuse takes place in care homes; and, finally, not all adult safeguarding referrals require an adult protection response.

Members should note that the increase in adult safeguarding referrals coincided with increased awareness-raising of adult abuse by my Department and the Northern Ireland Office. It also coincided with increased investment in adult safeguarding and with the establishment of NIASP, the new regional adult safeguarding partnership, and the local adult safeguarding partnerships (LASPs).

As I said earlier, it is not unreasonable to assume that the increase is due in part to increased awareness — it is a good thing that people are now aware of the problem



and are reporting it — and the adult safeguarding developments more generally. Media reports of harm to adults may also be encouraging more referrals. We have been made very aware of that by undercover camera procedures in some care homes, in Northern Ireland and in the rest of the United Kingdom, and we have seen some shocking images on our television screens, and I think that that has also raised public awareness of the problem. When I was first elected to the Assembly in 1998, the issue was seldom mentioned; now it is more and more in the public domain.

As we continue to raise public awareness of adult safeguarding, it is likely that referrals will continue to increase. That does not necessarily mean that adult abuse is more prevalent in Northern Ireland; it is more likely to mean that it is now recognised and that we are less willing to tolerate it. That has to be welcomed. However, it has to be said that, as we get an ageing population — Mr McCrea quoted the figure of a 25% increase in the over-65s coming along quite quickly — there will be more elderly people to abuse. Certainly, the amount of abuse may increase, if not the percentage.

My Department, jointly with the Department of Justice, has developed and is running a public consultation on a draft adult safeguarding policy. Therefore, I very much welcome the input of Claire Keatinge, the Commissioner for Older People. It has been timely and has encouraged further debate on the subject. Therefore, she has made an extremely important contribution to raising awareness of the issue.

The policy will provide a framework within which social workers, social care providers, health-care providers, police officers and those involved in the community can work to prevent harm from happening, to recognise it and respond to it when it happens, and, equally important, to help those affected to obtain the justice that they deserve. The draft policy includes the terminology “adult at risk” in place of “vulnerable adult”. The definition is more extensive and reinforces the point that while adults may have characteristics or life circumstances that increase their exposure to risk, including age, those risks become real only when others abuse or exploit those characteristics or life circumstances or are neglectful of the needs that they may generate. The development of the policy is one of a number of safeguarding measures that are packaged in the Programme for Government commitment, the aim of which is to improve safeguarding outcomes for adults and children at risk. The package includes the Mental Capacity Bill, which will be put in place and will improve safeguards that go beyond those that are required under the law. We expect that legislation to come before the Assembly by 31 March this year, and it is essential that that happens in order to get it through in this mandate. That will be a crucial part of the Department's legislative programme. The aim is to introduce the Bill and to have it enacted in the current mandate.

NIASP, which the Health and Social Care Board leads, was established in 2010. It has been tasked with setting the strategic direction in Northern Ireland. In October 2013, it published its first strategic plan. NIASP is also leading on the implementation of a financial abuse action plan. Actions in the plan cover raising awareness at strategic and operational levels and agreeing regional standards for all agencies, including those involved in the management

of clients' finances. It also includes reviewing the contract management system for residential and nursing homes.

Throughout the debate, many Members called for the introduction of legislation. I have no hard and fast view on the matter, although it is important to realise that NIASP already covers some of what Members asked for and that the Department could introduce some of that without legislation. I think that there is a tendency to believe that the new legislation would be a panacea, but it would be effective only if it included measures such as effective enforcement and sentencing. It is wrong to think that simply adopting legislation will inevitably improve the situation considerably. I welcome some of the comments, as they help as an input to the policy. Greater training was requested, for example, but again, under the present policies, there is nothing to stop us introducing more effective training.

We had a very tight regulatory system. Many people mentioned Cherry Tree House and Ralph's Close, which, I understand, is in Londonderry in the Chairwoman's constituency. We had inspections and legislation in both cases, but, unfortunately, we also had neglect. There were certainly elements of care going on in both institutions that were clearly well below standard.

I could be convinced either way. I mentioned the mental health and incapacity Bill. It will certainly not be possible to introduce legislation in this mandate. There is simply far too much going on over the last year of the mandate to bring in a major piece of legislation such as that and to get it through all its stages and a full consultation in time for the election of May 2016. Equally, there is nothing to stop someone bringing a private Member's Bill at some stage, but that would not be successful within the time span either. However, that does not mean that we are not giving it very serious consideration. I could be swayed either way. I welcome Ms Keatinge's comments because I think they help to stimulate a debate that is needed. At the end of the day, whatever is best for the protection of the elderly people of Northern Ireland, that is the route that we will go down. That might require legislation, it might require awareness raising, or it might simply require a change of policy through the present legislation. I do not know. I am not going to give a black-and-white view on the matter. I am very keen to engage with Claire Keatinge and her team to further consult on the issue.

Members will be aware that the Regulation and Quality Improvement Authority registers and inspects establishments and agencies delivering a wide range of health and social care services. That, of course, includes residential homes and nursing homes, which operate within a regulatory framework and which are inspected against minimum care standards. My Department publishes that information. RQIA can apply a range of sanctions and enforcement measures to protect the safety of service users and the drive to improve services. However, I accept all Members' criticisms that, in the case of Cherry Tree House, that did not go far enough. We and RQIA have learnt some very hard lessons from that whole incident. I suspect that inspections have improved dramatically because of those lessons learnt.

My Department, in conjunction with RQIA, has recently reviewed care standards for nursing homes. Those are being finalised and will be published in March this year.

In addition to requiring robust arrangements for whistle-blowing and complaints, standards relating to staff recruitment and safeguarding have been updated, and the new standards on personal care and on individual rights to privacy and dignity have been added.

I hope that the announcement that I made this morning on the duty of candour will be helpful in this respect. From now on, it is simply not enough to have regard for openness and transparency. Part of one's responsibility in this sector will be an imperative that, if something that you see is going wrong and you have concerns, you must report it. You must bring it to the attention of the regulators, the Department or the appropriate body. That is a positive step forward in looking after our elderly.

I am running short of time. I thank all Members who contributed. This has been a useful debate, and I thank the Chair of the Committee for tabling the motion. It will help us as we make up our mind about what we can do best to protect some of the most vulnerable members of society.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an deis deireadh a chur leis an díospóireacht thábhachtach seo inniu. I welcome the opportunity to make the winding-up speech in this important debate, a debate that raises the very worrying issue of abuse against older people. First, I am pleased that there is agreement across the board that it is an issue of the utmost importance and that protection of the elderly is a requirement and a responsibility for everyone. Moreover, I am pleased that everyone welcomes the work of Claire Keatinge, the Commissioner for Older People.

Bhí an coimisinéir do dhaoine scothaosta iomlán soiléir nuair a thug sí freagairt don athbhreithniú faoi Cherry Tree House. The Commissioner for Older People was very clear in her response to the Cherry Tree House review. She described the entire review as a:

*"disgraceful account of a ... combination of poor management, bullying behaviour, abuse, neglect and generally substandard care by a care home".*

Perhaps most worryingly, the health and social care trusts continued to put older, vulnerable people into care homes that failed to meet even minimum standards. In Committee, we heard disturbing evidence from Professor Williams about an owner of eight care homes in Wales in which there were 110 victims of serious abuse and neglect and the deaths of 60 people in suspicious circumstances. No charges were brought, and no prosecutions took place. Clearly the law was inadequate in those cases, and that is why we must get it right here.

Caithfidh bheith i gceart anseo faoin cheist seo. What is required is a single adult safeguarding Bill to place a statutory duty on all relevant organisations to cooperate in the protection of older people. It needs to be clear and unambiguous so as to provide a proper platform on which to develop good practice in this important area. Chomh maith le reachtaíocht, ba chóir do oiliúntaí, treoir agus acmhainní bheith in áit don fhoireann. Along with legislation, there must be appropriate training, guidance and resources in place for staff, as well as a public awareness campaign to ensure that there is unity of purpose between the public and the relevant organisations.

I now wish to pick up on the important and relevant points raised by Members who participated in the debate. Maeve

McLaughlin, the Committee Chair, was the first Member to speak, and she talked about the protection of the elderly being a priority for us all. She said that it is important that abuse be clearly defined and put in legislation. She made comment about the 'Panorama' programme 'Behind Closed Doors'.

Pam Cameron talked about the need for zero tolerance and said that there must be a sea change in attitudes towards treatment of the elderly. She also outlined the disturbing case of one of her constituents, who experienced negative treatment in a care home.

Fearghal McKinney talked about the right to be treated with respect, and he said that abuse comes in many forms and affects people in institutions and individual homes. He also flagged up the fact that there are other care needs, not just of the elderly but of people with learning disabilities and with autism. He also mentioned the recent report 'Appreciating Age'. Michael McGimpsey talked about levels of allegations of abuse rising and said that most elderly abuse takes place in the person's own home. He said that it is much more difficult to afford protection to people in those circumstances but that it is important that legislation cover that.

#### 8.00 pm

Kieran McCarthy also commended Claire Keatinge and the work that she does. He talked about protecting those who report cases, making it easier for people to report, protecting whistle-blowers and encouraging more people like that to come forward.

Paul Givan reminded us all that we all have older relatives. He mentioned the 'Panorama' programme as well. He talked about the failure of the Cherry Tree House home and said that it was compounded by the failure of the regulators. He asked whether new legislation was necessary.

Mickey Brady talked about how people have now become a commodity. He talked about his mother, who is one of those older people at the age of 106. The vast majority of residential care is excellent, but we need to be sure that all care is excellent, not the majority.

Edwin Poots talked about the work of those who give care and support. Legislation alone would not be enough. He mentioned that there was a massive difference between care homes. Some are great and some are not, but, if there was more money, standards would rise in all of them.

Pat Ramsey talked about the positive contribution that older people make to society and said that they deserved the best protection possible. People are living longer, so there will be an increased demand for services. That was a common feature throughout the debate.

Sam Gardiner flagged up the different types of abuse and said that people in the North do not have the same protections as those in England, Scotland and Wales because of different policies and legislation. As Father of the House, he felt that it was his duty to speak up for senior citizens, and I think we can afford him the place to say that.

Basil McCrea talked about top-ups and the rise in the number of older people. He also flagged up a concern about a constituent of his and said that we should name and shame perpetrators.

The Minister then talked about the harm perpetrated against those with learning disability and mental ill health, so it is not just the elderly and not just in homes. He also flagged up the fact that most abuse takes place in private homes and not in residential care. He laid out lots of statistics that are relevant to those cases, which I will not go into here. He is not persuaded that legislation is needed and remains to be convinced. He flagged up the important work of the commissioner, Claire Keatinge, and the other pieces of work that are coming through the Department. I urge the Minister to heed what people are saying here and to carefully consider the need for legislation on the issue.

*Question put and agreed to.*

*Resolved:*

*This Assembly notes with concern the worrying increase in the number of allegations of abuse against older people in care homes, from 1,715 in 2011-12 to 3,023 in 2013-14; and calls on the Minister of Health, Social Services and Public Safety, in conjunction with Executive colleagues, to introduce legislation to define clearly abuse and protect and safeguard our older population.*

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

## Driving Licences: Union Flag

**Mr Deputy Speaker (Mr Beggs):** 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 wind. All other Members who wish to speak will have five minutes. As a valid petition of concern was presented on Thursday 22 January in relation to the motion, the vote will be on a cross-community basis.

**Mrs Cameron:** I beg to move

*That this Assembly recognises that the principle of consent is central to our constitutional arrangements, whereby there will be no change to the status of Northern Ireland as part of the United Kingdom unless and until there is a clear majority voting for such change; notes that the SDLP endorsed these principles and constitutional arrangements; expresses its concern at the decision by the Minister of the Environment to exclude the Union Flag from UK driving licences issued in Northern Ireland; considers this to be contrary to the constitutional settlement and an unnecessary, politically motivated deviation from a UK-wide scheme that has denied Northern Ireland citizens their right to display the national flag on government documents often used for identification; and calls on the Minister to reverse this decision.*

I rise not only as the Deputy Chair of the Environment Committee, who was neither informed nor consulted on the matter, but as a unionist who, yet again, is being forced to defend our constitutional place within the United Kingdom and fight not just for the symbols of nationality, which we hold in such high esteem, but for our identity.

It is my intention — I hope that others will follow it — that the debate should not descend into “whataboutery”. It would be very easy to indulge in flag point-scoring, but I aim to resist that because, although we are talking about the reproduction of a national flag on licences, this is about much deeper issues. It is about basic governance, equal rights and accepted identity. I would prefer, instead, to use the debate to establish exactly what was behind the Minister’s decision, why he took that decision without consultation and whether he has any idea what the officials in his Department are doing.

Let us be clear: this is a decision that the Minister and his officials seem to have taken on their own and without any meaningful consultation. This Minister and his officials seem to be carving out a niche for themselves in acting in isolation and without any due regard for process or broader politics. I have noted the responses that the Minister has already provided at Question Time and in writing to other representatives. On closer inspection of those answers, it seems that either he or his officials are deliberately misleading the House and the Committee, because, if they are factual accounts, the answers given display an alarming lack of awareness of the seriousness of the issue on the part of both the Minister and, perhaps even more worryingly, the officials in his Department. For either of them to take the view that the issue is not cross-cutting or is unlikely to be controversial is simply beyond belief.

Of course, it is not the first time that this has happened. When the announcement was made that 300 jobs would

be lost at Coleraine, the Minister and his officials were taken by surprise. We were told that they knew nothing about it until an announcement was made in Westminster and a letter arrived in the Department. We also found out recently that, for provisional licence holders in Northern Ireland, the costs are double those in GB. How was that allowed to happen? And here we are again: the Minister and his Department knew nothing about this issue until another letter arrived on the Minister's desk. It seems somewhat telling that, when it comes to driving and vehicle licensing matters, the Minister and his officials have been asleep at the wheel.

I turn to the answers that the Minister has already given on the subject. Let me see if I can understand correctly his version of events.

**Mr McElduff:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** I hope that this is a point of order.

**Mr McElduff:** So do I. *[Laughter.]* The Deputy Speaker can rule on the accuracy or otherwise of this attempted point of order. Is it legitimate for a Member to attack officials in the way that the Member is doing? It is fair game to attack Ministers and political, elected figures, but a theme seems to be running through that speech, which is attacking officials.

**Mr Deputy Speaker (Mr Beggs):** When we speak, we all need to be careful about what we say. On this occasion, I did not hear anything out of order. Please continue.

**Mrs Cameron:** Thank you, Deputy Speaker.

In 2012, the UK Government announced their intention to include the Union flag on Great Britain driving licences. The Transport Minister, Mike Penning, wrote to the previous Minister to advise him of that intention. Mr Penning's letter noted that driver licensing was a devolved matter but that DVLA printed our driving licences under contract. Mr Penning indicated his intention that DVLA would continue to print Northern Ireland driving licences without change to the existing design. He asked for a view on that. My first question, at this point, is to ask the Minister whom his officials consulted to reach that view.

In his previous answers, the Minister goes on to state that, further to that correspondence, officials in his Department engaged with DVLA to ascertain whether it would be possible to provide individuals with an option to choose whether to include or exclude the flag. DVLA, however, indicated that that would not be possible, as the costs involved in making the system and the associated changes required to offer such a choice were prohibitive. The end result —

**Mr Humphrey:** I am grateful to the Member for giving way. Does she agree with me that, as the licences across the kingdom will be printed with the flag on them, the cost is for those who are sufficiently offended by the Union flag to have it removed? The cost is actually from the point of view of nationalism, not from the point of view that the licences themselves are being printed with the Union flag on them.

**Mrs Cameron:** I thank the Member for his intervention. I was just coming to that. The end result is that the flag will be applied to all GB driving licences, with no ability for individuals to opt in or opt out.

The Department, having considered the issue, responded to DfT in December 2012 confirming its agreement with DfT's intention to continue to print NI driving licences without any change to the existing design. As no change came forward, no further consultation occurred. I assume that the term "further consultation" was used loosely, given that none took place in the first instance. Let me just check this: the cost of offering an opt-out would be prohibitive, as it would mean maintaining two systems and producing two sets of licences. So, to deal with that, it is proposed to — guess what? — maintain two systems. Minister Penning and the DOE get to decide that the people in Northern Ireland keep the non-flag version while everywhere else in GB gets the Union flag version. That is a brilliant example of devolution in action — not.

Can someone help me out here? Even suspending disbelief and assuming that all events to date are as described, if this is purely about cost, surely the cheapest option of all was a common licence for everyone in the United Kingdom. Given that that option was not followed up or, we can only presume, even considered, we can assume that it was not a decision taken on the basis of cost and that it was a political decision to ensure that no nationalist or republican should suffer the offence of having to be tainted by the image of the Union flag. So much for equality, tolerance and human rights.

The principle of consent is central not just to our agreed constitutional position but to every aspect of how the Assembly is supposed to work. Although Members on the opposite side of the House are keen to raise the subject of tolerance and respect when it comes to parades and language, they seem loath to acknowledge it when it comes to any basic manifestation of Britishness. The fact is that Northern Ireland is part of the United Kingdom. We are British citizens and subjects of Her Majesty Queen Elizabeth II.

Everyone knows that flags and emblems are some of the most contentious issues in communities and in government. Time and time again, they provide the biggest stumbling blocks to building the stability and progress that the public are crying out for. No one has come out of the flags debacle with any credit — on any side of the argument. However — this is important — just because there is an element of farce to certain aspects of the flags and emblems protests, that does not mean that there will not be times when those issues are of genuine and serious concern to those who value that culture and identity. I extend that to all sides of the community here. That is why it beggars belief that, just days after the Stormont House Agreement, which is supposed to be some kind of road map for leading us out of the abyss of the past few years, this Minister, on his own and without any agreement anywhere, chose to completely disregard the basic identity and right of even the most moderate unionists by forcing them, once again, to be stripped of any symbol of identity or recognition. Minister, would it be easier for you if we all just went away? Is it so unbearable for you to allow unionist people to express their identity that you feel the need to discriminate against them with this crass decision and attempt to blame London when, in fact, the responsibility rests locally? It is completely the Minister's responsibility, and he needs to accept that.

The SDLP Minister, in making the decision not to permit citizens of Northern Ireland to display the Union flag on



their driving licence, has displayed blatant disregard for the constitutional arrangements and principles to which his party signed up in the Belfast Agreement. We were told endlessly by nationalists and republicans that this was the holy grail and must be upheld at every turn. The Minister undermines the good work of those in his party who have stood up for the rights of everyone, including unionists, even to their own electoral and personal detriment. This policy is not fit to be identified with the party that he represents.

The UK driving licence is widely accepted as a form of identification by all forms of government, yet the Minister sees fit not to allow citizens the right to display the national flag on an official government document. Today, I call on the Minister to reverse his overtly politically motivated decision. The very least that I expect from his Department is to fight to allow the people of Northern Ireland the choice of whether to have the flag on their driving licence or not. I am not persuaded by the earlier smokescreen of cost.

Identity is important. We know that only too well, and we continue to struggle with all that the history of this place has bequeathed to us. I do not ever wish to deny the Minister or anyone on the opposite Benches the right to carry an Irish passport if that is what they choose to do. He is, I suppose, fortunate that, in fact, he freely has that choice. It is just a pity that he is not prepared to extend the same basic right or the same spirit of generosity to me and the people I represent.

#### 8.15 pm

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. The business of passports and emblems and symbols on driving licences does not seem like an accurate comparison. It does not stand up because, in this society, one can apply for and receive either a British passport or an Irish passport.

An chéad rud a ba mhaith liomsa a dhéanamh ag tús na díospóireachta seo ná. I want to express our party's opposition to the motion. Many will view the motion as a waste of time. Many will believe that the subject received sufficient ventilation during the Environment Minister's Question Time on Tuesday 20 January. The motion refers to the Union flag as the national flag, and, of course, the definition of national flag in this society is contested, to say the least. Certainly, those who elect me to come here and almost half the population of the Six Counties do not view the Union flag as their national flag. That is the way it is. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order. No comments from the Back Benches, please.

**Mr McElduff:** You might wish it to be different, but it is not different.

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

**Mr McElduff:** No, the Member will have adequate opportunity during the debate to make his points, and I will take some time now to make mine.

The definition of the national flag is contested, to say the least, because, speaking personally and on behalf of very many people in the North and more people throughout Ireland, we view our national flag as green, white and orange. That represents unity and peace between Catholic, Protestant and Dissenter. It is even

more inclusive. That is my view and the view of very many people throughout Ireland and very many people who elect people to this Chamber. People talk about "the kingdom", but all that language is contested. To me, "the kingdom" is the kingdom of Kerry, and, in Gaelic football terms, the flag of the kingdom is green and gold. That has been told to me often by the voice —

**Mr A Maginness:** The question is this: is Kerry —

**Mr Deputy Speaker (Mr Beggs):** Order. We will have one Member on the Floor at a time and no comments from a sedentary position. Please continue.

**Mr McElduff:** I have often listened to the voice of Radio Kerry, my good friend Weeshie Fogarty, and he maintains that the kingdom is indeed Kerry and that its flag is green and gold.

To desist from being facetious, I want to say that it does nobody any favours for some unionist politicians to constantly impose this agenda. The obsession with the Union flag being put in our faces comes across as politically immature, intolerant and insecure. One of the best tweets of the last week was a tweet that celebrated the fact that Craigavon council will dissolve on April Fool's Day after its decision on imposing the Union flag against the views of people as expressed in a consultation in that community.

I have read Hansard from the Environment Minister's Question Time. The Minister rightly quoted, in answer to me, the Good Friday Agreement, which talks about all participants acknowledging the sensitivity of the use of symbols and emblems for public purposes. We exist. We are entitled to equality. People elect us to come here to represent their views and their sensitivities.

If there is one issue that I might like to see addressed, in perhaps striking some common purpose with Pam Cameron, the Member who proposed the motion, it is clarification of who actually took the decision. The Minister said that he did not take the decision. There is maybe a wee inconsistency, because, in the 'Derry Journal', a party spokesman for the SDLP claimed that it was the Minister's decision. It would be good to have that cleared up. I have just digressed from my script to make that one and only other point.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr McElduff:** I would say this: we exist. The nationalist and republican people of the North of Ireland exist, we matter and we want equality as well.

**Mr Eastwood:** We are back here again. We have spent a few hours debating the Budget, which many of us have difficulties with, but we will not go into that again. We are living in a situation where serious austerity is being brought down on our people. We have issues with the health service, education, joblessness and emigration, but tonight we are talking about a very important issue: whether we can put a flag on a small driving licence. I just do not understand it. This place has a credibility problem. Every time we have a debate like this, we end up making it worse.

People on the opposite Benches have lauded the Stormont House Agreement. Part of that agreement was to set up a commission to look at all these issues. It will be set up, I think, before the summer.

**Mr Humphrey:** I thank the Member for giving way. At least he is engaging in debate, unlike the previous Member.

I want to make a point to the Member about the Stormont House Agreement. We have a situation in which agreement was reached — your party was involved in it and so was mine — yet, within a short time, that announcement comes from the Minister. I ask the Member this in all sincerity and being completely genuine: why has the SDLP signed a petition of concern on the issue?

**Mr Deputy Speaker (Mr Beggs):** Before continuing, I remind all Members that good temper and moderation should be shown and respect to whomever has the Floor. I ask all Members from both sides to do so. Please continue.

**Mr Eastwood:** As far as I know, the timing of that announcement came from DfT; it was not from the Minister here.

The crux of the matter is, and it is interesting —

**Mr Humphrey:** What about the petition of concern?

**Mr Eastwood:** You would never sign a petition of concern about anything.

We believe that this is about equality. The word “equality” has been bandied about by DUP spokespersons today. It is good to hear that they are now on the equality side of the argument. We believe that equality is not about shoving things down people’s throats. It is not about making people feel like second-class citizens in their own area. That is what we have done for far too long in this part of the world.

I am delighted to hear DUP Members quoting the Good Friday Agreement to us. If that means that they are now supporters of the Good Friday Agreement, that is a very good thing. That agreement talks about acknowledging the sensitivity of the use of symbols and emblems for public purposes, acknowledging the sensitivities, not just your —

**Mr Storey:** What about our sensitivities?

**Mr Eastwood:** Do you want to listen? It is not just your sensitivities but everybody’s sensitivities. The idea that your identity has somehow been eroded or the fact that we are part of the UK — unfortunately, in my opinion — has been eroded —

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

**Mr Eastwood:** Briefly, please.

**Mr Storey:** Will the Member accept that the sensitivity that his party showed when it supported the taking down of the Union flag at Belfast City Hall was an expression of how that sensitivity is displayed? He could not find another way to outdo the Sinn Féin element that is creeping behind him electorally. They thought that that was the best way to resolve the issue.

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

**Mr Eastwood:** Do we want to do this again? I do not understand unionism sometimes. Maybe I do not understand it a lot of the time, but I try my best. The Ulster Unionists and the DUP got the SDLP and Sinn Féin to support and vote for the flying of the Union Jack — the Union flag — over Belfast City Hall for the same number of days as it flies over this Building, by the way. You did

not claim victory; instead, you claimed defeat. It always happens. You told your supporters that they were losing something and that their identity was being eroded, when, in fact, you had nationalists voting to support a flag to which we have no allegiance being flown over Belfast City Hall in the same way as it is flown here. Instead of upping the ante all the time, creating antagonism and encouraging your supporters to be angry, why not try to be more confident in your position? Let them know that the Union is safe until I and people like me can persuade enough people to change the constitutional status quo. That is a position that we have accepted, a position that Sinn Féin has accepted and a position that the nationalist people across Ireland have accepted. We have accepted that we cannot change the constitutional position of Northern Ireland until we persuade enough people to do that. Surely that is a victory. Can you not claim that as a victory? Instead, you wind up your supporters by putting out 40,000 leaflets, and you create mayhem. You create an issue about drivers’ licences that nobody was talking about before.

The DUP has had the Environment Ministry. Maybe it was before my time, but I do not remember previous Environment Ministers looking to have the Union flag on driving licences here. Why can you not just be a bit more generous and understand that it is easier for you? By the way, the word “UK” is in big letters in the European Union flag on the driving licence. I do not necessarily like that, but that is how it is, and we accept it. Why do you then need to shove it down people’s throats even more by putting the Union flag on it? This issue has been created by UKIP in Britain and acquiesced in by the Tory party, and the DUP and the Ulster Unionists are jumping all over it. You need to learn the lesson and understand that equality is not just for me or just for you —

**Mr Deputy Speaker (Mr Beggs):** Would the Member draw his remarks to a close?

**Mr Eastwood:** — it is for all of us, and it is about parity of esteem.

**Mrs Overend:** I support the motion. When the inclusion of the Union flag on new driving licences was announced by Westminster Transport Minister Claire Perry on 30 December, it emerged that, while drivers in England, Scotland and Wales would be issued the new licence with both the Union and European flags, drivers in Northern Ireland would not be treated in the same manner. I echo the comments of Ms Perry:

*“People in this country rightly take pride in our national flag, which is why I am delighted it will now be displayed on British driving licences. Celebrating Britain strengthens our sense of national identity and our unity. I will feel proud to carry my new licence and I hope others will too.”*

That is an important point. It is a major anomaly that what is probably the UK’s most widely used identity document was dominated by an EU flag and no other symbol.

It is a matter of regret, however, that drivers in Northern Ireland were denied the opportunity afforded to those in the rest of the UK by the Minister of the Environment. The Minister’s SDLP colleague, John Dallat, spoke yesterday about how, 16 years ago, 71% of the people in Northern Ireland endorsed the Belfast Agreement, an agreement

that, as Mr Eastwood said, recognises the position of Northern Ireland as part of the United Kingdom until the majority of people decide otherwise, something of which I can happily say there is no prospect in the foreseeable future. That agreement allowed people to see themselves as British, Irish or Northern Irish. I realise that this diversity of identity would always have meant that putting the Union flag on drivers' licences would be contentious; that is why the Department would have been commended for showing caution. However, instead of caution, it has shown blatant disregard and indifference to the many people who are now being treated differently. After all, it is the sovereign flag of the United Kingdom.

The question has been asked before, but I will ask it again: for the majority of people living in Northern Ireland who identify with the Union flag, why is there no option to have it included on new licences? The power is devolved, so in theory the Minister should have the ability to set the policy. Is the printing of licences non-devolved? The Minister has said that the DVLA indicated that it would not be possible on the grounds of cost, but he needs to provide the details, not least the exact scale of that additional cost and why it was seemingly insurmountable. The Minister may, I think, have said the other day that Northern Ireland licences are printed on a separate line. Is that the case only because of this difference? If not, what savings could be made if all licences were printed on the one line with the Union flag on it?

In the past, the SDLP has defended the Belfast Agreement, as it has done today. Unfortunately, in taking this politically motivated decision, they now seem to be abandoning support for a key principle of that agreement. Now the SDLP, not content with trying to block the national flag being displayed on the Northern Ireland driving licences of those who want it, joins Sinn Féin to sign a petition of concern and block the debate and the vote on the issue.

The SDLP's behaviour over recent days is stifling the democratic process and has been disappointing. It serves only to make that party appear to be joined at the hip with Sinn Féin.

### 8.30 pm

Northern Ireland is and continues to be an important part of the United Kingdom, something that the Prime Minister acknowledged just this morning when he called for the inclusion of our parties in the election debates.

The recent Scottish referendum revealed a wide cross section of support for the Union across the political spectrum and the regions. However, it is only here in Northern Ireland that motorists will not be able to have their national flag on their driving licence.

I realise that some others do not feel that this is an important issue, but let me reiterate the feelings of unionist people right across Northern Ireland who feel totally disregarded because of this decision. I certainly would like the option of having the Union flag on my driving licence, and I promise not to wave it.

**Ms Lo:** As other Members alluded to earlier, during last week's Environment Question Time, the Minister was asked to explain his decision not to include the flag of the United Kingdom on Northern Ireland driving licences and to explain why it had not been consulted on. The Minister's convoluted response suggested to me that

he was trying to shift the blame on to the Minister for Transport. The Minister's argument was that, in 2012, his SDLP predecessor saw no need to consult, as driver licensing is a transferred matter and the Department of the Environment is responsible for it. As no change of policy was proposed, he felt that consultation with anyone was not necessary. However, when the Minister for Transport advised Minister Attwood that he would be putting the UK flag on licences in England, he asked for his view on that. At that point, he had the opportunity to consult on the matter, and he did not. Furthermore, when Minister Durkan received a letter from the Minister for Transport in December 2014 regarding the plans for the GB licences, he could have requested time to consult, but he did not.

Flags are an incredibly sensitive issue in most societies, especially Northern Ireland. The Minister should have known that that approach could be controversial. There are a good number of reasons why the matter should have been a subject for consultation. First, as part of the Good Friday Agreement, all parties now support the principle of consent that says 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, and finally, in matters of esteem, all must be treated with dignity and in the spirit of equality. However, it is also worth noting that what the public might care about most where driving licences are concerned is that we will have to pay twice as much as our GB counterparts for a provisional or a renewal of licence. The public might prefer us to discuss, among other matters, improving health services, the creation of more jobs, housing issues, racism, water supplies, the arts and the huge cuts to public services. There is plenty more for us to discuss.

The point is not that flags do not matter but that attitudes and feelings are strong. For that reason, there is now a commission to deal with them. As a result, my view is that the Assembly's time could be better spent debating other, more pressing issues. We are tasked with great responsibility as a legislature, and I resent motions being tabled with the sole intent of political point scoring. Nevertheless, we have to respond to the motion and take a decision.

Members may have their own views on the wisdom or otherwise of the need for flags on driving licences, but once other parts of the UK take that decision, Northern Ireland must respond. Ultimately, the deployment of the Union flag in these circumstances is an expression of sovereignty. So far, no compelling case has been made for Northern Ireland to be treated differently that breaches that position.

The Alliance Party will support the motion, as a standard UK-wide licence could be acceptable. However, if people want standardisation across the UK, I look forward to the DUP changing its stance on issues such as the gay blood ban, equal marriage and the Climate Change Act, which, so far, it has rejected on the basis that we are different.

**Lord Morrow:** Needless to say, I support the motion, as my name is on it. That will not come as any surprise, I suspect.

It seems to me that the Minister has made a deliberate decision to trigger more friction. How else would one arrive at any other decision? He resides here in Northern Ireland

— although I suspect that he will talk about the “North”, wherever that is — and he seems to think that the best way to keep his Department going is by causing friction.

I was struck by something that the Minister said at Question Time last week and that he also stated in a response to a question for written answer from my colleague Ian McCrea. He said that he rose up out of his bed one morning and once again flags were in the news. Well, yes, Minister, flags are in the news thanks to you. You have put them back on the agenda. It does not come across very well when those who want to keep the issue on the agenda accuse others of doing so.

For 30 years and more, we had in this country of ours what some call “conflict”, but I call it “genocide”. That was the terrorist campaign that was initiated by the Provisional IRA, supported by, and participated in by some from, Sinn Féin, which seemed to think that it could bomb and blast every British person out of Northern Ireland. It took them 30 years to catch on and realise, “Look, this is not going to work. These people are not going to go away”. As somebody else said, “We haven’t gone away, you know”, and we know who said that and the context in which it was said.

However, let us make it clear: despite what Sinn Féin may think, and it seems to have the SDLP on board too on this, this British lot over here are not going away. You have tried to bomb us, kill us and murder us. You have tried all that, and the IRA surely should have the wit and wisdom to advise Sinn Féin today, “You know, that didn’t work. That didn’t break their resolve”.

**Mr Humphrey:** I thank the Member for giving way. He makes a valid point. The SDLP talks about sensitivities. I would listen to its words much more intently and believe them if I were not mindful of the fact that that party ignored the sensitivities of the unionist community when it took the flag off the City Hall, called a play park in Newry after a terrorist and campaigned to get dissident terrorists out of jail. It should not be for the Minister and his political dogma to dictate whether there are Union flags on driving licences. It should be up to individuals themselves. Does the Member agree?

**Lord Morrow:** Yes, I do certainly agree. It ill behoves the Minister to try to make little of the matter and to give a round of applause. That is not the way in which a Minister should be responding here today. He should take his position a wee bit more seriously —

**Mr Deputy Speaker (Mr Beggs):** Can all remarks be made through the Chair?

**Lord Morrow:** — and show respect and regard to those of us who hold dear our Britishness. I accept that the SDLP did not join in the war, as the Provos called it. It was not a war but a genocide, but the SDLP did not join in. What it has now joined in is an attempt to hollow out all the Britishness that exists here, whether that be with symbols or in some other way.

The SDLP may try that, but let me serve notice today: this will be very short-sighted policy. Let me be clear: if this party gets the Department of the Environment, you will get it back. You can be sure of that. This will be returned to you in kind, and perhaps not in the way in which you even want it. That is ahead of you. The Minister could have taken a very clear line on this and said, “Right. I don’t particularly like to put the flag on all the licences, but I’m not going to

deprive those who feel that this is their identity. I’m going to give them the option.”, but no, the Minister said, “Look, you will do it my way. We will work as a dictatorship here, and we will ensure that it is our way or the highway.” I want to make it clear that that highway will come one day, and when the thing turns full circle I suspect we might have a similar motion saying something slightly different from the Members opposite.

We have a petition of concern signed by the SDLP and Sinn Féin, yet when Mr Eastwood was challenged on why he felt it necessary to sign that petition of concern he decided not to answer. He has that privilege: he does not have to answer, but, one day, he will see the answer, and it may be coming quicker than he thinks.

There are those who think that they have scored some victory on the issue of licences. This is an attempt to show that this part of the United Kingdom is different from other regions in the United Kingdom. However, I serve notice today that it will not work: this will be reversed when we take over the Department. Maybe then, it should be returned in kind and no option will be given. I say to everyone here, “Just wait and watch. It’s coming ahead of you.”

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I am amazed and appalled that we are having to debate this. This place faces serious social and economic problems, and we are here debating the issue of a driving licence. It is a complete waste of time and energy. I am genuinely puzzled that the DUP does not think that we have anything better to talk about.

The language they use is not really helpful. Some of the things they are coming out with are quite frightening. Members of the DUP and the UUP want a situation where people either opt in or opt out of having the Union flag on their driving licence. It is very ironic that this proposal is being put before us on International Holocaust Remembrance Day, because in those days people were forced to wear the Star of David to help identify them so that they would be rounded up. I notice that some Members opposite are wearing commemorative badges for the day, so it is a bit daft for them to come in here and bring this proposal.

The unionist parties want a system whereby one’s preferred constitutional status can be easily assumed with the inclusion or exclusion of a Union flag on your driving licence. That is a very daft and irresponsible position to take. Such a proposal would easily mark people out and leave them vulnerable in some situations. I ask Members opposite to imagine a nationalist going out in a mixed or largely unionist area, trying to get into a pub or nightclub that has unionist or loyalist doorkeepers, being asked for ID and presenting a driving licence that does not include a Union flag. That would single that person out as not being a unionist and not sharing that outlook.

The conflict did not start in 1969, like Maurice Morrow wants people to think: he should know better because he lived through a lot of it. Sectarianism did not suddenly arrive in 1969: it has been going on for centuries. Those on the Benches opposite need to realise that an opt-in or opt-out system would easily mark people out. I ask them to reflect on young nationalists who may want to go out in a mixed or unionist area and recognise that such a system would leave them open to targeting.



What about a unionist who wants to go out in a largely nationalist or republican area? How would they feel, going into a pub or a nightclub with nationalist or republican doorkeepers and being asked to display their driving licence for ID when there is a Union flag on it? Would they not feel intimidated? *[Interruption.]* Deputy Speaker, there are a lot of remarks coming from sedentary positions. Is that going to be allowed to continue? Obviously it is. It is fine: we have to respect a Union flag on a licence, but Members — *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order, order. I will intervene when I think it is necessary. Please continue.

8.45 pm

**Mr Flanagan:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** Point of order, Mr Flanagan.

**Mr Flanagan:** Surely, under Standing Orders, comments from a sedentary position are not allowed to be made. I ask you to uphold Standing Orders when I am trying to address the Chamber.

**Mr Deputy Speaker (Mr Beggs):** Please carry on, if you wish to.

**Mr Flanagan:** On a point of order —

**Mr Deputy Speaker (Mr Beggs):** If the Member wishes to pursue this, we will move on. I will give the Member another chance.

**Mr Flanagan:** Is this my point of order, or —

**Mr Deputy Speaker (Mr Beggs):** If you make a point of order, I will move on.

**Mr Flanagan:** This is excellent, nearly as good as Claire Byrne chairing a debate on RTÉ last night.

People who want to allow people to be marked out by the inclusion or absence of a Union flag on their driving licence are very irresponsible. *[Interruption.]* Maurice, I ask you not to speak from a sedentary position, if you do not mind.

**Mr Deputy Speaker (Mr Beggs):** Order. I ask Mr Flanagan to take his seat. We will now move on. I call Alex Easton.

**Mr Flanagan:** On a point of order —

**Mr Deputy Speaker (Mr Beggs):** I have asked you to take your seat. We are now moving on to Mr Easton. Thank you.

**Mr Easton:** I am absolutely outraged and extremely disappointed that Northern Ireland is to be the only region in the United Kingdom that will not display the Union flag — our national flag — on the new driving licences. The Transport Minister, Claire Perry, said:

*"British motorists will soon be able to fly the flag with pride. People in this country rightly take pride in our national flag which is why I am delighted it will now be displayed on British driving licences."*

*[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order, Members. I ask you to operate with courtesy, good temper and respect for all. A certain amount of chitter is allowed in debate, and it is a difficult task for whomever is in the Speaker's seat to

find that balance. Ultimately it is the Speaker or Deputy Speaker's decision. I hope that Members will respect that. Please continue.

**Mr Easton:** Claire Perry continued:

*"Celebrating Britain strengthens our sense of national identity and our unity. I will feel proud to carry my new licence and I hope others will too."*

Unfortunately, this statement does not apply to us. As a British motorist, I am quite hurt that, unlike my counterparts on the mainland, I cannot fly my flag with pride on my driving licence. It is a very sorry state of affairs and so much more than just regrettable. I am aware that Northern Ireland differs from the rest of the UK in some ways, but what does not differ is that the Union flag is our national flag too. It saddens me when we are continually made to feel that we are doing wrong by wanting to express our identity. It is simply wrong that we are the only part of the UK that is treated differently and unfairly.

What we need to know is the truth behind the decision. In the 'News Letter', the SDLP stated that it was that party that stopped the union flag being displayed on our driving licences. However, in answer to a question for oral answer that I asked, the Environment Minister stated:

*"I thought I outlined quite clearly that this was not a decision taken by me. I did not consult Executive colleagues: driver licensing is a transferred matter for which the Department of the Environment is responsible."* — *[Official Report, this Bound Volume, p73, col 2].*

The Minister is saying here that it is not him but his Department that is responsible. What are the facts of the matter, Minister? I demand to know which is correct: the statement by your party that it was responsible or the statement made to me in response to my question for oral answer? Is it the UK Transport Minister? You will have to outline what the facts are.

I also find it strange that, while the Minister also apparently asked the UK Transport Minister if it would be possible to provide individuals with an option to choose whether to include our flag, this was rejected for some reason. Where is the proof from your Department that you were looking at this? Can you provide papers so that we can get to the bottom of the issue? In response to my question for oral answer, you also said:

*"Minister Penning indicated his intention that DVLA would continue to print Northern Ireland driving licences without change to the existing design."* — *[Official Report, this Bound Volume, p74, col 2].*

If it is able to print both types of driving licence, where is the extra cost? The driving licence across the rest of the UK is actually cheaper than the driving licence in Northern Ireland.

Why can an application form not have a simple box to tick to show whether you want to have the flag of your country or the European Union logo on your driving licence? I do not see what the problem is. If you could decide whether you want the Union flag or not, everybody would be happy with their licence, and nobody would feel alienated. As I said in my question for oral answer, Minister, over half the population of Northern Ireland —

**Mr A Maginness:** I thank the Member for giving way. I just want to say that the European Union logo will remain on the driving licence. It does not disappear. It remains because it is part of the European directive in relation to driving licences, and that is a matter of law.

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

**Mr Easton:** I thank the Deputy Speaker for the extra minute. Nobody is arguing about the European Union logo. What we are arguing about is that the DOE has denied our right to have the Union flag on our driving licence. That is unacceptable.

**Mr A Maginness:** That is not what you said.

**Mr Easton:** That is what I said.

As I said in my question to the Minister, over half the population of Northern Ireland has been offended by this. You owe it to them to tell the facts of the matter. Is this down to your Department? Is it down to the UK Transport Department? Is it down to you? Is it down to a bit of both?

**Mr Eastwood:** I thank the Member for giving way. The Member and other Members of his party have talked quite a bit about the right to have the Union flag on the driving licence. Can the Member point me to any international law that says that you have that right?

**Mr Easton:** Across the European Union, most countries are putting logos on their driving licence, including the Irish Republic, which is putting a harp on its, so why can we not have the Union flag on ours? I have to ask this: five months out from the election, was this a stunt? Is the SDLP concerned that it will lose —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr Easton:** — its two MPs? The Minister really needs to step up to the mark and start treating our side of the House fairly. If he is not able to do so, we will have to express deep concerns about —

**Mr Deputy Speaker (Mr Beggs):** The Member's time is up.

**Mr Easton:** — how we are being treated and return that in kind.

**Mr A Maginness:** I have listened carefully to the debate. I recognise the sense of concern raised by the Members opposite. My party and I understand their affection for the Union flag. I also recognise that the proposer of the motion emphasised two points. One was that everyone knows that flags and emblems are contentious. The second point she made was that identity — political or national identity, I assume — is important. I agree with both statements.

The fact of the matter is that this initiative was taken by a British Government at the Westminster Parliament on foot of the rather jingoistic surge in UKIP's electoral support. It was a response to that right-wing, anti-European, very jingoistic form of British nationalism. The British Conservative Government and, unfortunately, the Liberal Democrats agreed to this. For many years, the British licence simply had the European logo on it. That, in our view, was sufficiently neutral in the context of our situation, in which, as the proposer said, symbols and identity are contested issues. Having a neutral symbol such as the European logo should satisfy most people in Northern

Ireland because it does not offend anyone's national identity. It is simply an expression of our Europeanism and our membership of the European Union, which is very important to us and has brought us a lot of economic and social benefit.

**Mrs Cameron:** I thank the Member for giving way. Does the Member accept that, across Europe, most countries are moving to the same style of driver's licence and are including flags or emblems or a symbol of their country on their licence? Actually, the UK is playing catch-up with the rest of Europe by going down this road.

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

**Mr A Maginness:** Thank you, Mr Deputy Speaker, and I thank the Member for her contribution. I think what is happening is that the Conservative Party is playing catch-up with UKIP in a British context, contesting that right-wing, jingoistic, nationalist space. This is the outworking of that, and it is very sad. Look at our situation here: as you have said, emblems and flags are contentious. If that is true, is it not better to have a neutral symbol such as the European logo? Is that not better than having a situation where you impose a Union Jack on somebody or impose a tricolour on somebody?

**Mr Humphrey:** I am grateful to the Member for giving way. To be fair to him and to my colleagues who have spoken in the debate, we are not asking anyone to have a tricolour imposed on them. We are not asking anyone to have a Union flag imposed. We are asking for people to have the option and not to have it dictated to them by a political party that has political dogma behind the decision.

**Mr A Maginness:** Let me come to that point. I am sure the Minister will explain his position and that of the Department, but, as I understand it — I am subject to correction on this — officials in the Department explored the possibility of having an option in relation to the Union flag. That option was deemed to be prohibitively expensive, and it could not properly be done in the context of a realistic budget in relation to the production of the licences. That, I believe, is the situation. The Member can shake his head, but the Minister will speak in due course, and, if I am wrong, the Minister will express the official view of the Department and give details of that. However, that option was explored.

My view is that it is better not having options, and I will tell you why. It creates a situation where somebody has, say, a Union Jack on their licence and some other person has not got a Union Jack or indeed has some other symbol — a tricolour or a harp or whatever — and that identifies that person politically. We end up with an apartheid type of identification in our society. That is entirely wrong.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr A Maginness:** I will. The Minister acted reasonably here and recognises, as we do in the SDLP, the difficulties involved in symbols and flags and emblems.

**Mr Elliott:** I will commence by saying something that may surprise some Members on the opposite side of the House: I actually agree with some of the sentiments of the Members on the opposite side, those sentiments being that the debate should never have come to the Chamber at all. It should have been dealt with properly by the Minister,

but it has not been. If it had been dealt with properly, it would have no need to come to the Chamber for us to debate this evening. I think that —

**Mr A Maginness:** I thank the Member for giving way. If the Member was the Minister, what would he have done in such circumstances? Would he simply have imposed a Union Jack on people here, or would he have created a situation in which there were options?

**Mr Elliott:** The chances of me being Environment Minister are probably pretty limited, Mr Maginness. Anyway, I will come to your question in a few moments, when I have time to explore the issue.

As we said, we see no difficulty in providing an option. We are part of the United Kingdom, and it is a sovereignty issue. You and your party, Mr Maginness — through you, Mr Deputy Speaker — voted for us to remain part of the United Kingdom. You accept that we are part of the United Kingdom, so why can you not respect that? I respect the fact that those who live in the Irish Republic are part of the Irish Republic. They are Irish, and I accept that. I even accept that, as Mr McElduff said, people up here have a different cultural identity. I accept that. Why can others not accept the reality that we are constitutionally part of the United Kingdom?

9.00 pm

**Mr Humphrey:** I thank the Member for giving way. Does he agree with me that, on the very same issue, someone who lives in the United Kingdom — a member of the SDLP, for example — and pays tax to the British Exchequer can travel on an Irish passport because of the consent principle that they signed up to in the Belfast Agreement? They are now denying people here — citizens of the kingdom — the chance to have a Union flag on their driving licence.

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

**Mr Elliott:** Yes, absolutely.

I come to the matter of the option that has been suggested. As I said, I would prefer that licences had the Union Jack, but, as a matter of respect for and courtesy to those who may not want that, there is an option to allow people to have it or not.

I heard Mr Maginness and others say that that would cause problems for people and would identify what they are. There does not seem to be any difficulty for those who carry an Irish or a UK passport. That does not seem to inhibit the people who carry those. I have as much respect for those who carry an Irish passport as for those who carry a UK passport. Indeed, I know some very good nationalists — they would claim to be good nationalists — who carry a UK passport.

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

**Mr Elliott:** Indeed, I know a few people who are unionists who carry an Irish passport. I am happy to give way to Mr Sheehan.

**Mr Sheehan:** I am glad to hear you say that you know unionists who carry an Irish passport, and I know that there are a few on the other Benches. Do you not also agree that, if you want a Union flag, you can wear one on your lapel, as

many Members do? You can fly one outside your house, as many Members do. You can put a sticker on your car. You can have as many Union flags as you want.

**Mr Elliott:** I am pleased that Mr Sheehan mentioned the car sticker. I used to have a Rover, and, if any of you recall, old Rover cars had a little Union flag on the back. I went to a place that would not be great for a unionist politician — Bundoran — to take part in a debate between the Orange Order and the GAA. The chair of the meeting followed me out to have a chat with me outside. We were standing behind my car, and he happened to see the wee Union flag on my car — it was a small thing, if any of you remember. He warned me. He said “I would advise you, Mr Elliott, never to come back with that again”. He did not make a huge issue of it, but he was sending out an obvious warning to me that that Union flag was not acceptable in that area or in that community. I note that people wish to fly the Irish tricolour in this part of the United Kingdom, and that seems to be acceptable to some.

All that I ask is the respect that we do not seem to have. I plead with the Minister to show his counterparts across the Chamber and those who vote for us some tolerance and respect. Is it a case of the old adage of anti-Britishness? Do you not want anything that is British or that shows a sign of the United Kingdom? That is what appears to be coming from my colleagues across the Chamber: “You are not wanted here. This is our country. This is our place” —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr Elliott:** — “and you who show any allegiance to the United Kingdom or Britishness are not welcome”.

**Mr G Robinson:** I support the motion tabled by my DUP colleagues.

The Department for Transport has proudly boasted that United Kingdom driving licences will display the country's Union flag, but, despite Northern Ireland being part of the UK, that will not apply here. Indeed, the Department is going to the expense of:

*“retaining a separate production line for Northern Ireland driver licences, which are produced under contract by DVLA in Swansea.”*

It is bad enough that we lost our DVLA service in Coleraine, but to have our licence tarnished is an insult, and we were shocked to see that decision taken by the SDLP.

We are told that Northern Ireland is British, but Swansea and the Department for Transport do not, apparently, understand that. It is another example of how Westminster is caving in to the agenda of nationalists and republicans at the expense of those loyal to Her Majesty and the law. During the debate on the DVLA jobs in Coleraine, I warned that the service that Northern Ireland would receive would deteriorate. I must confess that my assumptions are coming true. It is bad enough that I have had to fight to have Northern Ireland driving licences recognised as UK licences by some UK bodies in the recent past, but to exclude the national flag from the licence really is heaping insult upon injury for the Northern Ireland people.

I welcome my colleague's recognition that the SDLP has acknowledged that there is not a majority for constitutional change in Northern Ireland in the foreseeable future. Since

that is the case, why do they refuse to acknowledge that fact in their actions? I look forward to the explanation.

It is my belief that the decision reached by the Environment Minister is in direct opposition to the majority community's view of Northern Ireland's constitutional position. If we are part of the UK, then the national flag — the Union flag — should be on our driving licence. Taking all that into consideration, I ask the Environment Minister to reflect on his and his party's position and to reach the logical conclusion to reverse the undemocratic decision given to the Department for Transport. In light of the evidence, it is the only fair and equitable decision.

**Mr Allister:** I support the motion, and I think that the Minister has acted in a wrong-headed and inappropriate way. I believe that he had equality-proofing obligations under section 75 that he did not pursue whatsoever, I believe that he had consultation obligations that he did not pursue altogether and I believe that he had obligations under the strange arrangements of this place, this being a controversial matter, to take the issue to the Executive. In making that case, I pick up the point that Lord Morrow made and say to nationalist and republican Members that if, at a future point, a unionist Minister were to decide that there now shall be a Union flag on the driving licence, would not each and every nationalist and unionist in the House say, "You must section 75-proof that; you must consult on it" —

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

**Mr Allister:** In a moment.

"It is controversial, and you must take it to the Executive". Of course they would, because they would say that that would be changing the status quo. However, it is precisely the status quo in the United Kingdom that has been changed in this situation. The status quo that has evolved for the rest of the United Kingdom is the Union flag on the driving licence. The Minister wants to depart from the status quo; therefore, the Minister had an obligation to consult, an obligation to recognise that it was controversial and an obligation to pursue his section 75 obligations. In failing to do that, the Minister failed in his responsibilities.

Then the Minister tells us, "Oh, we cannot have the option of having the Union flag. That isn't possible". I remind the House that people in Northern Ireland pay more for their driving licence than the rest of the United Kingdom. The Minister's colleague had a consultation in 2012 on the Motor Vehicles (Driving Licences) (Amendment) Regulations, and the consultation was to increase, exclusively in Northern Ireland, the fees for driving licences from the UK standard of £50 to £62.50. Why? The consultation said that it was because there was a separate production line for Northern Ireland driving licences and that the fee is too small to sustain it at the £50 level. We know that that option exists. Therefore, it follows that, by virtue of that already paid-for separate provision, there is the option, if the Minister wanted to take it, of affording the Northern Ireland licence holder the right to have the Union flag on their driving licence.

I very much regret the attitude that the Minister has taken. Even yet, he should review this. It really brings home to one the hypocrisy of those who talk about equality. When it comes to equality for unionists, it is just neutrality; it is never equality. It is never respect for what they want. They talk about parity of esteem, but, when there is an

opportunity to tear down the flag from City Hall or to make sure that it does not go on driving licences, it is pursued, grasped and taken. Those who pursue that course of action need to examine their stance the next time they feel compelled to make one of those effusive speeches about parity of esteem, equality and all that. This is a shameful decision and is one that the Minister should reverse.

**Mr Durkan (The Minister of the Environment):** I welcome the opportunity to reply to the debate and to provide some clarification on the addition of the Union flag to Great Britain driving licences and the role of my Department and its responsibilities for Northern Ireland — Lord Morrow — driving licences. It would have been helpful if Members from various parties here today had sought that clarification before they ran to radio stations and other media outlets to lambaste the decision, as they put it.

From the outset, it is important to clarify that Great Britain and Northern Ireland driving licences are issued by separate and independent licensing authorities. Whilst GB and NI driving licences are mutually recognised, driver licensing is a transferred matter under the Northern Ireland Act 1998. There is, therefore, no such thing as a "UK driving licence", which the motion refers to, nor can there be any such thing as a "UK-wide scheme", as the proposers suggest.

Under the Road Traffic (Northern Ireland) Order 1981, my Department has responsibility for a broad range of matters relating to the licensing of vehicle drivers, including the form of the driving licence. Those provisions must be compliant with EU directive 126/2006 on driver licensing. The directive states that the EU flag must appear on all driving licences issued by EU member states. On that basis, it might be useful to summarise the interactions between the Department for Transport and my Department on the addition of the Union flag to GB licences.

In 2012, when the UK Government announced their intention to include the Union flag on GB driving licences, DfT Minister Mike Penning wrote to my predecessor to advise him of that. Minister Penning's letter rightly noted that driver licensing is a devolved matter and acknowledged that the Driver and Vehicle Licensing Agency of the DfT prints our driving licences under contract. Minister Penning indicated his intention that DVLA would continue to print Northern Ireland driving licences without change to the existing design. He asked for a view on that.

Further to that correspondence, officials in my Department engaged with DVLA to ascertain whether it would be possible to provide individuals with an option to include or exclude the flag. DVLA, however, indicated that that would not be possible, as the costs involved in making the system and the associated changes required to offer such a choice were prohibitive. The same approach has, I note —

**Lord Morrow:** Will the Minister give way?

**Mr Durkan:** I will see how I get on. I might let you in later, Lord Morrow.

The same approach has, I note, been taken in Britain. The flag will be applied to all GB driving licences, with no ability for individuals to opt in or opt out. I also note that that approach has not been universally well received in Britain.



**9.15 pm**

The issue was considered, and a response was made to DfT in December 2012, confirming agreement with DfT's intention to continue to print NI driving licences without any change to the existing design. Given that no change was brought forward, no further consultation occurred. My Department heard no more of the UK Government's plans for GB driving licences until a letter from DfT Minister John Hayes was sent to me, dated 23 December 2014, indicating that the plans for GB licences would be announced over the Christmas period and that Northern Ireland driving licences would continue to be issued without the Union flag.

I listened very carefully to all Members who spoke during the debate, and I thank them for their contributions. I want to make some comments on some of the points raised. Mrs Cameron did not want the debate to descend into "whataboutery" or flag point scoring. I thought that that was the whole point of the debate, to be quite frank. She said that she had noted the answers that I had previously given and the answers that I gave to questions on the issue in Question Time last week, but clearly she did not note them very closely or carefully or else she would have noted that it was not "this Minister", to which she constantly referred.

I welcome Mr McElduff's valiant defence of my officials, and, certainly, it is not and was not appropriate to make assertions and cast aspersions in the manner that Mrs Cameron did. She referred to the need to outsource the printing of our licences and the impact of that on costs. The decision to outsource printing was, I believe, taken by a DUP Minister of the Environment. I have finally managed to convince the Executive of the need to invest in a new IT system that should enable us to print our own licences and thereby reduce costs to our constituents. That is something that I am sure that everyone in the Chamber will welcome.

I will not dismiss all the points made by the proposer. I do know that some people feel that their Britishness has been somehow compromised by this decision, and I have heard from quite a few of them and received emails from quite a few more. I have assured them that the playing-out of this issue across the airwaves has been far from accurate. I have also heard from a great deal of unionists — proud unionists — who feel that they do not need a flag on their licence to remind them where they are from or who they are. For Mrs Cameron to say that I took this decision days after the Stormont House Agreement is just plain inaccurate. DfT wrote to me on 23 December and subsequently released a press statement, and that was the first that my Department had heard on the issue in practically two years.

Mr McElduff in his contribution said that many people might view this debate as a waste of time, and I think that he makes a very valid point. His contribution was fair and balanced. He raised a query around the 'Derry Journal' article, and I know that one of his party trolls has been tweeting about that quite a bit. I ask the Member to read the article. It refers to "our Minister". It does not name anyone.

Mr Eastwood spoke about the real issues out there and the ones that we should be focusing on in here. On a day that parties in the Chamber forced through a Budget that will result in thousands of job losses and massive pain to many people, one cannot help but wonder whether this debate is a convenient distraction.

The details around the cost of providing an option that Mrs Overend would like to have would need to be sought from DfT, but I am happy to do so and provide those details to the Member and, indeed, to the House. However, it is my belief that there is no material cost difference for printing licences with or without the flag. She said that the SDLP is joined at the hip with Sinn Féin. I find that quite laughable, particularly having heard members of her party and the DUP over the airwaves competing in what seemed to be some kind of indignation Olympics to see who could jump up and down the hardest about this issue and who was more offended.

Ms Lo said that the Department should have consulted on the issue. There was no change in policy. I do not recall any clamour from any quarter to have Union flags put on driving licences. Lord Morrow claimed that I made the decision to cause friction. Then Mr Humphrey, no stranger to causing friction himself, could not help but invoke the ghost of the Raymond McCreesh play park. I do not know how many times it has to be said that we got that wrong. We have admitted that.

It seems that, from Lord Morrow's contribution, we can now look forward to the DUP taking this Department, or its successor, in the next mandate and ensuring that people get Union flags on their licences. It is something for their manifesto, I guess, but, given their record of delivery on manifesto pledges, I do not think that will happen any time soon. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order, Members.

**Mr Durkan:** Mr Flanagan made valid points about how the inclusion of flags on some licences could lead to people being, in effect, branded, singled out and, potentially and realistically, put at risk.

Mr Easton was confused on this issue last week. Despite clarification, he still seems to be a bit in the dark. I have outlined the process that led to the situation again today.

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

**Mr Durkan:** Certainly.

**Mr Easton:** Can the Minister explain why his party put out a press statement claiming the credit for stopping the Union flag going on driving licences when he is claiming that he has nothing to do with it? There is a lot of hypocrisy going on from the Minister.

**Mr Humphrey:** Tell the truth. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order. Members, I remind you of good temper and moderation.

**Mr Durkan:** I do not know the press statement to which the Member refers, but chronology is clearly not his strong point. Given that I assumed this role in July 2013 and that the last correspondence with or from my Department on the issue was in December 2012, I would need to have a DeLorean parked outside to have made that decision. It was a suggestion from the DfT Minister. My predecessor Alex Attwood concurred with what was a sensible position from a DfT Minister.

**Mrs D Kelly:** I thank the Minister for giving way. I am sure that he will also want to put on record the comment of his fellow Derry man and the world's greatest Irish man that "You can't eat a flag", even if it is on a driving licence.

**Mr Durkan:** No, you certainly cannot eat a flag. Given the difficulty that people are having getting their meals on wheels delivered, that is what they might have to resort to.

**Mr Deputy Speaker (Mr Beggs):** Order, Members.

**Mr Durkan:** Do the Members opposite, who point to other European jurisdictions and their inclusion of symbols on their licences, really equate that to our circumstances here, where, for years, flags have been used as a tool by some and as a target by others to cause division in our society here in Northern Ireland?

Mr Sheehan intervened, quite usefully in my opinion, and said that people could wear a Union flag on their lapel or put a sticker on their car. What they can do is put a sticker on their licence if they really wish to do so. There is no problem whatsoever with that.

Let us get one thing clear in response to a point made by Mr Elliott. I am not, and my party is certainly not, anti-British. That was an irresponsible remark from Mr Elliott.

On Mr Allister's point in regard to section 75, the Department gave regard to its responsibilities under section 75(2) of the Northern Ireland Act to have regard to the desirability of promoting good relations. Equality should be, and is, at the core of everything that my Department does and everything we do individually and, in particular, collectively in the Assembly.

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

**Mr Durkan:** Yes.

**Mr Allister:** If the Minister says that he had regard to equality under section 75, then it follows that he concluded that there were no adverse equality consequences to this decision. Is he serious in saying to the majority of people in Northern Ireland that repudiating for them the right to have the practice of the rest of the United Kingdom does not have an equality impact adverse to them? Is he serious in saying that?

**Mr Durkan:** Given that the option —

**Lord Morrow:** On a point of order, Mr Deputy Speaker. I have just noticed that the time clock is stopping. Is that to facilitate the Minister?

**Mr Deputy Speaker (Mr Beggs):** Will the Minister please continue?

**Mr Durkan:** The clock might yet go back to December 2012, if we stay here long enough.

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

**Mr Durkan:** Certainly.

**Mr Eastwood:** Will the Minister inform the House how many letters he has received since he took office — I am not sure on what date that was — asking for the Union flag to be shown on the driver's licence?

**Mr Durkan:** Prior to the press release from DfT that came out over the Christmas period, I had received no representation from anyone on this issue. It was obviously not one that was high up. *[Interruption.]* With reference to our constitutional arrangements, hopefully I have explained that there are two independent driver licensing authorities within the UK.

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

**Mr Durkan:** I am not sure how much time I have left.

**Mr Deputy Speaker (Mr Beggs):** You have 15 minutes in total.

**Mr Elliott:** Thank you, Deputy Speaker. I appreciate the Minister giving way. I have just a quick question. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order, Members.

**Mr Elliott:** You indicated earlier that people could put a Union flag sticker onto their driving licence if they wanted. Are you recommending that people deface an official UK document?

**Mr Durkan:** The addition of a sticker does not qualify as a defacing of the document. In Mr Elliott's case, if the Member was going to put a sticker on his licence, I would suggest that he put it over the photograph. *[Laughter.]*

**Mr Deputy Speaker (Mr Beggs):** I ask everyone in the Chamber to show good temper and courtesy for all Members.

**Mr Durkan:** With reference to our constitutional arrangements, I have, I hope, explained that there are two independent driver licensing authorities within the UK. One of them decided to change the design of its licence and, out of courtesy, informed my Department. In so doing, it confirmed that it would, under contract, continue to print our driving licences to the approved design. There never was a UK-wide scheme, and there never has been a UK-wide driving licence.

With the constitution in mind, I would like to reference the Good Friday Agreement, which states:

*"All participants acknowledge the sensitivity of the use of symbols and emblems for public purposes, and the need in particular in creating the new institutions to ensure that such symbols and emblems are used in a manner which promotes mutual respect rather than division."*

Taking account of that, I believe that it was appropriate for my predecessor to retain the status quo, rather than seek to introduce additional symbols and emblems onto our driving licence. I believe that the decision was a sensitive and sensible one, and it is one that I would not and will not change. I commend it to the House and cannot, therefore, agree with the motion proposed.

**Mr I McCrea:** In considering the comments that a number of Members on these Benches have made, it is obvious that the Minister was involved in a decision. He does not claim responsibility for it but he will accept that he had some role in it. According to him, he was in receipt of a letter. His closing comments that he will not change his decision are regrettable. He has an opportunity. Unfortunately, there is a petition of concern, so we will have to wait and see what the numeric vote tells us.

I think that the Minister should take cognisance of Members' comments on that. I will go through some of those comments now.

**9.30 pm**

Pam Cameron proposed the motion and referred to this being a cross-cutting or contentious issue. I do not think that the Minister truly dealt with that matter, and other

Members, including Mr Allister, referred to it being a cross-cutting or contentious issue and asked why he did not bring it to the Executive. I am happy to give way to the Minister if he wants to respond.

**A Member:** He will not.

**Mr I McCrea:** Indeed. It is important that the Minister takes responsibility. Many on this side of the House certainly view it as a cross-cutting or contentious issue. So, there was a responsibility on the Minister to bring it to the Executive. Mrs Cameron referred to it being a devolved matter. Other Members said that it was not happening due to the prohibitive cost of maintaining two systems. The Minister referred to the reasons for that. However, I think that —

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

**Mr I McCrea:** Yes.

**Mr Weir:** The Member said that the Minister seemed to feel that this was not, by definition, a contentious issue and did not, therefore, bring it to the Executive. Yet, if it is such a non-contentious issue, why have the Minister and his party signed a petition of concern to block it? Does the Member not see an element of irony and some double standards in that?

**Mr I McCrea:** I thank the Member for his intervention. I could not agree more. When people reflect on the debate, those who said that it was not a cross-cutting or contentious issue will find it difficult to explain that to the public.

It came as no surprise that Barry McElduff was opposed to the motion. He went on a rant about the kingdom of Kerry, allegiance to the flag of the Republic of Ireland and all the rest of it. I wrote down his closing comments, and it is important that he and maybe others reflect on those. "We exist" was one comment that he made. In this debate, it is important that those who oppose the motion consider that we on this side of the House and the unionist community exist also. If that is how Mr McElduff tries to encourage this side of the House to accept his argument, I ask that he at least consider the same in respect of our argument.

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

**Mr I McCrea:** Yes.

**Mr McElduff:** The essence of my contribution was that this is a contested issue. Will the Member accept that half the people of the North of Ireland view the Irish national flag of green, white and orange, inclusive of its own tradition, as being their national flag? When I say that we matter, we count, which, in Latin, is *cogito, ergo sum*.

**Mr I McCrea:** I do not know what to say in response to that, to be honest. *[Laughter.]*

**Mrs Overend:** Will the Member give way?

**Mr I McCrea:** I will in a second. The Member is deluded in thinking that half of this population aligns itself to the green, white and orange.

**Mr McElduff:** It is your tradition.

**Mr I McCrea:** You will not find that it is much about my tradition, other than maybe the orange. I will give way to Mrs Overend.

**Mrs Overend:** I just wanted help the Member out by clarifying that only 25% of those recorded in the most recent census, in 2011, identified themselves as being only Irish.

**Mr I McCrea:** I thank the Member for that intervention. Any recent opinion polls made it clear that the majority of people want to remain part of the United Kingdom, no matter whether Martin McGuinness has issued recent statements to say that a united Ireland is close or not. He is living a pipe dream if he thinks that.

Colum Eastwood's opening comments were that he did not understand this. By the time we got to the end of his contribution, he still did not understand it, and we did not understand what he was trying to say in response to any issues that had been referred to. He talked about the issue of equality and acknowledging the sensitivity of identity. For the most part, all that we on this side of the House are asking for is sensitivity to our identity. The Minister's closing comments, when he said that he would not reconsider this, does not show much sensitivity to our identity.

Sandra Overend referred to the issue of cost and the SDLP being joined at the hip with Sinn Féin. Signing the petition of concern has proved that.

Lord Morrow of Clogher Valley, my esteemed colleague, referred to the ongoing genocide by republicans for over 30 years. It did not work, has not worked and will not work. The Minister is attempting to join republicans in hollowing out our identity. Lord Morrow made the important point to be very careful what you wish for, because, if we get it — it is not an election manifesto campaign; it is a fact — we will change it.

Phil Flanagan; what can I say?

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

**Mr I McCrea:** He —

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

**Mr I McCrea:** He — *[Laughter.]* He started —

**Mr Deputy Speaker (Mr Beggs):** Order. The Member has not indicated that he will give way. Please proceed.

**Mr I McCrea:** He started by suggesting that the motion is a waste of time and energy. He spent most of his time and energy trying to get a point of order from the Deputy Speaker. That summed up his points. It was just point of order, point of order, point of order. He expressed concern that some people would be intimidated in republican areas if they were to show up at a nightclub and show a licence with a Union flag on it to a doorman. That says it all.

Many other Members referred to their outrage. All my colleagues who spoke are outraged. I think that any right-thinking person should be outraged at this. As Tom Elliott said, we are part of the United Kingdom, so respect it.

One other point that I feel is important to —

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

**Mr I McCrea:** I will.

**Mr Girvan:** I was not here for that part of the debate, but what was said indicates the intolerance of that community if someone showing a flag on their licence will be intimidated and persecuted because of that. That says more about them than it does about anything else.

**Mr I McCrea:** Indeed. I wholly agree with that.

The Minister referred to there being no such thing as a UK licence. Maybe that is the case and maybe it is a Great

Britain and Northern Ireland licence, but, on every licence in Northern Ireland, in the top left-hand corner, "UK" is printed within the European flag. So, I am not so sure if that argument stacks up. The Minister has an opportunity. He referred to getting approval from the Executive for a new system to print our own, which will be cheaper. That is the Minister's opportunity to show this side of the House the respect that we require.

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

**Mr I McCrea:** I have 20 seconds. I do not think that 20 seconds will be enough for the Member's time and my time to respond. Nonetheless, it is important that we —

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr I McCrea:** — consider the issue. When the Minister gets the funding to look at the issue, he should show respect to this side of the House.

**Mr Deputy Speaker (Mr Beggs):** I remind Members that, as a petition of concern has been placed, the vote will be on a cross-community basis.

*Question put.*

*The Assembly divided:*

*Ayes 47; Noes 27.*

## AYES

### Unionist

*Mr Allister, Mr Anderson, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, 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.*

### Other

*Mrs Cochrane, Mr Dickson, Dr Farry, Ms Lo.*

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

## NOES

### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Mr Flanagan, Mrs D Kelly, Mr G Kelly, Mr F McCann, Ms J McCann, Ms McCorley, Dr McDonnell, Mr McElduff, Mr McGlone, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Ms Ni Chuilín, Mr Ó Muilleoir, Mr Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Noes: Mr Boylan and Mr Rogers.*

<i>Total Votes</i>	<i>74</i>	<i>Total Ayes</i>	<i>47</i>	<i>[63.5%]</i>
<i>Nationalist Votes</i>	<i>27</i>	<i>Nationalist Ayes</i>	<i>0</i>	<i>[0.0%]</i>
<i>Unionist Votes</i>	<i>43</i>	<i>Unionist Ayes</i>	<i>43</i>	<i>[100.0%]</i>
<i>Other Votes</i>	<i>4</i>	<i>Other Ayes</i>	<i>4</i>	<i>[100.0%]</i>

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr B McCrea.*

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



(Mr Principal Deputy Speaker [Mr Newton] in the Chair.)

Motion made:

That the Assembly do now adjourn. —  
[Mr Principal Deputy Speaker.]

## Adjournment

### St Mary's University College: Restoration of Special Funding Premia to Prevent its Imminent Closure

**Mr Principal Deputy Speaker:** The proposer of the topic will have up to 15 minutes, and all other Members who wish to speak will have approximately four minutes.

**Ms J McCann:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Let me say at the outset that I will not be taking the 15 minutes because I am very conscious that, given that this is such a serious debate, a number of my colleagues want to speak on it. So, I will try to get through what I have to say as quickly as possible.

Our party asked for this debate to highlight the level of concern at the proposal to remove the £1.1 million special premia allowance from St Mary's teacher training college. That, in effect, amounts to 20% of St Mary's total government funding. Together with the 10.8% proposed reduction in the college's recurrent grant, it would, if implemented, ensure that the college would become financially unviable and, therefore, could no longer continue to exist. That is the seriousness of the debate tonight.

I welcome Minister Farry's attendance and the meeting that he had yesterday with our party delegation, which was led by the deputy First Minister, Martin McGuinness. Again, I make a direct appeal to the Minister to see the important contribution that St Mary's makes to education and, indeed, to the wider community and to listen to Members' concerns and the breadth of feeling that we have seen on this issue across the North in recent days.

The premia funding was introduced in 2008 and was specifically designed to ensure the financial sustainability of the university colleges. The funding model, which included the premia, was supported by the Committee for Employment and Learning and formally endorsed by the Executive. The small and specialist funding is an additional element of grant funding that is paid to the colleges to recognise the additional cost associated with the small, specialist nature of their academic provision. The removal of that funding, together with a general reduction of funding, as I said, would mean that St Mary's would face cuts in its budget for 2015-16 of 31% compared with 10.8% for other universities. Minister, how is that fair? Where is the equality in that?

I am aware that, when the Minister announced a review of initial teacher training education infrastructure, he indicated his commitment to seek an agreed way forward. I know that the MP for the area, Mr Paul Maskey, together with Professor Peter Finn, the principal of the college, and many others have been looking at ways to explore how academic integration can be deepened. They have also looked at the role of St Mary's in assisting the development of a shared approach. It is, therefore, crucial that the small and specialist funding is retained for St Mary's to enable those discussions to take place with the Minister and to

achieve that agreed way forward. St Mary's, which has approximately 1,000 pupils and staff, has been a feature of the west Belfast community for over 100 years. It is unique in so many ways. It is a regional college, but is also important to the people of west Belfast. It is part of the local community infrastructure and a great asset to the local economy. It has played an outstanding role in the North's Catholic education system and is an essential part of the Catholic educational tradition. It continues to be valued as such, and has been for generations, by the parents and pupils who have attended Catholic schools and colleges.

The breadth of feeling about this issue is evident in the numbers that we saw even today attending protests up here, but also the huge numbers joining the campaign to save the college. I believe, and many people out there, Minister, believe, that the decision to remove this funding is not one that you have taken in the interests of higher and further education. It is more to do with the party political ideology of the Alliance Party. It is and will be viewed as an attack on Catholic education. I therefore —

**Mr Ó Muilleoir:** Will the Member take a point?

**Ms J McCann:** Yes.

**Mr Ó Muilleoir:** The focus tonight is on St Mary's University College. We have not heard as much from Stranmillis University College, not least because the Minister, who I am delighted to see here, appoints its board of governors. However, the principal of Stranmillis has spoken out strongly against the cuts, and I quote her:

*"Budget cuts ... will damage the current teacher education infrastructure ... to the detriment of the future economy and ... society".*

Do you accept that Stranmillis University College is also against the removal of the premia?

**Ms J McCann:** Yes, and I know that my colleague has on many occasions made that precise point.

I appeal to the Minister once again to restore the premia funding and to work with the college to find that agreed way forward that he talked about, which will ensure the sustainability and continuation of St Mary's on its current site.

**Mr Ramsey:** I thank the Member for West Belfast, Jennifer McCann, for ensuring that this debate takes place. St Mary's teaching college has provided first-class training and produced first-class teachers for the past 100 years. Thousands of teachers have been trained there. The strength of community support shown last week and this week is a testament to the fantastic job that St Mary's does.

This is an Alliance Minister attacking a Catholic school for ideological reasons. Already, the Northern Ireland Executive support, to the sum of £60 million per year, students from the North to go across the water for university. A number of students do not take up jobs in the North and do not contribute to the economy in coming back home. The Executive should be doing all in their power to stop the so-called brain drain. If Northern Ireland is to have a sustainable and thriving economy, we need a pool of diverse and well-trained graduates to take up the jobs that we have. Yet we have an outstanding teacher training college and a hub for Irish language and culture in the heart of west Belfast, and the Minister is forcing it

into an untenable position. If the special premia are not restored, St Mary's will be forced to close, and outstanding teacher training will be lost. This is not simply a case of losing provision for trainee teachers. We are threatening the quality of the education of our young people, which will have a knock-on effect on society and the economy for years to come, particularly in west Belfast.

This debate comes at a pertinent time. This is the seventh year of Catholic schools week. Primary and post-primary Catholic schools achieve academic excellence and provide faith-based pastoral care. Many parents want their children to be educated in Catholic schools. To meet the parental demand for Catholic schools, we need a college of the calibre of St Mary's to train teachers, champion the Irish language and encourage and motivate the Irish culture and our communities.

#### 10.00 pm

Minister Farry, you must recognise the excellent work that St Mary's does and consider the devastating and detrimental effect its closure will have, not just on west Belfast but on schools across Northern Ireland. By undermining St Mary's, the Alliance Party is undermining all those parents who value the right to choose their children's education. By attacking St Mary's, which the Minister is doing, he is attacking all Catholic schools.

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Ramsey:** He is attacking those who benefit from the outstanding teachers and liberal arts graduates it provides. The Minister is progressing an acceleration process between Queen's and the University of Ulster. Does he want them to do his dirty work for him?

**Ms McCorley:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. Agus molaim an rún seo faoi Choláiste Ollscoile Naomh Muire. I commend this topic for the Adjournment debate on St Mary's University College, an institution that plays a pivotal role in the educational, cultural and social life of west Belfast. Tá sé de rún agam labhairt faoin Ghaeilge agus tábhacht Naomh Muire maidir le Gaeloideachas. I intend to keep my remarks focused on the Irish language and the importance of St Mary's to Irish-medium education. My colleagues are covering all the other issues that affect St Mary's college.

This year, St Mary's will celebrate 20 years in Irish-medium education. Rather than having this debate about its uncertain future, would it not be more appropriate for us to be having a celebration of what that institution has achieved over 20 years.

Seo na fíricí suntasacha. These are the salient facts. The majority of teachers in the primary Irish-medium sector are trained by St Mary's. That sector continually goes from strength to strength. Specialist teacher education for the Irish-medium sector was introduced by St Mary's, and it remains the lead institution in the country, delivering an undergraduate BEd programme, a PGCE and a master's-level programme, which all offer a strong specialist dimension for Irish-medium professionals.

Twenty PGCE students complete their one-year specialist programmes in the college every year. Agus téann an formhór acu ar aghaidh i bhfostaíocht i mbunscoileanna i ndiaidh céime. The majority of those students go on to

take up employment in Irish-medium primary schools after graduation.

Principals of Irish-medium schools in the North continue to report a shortage of qualified teachers for the sector, and more teachers are required, particularly to provide temporary cover. The need for qualified specialist teachers for Irish-medium schools is being supplied by St Mary's currently, and that supply needs to continue.

St Mary's is the lead partner in a collaborative sharing relationship with Queen's University and the University of Ulster, delivering an Irish-medium specialist dimension to the PGCE for post-primary student teachers. Tá áiteanna Gaeloideachais á n-ofráil d'ochtar mac-léinn iar-bhunscoile dul ar na cúrsaí seo. Irish-medium places are offered to eight post-primary PGCE students on those courses.

Furthermore, St Mary's carries out research into immersion teaching methods and produces teaching and assessment resources for the sector. Agus seo an áit fosta a bhfuil an tÁisaonad lonnaithe. It is also in that environment that the Áisaonad is located, where books and resources of the very highest standards are produced for Irish-medium schools and children.

The college's partnerships with Irish-medium schools is one of the vital signs of a higher educational institution that is connected with its community. Agus go háitiúil tá ról lárnach aici i gCeathrú na Gaeltachta. Locally, it plays a pivotal role in the emerging Gaeltacht Quarter.

This higher education resource in west Belfast is irreplaceable because it encourages young people to aim high, demonstrating a functional, dynamic, positive sense of purpose to their educational endeavours and their linguistic and cultural development.

Agus mar fhocal scoir, glaoim ar an Aire smaoineamh arís agus déanamh cinnte go bhfanann doirse Naomh Muire oscailte. I call on the Minister to think again and ensure that St Mary's doors stay open. Go raibh maith agat.

**Mr Sheehan:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. First, I commend the many students from St Mary's who came to protest today: they are very enthusiastic about St Mary's because it is an excellent institution.

I want to cover three areas that the Minister has argued are the reasons for him wanting to withdraw the premia, which will ultimately result in St Mary's closing. First is the reduced budget. Secondly, he says that there are too many teachers. Thirdly, he wants a pluralist system and does not want St Mary's to exist as a Catholic institution. Let us look first at the budget. Yes, all the budgets have been reduced. However, the withdrawal of the premia from St Mary's and Stranmillis means that they are going to get a 30·8% cut. All the other further and higher education institutions are getting only a 10·8% cut. That is unfair and unjust. If the Minister is going to be fair about it, he should distribute the pain across all the further and higher education institutions. The university colleges receive only 1% of the overall DEL budget, yet the Minister wants to make 3·5% savings from cutting the university colleges' budgets. That is wrong.

The Minister has argued that there are too many teachers in the system. That may well be the case. There may be too many at the minute, but the fact is that enrolment is going to begin to rise again in 2018. There needs to be

fat in the system to deal with that. If there is a cutback in teachers now, we will face a shortage of teachers when enrolment begins to rise. There need to be enough teachers in the system to cope with increased demands.

I know many young people who have emigrated over recent years. A large percentage of them are graduates. Indeed, young lads from the houses next door to me on either side have emigrated to Australia. One of them is a graduate, but he is not a teacher. I know other graduates who have emigrated: engineers, pharmacists, doctors, graduates in the humanities and the arts. None of those graduates came from St Mary's, but no one is arguing that we should cut back on the number of graduates in all those other disciplines. It seems that the Minister is happy to make an arbitrary decision when it comes to St Mary's in spite of the fact that, as he well knows, 94% of graduates from St Mary's get jobs within three months of leaving St Mary's.

On the issue of a distinctive ethos, a number of Members have said that this is Alliance Party policy. It is as fundamentalist as anything that we hear from some of the other Benches in here. The Minister wants to steamroller through forced integration. He should take a leaf from the Minister of Education, whose model is not about forced integration but about giving parents and students choice about where we should have shared education. Certainly, there should be greater cooperation and sharing of resources and experience between the universities and the university colleges. I listened to the Minister talk yesterday about the ending of religious institutions in Dublin and Glasgow.

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Sheehan:** This is not Dublin or Glasgow. This is Belfast. We are a city that is still coming out of conflict. We are a divided society. If the Minister tries to force integration, he will be wrong. It is a political decision. He needs to think about it. He needs to think about his decision, enter into a conversation with St Mary's now and suspend his decision to cut the premia.

**Mr F McCann:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. I thank my colleague Jennifer McCann for bringing this crucial issue to the Floor of the House today. St Mary's is rooted in west Belfast. It grew with the population of west Belfast. When it opened its doors 115 years ago, it brought with it hope for an impoverished Catholic population. It offered the tools to ensure that education would be delivered to a Catholic population that, at that time in our history, found Belfast to be a cold house for housing, employment and education. St Mary's changed that, and many thousands of young people have advanced educationally because this institution provided the teachers to educate. It is historically engrained in the west Belfast community, not only educationally but economically.

For the past 115 years, it has provided the economic clout for the community to grow. For the constituency that I live in and represent, this is the biggest issue on people's minds. West Belfast without an institution like St Mary's is unthinkable. In many ways, it could be the last straw for the surrounding community, which faces serious social deprivation, high unemployment, poor health and an economic base of small businesses, such as shops,

restaurants and others, that will not survive the closure of St Mary's.

Yesterday, we had a meeting with the Minister for Employment and Learning and stressed the urgency of reversing his decision to withdraw the premia. We advised that, if he does not change the course he has set himself on, not only will over 160 people in St Mary's lose their job but that could be tripled in the surrounding community with the closure of businesses, which could add to the decline of this part of west Belfast.

At a time when this part of west Belfast is being promoted as a Gaeltacht quarter, a place where the Irish language is treasured and spoken, where culture is rich and is practised daily, the institution of St Mary's is to the fore in providing the teaching base to ensure that the Irish language is taught and promoted in a growing number of Irish nursery, primary and secondary schools. It is an institution that, in the past years, has integrated itself with the heart of the west Belfast community.

We advised Stephen Farry that this Executive of ours had travelled far and wide to bring jobs to the North. For the sake of just over £1 million investment, he will throw away hundreds of jobs. Where is the sense in that? It was obvious from yesterday's meeting that he was not listening to the arguments being put to him. He seemed determined to continue his crusade against St Mary's, regardless of the consequences. He is more concerned about implementing Alliance Party policy than about those who will suffer the impact of the decision to remove the premia. For a number of years, he has tried to find ways to close St Mary's and Stranmillis. That is not because it is a bad university. In fact, its excellence is recognised throughout the world. It is ranked top in 'The Guardian's' specialist college performance list, which described it as a higher education pioneer because of its liberal arts programme.

The Minister for Employment and Learning totally ignores those facts. He also ignores the ability of St Mary's graduates to find employment. He excludes the social and economic impact that his decision will have on this constituency. He is so caught up in his ideological opposition to the Catholic ethos of St Mary's that he will go to any lengths to ensure its closure. I urge him to take on board the growing number of voices speaking in support of St Mary's and pull back from this attack on St Mary's and the constituency that I represent.

**Mr Maskey:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I would just like to add a few words to my colleagues' comments so far. I thank Jennifer McCann for bringing the motion to the House this evening.

The point that I want to make was rehearsed with the Minister yesterday at the meeting that other colleagues have referred to. Since the establishment of the Assembly, St Mary's training college has been under threat from a number of parties in this institution. I was very disappointed — maybe I should not have been — when, at the meeting yesterday, I was left in no doubt that the threat to St Mary's training college under the leadership of this Minister is probably the most sustained and gravest threat against the survival of St Mary's training college. As I said, I am very disappointed about that, even though perhaps I should not be. Having spoken to the Minister yesterday and listened to his logic and arguments, I was left with the clear impression that he is on a mission to close St Mary's

training college as we all know it and have known it for many years.

Colleagues have already made the point that we see that as a threat against the choice of the vast majority of people not only in west Belfast, where the college is based, but much further afield throughout the broader Catholic and nationalist community across the North. We see it as an assault on that ethos, which is very strongly valued and remains the choice of most parents in that community and will, I presume, remain so for some time. It is also a threat to the success of future generations of the Irish language community, which is very much a burgeoning sector in the education system.

The Minister outlined yesterday his view that the experience in Dublin and Glasgow had shown that delivery models for that type of education could be changed. Pat Sheehan has already made the point that this is neither Dublin nor Glasgow. You only had to listen to the previous debate, which went on for an hour and a half, about the need for flags on driving licences to let you know that we are still far from what might be described as a normal society.

10.15 pm

**Mr McElduff:** I thank the Member for giving way. Like many, I have and have had close family and community links with St Mary's. Members who, principally, represent Belfast constituencies rightly emphasise how damaging this would be to an area of social deprivation. I want to point out from a slight distance that student satisfaction surveys constantly put St Mary's up there. I know this anecdotally from speaking to many students from rural parts of the North and from over the border. I commend the way in which the Belfast Members are speaking about the damage it will do —

**Mr Principal Deputy Speaker:** I ask the Member to keep his intervention short.

**Mr McElduff:** — in social deprivation, but this is everyone's business.

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

**Mr Maskey:** Go raibh maith agat, a Phríomh LeasCheann Comhairle. As I said, I was left in no doubt at the meeting yesterday with Minister Farry that he is on a mission to close St Mary's training college as we all know it. I make the point again: this is neither Dublin nor Glasgow. I have heard — the Minister made the point yesterday at our meeting — in discussions with Queen's University or the University of Ulster that those institutions might take up the mantle of providing a similar education. A US president turned a sod in west Belfast when Queen's University was supposed to be coming there, but that never happened. I have no confidence in any of those institutions delivering what St Mary's delivers now.

We made a constructive point to Minister Farry that, if you are serious about entering discussions with St Mary's about further integration with the other institutions and universities for teacher training, you would not pull the rug from under an existing institution that is providing excellent training. You would nurture and consolidate St Mary's as you enter into negotiations or discussions with it about what future steps might be taken. I do not like

to have to say it, but my mind is very clear that this is an Alliance Party ideological mission. It is not the wish of the vast majority of people here, despite the Alliance Party's mandate, which it is entitled to. The wishes of the vast majority of people who do not support the Alliance Party also need to be taken into consideration. People in the broader nationalist and Catholic population will see this ongoing assault on St Mary's as an attack on a particular community and particularly —

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Maskey:** — an attack on the Catholic education ethos, which is held in so much esteem in the broader community.

**Mr Swann:** I thank the Member for securing tonight's Adjournment debate. I know that it is an Adjournment debate, and St Mary's is named because it is based in west Belfast. However, I thank Máirtín Ó Muilleoir and the other Members who mentioned Stranmillis, thus bringing both teacher training colleges into the debate. It is not right to single out one college without bringing the other into the debate.

Since I took over the Chair of the Committee for Employment and Learning and even before that, the Committee has done a lot of work over the years on the future of teacher training in Northern Ireland. As far back as 2012, the Minister initiated the Grant Thornton review of the financial sustainability and future of the two colleges. One of the review's remits states:

*"DEL has raised the question of whether the continued payment of premia is a sustainable policy".*

The removal of the premia is nothing new. Sir Reg Empey introduced them when he was the Minister for Employment and Learning, and they were introduced for exactly the reason that Sinn Féin Members mentioned: the need for special premia to sustain the smaller teacher training colleges.

I fully agree with Sinn Féin that Minister Farry has used this agenda to bring the issue forward in the timeline. In 2012, he initiated the Grant Thornton review. There was then a panel of international experts who made four recommendations, and the Committee spent a lot of time discussing those recommendations and taking evidence. When the draft Budget came before the Committee on 4 December, the Minister's savings identified £2.2 million that was being removed from the institutional premia to teacher training colleges.

It was evident to every member of the Committee that that was exactly what the Minister was doing. He was advancing that Alliance Party policy, and using the Budget to do so. I have said that in the House before, and that is why it amazes and surprises me that Sinn Féin has brought the issue to the House as an Adjournment debate. You are apt to do that, but why did you not do it before now? Why did you not put that £2.2 million down as an amendment to the Budget?

When we pushed the Minister and asked him whether he had Executive support for his inclusion of the £2.2 million reduction in his identified reductions in his draft budget, his words to us were:

*"I have discussed the details of my draft savings plan with the rest of the Executive".*



He told us that on 10 December. So while I do not deny or question that the timing of the removal of that funding from St Mary's and Stranmillis was opportune by the Minister, I believe that the reaction could have been managed in other ways. It could have been managed by an amendment to the Budget, through the Executive and, surely, by other Ministers. If it is such a concern to them now —

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

**Mr Swann:** — surely it could have been raised through the Executive and argued there.

**Mr Buchanan:** I speak as the Deputy Chair of the Committee. I noticed that Fra McCann said that this was the biggest thing to come before the House. It is not really. The biggest thing to come before the House was welfare reform.

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

**Mr Buchanan:** No. I believe that there is clear evidence —

**Mr F McCann:** Mr Principal Deputy Speaker, I did not say that. I said that it was the biggest issue that is affecting people in my constituency, not the House.

**Mr Principal Deputy Speaker:** The Member —

**Mr Buchanan:** OK. I believe that there is clear evidence that reform is required in the way in which we train teachers in Northern Ireland. I do not believe that anyone in the House, even at this late hour, could agree that providing teacher training through five institutions in Northern Ireland is sustainable any longer. It simply is no longer economically viable. That is hitting us all in the face tonight. That is the reality of the situation. It simply is no longer economically viable to continue to provide teacher training through five institutions. As a party, we have continually called for the centralisation of teacher training, and while we acknowledge the good work and the training that has been provided over the years by these other institutions, the reality is that the status quo is no longer viable. Therefore, we must look at what is the best way forward, and to do that we need to look at where training is excelling and where top results are being produced.

As a party, we believe that the best option financially and for the long-term sustainability of teacher training is to utilise the estate at Stranmillis to create a national centre of excellence for teacher training. Of course, that has the added value of being in close proximity to Queen's University, where students could also avail themselves of the expertise that is delivered there. We acknowledge that there is a short-term hurdle that has to be overcome to reach the longer-term goal. Therefore, there needs to be creativity in the Budget, and we need to consider ways in which short-term sustainability can be achieved to reach the end goal.

We have not been in the dark about this. As the Chair of the Committee said, we knew that it was possible that the issue would come to the fore. I do not believe that we can continue — or indeed that there is any merit in continuing — to prop up St Mary's. It is no longer financially viable, either in the short or the longer term. I ask everybody in the House to be real about this and to live in the real world. Is it financially viable to continue to prop up St Mary's? Is it sustainable? I do not think that anyone can put their hand on their heart and say that it is. I know that there are those in the House who will not like the view that I am putting

forward, but, as politicians, our aim should always be to do what is best for Northern Ireland. At times, that might mean making hard decisions in order to deliver the best results.

I fully understand the position of the Member who secured the debate and the folk in the West Belfast constituency who have brought the issue to the Floor of the House. St Mary's is in the midst of their constituency, but we need to put narrow sectoral constituency issues behind us if we want to deliver what is best for the people of Northern Ireland in order to move forward in a meaningful and positive way —

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

**Mr Buchanan:** — in the best interests of teachers and pupils in Northern Ireland.

**Ms Lo:** First, I want to make it clear that the Alliance Party is not trying to close down St Mary's or Stranmillis, which Members may know is also facing cuts; rather, our aim is to find agreement on a new model. It is quite odd that the MP and an MLA for South Belfast went to protest in west Belfast for St Mary's but not for Stranmillis in their own constituency.

Our current system is fragmented and not cost-effective. We now have an opportunity to create a structure that is financially stable, efficient and simply more realistic in the current economic situation. In Northern Ireland, it costs more to train a teacher in a teacher training college than in a university by 32%, and it costs more to train a teacher in Northern Ireland compared to GB by 40%. The premia act as a subsidy to the teacher training colleges in recognition of their smaller size. However, being the only premia paid —

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

**Ms Lo:** No, I am sorry.

However, being the only premia paid to the teacher training institutions in the UK, it is hard to justify that luxury at the best of times, but certainly not in times of pressures on budgets when front-line services are being cut. With a fixed budget, there is a stark choice between maintaining the premia and passing those cuts on to the rest of the higher education sector, potentially removing several hundred places and escalating our brain drain.

Apart from the financial implications, the fact is that we are training too many teachers when there is not the demand for them. It is unfair to lead such high volumes of our young people towards an unstable sector, which is contemplating making thousands of teachers redundant. We are giving them no other option but to source a career outside Northern Ireland. We need to be realistic about the opportunities available in the future economy and give advice that will set young people up for success — success in our economy.

The status quo is not sustainable. We do not need four separate institutions to train teachers from a population of 1.8 million. That is absurd. We want to facilitate teacher training for a diverse, pluralist education system. That does, of course, include faith-based schools, but the Alliance Party believes that that can be implemented in a single system. There are models as to how that can be done through reforms in Glasgow and Dublin. I know that the Minister for Employment and Learning is considering how we can best facilitate the continuation of higher

education in west Belfast, perhaps using the facilities of St Mary's.

**Mr Attwood:** We all owe Mr Buchanan some thanks because, out of the blue, in the middle of this debate, the cat came flying out of the bag when Mr Buchanan said that the issue now was the short-term sustainability of St Mary's with the long-term goal of putting teacher training on the Stranmillis site. For a long time, people have skirted round the issue, but, tonight, the DUP came out for the first time and said clearly what the agenda was: some short-term sustainability, money for you to go away for a few years whilst we conspire to concentrate all teacher training on the Stranmillis site. So the question is not to the DUP; it is to the Minister for Employment and Learning. Does he dissent from the view of the DUP, which curiously it has suddenly put into the public domain tonight?

Mr Buchanan referred to narrow sectoral interests. Let me tell him something: this is not about narrow sectoral interests; this is about the sustainability and viability of an economic and wider community of which St Mary's forms part.

### 10.30 pm

Mr Sheehan said that it was, after all, only a 10·8% cut that the colleges in Northern Ireland were going to have to accept. That is a curious way of explaining a Tory Budget. Putting that aside, if the Minister's view prevails in the short term, you pull the rug from under the viability of that community and the economic family that the Royal, the shops, the pubs, the retail outlets, the Gaeltacht Quarter and St Mary's provide. You will pull the rug from the sustainability and viability of so much of the economic life of a disadvantaged area of the city. The question to the Minister is this: have you conducted an equality impact assessment of the catastrophic proposal that you have made in respect of St Mary's, which is also a policy change in the funding of teacher training?

Let me put down a caution. Two scenarios will be deployed over the next number of days and weeks. The first is the right argument, which is to maintain the ethos of St Mary's University College. The fact that it is Irish and Catholic and other needs to be remembered. We need to maintain its autonomy as an institution and its financial independence. If you do not adhere to all three of those principles around this issue, you will have what Queen's or UU want, which is the slow death of St Mary's. When the next financial crisis hits the Budget over the next three or four years, that will be the pretext, especially for some in the leadership in Queen's University, for the further financial run-down of St Mary's —

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

**Mr Attwood:** — the end of that college and a concentration at the Stranmillis site. Those are the two options. Will the Minister accept the principles of ethos protection and financial viability —

**Mr Principal Deputy Speaker:** Time is up, Mr Attwood.

**Mr Attwood:** — and autonomy? If he does not, he is with the DUP tonight; he is not with the people of west Belfast.

**Mr Rogers:** The debate comes at a suitable time: across Ireland, schools are celebrating Catholic Schools Week. The particular theme of Catholic Schools Week is that we are called to serve. Education is a platform from which we

are all called to serve, whether we are teachers, parents or students.

I voice my exasperation at the scale of the cuts set to devastate St Mary's University College and my deep concern over Minister Farry's removal of the £1·1 million in special funding premia from the institution. I do not need to give anybody a history lesson, but the premium fund exists to recognise the importance of small specialist colleges such as St Mary's, which provides the highest-quality education training in a specific Catholic ethos. The Tories have allowed premia for similar colleges in England. We talk about Tory cuts; here we have a Minister with worse than Tory cuts. I find myself, once again, dismayed at the Minister's recent decision and what could be perceived as the Alliance Party's apparent anti-Catholic education agenda. Certainly, none of the current proposals allows for St Mary's to retain its current autonomy or unique character. I am very wary; perhaps the Minister's aims for the college are for it to be absorbed into other institutions to streamline teacher training across the North, even to the North's detriment.

The SDLP supports the principle of shared education, and I have spoken in the Chamber on our support for it. There is already a level of cooperation between St Mary's and Stranmillis. I would be keen to see that expanded through a more collaborative partnership model. That would allow the colleges to pool resources while keeping their unique identity. The SDLP will continue to support shared education, but we will not support the forced secularisation that the loss of St Mary's may eventually lead to. St Mary's has a clear mission to make a distinctive contribution of service and excellence to Catholic tradition in higher education. The college has a distinctive Catholic and Irish identity, and, where Catholic higher education is found throughout the world, it seeks to integrate intellectual, personal, ethical and religious formation to unite high academic achievement with service to others. St Mary's requires the autonomy to deliver that mission, but the Minister's proposal is a direct attack on it.

**Mr Principal Deputy Speaker:** I call the Minister, Mr Stephen Farry. The Minister has up to 10 minutes.

**Dr Farry (The Minister for Employment and Learning):** Mr Deputy Speaker, this is the first occasion that I have had to formally congratulate you on your election to your post. I also welcome the opportunity to respond to the Adjournment debate. I note that, given that this is an Adjournment debate, the debate is naturally based on one institution in a particular constituency, but ultimately this is an issue about the full spectrum of how our teacher training infrastructure should and must be reformed in Northern Ireland. Already, I have made three statements to the Assembly on teacher training over the past number of years.

We have had a focus on institutions — mostly St Mary's, with the occasional reference to Stranmillis. We have had conspiratorial references to Queen's and the University of Ulster. I want to say very clearly that I am not interested in talking about institutions; what we are talking about here is the quality of the training of our teachers for the benefit of our current students in the schools of Northern Ireland and, indeed, the future students in the schools of Northern Ireland. I want to see the very best in that regard, and, where we have the capacity to do better, that is what I am committed to doing. That is why the second of our

reports that we commissioned was entitled 'Aspiring to Excellence'. That gives us the clear sense of direction that we can do better in Northern Ireland.

Let me also be clear at the outset around the distinct issue of the premia. I am not willing to divert resources into what I believe is an unwarranted subsidy at the expense of places in universities and colleges. I want to make it very clear to every person who advocates the retention of the premia that, on a fixed budget for my Department that is declining, I have given a commitment to do my best to protect the front line in terms of opportunities for our young people in universities and colleges. If we retain the premia, that means that deeper cuts will be experienced by our universities and colleges. That will mean fewer places for our young people, who will either leave Northern Ireland to study elsewhere and probably not come back or not have the opportunity at all to go to college. That would be a huge shame because we were not prepared to contemplate change. Hopefully, people will reflect on what they say about the importance of the economy and the importance of the future of our society in that regard. Indeed, we had a motion last week to the Assembly about the importance of protecting the front line. We are not prepared to do that tonight.

We have a fragmented system in Northern Ireland and a costly system in Northern Ireland. We train too many teachers. At present, we have about 1,500 unemployed teachers, according to the GTCNI. Future trends are not favourable. We have still 70,000 empty desks in our schools.

**Mr Flanagan:** I thank the Minister for giving way. He talks about there being 1,500 unemployed teachers: can he confirm that, once a qualified teacher gets a job, they are automatically removed from that register?

**Dr Farry:** Let me be very clear on this, because a number of points have been made about employment figures etc: the employment figures that people are talking about are for jobs, not necessarily for teachers. We pay more to train teachers than we do for training other people through our colleges and universities. That creates a certain distortion in the system. It is also worth saying that the Sinn Féin Education Minister is adding places over and above what the teacher demand model suggests our future education system requires because of a view that we have to somehow focus on the sustainability of our teacher training colleges.

That builds up the hopes of our young people who want to be teachers, only for them to be dashed down the line.

We also have to focus on quality.

**Mr Maskey:** I thank the Minister for giving way. I know that he has a lot of ground to cover. Just a moment ago, the Minister referred to the fractured nature of our education system and the differences that are there, but he just concluded the Stormont House negotiations in which he was a participant. We actually got almost half a billion pounds additional from the British Government because the five parties united on the argument that we are a different society. We are coming out of a conflict, and we have differences. Does the logic not then follow that St Mary's training college, which is part of that plateau, should be given the support it deserves? Any cut to the premia is a totally disproportionate cut to that institution.

**Dr Farry:** What I have heard, particularly from the Sinn Féin Benches, is that, because we are a divided society and are somehow different to Glasgow and Dublin, we are not prepared to change and have to accept that as Northern Ireland's reality. I do not believe that the vast majority of people in Northern Ireland want to accept that we are divided. I think that people want to change in a different way.

We also have to focus on quality. In one respect, we could be doing considerably better on how we link in with the international trend of teacher training being done much more in a university context, where there is access to multidisciplinary opportunities and a very rich research infusion. Those simply do not exist in our current teacher college provision.

It is also important to bear in mind that all our providers are open to the whole community. I should point out that while St Mary's is itself run by the Catholic Church, it is open to people from all backgrounds. It is not just for Catholics. It is important that people bear that in mind, given some of the language that has been used. While we have a segmented system in Northern Ireland, which has often included our teacher training colleges, we also have to bear in mind that we are moving more and more towards a shared and integrated society. That is, indeed, the Executive's policy. There are also equality issues about differential access to the certificate of religious education in the current system, which creates tensions in that system.

We have conducted a two-stage review. The first looked at financial issues. Anna Lo summarised some of its conclusions. We are spending more to train a teacher in Northern Ireland than is spent in England to the tune of 40%. It is also more expensive to train a teacher in the teacher training colleges than in the universities to the tune of 32%. Therefore, we do not have a level playing field. The system is fundamentally unfair because we are investing more in teacher training places than we are in places for engineers, historians, lawyers, architects and the whole host of other subjects. Is that a fair situation?

**Mr Ramsey:** It pains me to hear this from the Minister. I have served on the Employment and Learning Committee for a few years now. You and the departmental officials repeatedly came, after Grant Thornton and after the independent panel, and told us emphatically that you were determined to bring forward a consensus on the way forward to resolve the issues in the college. Why are you now bringing forward a process involving Queen's and the University of Ulster, when they and others believe that they are doing the dirty work for you and are going behind the backs of Stranmillis and St Mary's to do it?

**Dr Farry:** We have a report that set out a number of options. Option A is for enhanced collaboration; B is for two centres, one in Belfast and one in the north-west; one for is a federation; and the final one is for a single provider for all Northern Ireland. Three of the four providers at present have given their endorsement to option D. We are open to discussions with all the providers, and we want to find a consensus on the way forward, but change has to happen.

I have my own views on where we should be going, but I want to listen to the stakeholders on that. It is not something on which I am on the same page as the DUP. The DUP will issue its own statements on the issue, just

like any other party. What we are trying to do here is to get the best for Northern Ireland as a whole.

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

**10.45 pm**

**Dr Farry:** Unfortunately, I am running out of time.

Let me just address a couple of points and stress a couple of issues. First of all, we want to see the continuation of higher education in west Belfast. I understand the importance of that as a driver for the local economy, and there is a range of ways in which we can do that, either through a continued teacher training presence or some alternative higher education presence. Perhaps the more fundamental point is that, just because we have and may continue to have a Catholic-maintained sector at primary and secondary level, it does not follow that we must have a Catholic teacher training system on top of that. We can train all our teachers together in a shared environment in Northern Ireland, but, in doing that, we can provide for a diverse and pluralist education system. We have examples in Glasgow and Dublin — they have been mentioned already — from which we should be learning lessons.

Northern Ireland is not a place apart. We do not want to condemn ourselves to be some place apart from the rest of the world. We want to be a society that is normalising. We also have the example of the University of Ulster at Coleraine, which has an interfaith forum. It has been training teachers in a shared environment, including for the Catholic-maintained sector, for many years, very successfully.

It is also worth putting on record that the sharing between Stranmillis and St Mary's at present is very minimal. In particular, at leadership level, they are not even talking to each other.

**Mr Principal Deputy Speaker:** I ask the Minister to bring his remarks to a close.

**Dr Farry:** There is a lot we can do to change the system.

*Adjourned at 10.45 pm.*





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# Northern Ireland Assembly

Monday 2 February 2015

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** Before we proceed with business, I would like to return to comments made by Mr Phil Flanagan during the debate on Union flags on driving licences last Tuesday, 27 January 2015.

I was not present for the debate, but I have since considered the Official Report of Tuesday's plenary session and reviewed the relevant Standing Orders and Speaker's rulings. That has left me in no doubt that Mr Flanagan was challenging the authority of the Chair, which is in breach of Standing Order 1(2).

For the avoidance of doubt for Mr Flanagan and others, let me clarify the position on speaking from a sedentary position. There is nothing in Standing Orders that addresses comments from a sedentary position. What is in Standing Orders is that it is for whoever is in the Chair to manage order in the Chamber. The Deputy Speakers and I do that in the context of the debate. Members have to be heard, but this is a debating Chamber in which there is a level of cut and thrust. No Member can expect to be heard in silence without reaction, particularly if they make provocative comments, as Mr Flanagan did. Standing Orders expressly state that the Speaker's decision on all questions of procedure, including on maintaining order, is final and that the authority applies equally to the Deputy Speakers.

Managing debates from the Chair is not always easy, but regardless of the circumstances of a ruling from the Chair, and whether Members like it or not, Members are obliged to abide by it. I made it very clear last month that I would not allow the procedures of the House to be abused. The authority of the Chair is central to the way in which business is conducted. Therefore, in accordance with Speaker's rulings, I will be restricting Mr Flanagan's speaking opportunities. He will not be called to speak until further notice. Should Mr Flanagan choose to apologise to the House, I will be happy to reflect on the duration of the restriction. Let us move on.

## Ministerial Statements

### North/South Ministerial Council: Inland Waterways

**Ms Ni Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Cheann Comhairle. Mr Speaker, with your permission, I wish to make a statement, in compliance with section 52 of the NI Act 1998, regarding the North/South Ministerial Council (NSMC) inland waterways meeting that was held in Armagh on 27 November 2014.

The Executive were represented by me, as Minister of Culture, Arts and Leisure, and by junior Minister Jonathan Bell from the Office of the First Minister and deputy First Minister. The Irish Government were represented by lead Minister Heather Humphreys TD, Minister for Arts, Heritage and the Gaeltacht, and Joe McHugh TD, Minister of State with special responsibility for Gaeltacht affairs. The statement has been agreed with junior Minister Bell, and I am making it on behalf of us both.

The meeting dealt with issues relating to Inland Waterways and its constituent agency, Waterways Ireland. Ministers noted the approach being adopted by Waterways Ireland in attempting to maximise the benefit of EU funding opportunities. The Council received a progress report from Dawn Livingstone, chief executive of Waterways Ireland, on the activities of Waterways Ireland, including that the management and maintenance of waterways continued, with over 95% of the navigations open for the period from April to September. Revised draft canal by-laws for the South were prepared following a public consultation process, and consultation on revised Erne by-laws was scheduled for winter 2014. Capital expenditure is focused on major infrastructure repairs, with replacement lock gates at Tarmonbarry on the Shannon. Bridge repairs on the grand canal are ongoing and new floating moorings are installed at Crom on Upper Lough Erne.

The 2014 sponsorship programme continued, with 105 events supported. There was 20·4 kilometres of towpath enhancement on the Royal canal and Grand canal through partnerships with local authorities to fund the developments. There was the development by Waterways Ireland of the Shannon blueway, Ireland's first blueway, which is a multi-activity trail running alongside the water between Drumshanbo and Carrick-on-Shannon in County Leitrim in conjunction with the National Trails Office, Canoeing Ireland, Leitrim County Council and Leitrim Tourism. There was expansion of the schools education programme with the development of a schools walking

tour exploring the history of the Grand canal dock. Two new community partnerships to care for the waterways continue to be developed with Mountjoy prison and Dublin Institute of Technology. There has been development of two new businesses along the waterways, with a new cruise hire business on the Shannon-erne waterway and a new lunchtime food market licensed to use Charlemont Place in Dublin.

Ministers received a presentation on how Waterways Ireland is developing the blueway product and brand development to maximise the use of inland waterway property and infrastructure through the creation of multi-activity trails on and alongside the navigations. That included the potential economic and recreational benefits that long-distance routeways can provide.

Ministers agreed the 2013 indicative budget of €29.47 million, which is £24.17 million, as a baseline for 2014-16 draft budgets. They also noted Waterways Ireland's 2014 draft business plan and budget provision, 2015 draft business plan and budget provision, and the corporate plan for 2014-16. In noting the progress with the business plans, Ministers also approved a number of key priorities for Waterways Ireland for 2015 and noted that the draft business plans and budgets will be brought to a future NSMC meeting for approval.

At a subsequent NSMC language body meeting on 18 December 2014, the Waterways Ireland corporate plan 2014-16, business plan 2014 and business plan 2015 were taken as an additional paper. At that meeting, Ministers also approved the Waterways Ireland 2014 business plan and recommended budget provision of €28.04 million, which is £24.11 million, for 2014; the Waterways Ireland 2015 business plan and recommended budget/grant provision of €27.12 million, which is £21.96 million, for 2015; and the Waterways Ireland corporate plan 2014-16. It also noted the indicative draft budget/grant provision of €25.94 million, which is £22.31 million, for 2016, which will be subject to budgetary considerations in each jurisdiction.

The Council received an update on plans to restore the Upper Lough Erne to Clones section of the Ulster canal. It also consented to a number of property disposals.

Finally, it agreed to meet again in inland waterways sectoral format in spring 2015.

**Mr McCausland (The Chairperson of the Committee for Culture, Arts and Leisure):** The figures quoted in the statement are £24 million for 2014 and almost £22 million for 2015. Given what is being delivered, is it not the case that Northern Ireland is being short-changed? How much are we putting in, so as we can assess whether we are being short-changed?

**Ms Ní Chuilín:** I thank the Chair of the Committee for his question. I do not believe that we are being short-changed at all, but I am happy to provide him with a breakdown of the figures on spend in the North. I will also provide a breakdown of plans, which should be outlined in future budget bids for spend in the North, so that he can see that there is a start, and possibly a middle and an end, to some of the current spend and proposed future spend.

**Mr Ó hOisín:** Go raibh maith again, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas seo ar maidin. I thank the Minister for her statement. She mentioned that Waterways Ireland plans to consult on the navigation

by-laws for Lough Erne. Can she give us some indication of the current situation and the impact of any proposed amendments?

**Ms Ní Chuilín:** The consultation will open on, I think, 9 February and run until April. It concerns the by-laws on the Lough Erne stretch, which cover things such as marinas, parking, washing areas and speed limits, about which Waterways Ireland has received a number of complaints from people who want to use the water. The by-laws will help produce instructions and guidelines for larger boats that are using the Erne system, which is too small for current needs. This is a welcome development from Waterways Ireland, and the CAL Committee and other Members will be notified when the consultation opens.

**Mrs McKevitt:** What impact, if any, will the weakness of the euro at the moment have on the work of Waterways Ireland here?

**Ms Ní Chuilín:** I thank the Member for her question, which is an important one, given that most of the budget allocations are very prescriptive. The fluctuation in exchange rates will have a bearing, but Waterways Ireland's staff and its governance arrangements are excellent, and I think that it has allowed for that. I will investigate the Member's queries, not only to see whether what I have said is correct but to determine whether there is any other information, which, if there is, I will happily forward to her.

**Mr Elliott:** I thank the Minister for the update. I notice that there is a gradually reducing budget for Waterways Ireland. Has that been ongoing for a number of years? Can she provide at some stage the Waterways Ireland budget figures for the past 10 years to establish whether its budget has been constantly reducing?

**Ms Ní Chuilín:** I thank the Member for his question. I am sure that he appreciates that I do not have those figures here with me, but I am happy to get him the figures for 10 years ago. He can compare them with the latest statement, and I anticipate a raft of questions based on the evidence that I will forward to him.

**Ms Lo:** The Minister mentioned EU funding opportunities. Will she elaborate further on the possibilities of North/South proposals for funding?

**Ms Ní Chuilín:** As the Member is aware, North/South institutions are all-Ireland in nature. If Waterways Ireland sees an opportunity to put in for European funding, as it did for INTERREG IV, it will certainly do so. It is looking at opportunities, particularly to open up blueways, which is the use of waterways along towpaths to create tourist opportunities with local councils. Waterways Ireland is also investigating the possibility of receiving some European funding for the restoration of the Ulster canal.

I know that it is also looking at potential sources of funding that will not only help with the maintenance and upkeep of the waterways but develop other opportunities, particularly with local and county councils, to increase investment in those areas, because, as the Member will know, on a lot of occasions, these areas do not see the investment that they feel that they are entitled to. So, yes, Waterways Ireland is actively engaged in pursuing all opportunities for European funding.

**12.15 pm**

**Mr Dunne:** I thank the Minister for her statement. Can the Minister explain why the indicative budget for the 2013 draft business plan was agreed? Does it show the system to be dysfunctional?

**Ms Ní Chuilín:** I do not quite understand the Member's question. During responses to a statement that I made on a sectoral meeting, he asks why a budget was agreed. The budget was agreed because the right efficiency savings were met. The budget was agreed because, in order to receive the next year's budget, the previous year's budget needs to be agreed.

**Mr Dunne:** It was for 2013.

**Ms Ní Chuilín:** For 2013, and 2014 and, hopefully, 2015 will ensue. I am happy that I achieved the level of efficiency savings that was previously agreed.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire, agus cuirim fáilte roimh ráiteas an Aire. I thank and welcome the Minister's statement. An dtig leis an Aire sonraí a thabhairt dúinn faoi na buntáistí a bhaineann leis na hócáidí urraithe seo sa Tuaisceart? Can the Minister give some detail on what benefits the sponsored events will have in the North?

**Ms Ní Chuilín:** I thank the Member for her question. I am happy to write to her in more detail, but I know that the Waterways Ireland Riverfest, which took place at Christie Park in Coleraine on 9 and 10 of August last year, saw over 100 participants and almost 7,000 visitors. In the past, areas along the waterways, particularly Coleraine, have hosted events with Waterways Ireland. Even areas in the city of Derry, and others along the waterways, in conjunction and in partnership with groups like Fáilte Ireland, Tourism Ireland the Tourist Board, and others, have seen an increase in events. I am happy to try to get a breakdown for the Member and to forward those details.

**Mr Hilditch:** I welcome the statement this afternoon. I am looking at the blueway product and the development of that. Can the Minister give us any more information on that? Will there be any benefit here in Northern Ireland?

**Ms Ní Chuilín:** I thank the Member for his question. The presentation that we received at the last sectoral meeting in November was very impressive. I know that, in conjunction with some of the local and county councils, they are trying to maximise the tourist potential and are using their local landscape, in this case the local waterways, and looking at events. An example in Dublin is that they are using some of the space to hold a food market. They are getting a licence to do that and to try to encourage more people. I will get the Member a breakdown of all the events that have happened so far. Indeed, I will try to get a breakdown of some of the proposed events for, certainly, this year and, possibly, next year.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas seo ar maidin. The Minister mentioned the Ulster canal in response to an earlier question. Can she outline what progress has been made on the Clones to Upper Lough Erne section of the canal?

**Ms Ní Chuilín:** I thank the Member for his question. As I said in the statement, it is a standing item on the

agenda of the ministerial Council meeting in waterways sectoral format; the Council constantly receives progress reports on the restoration work to the Clones to Upper Lough Erne section of the Ulster canal. At this stage, it is noted that Cavan County Council, Clones Town council and Monaghan County Council have granted planning permission, and approval has been granted by DOE's Planning Service here. I know that the sponsor Departments are reviewing and updating the business case for the restoration of the canal, in light of the change of financial environments, particularly in the South. Waterways Ireland has developed a draft programme of work which takes into account the likes of planning, obviously, environmental impact, land acquisition and the tender and letting of a contract for construction. So, it has been engaged in some preliminary work, despite the fact that we still have not received, and the Irish Government, whose responsibility it is to start the first phase of construction, have not received, the appropriate finance from their government. Certainly, all the work that we need to do in anticipation of that funding being realised, is well under way, and good progress has been made.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas fosta leis an Aire as ucht a ráitis inniu. Anuraidh, thug an tAire cuairt ar lúr Cinn Trá, agus chonaic sí an obair mhaith atá ar siúl ansin ag cumainn éagsúla. Ba mhaith liom a fhiafraí den Aire an dtáinig forbairtí ar bith as sin? The Minister very kindly visited the Newry canal last year and saw the excellent work being carried out there by the Portadown and Newry branch of the Inland Waterways Association of Ireland. She also visited the Albert Basin and saw some of the work of the Newry Maritime Association. Were there any developments from that visit and those meetings?

**Ms Ní Chuilín:** I thank the Member for his question. As he will appreciate, the Newry canal is not part of the business of the North/South sectoral meeting, although that is probably part of the Member's frustration. I will talk to officials and get an update. Needless to say, I was very impressed with the trust — a group of volunteers — who put an awful lot of work in. I could see the amount of support that they had from across the whole community in getting the Newry canal opened up. I anticipate that officials from DCAL, Waterways Ireland and Newry and Mourne District Council will, at some stage, have a joint meeting to see what, if anything, can be done. I will keep the Member updated.

**Mr Cree:** I thank the Minister for her report, which was very interesting. She referred to a number of key priorities for 2015 being approved; perhaps she could share some detail of that with us.

**Ms Ní Chuilín:** The Member can see from the statement that, for example, the percentage of the navigation system that is open is increasing year-on-year, which is to be welcomed. The key priority is to settle down and get a better sustainability of budget, if not increase the budget. We also need to look at ways in which we can enhance the tourist product. Waterways Ireland, in conjunction with partners the length and breadth of the island, needs to look at the role we can play because we believe that tourism and the waterways have a good product to offer, particularly to local people and local businesses.

We also want to look at ways in which we can receive and secure additional funding but also target and secure



European funding, particularly for the areas that I outlined to Anna Lo such as the restoration of the Ulster canal and the Blueways and the tourist product. Massive work is under way to look at bylaws, and a consultation on the Erne system will happen fairly soon. That will help us to get a better understanding of the guidelines and rules and regulations for our waterways and help people who want to enjoy them. It will also help people who live and work in the area to understand what impact, if any, it will have on their businesses and their community life. A lot of work is under way, and I congratulate Waterways Ireland, not only for meeting the priorities that is has been set but for exceeding them.

**Mr Humphrey:** I welcome the statement and the progress on the maintenance of the Erne system. I appreciate that tourism is not in her portfolio, but to what extent is there a joined-up approach between councils in Northern Ireland and in the Irish Republic, and between DETI and its equivalent in the Irish Republic, on the promotion of the Erne system as a tourist destination, nationally and internationally?

**Ms Ní Chuilín:** I thank the Member for his question. I will take his last point first; I accompany his colleague Minister Foster to the tourism sectoral meetings and, as he would expect, she is very robust in ensuring that the Erne system is part of an overall tourist product. At those meetings, and certainly at the meetings that I attend as one of the lead Ministers involving Waterways Ireland, there is a constant correlation and partnership between Fáilte Ireland, the Tourist Board and Waterways Ireland. To go back to the Member's first point, I am unsure exactly what the relationship and the connections are between the councils or how often meetings take place between them, but I am happy to find that out. Needless to say, at all the meetings I attend, as a senior Minister or an accompanying Minister, on the issue of the Erne and the waterways around it — the Ulster canal is an example — all colleagues sing from the one hymn sheet.

**Mr Wilson:** Looking through the list of capital projects, I see lock gates on the Shannon, bridge repairs on the Grand canal, enhancements of the Grand canal towpath, the Shannon Blueway and the multi-activity trail at Carrick-on-Shannon. Nearly every one of these projects is in the Irish Republic. Does the Minister see her role as fighting for projects in Northern Ireland or simply sitting there, handing over our money for projects in the Irish Republic?

**Ms Ní Chuilín:** I thank the Member for his question. I would like additional money to be spent in the North. There has been spending on Camagh Bay and Crom in Lough Erne, and the jetties at Knockninny, Gallon and Carrybridge have been upgraded. One of the bigger capital projects will mean spending on the North, namely the restoration of the Ulster canal. I appreciate the Member's frustration that a lot of money is being spent on developing works in the South.

The Member should know that I do not go to meetings just to nod my head. I will make sure that investment in the North is at the level that it should be, if not exceeded. As the Member will also know from his previous walk of life, when it came to making sure that the Irish Budget and the impact of that on the North that was proposed by the Irish Government, I stood my ground to make sure that the North was not affected. It is a pity that some others did not do the same.

## North/South Ministerial Council: Language Body

**Ms Ní Chuilín:** Go raibh maith agat, a Cheann Comhairle. Mr Speaker, with your permission, in compliance with section 52 of the NI Act 1998, I wish to make a statement regarding the North/South Ministerial Council (NSMC) language body meetings, which were held in the NSMC headquarters, Armagh on 27 November 2014 and in Stormont Castle, Belfast on 18 December 2014.

At both meetings, the Executive were represented by me, as Minister of Culture, Arts and Leisure, and by junior Minister Jonathan Bell from the Office of the First and deputy First Minister, at the Armagh meeting and Minister Simon Hamilton at the Belfast meeting. At the Armagh meeting, the Irish Government were represented by lead Minister McHugh TD, Minister of State with special responsibility for Gaeltacht affairs, and Heather Humphreys TD, the Minister for Arts, Heritage and the Gaeltacht. Minister Sean Sherlock, Minister of State at the Department of Foreign Affairs with special responsibility for North/South cooperation, represented the Irish Government at the Belfast meeting.

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

This statement has been agreed with junior Minister Bell and Minister Hamilton, and I am making it on their behalf for both meetings. I will report on each meeting separately.

At the meeting held on the 27 November 2014 at the NSMC headquarters in Armagh, Minister McHugh TD chaired the proceedings. Following the usual introductory comments and words of welcome, the meeting dealt with issues relating to the language body and its two constituent agencies.

Ministers noted that the agencies of the language body are actively engaged in the identification of possible opportunities to maximise the benefits of EU funding. Ministers noted progress reports from the chairpersons and chief executive officers of Foras na Gaeilge and the Ulster-Scots Agency, which included achievements in the period from April to October 2014.

Foras na Gaeilge reported on further progress on the new funding arrangements, including eight meetings of the partnership forum, two meetings of the language development forum and agreement of an overall high-level strategic plan in addition to three-year plans for each of the six strategic areas.

Another achievement was the launch of the new online newspaper, 'Tuairisc', which has a budget of €1.2 million under a four-year contract, and the online lifestyle magazine, 'Nós', which has a budget of €204,600 under a three-year contract.

Targets continue to be met in the new English/Irish dictionary flagship project for the publication of 70% of the final material, including sound files, on the live site before year end and the development of the app specification, which will be available early this year.

### 12.30 pm

A contract has been awarded to carry out analysis of the results of the 2013 major all-island survey on attitudes to the Irish language. This work will contribute significantly in identifying future priorities and policy formulation generally.

The consultation exercise on the review of the 2015-17 Irish-language community scheme — scéim phobail Gaeilge — ran from mid-July to 24 November 2014. Foras na Gaeilge is considering the responses received and the timetable for implementation. The process also incorporated consultation on Irish language networks — líonraí Gaeilge.

Development of the new Discover Ulster-Scots Centre at the Ulster-Scots hub in the Corn Exchange building in Victoria Street in the Cathedral Quarter was developed in conjunction with a number of partners. It will maximise the opportunity for collaboration in the Ulster-Scots sector and provide a modern showcase on Ulster-Scots culture for the general public.

Two east-west school twinning projects between primary schools in Ulster and Scotland have commenced: twinning on the theme of shipbuilding heritage between Cregagh Primary School in Belfast and Castlepark Primary School in Irvine; and twinning on the theme of Robert Burns and Ulster-Scots poetry between Glynn Primary School, Larne, and Catrine Primary School, Ayrshire.

Funding and support for 22 summer schools, an increase of seven on 2013, were provided at a range of community venues, with an outreach to over 1,000 young people. Involvement in the area of education has increased to in excess of 100 schools in Ulster this year, including ongoing delivery of 29 after-school clubs and funding for music and dance tuition programmes from September to December 2014 in 49 schools, including five in border counties.

The Ministers also noted progress on collaboration between the Ulster-Scots Agency and Foras na Gaeilge on projects including the development of a six-week pilot programme, commencing in December 2014, in four integrated post-primary schools, exploring the concept of culture generally and more specifically in regard to different aspects of Irish and Ulster-Scots culture; and ongoing inter-agency cooperation on governance issues and promotion of the work of the language body, including finance matters, commemoration projects such as the James Duffy blue plaque project in Donegal and meetings of the full language body board.

Ministers agreed the 2013 indicative budgets of €16,514,672, that is £13,542,031, for Foras na Gaeilge and £2,662,080, that is €3,246,439, for the Ulster-Scots Agency, which are used as the baseline for the 2014-16 budgets. The Council also noted the 2014 draft business plans, with budgets of €15,358,645, that is £13,208,435, for Foras na Gaeilge and £2,475,734, that is €2,878,761, for the Ulster-Scots Agency; the 2015 draft business plans, with budgets of €15,193,498, that is £12,306,734, for Foras na Gaeilge and £2,449,114, that is €3,023,597, for the Ulster-Scots Agency; the draft corporate plans 2014-16 for Foras na Gaeilge and the Ulster-Scots Agency, with indicative budgets of €14,532,911, that is £11,771,658, for Foras na Gaeilge and £2,342,630, that is €2,892,136, for the Ulster-Scots Agency in 2016, which will be subject to budgetary considerations by the Irish Government and the Northern Ireland Executive; and the positive outcome arising from the use of the 2013 indicative baseline, with the proposed 2015 allocation bringing the budgets for 2014-15 in line with the overall cumulative requirements for efficiency savings agreed by the Finance Departments.

In noting the progress with the business plans, Ministers also approved a number of key priorities for the agencies in 2015 and noted that the draft business and corporate plans and budgets would be brought to a future NSMC meeting for approval.

The Council noted that the 2012 consolidated language body annual report and accounts were laid in the Houses of the Oireachtas and in the Northern Ireland Assembly on 24 October 2014. Ministers also noted that the field audits in regard to the 2013 accounts have been completed, and, following work by the Comptrollers and Auditors General to finalise accounts for each agency, it is envisaged that the 2013 consolidated language body annual report and accounts will be laid by spring 2015. Ministers noted that both agencies are on target to submit their draft 2014 annual report and accounts to the sponsor Departments by 31 March 2015.

Ministers noted that Foras na Gaeilge and Bòrd na Gàidhlig are committed to continuing the delivery of the Colmcille project in support of Gaelic language development initiatives in both jurisdictions and in Scotland. The Council approved new administrative arrangements for Colmcille, comprising the following key elements: Foras na Gaeilge will continue to promote Colmcille in both jurisdictions and Bòrd na Gàidhlig will continue to promote Colmcille in Scotland, without direct budgetary and administrative links; an inter-agency joint working group will be established to focus on strategic projects and to discuss funding priorities and other collaborative initiatives, as well as to share best practice and create sustainable community links; and ring-fenced co-funding for Colmcille will continue to be provided to Foras na Gaeilge annually by the two sponsor Departments.

Ministers received a presentation from the CEO of the Ulster-Scots Agency, outlining the Bruce Heritage Trail project to commemorate the 700th anniversary of Edward the Bruce in Ireland, and acknowledged that this project complements the agency's ongoing work in the areas of education and cultural tourism.

On 18 December 2014, in Stormont Castle, I chaired a single-item agenda NSMC language body meeting, which was also attended by Minister Simon Hamilton MLA and Minister Sean Sherlock TD. Ministers noted that Foras na Gaeilge and the Ulster-Scots Agency, as constituent agencies of the language body, have applied the efficiency savings to the corporate plans 2014-16 and to the business plans and budgets for 2014 and 2015, in accordance with the guidance issued by the Department of Public Expenditure and Reform and the Department of Finance and Personnel.

Ministers approved the 2014 business plans for Foras na Gaeilge and for the Ulster-Scots Agency and recommended budget provisions for 2014 of €15,358,645, that is £13,208,435, for Foras na Gaeilge and £2,475,734, that is €2,878,761, for the Ulster-Scots Agency. They approved the 2015 business plans for Foras na Gaeilge and for the Ulster-Scots Agency and recommended budget/grant provisions of €15,193,498, that is £12,306,734, for Foras na Gaeilge and £2,449,114, that is €3,023,597, for the Ulster-Scots Agency. They approved the corporate plans for 2014-16 for Foras na Gaeilge and for the Ulster-Scots Agency and recommended indicative budget/grant provisions of €14,532,911, that is £11,771,658, for Foras na Gaeilge and £2,342,630,

that is €2,892,136, for the Ulster-Scots Agency in 2016, which will be subject to budgetary considerations in both jurisdictions.

Ministers also discussed Waterways Ireland's business plans and budgets of 2014 and 2015 and its corporate plan of 2014-16; the Special EU Programmes Body's (SEUPB) business plan and budget 2015; the Food Safety Promotion Board (Safefood) business plan and budget 2015, and the appointment of chair to its advisory board.

The Council agreed that its next meeting in language body format will take place in spring 2015.

**Mr McCausland (The Chairperson of the Committee for Culture, Arts and Leisure):** The Minister referred to the Colmcille project, which dates back quite a number of years to the days of direct rule and the Northern Ireland Office. I understand the arrangements — I think — that are being put in place, but no budget is set side against Colmcille. Does that mean that it is a separate budget or is that money being subsumed into the figures that are quoted here for the North/South body? The problem always was that, on top of what was given to the North/South body and Foras na Gaeilge, there was top-up money for Gaelic culture and language, with no equivalent for the Ulster-Scots and Scots traditions.

**Ms Ní Chuilín:** It is subsumed in the budget; that is why I said in the statement that it was ring-fenced in Foras na Gaeilge. On my watch — not on yours or that of any other colleague — I ensured that, when it came to Ulster Scots, there was an east-west dimension. I am sure that your colleague Sammy Wilson can adhere to that. I took the bull by the horns and ensured that there was some aspect of Ulster-Scots culture and heritage, east-west, as well. In answer to your primary question, it is subsumed in the budget.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a dara ráiteas inniu. I thank the Minister for her second statement today. What effect does she think the new councils will have, particularly on the language officers, who are currently funded by Foras na Gaeilge?

**Ms Ní Chuilín:** I thank the Member for his question. I am concerned that the Irish language posts funded successfully in partnership with Foras na Gaeilge and the councils will be vulnerable when the new councils fully assume their responsibilities. Foras na Gaeilge shares those concerns, as do many other groups. Foras na Gaeilge has put in place a proactive programme of action, which includes the chief executive and deputy chief executive arranging meetings of all the new council chief executives and their senior officials to raise the issue.

Foras na Gaeilge has, as part of its statutory function for responsibility in the promotion of the Irish language, tasked Conradh na Gaeilge, the lead organisation for the responsibility of awareness, protection and representation, as well as the six core-funded groups, to work with the new councils in drawing up best practice for councils. I certainly endorse that. I am not surprised that the Member asked the question, as there is a fair degree of concern in the community. However, existing and new councils realise that they have statutory obligations and duties, and ensuring a continuity and continuation of their obligations to the Irish language is one of them.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an ráitis seo. Ba mhaith liom a fhiafraí den Aire an féidir léi sinn a thabhairt suas chun dáta maidir le Slí Cholmcille: an tionscnamh a bhfuil sé mar aidhm aige turasóireacht idir Éire agus Alba a chothú agus naisc a chur ar bun idir pobail teangan in Éirinn agus in Albain? Will the Minister update the House on the three-year plan for Slí Cholmcille, the Colmcille trail, which is part of the project to encourage cultural tourism between Ireland and Scotland and to establish links between language communities in three jurisdictions?

**Ms Ní Chuilín:** I thank the Member for his question. I am certainly happy to provide him, and indeed other members of the CAL Committee, with an update on Slí Cholmcille. I know already, through my contact with colleagues in the Scottish Government, whom I met as part of the City of Culture, that this project, celebrating the life and times of Colmcille, and indeed other working relationships, have been mentioned as valuable. There is a strong desire for those to continue.

We have a lot to learn from each other as well. The children involved in the Colmcille project that I mentioned have looked at language, culture, heritage and tourism.

I will update the Member. I will get as many as possible of the details that he asked for and send them to him. I will also share them with the CAL Committee.

**12.45 pm**

**Mr Cree:** I thank the Minister for the statement. Minister, you referred to the 2013 indicative budget and said that that was carried through into the draft business plans for 2014 and 2015. You also referred to key priorities. Will you expand on what, on the face of it, looks like a confusing picture?

**Ms Ní Chuilín:** I am sorry that the Member is confused. I will take his question, have a look at the detail and see whether I can provide further clarity.

Some of the accounts in the business plans are not in sequence because I could not agree to some of the efficiency proceedings. That is why the system almost looks out of sync. However, notwithstanding that, the work proceeded as planned and as outlined in previous business plans, and, indeed, in the overall corporate plans for Foras na Gaeilge and the Ulster-Scots Agency.

Some of the key priorities outlined in the statement have been very encouraging, particularly the work done between the two agencies and the work that both are doing in post-primary schools on the Irish language and on Ulster-Scots culture and heritage.

However, I hear what the Member says, and I will certainly try to provide more clarity and more detail, which hopefully will help. If it does not, I anticipate the Member asking me a further question or even knocking on the door of the private office.

**Ms Lo:** I am really pleased to hear about the two agencies collaborating to look at different aspects of Irish and Ulster-Scots culture in four integrated schools. That is precisely where that should take place, so that our young people can learn from each other. What is the next step, given that it is just a pilot programme?

**Ms Ní Chuilín:** I thank the Member for her question. Previous to that project, work carried out by the two agencies was done in primary schools. We have now gone into post-primary schools, and that is very important and encouraging. The feedback from the primary-school children themselves is that they value language, culture and heritage and have a great curiosity. That curiosity needs to be nourished.

In post-primary schools, the programme involves looking in particular at what the Irish language and Ulster-Scots culture and heritage mean to each of the children and their communities, but, again, it also about satisfying their curiosity. The message from both agencies, in all that they represent and bring, is that working together has been very positive. Although it is a pilot programme, I anticipate it being continued, and I believe that it will prove as successful as previous joint work undertaken by the two agencies.

**Mr Dunne:** I thank the Minister for her statement. I want to ask about the agreed budget for the Ulster-Scots Agency. I understand that the agency has to pay for the development of educational materials in schools, while your Sinn Féin ministerial colleague is putting large investment into Irish-medium materials in schools.

Will the Minister encourage the Education Minister to fund such educational materials for the Ulster-Scots culture in order to promote cultural and financial equality?

**Ms Ní Chuilín:** I met the Ulster-Scots Agency to discuss how we can have better working relationships and better outcomes for it across the board. I understand that Minister O'Dowd, the Minister of Education, has met or is in the process of meeting the Ulster-Scots Agency as well.

I have absolutely no doubt that the members of the agency will articulate some of their concerns and some of the areas of work that they wish to see developed in partnership with the Department of Education. What was very clear to me was that the Ulster-Scots Agency, particularly its board and senior staff, did not want any political point-scoring or meddling on the issue. It wants seamless links, it wants support and it wants to get that done in an environment in which people are not involved in one-upmanship. If you are not too sure what that looks like, I suggest that you talk to the Ulster-Scots Agency.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an dara ráiteas aici inniu. An dtig leis an Aire soiléiriú a thabhairt ar an dóigh a ndéanann Gníomhaireacht na hUltaise cinnte nach dtugtar maoiniú do bhuíonta ceoil a ghlacann páirt in iompar frithshóisialta seicteach?

Can the Minister provide clarity on how the Ulster-Scots Agency ensures that funding for bands is not awarded to those who participate in antisocial, sectarian behaviour?

**Ms Ní Chuilín:** I thank the Member for her question. I know, for example, that my Department and the Ulster-Scots Agency are committed to the promotion of equality of opportunity and good relations. That is not just in relation to the Ulster-Scots Agency, although I recognise the Member's right to ask the question, particularly in relation to the statement. Any organisation receiving funding from my Department and its arm's-length bodies must comply with equality and good relations policies. The Ulster-Scots Agency and the Arts Council have advised that they do not, and will not, fund or support any bands

that do not fully comply with those requirements. As part of the application process, the Ulster-Scots Agency also checks individual band websites to ensure that there is no evidence of content that would breach those guidelines. I hope that satisfies the Member. If she wants to write to me to receive further details, I am happy to receive that and to try to furnish her with the information.

**Mr Hilditch:** I welcome the statement. Foras na Gaeilge appears to be launching two new online publications. The Committee received evidence on difficulties facing the printed newspaper. Has there been any review of the problems and why it did not work? Was it due to figures?

**Ms Ní Chuilín:** To be totally honest, I am not really too sure what the update is, but I will certainly get that for the Member. I would also like to find out what the update is. My understanding is that there were issues in the past and that they have been sorted out. However, I want to make sure, and I will let the Member know in writing or I will get in contact to give him the information.

**Mrs McKevitt:** Does the Minister see the reduction in the language body budget, coupled with the weak euro, as having an impact on the delivery of the business plan and programmes?

**Ms Ní Chuilín:** The Member asked the same question in relation to the waterways, and I gave her an assurance. I have confidence in both organisations — Foras na Gaeilge and the Ulster-Scots Agency — to manage the fluctuations of the euro. With regard to the reduction in the budget, I ensured that the levels were set as agreed in 2011 by both Finance Departments. Had I not done that, both agencies would have seen a decrease in the funding that they were awarded. In relative terms, that would have had a bigger impact on the Ulster-Scots Agency than on any other. I am happy to say that is not the case, but I will be keeping an eye on the rate of the euro to see whether it has any impact on the overall budgets.

**Mr Humphrey:** I thank the Minister for the statement. I note the issue of budgets and the equivalent between the agency and Foras na Gaeilge. Unfortunately, that disparity continues. The Minister will be aware that, last year, I asked for a Líofo equivalent project to be brought forward for the Ulster-Scots Agency because Líofo came forward from the Department to Foras na Gaeilge, which refused to take it forward and declined to do that. That has meant an extra £625,000 for the Líofo project coming straight out of DCAL and two extra staff. Where is the extra resource that will go into Ulster Scots, and why has she asked the ministerial advisory group on the Ulster-Scots Academy (MAGUS) to take that forward and not come forward with suggestions, as she did in terms of the Irish language equivalent?

**Ms Ní Chuilín:** First, I am not too sure why the Member has not got his facts right, but I will certainly clarify something for him. First, Foras na Gaeilge did not refuse to take a Líofo project on, and if it is telling you that it did, that is news to me. From September 2011, when I launched Líofo from DCAL, I met the Ulster-Scots Agency on several occasions and asked it for an equivalent. I understand that it is not going to come in the form of a language, but certainly a project in relation to the Ulster-Scots culture and heritage. I asked it for an equivalent, and I told it that I would support it financially. Nothing came.



I fund very generously the ministerial advisory group on Ulster Scots, which I did not ditch coming into the Department; I kept it on and gave it increased funding. I asked it to bring something forward because nothing came from the Ulster-Scots Agency. Short of going into both departments and doing it myself, which I have not got time to do and am not qualified or equipped to do, I want to have it done with due regard and respect, and if the Member has any influence or any ideas to bring forward for both those agencies, independently or together, I am happy to hear them. However, we are now in 2015, and I asked for that from September 2011. The delay is not my fault, and it is not in my Department; it is with the Ulster-Scots community. I remain open to an initiative coming forward. Like the Member, I am very excited to see what that is, if it happens at all. It is certainly not my Department's fault.

**Mr Wilson:** I note that, despite the cuts in the budgets for schools, health, education and roads in Northern Ireland, the agreed budgets for 2014 and 2015 do not see one penny reduced from the budget for the language bodies. It is going to be spent on very important things such as lifestyle —

**Mr Deputy Speaker (Mr Dallat):** Order, please. This sounds very much like a speech. It is questions to the Minister.

**Mr Wilson:** I am coming to the question now.

**Mr Deputy Speaker (Mr Dallat):** Good.

**Mr Wilson:** Can the Minister justify not one penny being reduced from the expenditure of Irish language bodies while, at the same time, schools in Northern Ireland are crying out for funding to keep teachers and special needs facilities in place and hospitals are looking for money to deliver operations and accident and emergency services?

**Ms Ní Chuilín:** I note the Member's concern for budgets. It is very touching; he did not have the same passion and commitment for the Irish language, schools or education previously. The Member raises a very interesting point. He obviously did not listen to an answer I gave to one of the MLAs who asked about the budgets before. Had I agreed to the massive impact of 12% and more of cuts to the language bodies, the Ulster-Scots Agency, in particular, would have seen a huge impact, which would have meant that the work of the Ulster-Scots Agency would become unviable. If the Member feels that I should initiate that level of cut to Ulster Scots, he needs to talk to his colleagues right beside him who are arguing for additional money. Again, it is the betwixt and between nature of the DUP when it comes to language, culture and heritage. Some like it and some do not. Some want funding and some do not. Others do not really know what they are doing, depending on what day they walk in here and what question it is.

**Mr Allister:** The last time the Minister reported on the sectoral meeting of the language body, she did a lot of grandstanding about having refused to approve the business plans because of the level of cuts. Will she bring some clarity? Has she now, in these business plans of 2014 and 2015, approved cuts? Did she roll over, or did someone else roll over? Will she shed some light on that?

**Ms Ní Chuilín:** The term "roll over", as far as I am concerned, relates to the Member's narrative around most of the things in here that he is not involved in. I did not grandstand at the last sectoral statement or any statement before. I expressed and renewed my commitment to ensuring that the Ulster-Scots Agency, in particular, was not going to be hit by the worst impact of the Budget suggestions. The 1% that was agreed previously has been maintained. That is a good-news story, but obviously the Member is not happy with that; he would much prefer that we wipe out the agency in order for him to say that we can achieve financial stability for other areas. Once it is the Ulster-Scots Agency, it will be Foras na Gaeilge, and we will then go up his list of things that he thinks are surplus to requirements. I do not. I think the Ulster-Scots Agency and Foras na Gaeilge do excellent work. They are as entitled to a budget as any other function in the Assembly. I am quite pleased that we have kept the level of reductions to the least possible level, and I will continue to do that. It is my role as Minister to ensure that those budgets are kept at the level that was agreed.

**Mr Humphrey:** On a point of order, Mr Deputy Speaker. In answer to the question that I placed to the Minister, she said that I should get my facts right in relation to the Liofa project. I suggest that she might review the evidence given by the chief executive of Foras na Gaeilge to the Culture, Arts and Leisure Committee only a few weeks ago.

**Mr Deputy Speaker (Mr Dallat):** I do not believe that that was a point of order.

## Committee Business

### Higher and Further Education Sectors: Support and Investment

**Mr Deputy Speaker (Mr Dallat):** 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 wind up.

One amendment has been selected and is published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

1.00 pm

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** I beg to move

*That this Assembly acknowledges the key role our further education and higher education institutions play in growing the local economy and delivering on the Programme for Government's cross-cutting priorities; and calls on the Executive to affirm their commitment to support and invest in the local higher education and further education sectors.*

The Committee for Employment and Learning unanimously agreed the wording of the motion to ask the Assembly to reaffirm its commitment to investing in our future by acknowledging that our universities and colleges create a framework for prosperity and contribute significantly to securing growth and providing opportunity to Northern Ireland. In recent months, the Committee for Employment and Learning has received evidence from the higher education and further education sectors, stressing the impact of the proposed cuts to their budgets. No witnesses were more vocal than the students, who articulated their concerns about the threats to numbers and to further student supports.

Given our current financial situation, savings must be found in all areas, and higher and further education can be no exception. However, in doing so, we must ensure, first, that we send a strong message to our universities and colleges that we value their contribution and, secondly, that, in acknowledging their benefit to Northern Ireland, we do what we can to limit the impact of cuts on their work. Every day, our universities and colleges succeed in turning aspiration into reality. They support and bolster Northern Ireland's ambition and purpose. They provide innovative education that expands the horizons of our young people and equips them to take their place in the wider community. Central to the Programme for Government is the regeneration of the Northern Ireland economy, specifically the creation of a strong, vibrant, knowledge-based economy. Further and higher education are key to this.

In the knowledge economy index, Northern Ireland is the region with the second fastest growing knowledge economy in the UK. The quality of our universities and graduates is Invest NI's number one selling point in attracting foreign investment and jobs to Northern Ireland. Northern Ireland universities have formed 550 knowledge transfer partnerships with local companies, helping them to generate over £132 million in profit and £73 million of investment in equipment. Nearly 700 jobs for graduates

and over 1,000 other jobs have been created, and training has been provided for over 8,200 staff. Higher education has created over 110 spin-out companies, generating several thousand high-value jobs, and Queen's University and Ulster University are planning to invest £750 million in capital development over the next 10 years, creating 14,000 construction jobs.

Ulster University has a national and international reputation for excellence in higher education and innovation and for its engagement with business and industry. It is currently home to over 26,000 students and over 3,000 staff. Despite the economic challenges of recent years, one of the success stories has been the continued growth of the creative industries in Northern Ireland, and Ulster University provides the vast majority of creative graduates for the visual and applied arts and design professions, which are the backbone of that industry.

The Open University specialises in providing flexible and accessible part-time higher education, with almost 4,000 undergraduate students in Northern Ireland. It offers a route into higher education for anyone with a desire to learn, thus creating a more highly skilled society and workforce, regardless of social background. This part-time study is vital in supporting our economic recovery. The Open University offers opportunities to upskill and reskill the current workforce in Northern Ireland by offering work-based learning programmes in health, management, education, IT, science and other economically relevant subjects. The Open University caters for students whose education needs are not met elsewhere: 15% of Northern Ireland students have a disability; 73% are in employment; and 23% of students live in 25% of the most deprived areas.

Our universities engage in research of global significance, and they are the stimulus for growth for Northern Ireland. Our colleges support our school leavers by providing the skills, drive and enthusiasm needed to engage at the highest levels in the global job market.

**Mr Wilson:** I thank the Member for giving way. He made a very compelling case for higher education in Northern Ireland, but does he accept that there is still room for efficiencies in universities and for selling the excellent services that he outlined, especially research opportunities and the income that could be generated from those? Perhaps we should also question whether the university route is suitable for over 50% of the population, when some of the required skills could be delivered by other education institutions.

**Mr Swann:** To back that up, I will provide further examples of the excellent work that our further education and higher education sectors do in assisting the Assembly to meet its Programme for Government commitments. It is all too easy.

In the most recent research excellence framework for 2014, which assesses the quality and impact of UK higher education institutions' research, Queen's received the following accolades for the breadth and depth of its research excellence. It was ranked eighth in the UK for research intensity and seventeenth in the UK for research power. In that same research excellence framework for 2014, Stranmillis University College also demonstrated that, with 72% of the college's research assessed as being internationally recognised to internationally excellent

in standard. The proposed loss of the premia for the university colleges plus a funding reduction of some 10·8% in the 2015-16 Budget was discussed in Committee, but no Committee view was agreed.

Teaching the teachers is also a vital aspect for the future economy of Northern Ireland, because, as we all know from our own schooldays or those of our children, a love of learning, enthusiasm and desire springs from the quality of teachers in our schools. In that, Stranmillis and St Mary's University College have proved their excellence. The contribution to the FE sector fulfils the principles of the Programme for Government and all related strategies such as the economic strategy, the innovation strategy, Together: Building a United Community and a shared future.

The further education sector is also a vital cog in the machinery of the local economy, and the six regional FE colleges provide a vital service for vocational and technical training in Northern Ireland. Skills are a crucial element in rebuilding and rebalancing our economy, and the FE sector has been driving that agenda for the last decade, working with many large employers, all of which are supported through various initiatives run by the colleges themselves.

Between them, our six regional further educational colleges offer provision to over 90,000 learners across 142,000 enrolments. From 2008 to 2013-14, there were a total of 45,742 apprentices across Northern Ireland, the majority of whom trained through one of the six regional colleges. That picks up on Mr Wilson's intervention, and there is an alternative route through the colleges. FE colleges are the main providers of vocational and technical education and training in Northern Ireland. The sector plays a central role in raising levels of literacy and numeracy and provides progression routes to higher education, training and employment. Colleges also play an increasingly important role in supporting local business and industry through knowledge-transfer activity and bespoke training. The further education sector and its contribution to economic development and growth through the provision of higher-quality education and training is central to rebuilding and rebalancing the Northern Ireland economy.

In conclusion, without a commitment to support the further and higher education sectors and everything that they stand for, Northern Ireland would be a much poorer place. For those reasons, I ask the Assembly to support the motion and the House to fight for —

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

**Mr Swann:** — and ensure that the impact of the budget cuts to the FE and HE sectors is kept to an absolute minimum.

Jim, I want to make a contribution as party spokesman for the Ulster Unionist Party on the motion and the amendment.

As the Ulster Unionist Party spokesperson, I acknowledge the concerns that have been raised across Northern Ireland about the number of student places that could have been cut in HE and FE: 1,000 university places and 16,000 college places.

The amendment has been tabled by Sinn Féin Committee members, and I ask that Members look at it in the context in which it has been tabled. The topic was debated

last week in an Adjournment debate, and there was an opportunity, during last week's Budget debate, to put it in as an amendment. Given that the amendment does not stipulate an amount that Sinn Féin would want to be reallocated to the premia, which Sir Reg Empey assigned to the colleges when he was Minister for Employment and Learning, we are prepared in this case to support the amendment to bring forward support to Stranmillis and St Mary's so that money is put in the budget to give both colleges the time to implement one of the four recommendations of the international panel that the Minister invested in, rather than using the opportunity of the Budget to bring forward his own party's agenda. He knows that I have made that call to him a number of times.

Jim, I will take a quick intervention.

**Mr Allister:** On that point, I am glad to hear the Member reiterate support for the premia. I think that, particularly in regard to Stranmillis, it is crucial to the viability of that very important college, and I trust that the Member and the House will recognise that. I hope that, one day, even the Minister will recognise it.

**Mr Swann:** Thank you for that intervention. I think that that will be one of the points that will be made clear tomorrow. I thank the Minister for agreeing to come in front of the Committee tomorrow in regards to the budget and, specifically, the budget on that.

**Mr Deputy Speaker (Mr Dallat):** The Member's time is up.

**Mr Swann:** I am sure that members of the Committee, and of this House, will question him on that.

**Ms McGahan:** Go raibh maith agat. I beg to move the following amendment: At end insert

*“; and further calls on the Minister for Employment and Learning to reinstate the premia payments to St Mary's University College and Stranmillis University College.”*

These colleges face eventual closure, due to the fact that the Minister intends to withdraw the special premia. I urge the Minister to withdraw this threat and begin discussions with both colleges to secure their future.

As a strong advocate of the merits of lifelong learning, and having myself benefited from our local further and higher education sectors, I always take the opportunity to voice the benefits of such, especially in the development of skills that assist with building greater self-confidence and employability for all those citizens wishing to re-enter the labour force and meet the challenges of working in an economy that is forever changing, given the process of globalisation.

I believe in the power of further and higher education to promote women's independence and help break through the barriers that society often attempts to put in our way. Quality training and education provision help women and marginalised sections of our society to have a chance to play important roles in the labour economy, while often helping to break the cycle of poverty for many families. Given the fixation of David Cameron's cabinet of millionaires to advance the European-wide conservative agenda of austerity, such chances for impoverished women and others are becoming increasingly diminished. We have only to look at the monumental task that we, as legislators, have in front of us to protect front-line services, given the year-on-year cuts to our block grant

by Cameron's millionaires. We see the impact of that, for example, on St Mary's and Stranmillis colleges. We are also watching the rise of hard-working families being designated as the working poor, as poverty wages are paid to those working in many service industries. Hence this debate on the important matter of investing in the higher education sector and creating quality employment opportunities with good remuneration.

I visited, for example, South West College, with MEP Martina Anderson, and we were impressed by the great strides that that college is making in enhancing its reputation in our community as a first-class provider of quality training, as well as of further and higher education. In particular, the college's ongoing commitment to the strong, local, specialised engineering sector is immense and to be commended.

We are not without our challenges, but the creation of a vibrant economy is at the heart of the Executive's Programme for Government, with the further and higher education sectors playing a pivotal role in the creation of a sustainable knowledge-based economy. Our education providers play a key role in meeting the skills needs of our local economy by providing a skilled workforce, as well as by making a positive contribution to cultural life here in the North. Those providers include St Mary's University College and Stranmillis, which are facing a disproportionate cut to their funding. The roll-out of the higher education strategy needs to be part of an integrated approach to providing skills, enhancing education outcomes and supporting trainees and students, while making a massive contribution to the creation of jobs. There are challenges ahead of us. We are tasked to lead and grow our economy while at the same time creating positive social change.

### 1.15 pm

Our economy is demanding a higher level of relevant skills, and economic success is increasingly dependent on knowledge transfer and innovation. A recent report by Copius highlighted that there is a huge gap in practical skills and that the current level-2 qualifications in those disciplines being offered in the North's further education colleges are insufficient in having potential workers skilled up to carry out work opportunities that we can grow.

When I last addressed the House on these important matters, nowhere in the North qualified welders for the highest levels needed for specialist engineering work. That has led to companies going outside the North to attract skilled people to carry out the work here. The skills gap is not only in practical skills; it is developing across all areas of employment, from information and communication technology, agriculture, retail, hospitality and construction.

Business and employers' organisations have all pointed to opportunities for the future, given the right investment and the right emphasis on skills. For example, Momentum indicated that it could create 20,000 jobs in the next five years, and CBI research pointed to a range of future opportunities as follows: 10,000 jobs in the ICT sector; 7,500 in the agrifood sector; about 6,000 in health technologies; 1,700 in advance manufacturing; 21,000 in tradeable services; 10,000 in tours; 11,700 in creative industries; 1,600 in green tech; 7,000 in renewables, power and energy; and circa 49,000 induced direct jobs as a result of consumer spend. That is about 125,000 jobs.

The increased demand for STEM qualifications must be met to help to fill the potential of much-needed job creation. I believe that that is an area that would enhance St Mary's and Stranmillis if they were provided with the funding to diversify. We need to develop a programme where further education providers work in harmony with newly emerging industries and prospective investors so that real training needs can be identified.

Finally, lifelong learning should be the cornerstone of our education system. Go raibh maith agat.

**Mr Irwin:** I do not think that anyone will disagree with any of the sentiments contained in the Chairman's motion before the House today, especially given the sterling service that our further and higher education establishments have provided through the years. In my constituency, the Southern Regional College is a treasured local provider across a number of sites. I know that, from my time in Armagh council, we were very aware of the achievements, commitment and determination of the FE sector to continue to grow.

When one considers that three out of every four students who enter the FE sector gain a full qualification, it is clear that the structures and systems in place across our complement of providers are working and ensuring that our students are attaining and advancing. That is very positive for our economic growth.

We have heard many very positive job announcements in recent times, led by our hardworking Enterprise, Trade and Investment Minister. When a company spokesperson is asked, "Why Northern Ireland?", the response has been consistent, "Because our workforce has the skill sets required, the knowledge and the experience." Do not underestimate the power of that message in unlocking yet further opportunities in attracting further inward investment. That being said, there is obviously a great importance attached to maintaining such a solid reputation. Our economic recovery and the need to continue to grow our economy is firmly attached to the performance and resources available to our further and higher education sector, which can underpin our future economic stability.

To further illustrate the contribution of our universities and FE colleges, it is interesting and encouraging to note that the knowledge economy index ranks the region of Northern Ireland with the second highest knowledge growth in the UK. Take the amazing research being undertaken at Queen's, which has been consistently ranked world leading, with 76% of work either three or four star in its value. Those statistics are hard fought and represent a massive commitment by our students and staff, who continually strive to achieve ever higher standards. The key to the success of our further and higher education providers also lies in maintaining the very broad diversity of curriculum that is offered. That enables a wide variety of interests and skills to be developed. Many of our institutions maintain very close links with local businesses and industries, enabling our colleges and universities to better respond in their provision of bespoke training and skills development to match the ever-developing world in which we live.

The current exercise on the reorganisation of Executive Departments will be an important piece of work for ensuring that cross-cutting roles and responsibilities are



effectively brought under the jurisdiction and responsibility of one new Department. Having key DETI and DEL functions combined in a new Department will, I feel, assist in focusing attention on issues and areas of greatest need. Whilst there is a lot of work still to do on any such proposal, it should hopefully lead to significant and positive changes. In the meantime, there remains a need to support our further and higher education sector, and, as contributors have already pointed out, the knock-on effects of maintaining a top-level complement of colleges and universities will ensure that we continue to grow our economy and attract quality inward investment. I support the motion.

**Mr Ramsey:** I support the motion and the amendment. The Chair reflected very well the Committee's position in our discussions since the Budget.

Given their importance to every city and village in Northern Ireland, I welcome the motion's focus on higher and further education, because they are the key to economic regeneration. However, they must complement each another if we are to have a strong pool of diverse and skilled workers, particularly among our young people. Day to day, we hear of many more young people forced to go across the water, while many more are forced to emigrate to either Australia or New Zealand. The Executive need to do more to make Northern Ireland a much more attractive place for them to live, study, work and bring up a family, even without a Programme for Government for 2015-16.

We had a fairly healthy discussion last week when the Confucius Institute came before our Committee. The level of investment that China is making in higher education is making it the predominant force across the world at the present time. It is investing billions of pounds in universities and, more importantly, in research departments. As a result, the Chinese universities are accelerating up the league tables when it comes to students and academia. China is clearly emerging as a leading economy.

Our further education colleges, universities and teacher-training colleges are facing cuts that threaten their existence. The amendment is timely, and I encourage the Minister to have a change of heart on the issue. The removal of the premia payments is hurting a lot of people who work in the college or who are educated at St Mary's or Stranmillis. Genuinely, Minister, there is no appetite, political or otherwise, for your plans to be brought forward. As Jim Allister said, the premia payments are crucial to the viability of both colleges. You have to come to a bit of sense and realise that that is not what the people of Northern Ireland want.

Some 90,000 students are studying an economically relevant further education curriculum via the flexible approach of Colleges Northern Ireland, which states that 70% of those students are entering employment. Therefore, the colleges are serving their purpose of helping to retrain and reskill, and, for many of the young people who possibly have not done so well at post-primary school, the colleges are filling the vacuum. As the Chair said, the colleges work collaboratively with the business community and industry to try to meet their needs.

More than one in five learners is studying entry level 1 on enrolment at an FE college. Those learners have no prior basic qualifications. Are we to remove that provision? There is concern across the colleges, and I am sure that

all Members have been spoken to and have heard concern expressed about the detrimental effect that the removal of the premia payments could have, particularly when one of the key areas on which the Employment and Learning Committee focused was young people not in education, employment or training. That will have a detrimental effect on progression, and it ultimately led to the Executive's NEET strategy, which will now fail unless adequate money is given to our colleges. Almost one in two students — 43% across the North, 50% at the North West Regional College, and 54% at the South West College — are in the most deprived areas of Northern Ireland. The college network and the Ulster University respond to the need and the changing needs of industry.

I have a few minutes left. I heard the Minister on Radio Foyle this morning speaking about the Magee campus. It is important that, when economic regeneration occurs in the major cities, such as Belfast in particular, we have regional balance. The biggest project coming out of the One Plan — Minister, you know what it was — was the development of the Magee campus. I think it is important that the north-west — not the constituency — has its turn. It is an important motion and something that has concerned the Committee for some time. We have helped showcase —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr Ramsey:** — champion and advocate in events as well as in this House. It is important that the Minister and Executive be mindful of our concerns through this motion.

**Ms Lo:** I support the motion but oppose the amendment. The Programme for Government's top priority is to expand our economy. Corporation tax varying power is coming down the line in two to three years to attract more foreign investment and boost our local businesses. Invest NI has shown a record level of inward investment over the last two years. Clearly, we are seeing steady growth in our economy.

We realised a long time ago that we can no longer compete with other countries, such as China or India, in manufacturing goods dependent on cheaper labour. We have therefore adapted and moved to a knowledge-based economy: Northern Ireland is the region with the second fastest growing knowledge economy in the UK in recent years, according to the knowledge economy index. A knowledge-based economy needs a highly educated, creative and skilled workforce, capable of reacting to new ideas and challenges in a fast-changing world. Foreign investors are not just attracted by subsidies or low taxation offered by government; they want staff with the right know-how and ambition for success.

Our three universities — Queen's, Ulster University and the Open University — are excellent institutions, providing quality tuition to undergraduates and postgraduates. Their research outcomes are also recognised in the recent Research Excellence Framework 2014. The universities have a proven track record of strong partnerships with local business and industry, enabling them to innovate and improve performance for increased profitability. Research and development in higher education has led to many spin-out companies, generating thousands of high-value jobs.

The six further education colleges offer a wide range of vocational and other courses for our young people to

become skilled employees in many different fields. They also have strong links with local firms and are sensitive to gaps and new trends in the job market, as the Environment Committee saw during a visit to the environmental skills centre in the South Eastern Regional College.

It is imperative that we provide adequate funding for further and higher education to ensure that our workforce has the knowledge, skills and confidence to meet the demands of a growing economy. Funding cuts to HE and FE are short-sighted and have dire consequences for the vision of a vibrant and progressive economy. Fewer FE and HE places will mean a smaller workforce capable of high-end jobs. Those who cannot get a third-level place will leave our shores, which will only serve to escalate the decades long brain drain of our brightest students, who could have remained here if we had cared to invest in them.

For many, it may mean the end of their hopes and ambitions for third-level education. Investing in higher education and training must be a top priority for the Executive, not just to enhance the economy but to enhance young people's life chances.

### 1.30 pm

The amendment is similar to last week's Adjournment debate. Our current system for teacher training is fragmented and not cost-effective. We are producing too many teachers who will not find teaching posts in Northern Ireland. Therefore we only educate and export them elsewhere. The premia act as a subsidy to the teacher training colleges in recognition of their smaller size. It is hard to justify that at the best of times, but certainly not in times of pressures on budgets, when university and college places are in jeopardy.

**Mr Hilditch:** Like others, I support the motion. I will take cognisance of the amendment as the debate progresses. It is a fairly generic motion and wide-ranging through the sector, and it should receive wide support across the Benches. I doubt if there are many Members who would not acknowledge the key role that our further and higher education institutions play in growing the local economy and, more importantly, delivering on the Programme for Government and its cross-cutting priorities.

I declare an interest as part of the management of the Michael Hughes Academy, which, in partnership with the Northern Regional College, delivers a sports/academic initiative with the Newtownabbey campus. Indeed, it is when you sit down locally to discuss the various projects and local initiatives that you are given a flavour of the challenges facing those in the sector who are responsible for the front-line delivery, from staff contractual issues through to overly cumbersome procurement matters.

The motion comes with a backdrop of a substantial budget reduction, although it is a little better than the original 10·8% that was initially expected, thanks to the recent budgetary settlement that was reached after intense negotiations. Nonetheless, I acknowledge the difficulties faced by Minister Farry, the Department and those in the structural pyramid who are responsible for delivery in the further and higher education sector. I further acknowledge steps taken by the Minister which will, hopefully, reduce the impact and, potentially, safeguard the success of further and higher education in Northern Ireland, and I support those establishments as, collectively, we

attempt to grow a sustainable economy in line with the cross-cutting priorities contained in the Programme for Government. Therefore it is with a great deal of interest and anticipation that, as the Chair said, we look forward to the attendance of the Minister at tomorrow's meeting of the Employment and Learning Committee to get a better grasp of his overview of the landscape.

As 2014 drew to a close and the extent of the budgetary pressures facing the Department in particular, and the Executive in general, became clearer, a lobby began with the Committee, mainly involving the higher education institutions. Serious conversations took place regarding funding, which, I believe, must be extended to all stakeholders as we look for long-term solutions in an attempt to close the significant funding gap in the sector in Northern Ireland, compared with the rest of the United Kingdom. I feel the institutions have more to bring to the table, other than the bland message we received on one occasion: "Reinstate the funding, or the student fees rocket."

I fully appreciate the role that higher education has played in working with Invest NI in attracting foreign investment and in the successful period of job creation that there has been over the past two years, coupled with the many spin-out companies that have helped support local business and industry. I also appreciate the planned capital developments over the next decade, which will create thousands of construction jobs. Sustainability of the sector lies with all stakeholders.

I welcome the recent response paper from Colleges Northern Ireland, which gives an overview of the further education sector in the Province and the important role that it plays in supporting local business and industry. Further to that, colleges provide crucial support to local schools and communities, helping to tackle social deprivation, the NEET category and the key area of STEM. Some 43% of students are from the most deprived areas, yet high percentages of retention and achievement rates are obtained. For many, further education is a lifeline. It gives them a second chance of achievement, plays a crucial role in their intellectual lives and gives them opportunities to engage socially, economically and culturally.

The development of the soft skills is also important, and the sector can play its part. While the emphasis is on passing exams and graduating, training in the soft skills of the workplace is also necessary. Timekeeping, behaviour, attitude and simply dealing with other people can sometimes be a struggle. I know that the Department is also keen to deal with that.

**Mr Attwood:** I thank the Member for giving way. I understand that there has been some consideration by all parties of the premia to St Mary's University College and Stranmillis University College in Sinn Féin's amendment. Will the Member indicate the DUP's intentions when it comes to the amendment in support of the reinstatement of the premia, which would extend to Stranmillis University College?

**Mr Deputy Speaker (Mr Dallat):** The Member has an additional minute.

**Mr Hilditch:** I thank the Member for his intervention. I think that we will look favourably on that.

It is crucial that the Executive affirm their support for the sectors to place Northern Ireland to the fore and give it a competitive edge. I support the motion and the amendment.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Beidh mise ag tacú leis an rún agus leis an leasú. I support the motion and the amendment. It is very important in the lives of our young people that they have the opportunity to partake of third-level education and improve their life-learning opportunities here in the North. We want to ensure that those establishments remain and that we give them our full support so that young people and mature students have the opportunity to be educated locally and do not have to go away from home or go into low-grade employment without having had the advantage of third-level education.

I also wish to call for the reinstatement of the premia for St Mary's and Stranmillis. That is very important, because these smaller university colleges are unique: they provide very specific education and training opportunities for people here across the North, not just Belfast. It is important for their local economies, which have a wider impact, that they remain as a vibrant part of those communities. It would be the death knell for those communities should the premia be removed and those circumstances bring about the ultimate downfall and closure of the colleges. That is the context in which I place my remarks.

I want to put a wee bit of emphasis on the particular role of St Mary's in the provision of Irish-medium education. It is unique in that regard, and it would not be wrong to say that the Irish-medium sector's strength today is because of the role that St Mary's has played in providing excellent teachers for that sector. St Mary's has provided lots of unique projects over the years to the Irish-medium sector and in pursuit of other educational outcomes that are not limited to the Irish medium. That is very important, and I would like to emphasise that and place great importance on the fact that St Mary's offers unique provision in that regard. It is also located in the Gaeltacht quarter, which is a vibrant part of west Belfast. Also, an tÁisíonad, which is an establishment that provides resources and books for the Irish-medium sector and schoolchildren, is located in St Mary's.

I want to emphasise the fact that we have two establishments here: St Mary's in west Belfast provides for that community and is a vibrant part of the linguistic, cultural, social and economic role of that community; and, likewise, Stranmillis plays a vibrant and essential role in the south Belfast community. I call again on the Minister to rethink his decision to withdraw the premia.

**Mr Lyttle:** I thank the Member for giving way. I have listened intently to her contribution. Does she accept that the teacher training institutions need to provide on a regional basis for everyone in Northern Ireland? Does she also accept that, as the independent report set out, there is a need for reform and that the status quo is not an option? What are Sinn Féin's alternative proposals for reform?

**Mr Deputy Speaker (Mr Dallat):** The Member has an additional minute.

**Ms McCorley:** I accept that our teacher training provision is for everybody across the North: it is not just for one community. The Irish-medium sector, which I have been

talking about, provides for Irish-medium education across the North and beyond.

The university colleges are more than just establishments: they are part of the community and provide essential services. They are the heartbeats of their communities, particularly St Mary's, which plays a vital role in the social, economic, linguistic and cultural fabric of the community. Likewise, Stranmillis plays a similar role in the south Belfast community.

It is not just about what those two establishments provide in education. Education is important and is their primary reason for existing, but it is much more than that. It is about being part of, providing for and being central to the community so that young people who attend those establishments benefit not just from the establishments but from the richness and vibrancy of the communities. In turn, those young people give back to those communities, so it is a two-way street and is not just about one aspect. There are many aspects to education and to the provision of third-level education, and I emphasise the role of local communities in third-level education.

**Mr Anderson:** As a recently reappointed member of the Committee for Employment and Learning, I support the motion. In 2007, when devolution was established, I was delighted that the economy had been placed at the heart of the Programme for Government. That remains the position in the current 2011-15 Programme for Government.

The economy is the key to progress as we continue to seek to move Northern Ireland forward. In recent years, despite serious world economic downturns that have inevitably affected us all, we have made significant progress in our economic growth. One of the essential ingredients in any plan to deliver sustained and deep economic growth is education, particularly third-level education. We must not underestimate the crucial role of the local further and higher education sector in producing the well-educated and highly skilled workforce that we need.

We are often accused of being stuck in the past, but sometimes it is useful to glance back. During the dark years of the Troubles, when our society suffered so greatly from terrorism, our economic infrastructure was seriously damaged, and we lost many of our brightest and most capable young people. Once they left school, they left Northern Ireland to study in universities and colleges in the rest of the United Kingdom or in the Irish Republic. Many of them got jobs outside Northern Ireland, settled down and never came back. For too long, we endured what became known as the "brain drain". In more recent years, that haemorrhaging has been reduced — perhaps even reversed — but we have to be very careful to ensure that it does not return with a vengeance.

Priority 1 of the Programme for Government addresses economic growth and the need to achieve long-term economic growth by improving competitiveness and building a larger and more export-driven private sector. The Programme for Government states:

*"we must rebuild the labour market in the wake of the global economic downturn and rebalance the economy".*

If we are to meet that central target and rebalance the economy by reducing the public sector and developing our business base, it is imperative that we have a properly

educated and skilled local workforce. Indeed, priority 1 refers specifically to the need for a better, more highly skilled, competent and confident workforce. One of the first questions foreign companies ask when assessing their investment options is: "What sort of existing workforce is there in that location?" or "Is there a pool of skills that we need?"

During the Budget planning and consultation process towards the end of last year, I became very alarmed by some of the dire warnings about cuts in third-level education coming from the Minister for Employment and Learning. I raised it with him during questions for oral answer on 20 November when he said that he, too, was concerned but that it was due to the cuts in his departmental budget. I am glad that my colleague the Finance Minister was able to announce that the Department for Employment and Learning will now receive an extra £33 million to develop the skills that are vital to our workforce.

#### 1.45 pm

The winds of change have had a big impact on our further and higher education sector. However, I have been impressed by the way in which the sector has adapted to changing needs and financial pressures. I am in favour of diversity in the curriculum, which will offer a broad range of subjects at undergraduate and postgraduate levels. However, in times of financial pressure and to meet the demands of business, we must focus our efforts on key subjects such as the STEM subjects, law and modern languages.

Having met representatives of the further and higher education sector and considered briefing papers submitted to the Committee, I am impressed with the strategic vision of our colleges and universities. I want to see that develop and grow. I want to see more of our local young people studying in Northern Ireland, getting good secure jobs in Northern Ireland, and staying in Northern Ireland. I urge the Minister to make full use of the extra money now available to him by investing wisely and well in further education and higher education. However, as the motion alludes to, this issue is bigger than the Minister and the Department. The Executive as a whole must rise to the challenge.

**Mr Attwood:** I apologise to the House for not being here for all of the debate. Mr Anderson referred to the past. I and other people were down at the High Court in Belfast where the families of the victims of the Glenanne killings, of which there were over 100, had a hearing in respect of a judicial review. So, I apologise for missing much of the debate.

It is curious that the motion from the Committee refers to:

*"the key role our further education and higher education institutions play in growing the local economy and delivering on the Programme for Government's cross-cutting priorities".*

Sometimes, debates on higher and further education are somehow reduced to the issue of the skills necessary to grow our economy. That is going to become pretty acute in the event that our Government go over the wall in respect of corporation tax and do not do it on the right terms, of which there is a real risk. More immediately, the cuts that

the Tories in our Government have imposed on HE and FE provision and Departments here will have an impact on growing the local economy and cross-cutting priorities. Nowhere is that more true than in an area of disadvantage on the Falls Road, given the potential impact of reductions of the scale that has been proposed by the Minister, part of which is the result of the Tory Budget that the Executive pushed through a couple of weeks ago but most of which is a result of what the Minister has been proposing. The consequence for growing the local economy on the Falls Road, and for that local community in respect of cross-cutting priorities, will be catastrophic.

It has been estimated that, if the Government push on with the proposal to make up to 20,000 people redundant as part of the voluntary exit scheme (VES) that might be a consequence of the Stormont House Agreement, the consequence will be a further loss of 20,000 or 40,000 jobs because of the multiplier effect of the loss of public-sector employment. That is why we need to be very vigilant that, if VES is rolled out, it is rolled out on the right basis and subject to the right principles. However, if the Minister's decision and the DUP and Sinn Féin's decision when it comes to the Budget are rolled out, that will have immense consequences for the local economy in west Belfast and for cross-cutting priorities beyond the consequences for St Mary's college and its staff. The multiplier effect of cutting staff and students in an area of need and disadvantage is going to be immense. Indeed, it will be compounded by the fact that it is an area of disadvantage.

Secondly, whatever the ethos of St Mary's, and I welcome the Minister saying that he wants to protect it, part of that ethos is the fact that St Mary's University College is a centre of excellence for the Irish language and for Irish teaching, as well as being an open and inclusive college for all other traditions and viewpoints in this part of the world. When we are meant to be promoting equality and parity of esteem, the proposed cuts will consequently have a disproportionate impact on the Irish language, culture, teaching and sports at the centre of excellence that is St Mary's College.

I ask the Minister this: when he says that St Mary's should sustain its student numbers through its reserves, is that the principle that he has urged upon other FE and HE institutions in Northern Ireland that are subject to his and DUP/Sinn Féin cuts? Are they also being urged to rely on their reserves? If so, I would like to know how that is working through for the Ulster University, which, I understand — whether rightly or wrongly — has an issue about reserves, given the proposed move to York Street.

I say to the Minister, as I said to him on the last day, the three principles of resolution around the issue of St Mary's are: first, the legal autonomy of the college; secondly, its financial autonomy; and, thirdly —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr Attwood:** — the protection of all its diverse ethos. That is the way through this, and if the Minister applies his mind to that, we will find a way through.

**Mr Nesbitt:** My colleague and Chair of the Committee Mr Swann has outlined in some detail the impact and importance of higher and further education to our



economy, and let us remind ourselves that this debate is about growing the local economy.

There has been some welcome focus of late on corporation tax. The House needs no further reminder that this was an Ulster Unionist proposal. It was our idea that the Assembly should have the power to set a corporation tax rate for Northern Ireland, as a key policy lever for rebalancing our economy. It was, however, never going to be a silver bullet. Corporation tax rates alone are not the fix that will grow the private sector; rather, a basket of measures is required. Every economist I listen to says that there are two major issues that we need to address: one is the lack of A-grade office accommodation; the other, and bigger, issue is the skills base of our workforce. If we get those right, the economy will prosper. In fact, get those right and we will not even need to match, never mind beat, the Republic's corporation tax rate. With the right skills and other factors that investors seek, we need lower corporation tax only to the point where the differential is no longer an issue to potential investors.

Empowering our young people with the right knowledge and skills is the key. Yet, as many, including Ulster Bank's chief economist, Richard Ramsey, pointed out recently, since 2012, Northern Ireland's youth unemployment rate has consistently been above 20% — more than one in five — and the unemployment rate for the 18-24 cohort is likely to remain close to 20% throughout 2015. That is a failure, a grave and serious failure. It is a failure of our young people and a failure of our commitment to keep the economy front and centre of all that we do. That is why the Ulster Unionist Party was so critical of the draft Budget 2015-16 when it was proposed in December.

In the draft Budget, there was to have been a reduction of 10.8% to the Department for Employment and Learning in the financial year ahead. With around 70% of the Department's budget going to the further and higher education sector, the devastating effect on universities and regional FE colleges was obvious. The much quoted figure was that 1,000 university places were to be lost and that 16,000 FE places were under threat. One thousand five hundred and sixty people responded to the Budget consultation, and concerns were raised about its effects on FE and HE. To some extent, the revised Budget has improved the situation, in that an extra £20 million has been allocated to DEL, in recognition of the importance of our economy having a skilled workforce. However, the Department for Employment and Learning still faces a 6.4% reduction in its non-ring-fenced resource departmental expenditure limit. Perhaps the Minister will update the House on the revised Budget's effect on his ability to fund further and higher education.

In responding to the consultation on the Budget, the Ulster Unionist Party said that, in the context of rebalancing the economy, targeting FDI and growing the private sector while slashing training and skills is counter-intuitive and counterproductive. It creates a fundamental contradiction at the heart of the draft Budget for 2015-16 and should add impetus to the need to create a single, joined-up Department of the economy. It has long been the policy of the Ulster Unionist Party that there should be one, joined-up Department for the economy. Indeed, it was a recommendation some six years ago by the independent review of economic policy, but that recommendation was not acted on. On the bright side, recent announcements on

the reconfiguration of Departments following the Stormont House Agreement seem to suggest that it is finally being taken forward.

In conclusion, on the motion, I believe that the Executive must determine whether they still wish to produce the highly skilled workforce that Northern Ireland needs if it is to take advantage of foreign direct investment and the anticipated and much-needed expansion of our private sector.

On the amendment, the Ulster Unionist Party has said that it will not be obstructive to change and the rationalisation of teacher-training provision in Northern Ireland as long as it is done on a fair and equitable basis. Both St Mary's and Stranmillis must be treated fairly and equitably. Therefore, although we are critical of the party that brought forward the amendment, and perhaps even question its motives —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr Nesbitt:** — we will not seek to divide the House by rejecting it.

**Mr Deputy Speaker (Mr Dallat):** Question Time begins at 2.00 pm, so I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member called to speak will be Mr Jim Allister.

*The debate stood suspended.*

2.00 pm

(*Mr Speaker in the Chair*)

## Oral Answers to Questions

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

**Mr Speaker:** We will start with listed questions.

#### Social Investment Fund: Applicant Feedback

1. **Mr Elliott** asked the First Minister and deputy First Minister to outline the process for providing feedback to applicants for the social investment fund. (AQO 7448/11-15)

**Mr M McGuinness (The deputy First Minister):** With your permission, a Cheann Comhairle — Mr Speaker — I will ask junior Minister McCann to answer that question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** In keeping with the community-based ethos of the social investment fund (SIF), zonal steering groups made the final decisions on projects that were selected for their area plans. Individuals or groups who were involved in concepts that did not make it into the area plans were advised at the time by the consultants who were appointed to support the steering groups or by the steering groups themselves.

The area plans were submitted in February 2013. When the zonal allocations were subsequently announced, the steering groups were asked to prioritise their area plan projects within their assigned budgets. That process was completed by November 2013, and it was the responsibility of the steering groups to inform those involved of the decisions. If some individuals or groups have indicated that they have not been informed, they should contact their respective steering group, details of which are available on the OFMDFM website. Details of the chosen projects are also available on the OFMDFM website.

**Mr Elliott:** I thank the junior Minister for that. Has the Office of the First Minister and deputy First Minister no responsibility to inform those behind the early projects that did not progress in the scheme? Was it entirely up to the steering groups or the consultants?

**Ms J McCann:** The Member will know that, from its initial stages, the social investment fund was always led by the community and statutory organisations that designed it from the bottom up. There is a SIF board, and it was primarily responsible for informing those community-based projects whether they were successful. So, it was really up to the steering groups to inform them, rather than OFMDFM.

**Mr I McCrea:** Is there a timeline for the groups that have been allocated funding to be issued with letters of offer? What is the process for that?

**Ms J McCann:** The Member will know that 23 letters of offer were issued last year and that that went up to 24. A further nine projects were approved on, I think, 20 January

and letters of offer for four of those projects have gone out. When a project is approved, we try to get the letters of offer out as quickly as possible to progress the whole project in the sense of the money and everything else. So, while there may not be a dedicated timeline as such, we try to do that, but it all has to be part of the process. That is the way the process has to evolve.

**Mr Lyttle:** Does the Minister accept that the level of information that flowed from the Office of the First Minister and deputy First Minister made it extremely difficult for the area steering groups to update applicants about the scheme? I declare an interest as a member of an area steering group.

**Ms J McCann:** If there have been difficulties and problems, I give the Member a commitment that I will look into that.

The initial announcement of the approved projects was in February 2014. Once the economic appraisal is completed and the project is approved, we get the letter of offer out as quickly as possible. However, there is a point when it comes to the actual SIF steering group that the Member has said he is a member of — I have some knowledge of the steering group in my area — and the onus is on that group to inform the local projects that are part of the bigger project.

I take on board what you said, and I will certainly look into it. If there have been issues, I will certainly talk to the Member outside Question Time.

**Ms McGahan:** Go raibh maith agat. What is the Minister's view on the tabling of an amendment to the motion on the Budget last week by the Ulster Unionist Party, which effectively would have seen finance to the social investment fund reduced?

**Ms J McCann:** I was somewhat dismayed by the Ulster Unionist amendment to the Budget motion because it effectively sought to take money from the social investment fund — a fund that will ensure, at a very grass-roots community level, a realisation of area plans that local steering groups deemed appropriate and prioritised according to need in their zone. It is the right thing to do — we have talked about it in the Assembly on numerous occasions — to work with communities and in partnership with communities, and in this case the steering groups, to ensure that we get these projects right and maximise the impact that they have. However, the main point is that these projects were designed and chosen from the community up, and it is essential that we listen to what the local community needs. Indeed, it is only the people who live and work in those areas and have a stakeholder sense of those areas who know what they need. In my opinion, we should listen to what the community needs. I was quite dismayed when that amendment came forward.

**Mr Eastwood:** I thank the Minister for her answers thus far. Given the recent proposals on the reduction of Departments and the rejigging of the Executive, are there any plans to move the social investment fund to a Department that many people felt it should have been in before — a Department that has direct responsibility for disadvantage in our communities?

**Ms J McCann:** No, there are no plans in the first instance. However, the social investment fund and the area plans never worked in isolation of other community-based

planning that was already there, including neighbourhood renewal. I know that some of the neighbourhood renewal partnerships worked very closely on the steering groups and vice versa, so I think that there was already a joined-up sense of it when the social investment fund was initiated and designed. I think that that continues to be the case. As I said, community planning has to come from the people who live and work in those communities and who have a stake in those communities. It cannot be something that is put down from the top to tell people what they need. People in those communities need to choose and bring forward projects and proposals, and I think that all those other community planning groups and boards are already interlinked.

**Mr Speaker:** I inform Members that question 3 has been withdrawn within the appropriate time frame.

## Syrian Refugees

2. **Mr Ó Muilleoir** asked the First Minister and deputy First Minister to outline their response to the United Nations Refugee Agency's recent appeal for the developed world to take in Syrian refugees. (AQO 7449/11-15)

**Mr M McGuinness:** The situation in Syria has become one of the greatest humanitarian challenges of our time. Despite very significant humanitarian contributions from the international community, the pressure of over three million refugees is taking its toll on Syria's neighbours. Those pressures are severely damaging the quality of life for ordinary people. While resettlement could never help as many as aid has, we recognise the need, in common humanity, for us to explore what we can do to make a difference for the most vulnerable. Accordingly, we are engaged in exploratory discussions with the Home Office, other devolved Administrations, other Departments and relevant non-governmental organisations about whether we can play a role. I feel that we should respond positively to the call for help by the United Nations Refugee Agency. Germany has offered 30,000 places, and the Irish Government have committed 300 places. Sadly, the Government in London have not yet committed to taking refugees, but I note that Scotland is appealing to them to allow refugees to come there, and I feel that we should do likewise. In such circumstances, we would, of course, speak to the British Government about funding for such an initiative.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle. Go raibh agat, a LeasChéad Aire, as an fhreagra sin a thabhairt dúinn. Tá éigeandáil ar leith ag gabháil ar aghaidh sa tSiria, agus is gá freagra a thabhairt uirthi. It is appropriate to say that the racial equality unit in the Office of the First Minister and deputy First Minister has done great work in this regard. It would be great to get a breakthrough. Does the deputy First Minister agree that the benefits to Belfast, certainly to the North, of taking refugees would be considerable and that it would be a blessing to Belfast to be able to take in refugees from Syria? Of course, it would be a lifeline to those in greatest need in the refugee camps.

**Mr M McGuinness:** Go raibh maith agat. The Member and Reverend Bill Shaw have written to the First Minister and me about the catastrophic situation in Syria and how we here in the North can hold out the hand of support to people who are going through incredible trauma.

According to United Nations figures, between 190,000 and maybe even more than 200,000 people have been killed in Syria as a result of the conflict.

I unreservedly condemn the murder of two Japanese citizens by ISIS over recent days and send our sympathy to the Japanese Prime Minister, Shinzo Abe. Of course, these situations are highlighted as individual tragedies for families. The effect of all of that is seen all over the world, but when you look at the figure of something like 200,000 Syrians who have lost their lives, it really brings home how terrible the situation is in that country. The fact is that other nations are exploring the possibility of bringing in people who have been affected badly by the ongoing conflict in Syria. It is important that we here in the North, if at all possible, make our own particular contribution. That would send out a very powerful message about where our sympathies lie in how that terrible conflict has affected ordinary people.

**Mr Ramsey:** I welcome the question from the Member for South Belfast. Given that the deputy First Minister gave very stark figures in his responses, and given the ever-increasing persecution of Christians especially, has there been any discussion with the London Government or the Dublin Government to ensure that we have the capacity to take that leadership role in encouraging and motivating those refugees to come here?

**Mr M McGuinness:** The discussions thus far have taken place in the context of the original question. Discussions are taking place between our officials, the Government in London and other devolved institutions. It is very important that we do so. It is also very important that we understand that there are almost two conflicts happening in Syria: the internal Syrian conflict, which has taken something like 200,000 lives; and the activities of the barbarous group ISIS, which has been targeting people because they have not signed up to its jihadist extremism. Of course, a lot of Christians and people of other denominations in Syria have lost their lives at the hands of that group.

It is an enormously complicated situation. My view is that a lot of what we are witnessing had its roots in the invasion of Iraq. I think that all who studied the conflict have now come to acknowledge that it is at the core of the traumas that people are suffering, particularly at the hands of ISIS and its activities in Iraq and Syria. Those discussions will continue. We do not have any delusions of grandeur about how we can make an impact. If we can do something, it will be symbolic, but I think that it is important, through a symbolic gesture, to send a message to the rest of the world that the rest of the world also needs to do something.

## 2.15 pm

**Mr D McIlveen:** I thank the deputy First Minister for his answers so far. I also welcome his condemnation of the murders of two hostages by ISIS in Syria. Also, at the tail end of last week, two other murders took place in Syria. Two Israeli soldiers were murdered by Hezbollah in the southern part of Syria. Will the deputy First Minister join me in also condemning the murders of those two Israeli soldiers?

**Mr M McGuinness:** Over the last number of years, the First Minister and I have been very focused in our conversations with people from another conflict situation in a different part of that region. We have always been

of a view that the conflict there should be brought to an end and that the solutions can be arrived at only through dialogue and negotiation. I absolutely condemn the killing of Palestinians and the killing of Israelis. I think that it is hugely important that all of us, particularly those of us who have been through a successful peace process in bringing an end to conflict on our streets, reach out to people and implore them to recognise that they can either resolve their conflicts now or wait for 10, 15, 20 or 50 years, during which time many hundreds of thousands of people could be killed. We can all engage in the condemnation of all that, but that will not resolve the problems. What will resolve the problems is the willingness of people to come to the negotiating table and the willingness of the big powers to play their part in a constructive way to help to bring these conflicts to an end.

## Departments: Reduction in Number

**4. Mr Buchanan** asked the First Minister and deputy First Minister for an update on the work to reduce the number of Executive Departments prior to the next Assembly elections in 2016. (AQO 7451/11-15)

**Mr M McGuinness:** The reduction in the number of Executive Departments from 12 to nine in time for the 2016 Assembly election is a commitment in the Stormont House Agreement. Subsequently, the Executive agreed to commit to implementing the measures in the Stormont House Agreement at their meeting on 15 January. A proposed nine-Department structure was presented to the Executive on 15 January, and a further discussion was held on 22 January, when the Executive agreed the number of Departments and their functions. The only exception to this were the functions of OFMDFM, which will be the subject of further consideration. Further detailed work on the functions allocated to each Department can be carried out whilst working through the legislative process. The timetable for the implementation of the reduction in Departments is extremely challenging. That is why we have taken key decisions as early as possible to allow as much time as possible for legislation to be progressed and for the proper planning and implementation of this major change programme. We must not underestimate the challenge that is ahead. We are trying to implement significant reform at a time when we are reducing the size of the Civil Service. That said, it also presents us with a huge opportunity to streamline the Civil Service and create better cohesion between and within Departments, resulting in quality key services being provided to citizens.

**Mr Buchanan:** With the streamlining of the Civil Service and the reduction in the number of Departments, does the deputy First Minister agree that there is still time between now and the election in 2016 to reduce the number of Assembly Members? Is he willing and does he have the appetite to take this through the Executive?

**Mr M McGuinness:** I think that the Member will be aware that there is a commitment in the Stormont House Agreement for a reduction in the number of Assembly Members for the election in 2021. I think that, during the Stormont House negotiations, some parties wanted that to happen more quickly than others. During negotiations, it was important to try to get as much agreement as possible so that that issue would not become a matter of contention between us.

So, the Stormont House Agreement does refer to the challenge that is before the parties in the House in terms of meeting that commitment. My sense of it is that, given the spirit that has been apparent in the implementation meetings that the First Minister and I have participated in with other party leaders, it is obvious that all of that is eminently achievable.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. What steps are being taken to ensure that the concerns of staff are addressed as the process moves on?

**Mr M McGuinness:** That is a very important matter, because the impact on staff has been an integral factor of the work to date. The head of the Civil Service is keeping staff regularly informed and trade unions have also been consulted. That engagement will continue in the time ahead. While we understand that there may be some apprehension, particularly among staff within those Departments that will cease to exist, I would like to reassure them that the very valuable public services and functions that they deliver will continue and that every effort will be made to address any concerns that may emerge as the process continues.

**Mr Allister:** Welcome as any reduction in the number of Departments would be, what about OFMDFM addressing the squander in its own Department on the excessive number of special advisers? The entire Welsh Government have eight special advisers. OFMDFM has eight special advisers, costing us almost £1 million a year. What is the need for that? Will that be addressed by means of reduction?

**Mr M McGuinness:** Obviously, as a result of the decision to reduce the number of Departments from 12 to nine, we are all undergoing a process of change. In the context of resolving the situation within OFMDFM in terms of what functions it retains or lets go of — which will obviously be more complicated — that is something that will obviously be taken into consideration by the First Minister and me.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an LeasChéad Aire as a fhreagraí go dtí seo. Ba mhaith liom ceist a chur: an féidir leis an Aire a chruthú dúinn a bhfuil moltaí dá réir aige i dtaobh comhoibrú Thuaidh/Theas? In regard to the recent Stormont House talks, what further issues or new issues around North/South cooperation does the Minister have in mind for the next agenda of the North/South Ministerial Council?

**Mr M McGuinness:** I think the Member, like all Members, will be aware that the issue of North/South cooperation was a major subject of debate during the Stormont House negotiations. We have set ourselves a work programme, which is about agreeing, for the purposes of the next meeting of the North/South Ministerial Council, how that will be further developed in the time ahead. So, I am confident that, when the North/South Ministerial Council meeting takes place in a few months' time, it will deal with the work programme that will fall at its door as a result of the negotiations that we were involved in prior to Christmas.

The challenges are there for all of us to see. The head of the Civil Service in the South and the head of our Civil Service are very focused and are working together on an ongoing basis to ensure that we continue to develop relationships North and South. One area that there has



been a lot of focus on is the north-west gateway and the decision that was made that there will shortly be a meeting of Ministers North and South to consider how to take forward what is a very important project for all of us.

**Mrs Overend:** What discussions has the deputy First Minister had with the First Minister with regard to the future of OFMDFM and, in particular, with its ceasing to be a service delivery Department and becoming one that adopts a more coordinating approach?

**Mr M McGuinness:** The matters that the Member referred to are presently under discussion between us in the Office of the First Minister and deputy First Minister. I believe that they will be satisfactorily resolved, and that we will see a very smooth transition through the agreements that we have made in relation to, first and foremost, reduction in the number of Departments and, secondly, their functions.

Obviously, OFMDFM was always going to be a wee bit more complicated than the other Departments, but I do not see anything that will, in any way, prevent us from reaching an agreement as to how we will move forward. Of course, subjects under consideration include: whether functions will be retained; whether some functions will go to other Departments; and what the overall role of the Office of First Minister and deputy First Minister will be in relation to how we take all that forward. That is still a work in progress, and I believe that, as we were successful during the Stormont House negotiations, we will be equally successful in the implementation of all this.

**Mr Speaker:** Mr Oliver McMullan is not in his place for question 5, Mr Sammy Wilson for question 6 or Mr Stewart Dickson for question 7.

## Departments: Reduction in Number

8. **Mr Nesbitt** asked the First Minister and deputy First Minister for an update on the restructuring of Executive Departments. (AQO 7455/11-15)

**Mr M McGuinness:** As I mentioned in answer to question 4, the reduction in the number of Civil Service Departments is a commitment in the Stormont House Agreement, the implementation of which has since been agreed by the Executive. A proposed nine-Department structure was presented to the Executive on 15 January, and on 22 January the Executive agreed the number of Departments and their functions. The only exception to that is the functions of OFMDFM, which will be the subject of further consideration. Further detailed work on the functions allocated to each Department can be carried out whilst working through the legislative process. So we must not underestimate the challenge ahead, including a demanding timetable and the fact that this significant reform comes at a time when we are also reducing the size of the Civil Service. That said, it is also a huge opportunity to streamline and create better cohesion between and within Departments.

I am very conscious that I have just repeated myself.  
[Interruption.]

**Mr Nesbitt:** I missed that last bit.

**Mr M McGuinness:** I am very conscious that I have just repeated my answer to the earlier question.

**Mr Nesbitt:** At the risk of further repetition, I acknowledge the deputy First Minister's comments to date, not least

on the future of OFMDFM which, I acknowledge, is under further consideration, apart from the other restructuring. Having worked in the Department since 2007 and having been down at the castle for that time, the Minister must have formed some sort of opinion on the way forward. I wonder whether he would be prepared to share that with the House.

**Mr M McGuinness:** The most appropriate mechanism for taking this forward is to share my views and thoughts with the First Minister and, similarly, he with me. We do that on a regular basis. Obviously, the challenge is for us to agree how this Department will be taken forward. There are big challenges, but I believe that we will arrive at a satisfactory conclusion.

Out of respect for the implementation group — the ministerial subgroup that we established, and which the Member is part of — it is very important that, rather than go public on how we envisage that being taken forward, we do this in concert with our colleagues in the ministerial subgroup, and that includes the Member who has just spoken. So I think that, out of respect for that group, it is important that, when we reach a conclusion, it is apprised of it before the public are.

**Ms Boyle:** Go raibh maith agat. I ask the Minister to provide an update on the deliberations regarding what OFMDFM functions can be dispersed to other Departments.

**Mr M McGuinness:** That sounds like an attempt to complement the earlier question from the leader of the Ulster Unionist Party. Members know that there are sensitive and cross-cutting matters within OFMDFM's area of responsibilities. The answer is that more consideration must be given to the appropriate split of functions to ensure that the optimum service is provided to the public.

As I said, discussions are ongoing, and Ministers have had the opportunity to review and comment on OFMDFM's functions. We intend to bring a paper to the Executive soon, articulating in more detail the proposed future responsibilities of our Department. For the time being, that is as much as we can put into the public domain.

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

2.30 pm

## Departmental Names: CAL

T1. **Mrs McKevitt** asked the First Minister and deputy First Minister whether they agree that the inclusion of the words "culture" and "arts" in the title of an Executive Department signals Northern Ireland as a place where the creative industries are welcome and that the loss of such a title would cause concern in the industry. (AQT 2021/11-15)

**Mr M McGuinness:** As the Member knows, we are in the process of agreeing the names of the new Departments, and there will be huge change impacting on a number of Departments. Whatever title we agree on, people who may have concerns about whether "culture", "arts" and, indeed, many other aspects of government will appear in titles, can rest assured that those will be adequately dealt with not just through the title of the Department but the way in which the Department is described by the particular Department that is undertaking new responsibilities.

From our perspective, at this stage, it is fair to say that there are serious discussions taking place. All parties in the House are represented on the Executive's ministerial subgroup, and the titles that we finally agree, in many ways, will deal specifically with the major responsibilities of a Department. Also, in the context of the outworking of those titles, there will be a very clear explanation of where responsibility lies departmentally for aspects of government, such as culture and arts.

**Mrs McKevitt:** The proposed new Department of social welfare, communities and sports will amalgamate functions of DSD, DCAL and some functions of DEL. Could the move mean that the budget allocated to the arts and the creative sector will be further squeezed when competing for funds, particularly in the Department that will be responsible for housing and benefits?

**Mr M McGuinness:** I am obviously not going to go into detail about where areas of responsibility are moving from or to; that will become clear eventually, and the House will be notified. However, I assure the Member that, first and foremost, we take very seriously the huge economic challenges that we face, particularly in the context of how our Budget has been reduced by the coalition Government at Westminster. At the same time, we are determined to ensure that we provide essential front-line services for everybody who makes a contribution to the enrichment and enhancement of our lives, including people who are involved in sport, culture and arts. So, I do not believe that, under any circumstances, changes to the number of Departments will in any way inhibit Ministers' ability to deliver for those very important aspects of our lives.

**Mr Speaker:** Question 2 has been withdrawn within the appropriate guidance.

### Delivering Social Change: Literacy and Numeracy

T3. **Mr Devenney** asked the First Minister and deputy First Minister whether they have any plans to extend the Delivering Social Change signature project on improving literacy and numeracy, which is due to expire in several months' time. (AQT 2023/11-15)

**Mr M McGuinness:** With your permission, Mr Speaker, junior Minister McCann will take that question.

**Ms J McCann:** The Member will be aware that the Delivering Social Change signature projects, including the one on literacy and numeracy, which the Member mentioned, were very successful. We are looking in the budget to continue that project in this and in the next financial year. We have had conversations with the Department of Education and the Minister of Education on that. We are working within the Delivering Social Change framework. We are hopeful that Departments and their Ministers will look at their core budgets and see where those six signature projects, which were a success, fit into them and then take them forward. We are in conversations with the Department of Education and the Minister on that specific topic.

**Mr Devenney:** I thank the junior Minister for her answer. Does she agree that, if we are minded not to extend the literacy and numeracy project, that will have a detrimental effect on our schools?

**Ms J McCann:** I certainly agree that it was a very successful project. I and junior Minister Bell visited several schools. That project and the nurture groups project, which is also one of the signature projects, were in place. Having talked to some of the new teachers that were brought in, as well as to pupils and other teachers, we are confident that, as an Executive, we will be very mindful of the fact that, when we put in place something that works and is beneficial to young children, schools and children's educational needs, we need to make sure that it is continued.

### Stormont House Agreement: Progress

T4. **Mr McKay** asked the First Minister and deputy First Minister for an update on the progress being made on the implementation of the various commitments in the Stormont House Agreement. (AQT 2024/11-15)

**Mr M McGuinness:** As Senator George Mitchell famously once said, it is one thing making an agreement but a whole other exercise implementing it. If that was true in the context of the various agreements that we have made in the past, it is also true of the Stormont House Agreement. I am tremendously encouraged by the attitude and spirit of all of those who have a duty and a responsibility to implement the agreement. As I said earlier, it was put to the Executive that all Ministers should endorse the implementation of the agreement, and all Ministers did. Similarly, the First Minister and I have been involved in two meetings of the implementation group, and, just last Friday, we met the British and Irish Governments.

We all recognise the good work that is being done and the huge challenges that implementing the agreement present for all of us. Prior to Christmas, various correspondents were saying that there was not a snowball's chance in hell of us getting an agreement, and yet we have reached a comprehensive agreement. I would have liked it to have been even more comprehensive than it is, but the reality is that we have reached an agreement on the way forward, and people have set about the work involved in a very serious-minded way.

Important decisions are being made. We have spoken about some of them today, such as the reduction in the number of Departments, the commitment to deal with the number of Assembly Members by 2021 and the whole issue of how we protect people on welfare benefits who would face the brunt of the austerity agenda being deployed by London. Excellent work was done on that, and people will see its outworkings in the time ahead. Of course, in the intervening period, we have had people —

**Mr Speaker:** Two minutes is up, Minister.

**Mr M McGuinness:** — try to scaremonger about the voluntary exit scheme from the Civil Service and public sector. People have been talking about compulsory redundancies, sackings, and so on, none of which bears any resemblance whatsoever to the truth. The process that we are involved in will be totally and absolutely voluntary.

**Mr Speaker:** I have been informed that Members at the back of the Chamber are having difficulty hearing. Ministers should make sure that they are speaking into the mics, and perhaps the sound engineers can try to rebalance the system to assist.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Does the deputy First Minister agree that it is important to make progress swiftly on the Stormont House Agreement to help retain the public's confidence in the Assembly and the institutions and to send out a positive message domestically and internationally?

**Mr M McGuinness:** I think that we are all agreed that, unless we keep to the timelines and the commitments made in the agreement, the danger is that forces outside these institutions will try to portray divisions among us.

I have not identified any divisions amongst us thus far, so I am confident that we will manage to keep to the commitments and the timelines that we set ourselves. The test of all that will happen very shortly in this Assembly.

The First Minister and I are very focused, as are the leaders of the Ulster Unionist Party, the SDLP and the Alliance Party, on ensuring that we implement this agreement. That is what people want to hear. People are fed up to the back teeth of controversy and accusations that we cannot take decisions; they want to see decisions being taken. We now have an agreement, and I, who represents probably the most optimistic wing of the peace process, am confident that we can get this done.

### Stormont House Agreement: Timeline

T5. **Mr Campbell** asked the First Minister and deputy First Minister how they see the timeline of the Stormont House Agreement unfolding over the next 18 months, given that the deputy First Minister has indicated that he is optimistic and was tremendously encouraged by the agreement. (AQT 2025/11-15)

**Mr M McGuinness:** There are so many challenges for all of us. The Member mentioned the next 18 months. We have set ourselves a challenge to establish a commission, which will look at the issues of flags, symbols and identity. That has an 18-month timeline for delivery from around June of this year.

There are other challenges in relation to the timeline. I will not go into all of them in detail, but one of the targets we had to deal with was the passing of a Budget in this Assembly. Another is the passing of the approach to welfare, on which all the parties did good work to protect the most vulnerable and disadvantaged in our society. Of course, we all face the huge challenges of establishing the bodies that will deal with the past and so forth; namely, the historical investigations unit (HIU), the independent commission for information retrieval (ICIR) and the reconciliation and implementation group. Challenges are there, but thus far there is a commitment; it is obvious that there is seriousness, and we are looking to get this done within the time frames that we have set ourselves.

**Mr Campbell:** Given, then, that the deputy First Minister is tremendously encouraged and optimistic — he mentioned the HIU — is he now in a somewhat different position from the one he was in a couple of years ago, when he said that he could not outline what he had been engaged in in the past: the murder and the attempted murder of dozens if not scores of innocent civilians and members of the security forces? He said then that to do so would destabilise the institutions. Does he now feel confident enough to do so without threatening stability?

**Mr M McGuinness:** I should have anticipated, and I did, that a discordant note would be sounded during the debate. I accurately predicted which Member it would come from. During the course of his contribution, he may have attributed remarks to me that I never made. That said, people should be assured that I am committed, as are others, to the implementation of this agreement.

Given the Member's track record of supporting British state forces, it is quite obvious that he has been very supportive of many of the activities of those people, which resulted in many people losing their lives. *[Interruption.]*

**Mr Speaker:** Order. If you ask a question, have the courtesy to listen to the answer.

### Sexual and Domestic Violence

T6. **Mrs Cameron** asked the First Minister and deputy First Minister for an update on how OFMDFM is tackling sexual and domestic violence in Northern Ireland. (AQT 2026/11-15)

**Mr M McGuinness:** Junior Minister McCann will answer this question with your permission.

**Ms J McCann:** The Member will know that there is now a ministerial group looking at tackling domestic and sexual violence and, indeed, there is a strategy. There was a consultation with many of the stakeholder groups. People had some issues with the strategy as first drafted, but they are now well advanced with the incorporation of that strategy. That strategy will be going forward, not as a separate domestic violence strategy but as a domestic violence and sexual violence strategy.

2.45 pm

**Mr Speaker:** There is just time for a supplementary. Hopefully, the Minister will be kind enough to give you a written answer.

**Mrs Cameron:** I thank the junior Minister for her answer. Can she give us more detail on what protections within that strategy may be available for children living in households affected by domestic violence?

**Mr Speaker:** We must now move on.

### Social Development

**Mr Speaker:** Question 4 has been withdrawn.

### Traveller Accommodation: Consultation

1. **Mr Kinahan** asked the Minister for Social Development to detail how his Department ensures that local residents are sufficiently consulted on the provision of either permanent or temporary accommodation for the Traveller community. (AQO 7463/11-15)

**Mr Storey (Minister for Social Development):** When providing permanent or temporary sites for Irish Travellers, the Housing Executive has legal obligations to take into account the needs of both the Traveller community and secure tenants.

Under article 28A of the Housing (Northern Ireland) Order 1983, the Housing Executive has obligations to provide such caravan sites as appear to be appropriate

for the accommodation of caravans of the Irish Traveller community. Under article 40 of the 1983 Order, the Housing Executive has obligations to consult with secure tenants about changes that affect them. The Member will be aware that an Adjournment debate on temporary housing sites in Antrim has been tabled by Mr Trevor Clarke and scheduled for Tuesday 3 February. That follows on from correspondence I received from Mr Clarke in relation to the issue.

**Mr Kinahan:** I thank the Minister for his answer. When I put this question in, we were not sure when the debate was going to take place, so I know that there will be a little bit of duplication. There are rights and responsibilities on all sides. Have other sites in Antrim actually been considered? Are you or your Department considering other sites for the future, if indeed it is a temporary application?

**Mr Storey:** I thank the Member for the supplementary. Considerable concern has been expressed by the council and elected Members in relation to this situation. This is an operational issue for the Housing Executive. It raises the way in which situations like this occur under emergency regulations and procedures. I have read through some of the comments made and concerns raised, and they certainly give the impression that it would have been a better approach if it had been identified with the community rather than imposed on the community. This is an operational issue for the Housing Executive, and I will check with the Housing Executive, before the debate tomorrow night, what other sites were considered prior to the decision to use the current site in Rathenraw.

**Mr Clarke:** I thank the Minister for his answer. Minister, in your response, you talked about the Travellers' rights. However, each and every MLA will be inundated with enquiries about the rights of ordinary individuals who have housing stress and housing need. What is the Housing Executive doing to address their needs? Are we going to see more camps set up to alleviate the pain and suffering of ordinary individuals within our communities who are under housing stress?

**Mr Storey:** I thank the Member for his question and for the way in which he has raised the issue, following on from concerns that he has raised.

We always need to have a balance in respect of rights. No particular group has an exclusive right in these situations. We need to ensure that the concerns that are raised by local residents in a stable and settled environment are not completely ignored and that those concerns are taken on board. Yes, as I said, there is an obligation on the Housing Executive to operate within current legislation, but that should not in any way undermine or underestimate the right that it has to take into consideration due regard to other people who live in settled accommodation.

**Mr Dallat:** In the interests of equality and balance and given that there has been a lot of representation on the side of the community, may I be so bold as to ask about the rights of the Travelling community and how their needs are assessed? They have been travelling the roads of Ireland for, perhaps, hundreds of years, a lot longer than some of the people who complain about them.

**Mr Storey:** I assume that there is a question in there somewhere. Let me answer it because there is almost an assumption in what the Member says that the issue is ignored and is somehow being treated in a trivial way. It is

not being treated in a trivial way. Maybe we could have an understanding of who it is that determines, for example, the accommodation needs of the Travelling community. The Housing Executive has responsibility for establishing the accommodation needs of the Travelling community through the comprehensive 'Travellers' Accommodation Needs Assessment', which is a fairly wordy description of trying to meet the needs of a particular section of the community. The Housing Executive commissioned comprehensive assessments in 2002 and 2008, and I understand that a third is expected soon, which will give us a view of the current needs of the Travelling community.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. Will the Minister distance himself from the highly offensive comments made by his party colleague Mr Trevor Clarke, when he referred to "ordinary" people?

**Mr Storey:** Comments have been made about the Travelling community issue. I prefer to address the core issue, which is how we have come to a situation in which these concerns have been raised. How do we work with the community, including some of your colleagues on Antrim Borough Council, who have expressed concerns about the situation, to find a resolution in a way that addresses the needs of Travellers?

## Trinity Housing

2. **Mr Hazzard** asked the Minister for Social Development for an update on his Department's attempts to recover £800,000 from Trinity Housing in relation to social housing units in Crossgar, County Down. (AQO 7464/11-15)

**Mr Storey:** I thank the Member for his question. Indeed, this question is quite topical, as Members may be aware that the issue will be the subject of a Public Accounts Committee meeting on 11 February. Trinity Housing Association received an advance land purchase grant totalling £835,215 on 27 February 2008 for the purchase of a site at 19 Downpatrick Road, Crossgar, on the basis of a 12-unit social housing proposal. Due to a prolonged process with Planning Service over site character issues, objections and amenity space, the site has not been developed. OakleeTrinity is drawing up its proposal for refunding the grant, which will be submitted to the Housing Executive this month for its consideration and approval.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer and for his work on putting in place plans to recover the funds. Of course, the funds were given to meet the demand for social housing in the south Down area, particularly around Crossgar and Loughinisland. Will he now pledge to use the money, once it is recovered, to ensure that the social housing need in Crossgar and Loughinisland is met?

**Mr Storey:** I thank the Member for his supplementary. Obviously, I am keen to see a resolution of the issue. It is a substantial amount of money. I do not want to pre-empt anything that will happen at the Public Accounts Committee, but some interesting information will be conveyed at that meeting.

As for meeting the needs in the area that the Member referred to, I remain committed to ensuring that, when that need is identified and brought to the attention of my Department, the housing associations, the Housing Executive and, indeed, Co-ownership, which provides



another means of ensuring that we deliver good housing to our communities, I will not be found wanting in ensuring that, when possible, that need is addressed.

**Mrs McKeivitt:** Surely, Minister, you have had an assurance from the Department of Finance and Personnel that, if this money is recovered, it will be spent on social housing.

**Mr Storey:** It would be only due diligence on my part to wait until we have a conclusion to the matter. The Housing Executive has been closely monitoring the scheme's progress and has been aware of issues surrounding it, such as planning issues. This has been going on for a considerable time, and the Housing Executive wanted to afford the then Trinity Housing Association every opportunity to achieve a successful planning outcome. However, we find ourselves in the position where the housing association will have to come back and put plans before the Housing Executive on how it will address the issue. When that happens, decisions can be made on what happens in the future.

**Ms P Bradley:** I thank the Minister for his answer so far. Since the introduction of advanced land purchase, how many have been unsuccessful and required settlement?

**Mr Storey:** I thank the Member for her question. This is part of a good news story, but it is also one of the challenges of ALPs. There have been only two ALPs to date when a grant has been paid out but schemes have not progressed. One of those was with Trinity for the site referred to earlier at 19 Downpatrick Road, Crossgar. The other ALP was for a Helm site on Great George's Street in Belfast. A settlement plan has been put in place to ensure the full settlement of the grant paid. The figure for that is substantially more than for the site on the Downpatrick Road. The figure for the Great George's Street site will be £8.1 million by the end of 2016-17, which will involve the offsetting of the ALP grant paid against future schemes. To date, £1.54 million has been recovered in that scheme.

The Housing Executive has advised me that it is not aware of any cases other than the ones in Crossgar and Great George's Street in which the ALP scheme was approved and an ALP payment was made and subsequently removed.

## Benefit Claimants

3. **Mr Agnew** asked the Minister for Social Development whether targets, league tables or incentives are being used in relation to the number of sanctions imposed on benefit claimants in Northern Ireland. (AQO 7465/11-15)

**Mr Storey:** There are no targets, league tables or incentives used in determining whether individual claimants will have their benefits sanctioned. A decision to impose a sanction on a benefit claimant will be made by a decision-maker in the Social Security Agency and will be based on the relevant regulations and individual circumstances of the case.

I refer to the nine previous answers on the matter of sanctions, the latest one being in November 2014, which also state that there are no targets, league tables or incentives used in determining whether individual claimants will have their benefits sanctioned.

**Mr Agnew:** I thank the Minister for his answer. The reason why he has faced persistent questioning on the issue is that similar assurances were given by UK Ministers, but

evidence is coming forward that, whilst the policy was not to use incentives, they were being used in practice. Has the Department undertaken any investigations to ensure that the practice of using incentives and league tables is not operating?

**Mr Storey:** I thank the Member. Obviously, we are in a process in which we are constantly viewing the issue in terms of what happens in the rest of the United Kingdom as far as the roll-out of welfare reform is concerned.

It is something that we endeavour to keep ourselves apprised of on a day and daily basis.

## 3.00 pm

It might be useful to outline to the Member what proposals on benefit sanctions will be brought forward under the proposed Welfare Reform Bill. As Members know, the Bill will come back to the House next week. I am sure that you will all appreciate that I am looking forward to that. I want to ensure, as the deputy First Minister said previously, that we make progress on this issue; that is vital.

Under universal credit, for claimants who are subject to all work-related requirements, there will be three levels of sanction: higher, medium and lower. The higher level sanctions will be imposed on claimants who fail to comply with their most important labour market requirements, such as applying for a vacancy or accepting an offer of work. The sanctions will be three months for the first failure, six months for a second failure, and 18 months for a third failure committed within 52 weeks of a previous failure that resulted in a 26-week sanction. Currently, sanctions for these types of failure are generally set on a case-by-case basis and can be between one and 26 weeks. The reform makes the consequences of failure clearer and stronger. I am well aware that I am running close to the end of my time, so I will give the Member the full answer on the higher level, the medium level and the lower level after the debate.

**Mr Speaker:** Indeed you were. I call Maurice Devenney.

**Mr Devenney:** How is Atos incentivised to meet its contractual obligations?

**Mr Storey:** I thank the Member for his question. Atos provides medical support services under a contract with the Department for Social Development. The contract has a robust performance management regime and includes joint monthly, quarterly and annual performance review meetings. Atos does not make decisions on benefit entitlement. It provides professional medical advice to the Department's decision makers who use this and all the other available evidence to make a decision.

There are a number of contractual service levels, such as length of time to complete an assessment, quality of assessment, and claimant satisfaction. Where performance does not meet the contracted levels, financial penalties are imposed. The level of reported customer satisfaction is consistently above 90%. Each month, an independent market research company randomly selects claimants and seeks written feedback about the Atos assessment. Atos performance is also independently monitored and evaluated by the Social Security Agency health assessment, and Atos is currently providing a high standard of medical quality.

**Mrs D Kelly:** Minister, you attempted to outline some of the flexibilities pertaining to the sanctions. Can you give the

House an assurance that we will have our own bespoke model of sanctions and not impose the higher rate of sanctions outlined at Westminster?

**Mr Storey:** It is vital that, when the Bill comes back to the House next week, Members see that every effort has been made to ensure two things: first, that we have parity with the rest of the United Kingdom in the framework of the legislation; and, secondly, that, following on from the Stormont House Agreement, we have put in place mitigating measures to deal with areas of concern.

Members need to remind themselves that there is a five party leaders' agreement in relation to this issue. A lot of work will have to be done in terms of the regulations. I can assure the Member that there are many hundreds of regulations on how we roll out what is a very complex and challenging process, in both legislation and timetable. I assure the Member that I am doing all I can to ensure that people are informed and that my Department manages this process in a way that focuses on the people of Northern Ireland, to whom it will deliver a service.

**Mr B McCrea:** The Minister said that he is keeping abreast of things on a day and daily basis in the United Kingdom. Is he aware of evidence to the Work and Pensions Committee that you are much more likely to get sanctioned than to find a job and that, in fact, sanctions are ineffective? Would he care to give his assessment of that evidence?

**Mr Storey:** I referred to this earlier. We have seen a number of ongoing judicial reviews. There seems to be a difference in elements of implementation in parts of the rest of the United Kingdom in how it is being played out. The Commons Select Committee is taking evidence, and there have been comments in recent days about sanctions. We need to keep the focus here on ensuring that our welfare system is constructed in such a way that it is not a barrier to work and society does not become dependent on having access to that welfare system, but it is there as a safety net for those in need. I sit comfortably with that. I also believe that in such a system, where necessary, sanctions are appropriate and should be used.

## Mortgage Default

5. **Mr Ó Muilleoir** asked the Minister for Social Development what measures his Department has taken following the Housing Repossessions Taskforce's report into people losing their homes due to mortgage default. (AQO 7467/11-15)

**Mr Storey:** The task force chair is scheduled to brief the Social Development Committee on the task force report on 12 February, and my Department will publish it shortly after that. Given this, it would be inappropriate for me to comment extensively on the task force's recommendations until then. However, I can say that my Department takes the task force's recommendations very seriously and has begun to take forward some actions on a number of the recommendations. We are working on an action plan to implement, as soon as possible, the remainder that fall within the Department's responsibilities.

Before Christmas, my Department also responded to a request from the Housing Rights Service, which runs the mortgage debt advice service, for additional funding of

£15,000 this year to meet an increase in demand for that advice service.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle. Go raibh maith agat, a Aire. Thank you, Minister. If I caught you right, you said that you acceded to the request for £15,000, and I welcome that. It is clear from the Minister's answer that our sympathies are with those who find themselves in negative equity or who lose their homes, sometimes through no fault of their own. We are talking about ordinary people, as the Minister understands. The people that we serve are all ordinary; we do not distinguish between Traveller or settled, black or white, or whatever religion people have. Will the Minister continue to push as hard as possible for those who have really lost out in the boom? As the Minister knows, we helped the banks that made the loans. Will he give a continued commitment to make sure that we give as much help as possible to those who lost their homes?

**Mr Storey:** I thank the Member for his comments. The task force made 20 recommendations covering a broad range of issues. Many different sectors and organisations — including mortgage lenders, borrowers, the advice sector and government — have a role to play in improving the position for borrowers in mortgage arrears.

The task force work focused on the two core objectives of helping and encouraging people to help themselves and increasing the number of people who seek help early. When the report is published, I think that the Member will see that the focus is on ensuring that we use all possible mechanisms and means to help those in need, and that those who have a responsibility will not be allowed to, in any way, abdicate their responsibility. Collectively, we will try to ensure that we put together a package based on the recommendations that is there to help and not hinder.

**Mr G Robinson:** Who is to blame for Northern Ireland having the highest level of mortgage arrears in the United Kingdom?

**Mr Storey:** Well, now, there is a question that could take some time to answer. It maybe follows on from the comments made by the Member opposite. It is neither possible nor perhaps appropriate for me to assign blame to a single sector or group of people. We came through a very difficult and challenging time. The housing market bubble from 2004 to 2007 and the subsequent downturn were a result of a number of factors. All those involved — I have made reference to them already, whether it be the mortgage lenders, the regulators, the banks or the borrowers — contributed to the current mortgage debt landscape. It is a challenge for us and something that we should not, in any way, underestimate. That is why we were keen to set up the task force and why the recommendations will be helpful.

There is an onus on all the organisations that I mentioned to learn the lessons of the past and not to replicate them. I do have concerns, particularly when I see the housing market in parts of the rest of the United Kingdom beginning to heat up again. It would not be long until we found ourselves back in a cycle where families were facing challenges. Caution is always a good policy and, on this one, should take us to a place where people recognise their responsibilities and realise that they need to display a responsible attitude so that we do not repeat the problems of the past.

**Mrs Dobson:** Minister, people facing mortgage arrears in the rest of the UK have access to a wide range of interest-free loans and other initiatives not available to homeowners here. Even a £2 million fund could offer support of £5,000 and help 400 families here. That compares favourably to the £10 million co-ownership scheme in next year's Budget, which will allow up to 330 new homes to be purchased. Minister, why do you believe that a relief scheme is not important in Northern Ireland?

**Mr Storey:** We need to use various tools to address the problem. I am always cautious not to put all our eggs in one basket. We need evidence that will lead to a decision based on an assurance that we are going to get an outcome. I have had discussions with the co-ownership people in Northern Ireland and intend to meet them very soon.

One of the big challenges that Northern Ireland will face in the next months is the future of our housing policy. The Member will be aware, as is the House, that a review is going on into where all that may take us. I have decisions to make that will structure a framework for the future delivery of good, affordable housing, not only in the public sector, for which we have a responsibility, but in ensuring that we create an environment for the private sector where progress can be made. I honestly think that we are not going to exclude any potential plan or scheme. However, there needs to be an evidence base to show that, by introducing a particular scheme, we will get the necessary outcome and buy-in from the sector, which will give it the confidence that progress can be made and that we will deliver a good product.

3.15 pm

**Mr Speaker:** Order. We are just short of time to allow the next listed question. We therefore move on to topical questions.

### Fuel Poverty: Energy Prices

T1. **Mr B McCrea** asked the Minister for Social Development, given that his Department takes the lead on fuel poverty, to explain why, although there have been substantial reductions in the wholesale price of energy, these have not been passed on to our people, and to further explain how he plans to tackle this issue. (AQT 2031/11-15)

**Mr Storey:** I thank the Member for his question. I am glad that he thinks that I have such power over the suppliers of oil and gas that I can command them to reduce their prices. We have, though, seen a reduction in the price of home heating oil and some of the other forms of energy supply.

The Member referred to fuel poverty, and we should not underestimate what a huge issue that is. The three contributory factors to fuel poverty are income, fuel prices and energy efficiency. My Department has introduced the new affordable warmth scheme to improve the energy efficiency of those vulnerable households that are most at risk from fuel poverty, and it is primarily targeted at households with an income of less than £20,000.

The 2011 house condition survey stated that the rate of fuel poverty in Northern Ireland was 42%, compared with 15% in England. However, almost 70% of households in Northern Ireland rely on oil as their main source of heating. Although I welcome the fact that home heating oil costs

are now at a five-year low, having reduced to 2009 levels, which will have a positive impact on low-income families, we wait to see whether costs will be further reduced. If we can encourage suppliers to continue to go down that road, we should do so, because it will certainly have an impact.

A piece of work that we are now doing is looking at the impact of the reduction in the price of home heating oil on the fuel poverty figures.

**Mr Speaker:** Your time is up, Minister.

**Mr Storey:** I hope to be in a position to give some response on that very soon.

**Mr B McCrea:** The Minister seems to be a trifle confused on the matter. He finished by saying that there has been a fall in the wholesale price of energy. However, that has not been passed on to consumers. Some 42% of households in Northern Ireland are living in fuel poverty, but that is because we use the 10% measure. Does the Minister think that that is the appropriate measure to use to assess fuel poverty, or should we adopt the English model? Should we be doing more to make sure that our most vulnerable people get the benefit of falling energy prices?

**Mr Storey:** I certainly believe that we should take every opportunity to ensure that the most vulnerable in our society get the advantage of falling prices. However, we also need to remember that we have a high dependency on one particular fuel.

You are not comparing like with like when you compare Northern Ireland with the rest of the United Kingdom, because many in the rest of the United Kingdom have access to gas, and have had for a long time. The Member will know that the concentration of the gas network in Northern Ireland is primarily around the city of Belfast, and we have not seen the possibility of that being made available to other parts of Northern Ireland. I would like that roll-out to be done quicker so that it could have an impact on fuel poverty and benefit consumers here.

I remind the Member that the three components for identifying fuel poverty are still income, fuel prices and energy efficiency. It is not all down to the one particular element that the Member focused on.

### Social Housing: New-build Target

T2. **Mr Eastwood** asked the Minister for Social Development whether the social housing new-build target will be met. (AQT 2032/11-15)

**Mr Storey:** It will be a huge challenge for my Department to meet the target for social housing. Every Minister who has come to the House in recent days has used the same reason, which is the Budget.

The reduction in my Department's budget has created a challenge, and I have concerns that it will be a challenge to meet that target. However, that will not deflect from the focus that we need to have on delivering on the targets that we have set. I am more interested in ensuring that we continue to focus on the delivery of good, affordable homes for the people in Northern Ireland and that we do it in a way that gives them confidence that we are moving in the right direction. In the next number of weeks, the Saville report will give us a stock condition survey of where we are, and when you look at those who are currently in Housing Executive properties, you will see that there is

huge need for a huge investment, not only in new builds but in existing stock.

**Mr Eastwood:** I thank the Minister for his answer. Some people would say that, even if we do meet the targets, we are still not meeting the real number that we need to build across the North, and, in my constituency in particular, that is very stark. Some people suggest we could alleviate that by allowing and supporting the Housing Executive to find creative ways of borrowing money or whatever to build new houses. Does the Minister have a view on that?

**Mr Storey:** I thank the Member for that. In terms of the reform programme that the Housing Executive is engaged in, I have met the board. Last week, I met the chief executive and the chair, and they are in the process of presenting us with an interim investment strategy and looking at the overall and long-term future of the Housing Executive. I am keen to listen to the plea, almost, that was made to me by the Housing Executive, which was that we give it new tools and structures that would enable it to do more in terms of investment.

The Housing Executive believes that it has not been able to do what others have been doing, and it has felt somewhat undermined by that, and I think that it has good reason to make that argument. I would like to make progress in the coming weeks and months so that I would be in the position to give the Housing Executive a different model of delivery, not only in terms of new builds but in the way in which it generates money, so that it can be invested in the current stock. No one should be under any illusion about the huge maintenance challenge in the Housing Executive.

All Members are well aware of the complaints and the issues that Housing Executive tenants raise with us. I am keen to create a new future for the Housing Executive. To give the Member some sense of where the Housing Executive is at on the issue: it has now divided its operations into landlord function and regional function. I think that that should have happened a long, long time ago. So, the executive, I believe, is making progress on that —

**Mr Speaker:** The two minutes is up, Minister.

**Mr Storey:** — and I hope that that will contribute to a new model in the future that we can all agree to.

**Mr Speaker:** Mr Ross Hussey is not in his place.

## Tullyally Community Centre, Londonderry

T4. **Mr Devenney** asked the Minister for Social Development for an update on the Tullyally community centre in Londonderry. (AQT 2034/11-15)

**Mr Storey:** I thank the Member for his interest in this issue in his constituency. I also thank him for giving me the opportunity to visit the city of Londonderry some time ago and to see at first hand what was going on, not only in Tullyally but in other parts of the city. I know that the Member also has an interest in what goes on in the Fountain. I believe that we will have some good news regarding the Fountain. You will know that an announcement was made about an urban village, and my Department is going to work through that.

We have provided £200,000 to meet the majority of the costs of the refurbishment of the Tullyally community centre. They say that you should never look a gift horse in the mouth. However, the £200,000 was a substantial

investment and a lot more than the city council contributed, which was £20,000. It was disappointing that all it could find was £20,000. However, the work is now progressing. We will put back into the heart of Tullyally a centre that will give that community hope and a focal point where a wide variety of activities will take place. I was very encouraged by the work that was going on on the day that I visited Tullyally. I look forward to going back very soon when the work is completed and the building is up and is being used for the benefit of the community.

**Mr Devenney:** I am delighted with the Minister's response. I ask the Minister to come down and visit the centre when the work has been completed to see for himself the good work that will be carried out in that centre. It is a very vital community resource for Tullyally.

**Mr Storey:** I thank the Member for the invitation. I am always glad to be on the road. It makes a change from being in the city. Since I came to office, I have spent a considerable amount of time in the city — east, west, north and south. I am planning to go to the south next week. I thank the Member for the invitation.

On a serious note in terms of Tullyally community centre, it is disappointing that it got to the point it had reached in terms of the condition of the building. I am well aware that there were huge challenges around legal issues and all that. I pay tribute to my staff in the north-west regeneration office for the hard work they did to get us to the point where all of this has been delivered and the money was secured. I look forward to going to the maiden city and to visit Tullyally.

## Homelessness

T5. **Mr Dallat** asked the Minister for Social Development to tell the House what sense of urgency there is about the terrible and shameful problem of homelessness, given that he will be aware that homelessness is back in the news today, with 18,000 people, one third of whom have children, presenting themselves as homeless. (AQT 2035/11-15)

**Mr Storey:** I thank the Member for his question. He is absolutely right: over the last number of days, there has been a particular focus. You will be aware of the event that was held in City Hall, where there was a call by the current mayor of the city for a coordinated approach. You will have seen the comments that were made in terms of the need that there is.

I am happy to give the Member the assurance that this is an issue of vital importance. It cannot be ignored. A huge amount of good work has been done by organisations to at least deal with the issue in an interim period. We will always have the challenge of how we deal with this issue in a long-term and very strategic way. The Housing Executive has its strategy. Strategies are all well and good; they have to be implemented and managed.

I certainly believe that we need to continue to keep the focus on the issue of homelessness in a way that keeps people at the centre. Let us always remember that, when we use statistics and phrases like "homelessness", we are talking about real people who have particular, and sometimes very complex, issues. I do not underestimate the challenge that that creates for us all.



**Mr Dallat:** I thank the Minister for his answer. Clearly, he demonstrates a sense of compassion for those people who, through no fault of their own, find themselves without a home. Will the Minister assure us that, in the future, voluntary organisations such as the Simon Community, St Vincent de Paul, the Salvation Army and others are central in helping to solve this terrible problem?

**Mr Storey:** Yes, there is clearly a vital role for those organisations and others. I visited an organisation — I will not name it — in the city just before Christmas that does an outstanding job in terms of the way it provides for people who present themselves as homeless. I intend to do more work with that organisation and others, and I assure the Member that the organisations that he referred to and others will continue to work with my Department, the Housing Executive and other statutory agencies, because this is an issue that we cannot ignore. It is an issue that will not go away and one that, collectively, we need to keep a focus on.

I repeat this, and I do not want Members to think that I do so because these are simply words: let us remember that we are dealing with real people here. Just before Christmas, I saw a Simon Community billboard that said that we all need to remember that we are only one wage packet away from homelessness. Some people could be very dismissive of that, but I think that it is a telling reality. When I went to a particular location in this city and walked through the door, I saw someone from my town whom I never thought that I would see in such a set of circumstances. That was a very stark reminder to me of the issue that we face as a society.

3.30 pm

## Question for Urgent Oral Answer

### Health, Social Services and Public Safety

#### **Musgrave Park Hospital: Cancelled Operations**

**Mr Speaker:** I remind Members that, if they wish to ask a supplementary, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary.

**Ms McCorley** asked the Minister of Health, Social Services and Public Safety for his assessment of the cancellation of operations at Musgrave Park Hospital, including what action he is taking to remedy this.

**Mr Wells (The Minister of Health, Social Services and Public Safety):** Like health services across the United Kingdom and in the Republic of Ireland, we continue to face considerable pressures on our emergency departments (EDs), and this has been particularly true over the last number of weeks. This has resulted in the health trusts having to postpone some elective procedures in order to provide the additional bed, staff and theatre capacity needed to manage and maintain the safety of patients.

I regret that a number of non-urgent elective orthopaedic procedures have had to be postponed in the Belfast Trust, and I apologise to the patients affected. The Belfast Trust has had a 12% increase in fracture patients, all of whom required an immediate operation and post-operative care in hospital. The trusts will continue to make every effort to deliver effective, high-quality care to the people of Northern Ireland and to reschedule these patients as soon as possible.

My Department, through the work of the unscheduled care task group, has been working closely with Health and Social Care (HSC) to ensure that our emergency care services are better prepared for this winter. Considerable progress has been made in better planning for periods of increased demand; better access to specialty services, thus avoiding emergency departments; and developing indicators and standards for services, including those for our frail and elderly.

My Department has allocated £5 million of additional funding to the HSC this winter. In addition, £750,000 has been made available from the Health and Social Care Board's baseline funds and allocated equally to each trust to support the delivery of unscheduled care services this winter. The Health and Social Care Board continues to work with the trusts to address the increasing trauma and orthopaedic pressures and recently agreed an additional £4 million for this service, which will increase capacity in the Southern Trust and help to alleviate pressure in the Belfast Trust.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I

thank the Minister for that answer. A local newspaper has reported that, rather than this being a one-off or rare occurrence, since November, Musgrave has, at times, been used as a holding bay and seems, at times, to be hiding an overspill of patients from the RVH. How does the Minister respond to that report?

**Mr Wells:** First, I think that the honourable Member for West Belfast needs to look at the statistics. In October, November and December 2012, our EDs treated 54,606 people.

In 2013, the equivalent figure was 55,057 patients, and, in 2014, it was 56,656 patients. I make it absolutely clear that Musgrave Park was not used as a holding bay for the elderly. Patients in Musgrave Park received the same extremely high quality of care as they would have received in any other Belfast Trust hospital.

I resent the comments made by that newspaper. It is very sad that a member of staff from Musgrave Park took it on himself or herself to give an anonymous interview to the paper. It is simply not true. It is a totally unwarranted criticism of the staff of Musgrave Park Hospital. The hospital was quite rightly acting in a very difficult situation to relieve the pressure on the Mater, the City and the Royal to get over a tremendously difficult period, as is traditionally the case. What I can say — the figures verify it — is that our hospitals in Belfast treated a significantly larger number of people and did so without the emergency situation that arose on 8 January last year, and I pay tribute to them.

**Ms P Bradley:** I thank the Member for tabling the question for urgent oral answer, which is a very important question to the Minister. As we know, Musgrave Park Hospital services all of Northern Ireland. Will the Minister assure the House that all those postponements will be dealt with in a timely manner?

**Mr Wells:** I certainly can. We have given an undertaking that the 179 cancellations for all of Northern Ireland will be rescheduled for between three and six weeks after the original date. That gives a clear certainty to those people. I know that it is difficult and that many of them had to arrange care facilities and had to organise so many aspects of their lives to be booked in for those elective procedures and then found that they had been cancelled. However, one has to remember that, every month in Northern Ireland, 4,600 procedures of that type are carried out in our hospitals. That gives an indication of how small a percentage 179 represents: it is about 3% or 4%. That, plus the guarantee that their procedure will be carried out very quickly, is, in my opinion, the best that we can do for those people in very difficult circumstances. We are making the same commitment to the people in Musgrave that, as soon as we can, they will be back on the list for their procedure.

**Mr Speaker:** I call Ms Maeve McLaughlin. OK, and we move on. I call Basil — sorry, I beg your pardon — Fearghal McKinney. I beg your pardon, Basil. You caught my eye.

**Mr McKinney:** We should all feel the utmost sympathy for those who have found themselves not able to have the operation that they were promised and also angry that we find ourselves debating these issues once again on the Floor. Will the Minister agree with me that, just like last year's A&E crisis, this situation is simply another symptom,

not a cause, and that the real cause is a failed plan with no funding?

**Mr Wells:** The honourable Member has considerable contacts in the Republic of Ireland. During the same period, when our staff were managing very effectively in terribly difficult situations, there were 600 patients on trolleys in hospitals in the Irish Republic. Twelve health trusts in England had to declare emergency situations, yet they were not experiencing the growth in demand that we had — 7.5% or over 200,000 extra patients — on top of a huge rise in January 2014. It is not a question of a failed plan. It is that we cannot build capacity in Northern Ireland to cover every eventuality. When you think about it, for maybe 20 days a year, we have that huge demand on our services. If we were to build that capacity into our hospitals, you would be financing capacity that was not being used for the rest of the year. That is the difficulty that we face. We will inevitably encounter those difficulties at the start of each year. All I can say is that we overcame them much better than the Republic of Ireland did, much better than parts of southern England did and much better than last year.

**Mrs Dobson:** Like the Member who tabled the question for urgent oral answer, for which I commend her, I think that it is concerning that Musgrave Park is turning into a holding centre for the overspill from the Royal. These are real people, Minister, and a cancelled operation very often represents another person left waiting longer in agony. Will the Minister confirm or deny that the waiting time at the Belfast Trust for spinal appointments is sitting at 44 weeks? If that is the case, what is he going to do about it?

**Mr Wells:** I think it unfortunate that the honourable Member for Upper Bann has repeated the accusation that the patients in Musgrave believe that they are being treated in a holding bay. That is demonstrating an attitude to patients that I do not want to see in any part of the health service that I am responsible for. It is entirely unacceptable, and, indeed, it is untrue.

I agree that we are facing high pressures, but the stats tell us that. They tell us that we have a 7.5% growth in demand. No one can contest that; it is a fact of life. Therefore, it is bound to put pressure on our clinicians and lead to an increase in waiting times. However, the point is that, by adopting the flexibility of postponing the non-urgent orthopaedics and other operations and having the flexibility to move patients around the various hospitals in the Belfast Trust, we managed to avoid a very critical and damaging situation. Therefore, rather than criticising the chief executive and directors of the Belfast Trust for what they have done, we should be congratulating them because, as a result of their action, we avoided a major emergency situation. At the end of the day, whilst it is very distressing for the individuals, the numbers are a very small proportion of the 56,000 people who were treated.

**Mr Dickson:** First of all, Mr Speaker, I offer my apologies for not being in my place for an earlier question.

**Mr Speaker:** Can I just point out that this is not the appropriate time to do that? I accept the apology in the circumstances, since I called you to your feet. However, we usually wait until after Question Time to deal with such matters.

**Mr Dickson:** Minister, thank you for your answers so far. But 110 scheduled operations have been cancelled since

November in Musgrave Park. Patients have been left with nowhere to go because you were not able to provide care packages for them. Elective surgery has been cancelled again today in Belfast City Hospital. Is this simply not an indication of the abject failure of your predecessor? Your honeymoon period is over. What are you doing about it?

**Mr Wells:** Some day, Mr Dickson, you may have the privilege of standing at this podium, and you will just see what is going on with pressures in the Belfast Trust. Let me mention to you that, currently, only seven fracture patients are receiving care in Musgrave Park Hospital: that was the position at 30 January 2015. At one stage during the holiday period, there were 35 such patients. These fracture patients have been treated in the fracture service in the Royal Victoria Hospital. It is worth saying that a recent report has indicated that 220 operations are postponed every day in England. We are talking about seven operations in Belfast, but that happens every day in England, where there is much more resourcing, much more concentration of services and bigger acute units. So, I still maintain that what our staff achieved over the last month has been remarkable. Indeed, I have written to every chief executive and every chair of the five boards, plus the Ambulance Service trust, to say, "Well done. You faced enormous pressures, and you managed to overcome them without the meltdown that many of my detractors predicted."

**Mr B McCrea:** Minister, you seem a little frustrated in the way that this questioning is going. Do you feel that the press has unnecessarily sensationalised this issue and that, were people to be fully apprised of the matter, they would come to a different conclusion about the response of your Department and the people who work for it?

**Mr Wells:** I thank the honourable Member for that question. I find it frustrating, as I go round all the hospitals and trusts, that so much excellent work goes on and I find it very difficult to attract press interest to cover that. Part of the problem that the press faced in January was that we did not have the situation that emerged in early January last year, so, effectively, there was not much of a story. I well remember a headline that pleased me; one that appeared on the front page of 'The Irish News'. On day one, it criticised me because we did not have enough staff to deal with the huge waiting list. On the following day, reporters went to the waiting room in the Royal and there were only two people there. Then I was criticised for having so many staff on to treat too few patients. You simply cannot win in this business.

At the end of the day, we are down to a small number of people who, quite rightly, are annoyed that their non-essential, non-urgent procedure — sorry, non-urgent, not non-essential, procedure — was postponed for a short period to enable many thousands of people to be brought through the system and treated at EDs. I think that was the right decision, and the scale at which it was being implemented was right. It, therefore, indicates that the Chief Medical Officer (CMO), who is now the chief executive of the Belfast Trust, felt that he had the flexibility to do that. He will not receive a single word of criticism from me for doing what he had to do. That is why I kept out of that debate. My role is only to get involved when things are not going right. I was getting messages at all times of the morning from the chief executives telling me how it was going, and, in my opinion, they were doing a good job and did not need political interference.

### 3.45 pm

**Mr Allister:** Is it not time that the Minister faced up to the fact that at the heart of this problem is the Department-driven policy of reducing the number of beds, so that every time there is a logjam to which that contributes in A&E, you then have the knock-on effect of the cancellations, which are very severe for those affected? Is it not time to review that and to reverse that policy of continuing to reduce the number of beds?

**Mr Wells:** I have a lot of time for the honourable Member, but every time he sees light at the end of the tunnel, he goes out and orders more tunnel. There is always darkness, gloom and doom. The problem recently was not the lack of beds; it was the difficulty in getting people out of hospitals through care packages, intermediate care beds etc. Therefore, at any given time, there were people who were perfectly able to leave hospital, but the difficulty was in finding somewhere they could be cared for. We had enough beds to deal with them.

It is worth saying that, in the Southern Trust, there was only one cancellation of an elective procedure in the entire trust area. I think that is quite remarkable. The number of beds in Northern Ireland is still in excess of the UK average. The Appleby report recently indicated that we are 25% over-provided for in comparison with the rest of the nation. So, you can hardly accuse us of under-provision. The honourable Member should at least recognise that, since Mr Poots was appointed Minister, we have taken on 780 extra full-time equivalent nurses, who are on the ground, providing care in our hospitals for ED and elective surgery. Will he at least recognise that that indicates that we are genuinely committed to the service and are doing all that we can in difficult circumstances?

**Mr Poots:** Sir Liam Donaldson's report last week identified people wanting to sensationalise. Does the Minister agree that, today, there are those in this Chamber who are seeking to sensationalise? Will he join me in congratulating the Chief Medical Officer and the Chief Nursing Officer and all those who have given leadership and ensured that we have had a much better winter this year as a result of a lot of hard work that has been carried out over the period since last year?

**Mr Wells:** Absolutely, and I pay tribute to the work that the Member did as Minister. After the situation that developed in the Royal last year, he asked the Regulation and Quality Improvement Authority (RQIA) to step in and do a very important piece of work in order to make life easier this year. We also had the College of Emergency Medicine coming in and providing expert guidance on the matter. As a result of those steps, we were able to deal with a terribly difficult situation.

It was mentioned earlier that I was in regular contact with the various chief executives. When I say "in contact", I mean it was not unusual for me to get a text message at 2.00 am from a chief executive who clearly was still on duty and was walking the wards and telling me what was going on in Daisy Hill, the City Hospital, Craigavon or wherever. Indeed, as I mentioned in Question Time the other day, the CMO/chief executive of the Belfast Trust — because he is still carrying on both roles — was seen walking the wards of the Mater and the Royal on Christmas morning. He was never asked to do that by me. It was not part of his job description, but, such was his commitment

to making certain that we came through this very difficult period, he was on the ground.

We risk belittling the huge effort that was made by staff. Therefore, we should not take the opportunity to give the staff a good kicking; we should be saying, "Yes, life was tough, but we admire the way that you overcame a terribly difficult situation".

**Mrs Overend:** My constituent Archie Thompson, who was on the BBC news last week, feels as if he is on a waiting list to get onto another waiting list and is not actually getting onto the list for surgery. With 110 cancelled operations, how many more people like Archie will require an apology from the Minister for delayed operations and delays in progressing onto the surgery list?

**Mr Wells:** As I said to the House earlier, we are now down to seven people in Musgrave Park in that situation. We are working our way rapidly through the 179 who had their procedures postponed, and we have given the commitment of three to six weeks. If the lady would like to write to me about that gentleman, I would welcome that because I am always keen to hear about individual cases, and we will see where he stands on the present list. Be careful because, of course, some of those patients have been assigned to two clinics in the private sector, and we have reinstated those who had a date and an expectation. We are working our way through those. Indeed, we expect that all of them will be out of the system by the first quarter of 2015-16. The difficulty comes next year, because we allocated £63 million to elective surgery in the private sector last year, and I do not see where we will get another £63 million to fund that in 2015-16.

**Mr McGimpsey:** I agree with the Minister that staff have performed wonderfully for us in Belfast in the A&Es. However, I point out to him that, even though we have highly professional, dedicated staff, we still have, in terms of four-hour waits, the worst A&E waiting times in the UK. We look forward to seeing the new figures coming out in a week's time. Is it not an indictment of the board of the Belfast Trust that the Chief Medical Officer has had to be drafted in as chief executive of the Belfast Trust? The board had one year to appoint a replacement to Colm Donaghy and has failed to do that. Is that not an example of that board dropping the ball?

**Mr Wells:** I should let the honourable Member know that the four-hour waiting list in December 2012 was 75.4%. At the minute, a very similar figure of 76.7% of patients are seen within four hours. So, there has not been a cataclysmic drop in performance. On the 12-hour waiting times, the overall trend for 2014-15 to the end of December continues to improve, with a 32.4% reduction in the number of patients waiting more than 12 hours over the last period.

We have grasped the nettle — in fact, some hospitals go many months without a 12-hour wait. Therefore, real work is being done on the ground to reduce waiting times. We all want to meet the UK target, but, remember, there is a difference in the measurement of some of the waiting times between ourselves and the rest of the UK. You are not comparing like with like, but we have achieved significant progress on the 12-hour waits.

**Mr Speaker:** Members will now take their ease while we change the Table.

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

## Committee Business

### Higher and Further Education Sectors: Support and Investment

*Debate resumed on amendment to motion:*

*That this Assembly acknowledges the key role our further education and higher education institutions play in growing the local economy and delivering on the Programme for Government's cross-cutting priorities; and calls on the Executive to affirm their commitment to support and invest in the local higher education and further education sectors. — [Mr Swann (The Chairperson of the Committee for Employment and Learning).]*

*Which amendment was:*

*At end insert:*

*“; and further calls on the Minister for Employment and Learning to reinstate the premia payments to St Mary's University College and Stranmillis University College.”.  
— [Ms McGahan.]*

**Mr Principal Deputy Speaker:** I inform Jim Allister that he has five minutes and that there is no capacity to take interventions.

**Mr Allister:** I support the motion and the amendment. One of the craziest dimensions of the draft Budget was the attempt to reduce radically the funding available to deal with skill provision in Northern Ireland. It was a draft Budget that had lost the run of itself, perhaps in its enthusiasm for the devolution of corporation tax. It totally ignored the fact that, for any incoming investor, the real key is to have a skilled and effective workforce, which it then attempted to stymie through funding restrictions. I am glad that that has been considerably ameliorated by the proposals in the final Budget, but it indicated a very wrong-headed direction of travel. Of course, our further and higher education institutions are vital to providing and preparing people with those skills.

On the amendment, I in my time have visited and seen the ongoing work of both Stranmillis and St Mary's, and no one can deny the enthusiasm, professionalism and skill with which students are trained and treated. Therefore, the reaction from St Mary's to the proposition that it should be denied the funding that the Minister sought to take from it came as no surprise to me. It was disappointing that, in circumstances in which there was equally just cause for dismay and protest from Stranmillis, which also faces potential closure at the behest of the Minister, there was a much more muted reaction. I think that that in part that comes from the controlling mechanisms that the Minister has in place in Stranmillis, in contrast to St Mary's, which has its own governance arrangements. In the case of Stranmillis, it is the Minister and the Department that appoint the chairman and vice chairman of the board of governors, and, as we saw last year during the selection process, which was run twice, if they do not get applicants of sufficiently compliant ability, they simply go out and look again for someone else. It is a matter of disappointment to me that we have not heard the same level of protest from,



for example, the chairman of the board of governors at Stranmillis as we heard from others.

It is no secret that this Minister has an agenda for teacher-training colleges. His agenda for Stranmillis, which he tried to promote from his very first day in office, is to expunge it by subsuming it into Queen's University. He was thwarted and now seems to have adopted the age-old strategy of starving the university colleges of vital funds. Instead, he should recognise that the policy course that he wishes to follow is not available to him and desist from trying to implement it by other means.

He should recognise in the case of Stranmillis just how vital a strategic role it plays and how important its independent status is to the delivery of that role, and desist from his constant attempts by whatever means to do the college down. I trust that the Minister will not be as churlish and vindictive as this attempt to withdraw the premia funding would suggest and will recognise that that college needs the funding — the modest funding — that it has been getting —

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Allister:** — in order to continue to produce the excellent out-turn that it has.

**Dr Farry (The Minister for Employment and Learning):**

I thank the Committee for Employment and Learning for tabling this important motion for debate today. In the main, I welcome the fact that most contributors have attempted to give the original motion due consideration, although, no doubt, people were tempted to focus some of their comments on the amendment.

#### 4.00 pm

At the outset, I want to make clear the implications and consequences there will be if the call made by the amendment is followed through. The budget for my Department is fixed for 2015-16, so I have to make choices about how best to employ the scarce resources that are available to me. I have made a commitment to seek, as far as is possible in the circumstances, to protect the aspects of the work of my Department that most support the economy and to protect services to the most vulnerable in society.

I am disappointed that no one voicing support for the amendment has recommended what deeper cuts should be made to preserve the premia subsidy payments. Am I to cut front-line university places or college places, including teacher places? Am I to cut from services for the unemployed or those with disabilities? Are we to slow down the potential expansion of Magee? Are we to forgo aspects of our strategy around dealing with those who are NEET? Those are questions that people need to reflect on very clearly, and they need to understand the implications of what they are saying if, indeed, they shortly walk through the Lobbies in favour of an amendment in support of the premia. They are asking for subsidies to go into certain institutions that others do not get. They are asking for certain subject areas to be more generously funded than many others, including the areas that are most relevant to the expansion of our economy. They are advocating a situation in which even deeper cuts will have to be made to our universities and colleges, which would be manifested in a reduction of places. That would mean more of our young people having to leave Northern Ireland

to study and probably never returning home or more young people having no chance to study at all: wasted opportunities, wasted lives, wasted economic potential. There is a very clear contradiction between the thrust of the motion and the implications of the amendment. I urge Members to reflect on that and the signal that is sent about how genuine or otherwise Members are about supporting the transformation of our economy and investing in our young people.

I turn now to the main substance of the motion. I am always grateful for the opportunity to reiterate the key role that our further and higher education sectors play in growing our economy and supporting the priorities of the Programme for Government, but I believe this debate is even more important, given the financial difficulties that we now face. Our colleges and universities are key aspects of the economy and wider civic life in Northern Ireland. They are key delivery partners for the economic strategy, and the skills and research they provide are a key driver of economic change. They help local companies to grow and now, perhaps, provide the key aspect of the inward investment narrative. Universities and colleges also have a major direct impact in terms of spending power and a multiplier effect in supporting other jobs. Our universities and colleges are also key agents of social change and the development of a vibrant and diverse civic culture.

Since 2012, Northern Ireland has had a higher education strategy, *Graduating to Success*. It has encapsulated that increased economic focus for all the higher education providers. In that regard, it is important to note that our FE colleges provide almost 20% of higher education qualifications in Northern Ireland.

The further education sector has had an overarching strategy — *FE Means Business* — in place since 2004. A new FE strategy is now well advanced in its development and will shortly be issued for public consultation.

Our skills strategy is very clear on the need for higher-level skills in our economy. While, of course, those can come from many different routes, including apprenticeships, for example, our universities and colleges each year produce 20,000 high-level qualifications and over 80,000 intermediate qualifications.

Traditionally, our universities have been major providers for research capacity locally and, in recent years, have further consolidated in that role. It is also worth noting the growing research and innovation capacity of our FE colleges.

I pay tribute to the achievements of the local universities in the recent Research Excellence Framework. Seventy per cent of research submitted was rated as world-leading or internationally excellent. That marks a significant improvement in Northern Ireland's relative position. It is also worth noting that, in the context of the UK, Northern Ireland is punching well above its weight in knowledge transfer and business and community engagement.

I have been pleased to be able to build on the strong base in higher education and further education. The universities have also begun to rebalance their preexisting offer to place greater emphasis on subjects with economic relevance. This is a key aspect of the higher education strategy.

We also seek to double the number of publicly supported PhDs over this decade and are already more than halfway along that process. In 2010, for example, Northern Ireland

ranked twelfth out of 12 regions for PhDs per capita under the knowledge index. In just five years we have risen to tenth, with the aim of reaching the top half by 2020. I have also been pleased to facilitate an increase in funding for core qualitative research (QR), the higher education innovation fund, Connected 3 and the employer support programme.

In terms of directly supporting inward investment, our Assured Skills programme, which works with the HE and FE sectors to provide bespoke skills solutions for companies and sectors, has increasingly been recognised as a game changer. Looking ahead, there are opportunities for universities and colleges to engage with our new apprenticeship strategy and the forthcoming new youth training system. In particular, further education colleges will be the provider of choice for off-the-job training, but I also want to develop hybrid apprenticeship degrees. There is also a more general requirement to better develop employability skills.

The greatest challenges relate to funding. It is important to note that there has not been any meaningful increase in FE funding for the best part of a decade. There have been emerging pressures in the higher education funding regime for the universities that predate the current year's and next year's Budget situation. There is a structural gap of between £1,000 and £2,500 per place when Northern Ireland is compared with the GB average. We must ensure that quality in Northern Ireland is not compromised. In different parts of the UK, different approaches have been taken to higher education funding, with a higher fees regime in England and, on the other hand, increased direct investment in universities in Scotland. Northern Ireland has fallen between those two approaches, and we must now reflect on what we can do to refresh our local approach.

The funding situation has now been made worse by the Budget outcome. While I welcome the reallocation of £20 million to my Department and the £13 million from the change fund between the draft and final Budgets, we are still in a very difficult situation. I am discussing the implications further with the Employment and Learning Committee tomorrow. While we have been able to mitigate to some extent the impact of the revised Budget cuts on the front line, we are nevertheless going to have some major reductions in provision. This sends out a very negative message about the importance of the skills agenda. My officials and I plan to engage with stakeholders over the coming months to discuss the future resourcing of higher and further education. In doing so, we need to be mindful of the next Budget period and the opportunities and challenges that come from a lower corporation tax regime and ensure that we can meet increased demand for skills.

Returning to the amendment, I want to make it clear that I am working to achieve a world-class system of teacher training that is financially sustainable and consistent with the development of a shared and integrated Northern Ireland. Our current system of teacher training is fragmented. It costs considerably more to train a teacher in Northern Ireland than in the rest of the UK, and it costs almost one third more to train a teacher in the two teacher training university colleges — Stranmillis and St. Mary's — than a teacher or other higher education student in Queen's University and Ulster University. Our current system is good, but we are not keeping pace with international developments and, in particular, the trend that

teacher training is best located in a university setting to take best advantage of the research interface.

While all our institutions are technically open to all, there is in practice considerable religious separation in the settings in which we train our teachers. The premia payments are subsidies that go to the university colleges. In effect, we pay more than is necessary for a divided and fragmented system without reaching our full potential in terms of quality. While I recognise that the removal of the premia will be very challenging for the teacher training university colleges and will involve major reassessments of future delivery, there is no immediate prospect of either institution closing, whether we are speaking of April or September of this year. I want to put to bed the myth that either is on the brink of closure: both are sitting with significant reserves.

A report by an international panel of experts that I commissioned produced a range of alternative configurations for our teacher education system. I am open-minded on any alternatives that may carry consensus, are financially sustainable, increase sharing and integration in training and deliver a greater relationship with research in line with international best practice.

**Mr Swann:** Minister, thank you for saying that you are open to the alternatives that are put forward. In the Adjournment debate last week, you indicated that Stranmillis and St Mary's were not talking at this stage: have you done anything to get them round the table to try to progress this?

**Dr Farry:** We have had meetings with all the providers over the past week, building on previous engagement with the stakeholders. I regret that, for various reasons, there are not ongoing discussions between the two university colleges at this time. We are considering how best to take forward the next phase, and it may well involve round-table discussions with all the providers. The precise format is still to be determined.

One of the other key considerations is to ensure that a reformed teacher training system can provide for a diverse and pluralist education system and society, including provision for faith-based education. Northern Ireland will clearly continue to have faith-based primary and secondary schools. I want to make it very clear that any potential reforms to teacher training will not pose a threat to that.

A reformed system could conceivably include a Catholic or other faith-based institution that is more tightly tied to a stronger, overarching framework. Equally, there are no compelling reasons why teachers cannot be trained in a shared and integrated environment, either with distinct strands that can cater for the needs of particular sectors or through all teachers being provided with the skills and knowledge to work across all types of school in our education system. I stress that all the points that I have made in relation to faith-based education can also be applied to the Irish-medium sector.

In essence, we do not necessarily have to have a Catholic — or otherwise — institution to ensure that we cater for all faith-based schools, including those in the Catholic maintained sector. It is very important that we understand that point. In recent years, Catholic teacher training colleges have amalgamated with universities — for example, in Glasgow. In Dublin, the Catholic and Church of Ireland sectors have come together, with specific provisions agreed and introduced to ensure that training

for the specific requirements of faith-based schools is addressed. The Ulster University at Coleraine already prepares teachers for all sectors, with requirements for working in faith schools integrated into the curriculum. No doubt, people will want to ascribe all those changes to the Alliance Party policy on teacher training, but of course they all happened either before my time as Minister or entirely independently of the situation in Northern Ireland. However, you see a wider international picture emerging, with examples very close to our own shores. That raises this question: if it is good enough for Dublin and Glasgow, what is so different about Northern Ireland? Are we simply prepared to say that Northern Ireland is the way it is and always will be, so we have to continue to train our teachers in the same way? What signal are we sending out about the society that we want to build in Northern Ireland? What signal are we sending out about the importance that we place on developing shared and inclusive education across a range of models, from integrated schools to shared campuses? How can we expect our children to learn together if we are not prepared to face up to the opportunity for our teachers to learn together?

Let me be very clear: what we have with the amendment is a call to support institutions. It is not an amendment to support access to education and training opportunities, nor is it an amendment designed to create a system of teacher training in Northern Ireland that has long-term financial sustainability. I am clear that providing a system of teacher training that is high-class, sustainable and reflects the needs of our society is achievable —

**Mr Principal Deputy Speaker:** I ask the Minister to bring his remarks to a close.

**Dr Farry:** — but it is vital that, in achieving that, we rise above the narrow interests of institutions and focus on the interests of future students.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Beidh mé ag tabhairt tacaíochta don rún agus don leasú agus cuirim fáilte roimh an díospóireacht seo inniu.

I support the motion and the amendment. I welcome the opportunity to speak in the debate and congratulate the Committee for Employment and Learning for bringing the motion to the Floor.

#### 4.15 pm

Education is probably the best gift that we can give our young people. Whether it is preschool education, primary education, post-primary education, further or higher education or lifelong learning, we can give no better gift to our young people. Even if they were not connected to the economy, learning and education in themselves are a great thing. Every debate in here these days has a context, usually cuts and pressures on budgets. This debate is no different. The context here, of course, is that Tory cuts in London are affecting everything that we do, including education, and we have to deal with the consequences.

The following are not my words but those of the principal of Stranmillis University College:

*“Budget cuts ... will damage the current teacher education infrastructure ... to the detriment of the future economy and ... society”.*

The 30·8% budget reductions for Stranmillis and St Mary's are totally unfair. The Minister argues that the premia are not justified and that these university colleges are unsustainable. He is asking them to take a cut of 30·8%, which is impossible. He stands there and says that they are not in imminent danger of closing. No, they are not in imminent danger of closing, but they will wither on the vine. They cannot survive without the premia, and the Minister should take that into account. They get 1% of the overall DEL budget, but the Minister wants to make 3·5% of efficiencies in his overall budget through cutting the premia to the two university colleges.

The Minister has said regularly over past weeks and months that it costs much more to train a teacher here than across the water. Figures that I saw at the weekend show that it costs 3·7% more to train a teacher here than in England and Wales. Is that a bad deal considering that school students here regularly outperform their counterparts across the water at GCSE and A level? I do not think that it is a bad deal.

I mentioned in the debate the other night that all sorts of graduates are having to emigrate: graduates in law, pharmacy, medicine, the arts and humanities, engineering — you name it. They are all away to England, Australia, Canada and so on. None of them is a graduate of St Mary's, because 94% of St Mary's graduates get a job within three months. However, nobody is saying that we should cut the budget to the law faculty, the engineering faculty or whatever else.

We then come to what is effectively the Alliance Party doctrine of forced integration. I support integration. I think, instinctively and intellectually, that it is a good idea. However, I also think that diversity is a good idea. I support diversity, instinctively and intellectually, because diversity brings a richness to our society. Difference is good, and the difficulty is when one set of ideas tries to dominate another. That is wrong, and that is when conflict is created. That is what happened here, and that is why we are not Dublin or Glasgow. We are still a society coming out of conflict, and that has to be taken into account. If we want to turn out clones, let us all do the same. Let us forget about music in schools. Let us forget about the arts. Let us force all the kids through STEM subjects, because that is what everybody is saying that we need. We need diversity. We need musicians as much as we need engineers or people involved in ICT.

**Mr Principal Deputy Speaker:** I call on the Member to bring his remarks to a close.

**Mr Sheehan:** All those things are important, and I ask the Minister to reflect on that. Integration is good; forced integration is bad.

**Mr Buchanan:** In making my winding-up speech on the motion, I thank Members who took part in the debate for their contributions and interest in it. I also join the Chairperson in thanking the Minister for Employment and Learning for responding on all of the issues and concerns that were raised in the House today. It is clear that further and higher education institutions play a very important role in growing the local economy and delivering on Programme for Government commitments. As all the contributors to the debate have outlined, the importance of the further and higher education sectors in Northern Ireland cannot be overestimated. Of course, that was

evidenced by the arguments put forward by the Committee Chairperson, Mr Robin Swann.

I note Ms McGahan's support for lifelong learning and for the FE and HE sectors in supporting this and in developing people's self-confidence and employability, at whatever their level or age and across all barriers. If we want to increase the number of young people getting into employment, it is of course extremely important that support is given to build self-confidence in people across all barriers.

My colleague Mr Irwin focused on the importance of the Southern Regional College to his constituents and of the work of the FE and HE sectors, which have allowed Minister Foster to argue strongly for inward investment in Northern Ireland. Mr Irwin also made the point that the joining of DEL and DETI as one Department would help to strengthen this argument for the future. It is important that we have a stronger Department with an outward vision that can help to strengthen the sector and get it moving forward.

I also note Mr Ramsey's view that the Executive should do as much as they can to prevent students from leaving Northern Ireland to receive their education and pursue careers elsewhere. The challenge that this Department and Executive have is to do more to ensure that our students are kept in Northern Ireland, that they study here and that there is work for them when their studying is done. I think that one way to do that is through greater employer engagement. Pursuing that greater employer engagement may also need to be taken on board by further and higher education colleges, because that is one of the ways in which we can help to retain our young people here.

Mr Ramsey also referred to the recent briefing to the Committee for Employment and Learning by the Confucius Institute in the Ulster University. He rightly pointed to it as an example of how proactive China has been in supporting education, even outside its own borders, because it sees the benefits of that investment. Again, that is very true. He also made the argument that our colleges fill a vacuum for individuals, failed by our schools, who can gain some qualifications from their local college. He said that increased cuts could leave such young people stranded and have a detrimental effect on their future employment and the future of the economy, which is a real concern. He said that this could detrimentally affect young people, who could end up in the NEET category, and that goes completely against the Minister's NEETs strategy.

In supporting the motion, Anna Lo noted that Northern Ireland needs a highly skilled workforce and our colleges and universities are key to that. Ms Lo also made the point that failure to support the FE and HE sectors will increase the brain drain from Northern Ireland. Again, no one can argue with that.

**Mr Ó Muilleoir:** Will the Minister give way? Sorry, will the Member give way?

**Mr Buchanan:** Yes.

**Mr Ó Muilleoir:** Earlier, you mentioned employer engagement, and you are talking now of the benefits to wider society. Do you accept that one of the flaws in the Minister's approach is that he has not taken into consideration the economic impact of removing or closing down university colleges or, in fact, that the economic link and synergy between all the higher education establishments and their host communities is very important?

**Mr Buchanan:** Yes, of course the colleges are extremely important, but I think that they have a bit of work to do themselves to look for employer engagement. The more employer engagement that they can get, the stronger they will be in the future. There are funding difficulties, and there will be funding difficulties. It is not going to be plain sailing. I believe that the colleges, as well as government, have a responsibility to look at how they can get more employer engagement for their future sustainability and the future benefit of our students, to get them out into the workplace to re-establish and build the economy.

My colleague Mr David Hilditch talked about how the work of colleges and universities can only benefit the work of the Executive in meeting their Programme for Government priorities, not only to develop our economy but also to help and support those in the most deprived areas. Indeed, Mr Hilditch very helpfully drew the attention of the debate to the good work that colleges and universities do in local communities. He noted the difficulties faced by the Minister in working with a reduced budget. That is something that we all have to bear in mind: the Minister is working with a reduced budget, and difficulties are going to have to be faced and overcome.

Ms McCorley made the point that colleges improve the life chances of young people across Northern Ireland and that the removal of any campuses due to cuts would be detrimental to the local community.

My colleague Mr Sydney Anderson, in endorsing the motion, emphasised that our universities and colleges are needed to rebalance Northern Ireland, both to make up for the underinvestment during the Troubles and to help move Northern Ireland away from a public-sector-dominated economy to one that is led and grown by a vibrant private sector. Key to all this is greater private-sector involvement; getting away from dependence on the public sector towards a more private-sector-driven economy. Again, the rebalancing of the economy is in the Programme for Government, and we should strive towards that end. Mr Anderson talked about the extra money that was found by the Finance Minister for the FE and HE sectors and urged the Employment and Learning Minister to use that money wisely. I have no doubt that the Minister got that message today from around the House: any extra money he gets must be used wisely by his Department.

Mr Nesbitt refocused the debate on helping Northern Ireland to grow the economy. He reminded the House of the high youth unemployment rates, which can be tackled only with an adequate FE and HE budget. Again, we are back to focusing on the budget.

Mr Allister showed support for the motion and spoke of the excellent input that the further and higher education colleges have to our economy. As I said during my winding-up speech, in order to drive the economy forward and sustain the future of our colleges and universities, there must be greater employer engagement. I want to put that on record and hammer out that message from the House today. Not only do the Government need to be involved, not only do OFMDFM, the Executive and other Departments need to be involved, but we also need the colleges and universities themselves to make a greater effort to engage with employers to ensure that the right courses and training are being delivered to students, so that, when the training is done and they come out with a degree, there is employment for them to go to. That is what



will motivate our young people to go into study. They will be motivated if they know that, at the end of it, they have a place of employment to go to.

I am sure everyone here will agree that it has been a useful and very positive debate on this important issue.

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

**Mr Buchanan:** I want to thank all the Members and the Minister for their contributions. I support the motion.

**4.30 pm**

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 80; Noes 9.*

## AYES

*Mr Allister, Mr Anderson, Mr Attwood, 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 Cree, Mr Dallat, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr Ramsey, 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: Ms Ruane and Mr Ó Muilleoir.*

## NOES

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister.*

*Tellers for the Noes: Mrs Cochrane and Mr Dickson.*

*Question accordingly agreed to.*

**4.45 pm**

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

*Resolved:*

*That this Assembly acknowledges the key role our further education and higher education institutions play in growing the local economy and delivering on the Programme for Government's cross-cutting priorities; and calls on the Executive to affirm their commitment to support and invest in the local higher education and further education sectors; and further calls on the Minister for Employment and Learning to reinstate the premia payments to St Mary's University College and Stranmillis University College.*

## Taxi Licensing Regulations (Northern Ireland) 2014: Prayer of Annulment

**Mr Principal Deputy Speaker:** The next two items on the Order Paper are prayer of annulment motions regarding statutory rules. The Business Committee has agreed to group these two motions into one debate. Following the debate, I will put the question on each of the motions.

**Mrs Cameron (The Deputy Chairperson of the Committee for the Environment):** I beg to move

*That the Taxi Licensing Regulations (Northern Ireland) 2014 (S.R. 2014/302) be annulled.*

*The following motion stood in the Order Paper:*

*That the Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/303) be annulled. — [Mrs Cameron (The Deputy Chairperson of the Committee for the Environment).]*

The policy content of the rules is closely linked. The Committee commenced its scrutiny of the policy underlying both of these statutory rules at its meeting on 20 June 2013, when the Department of the Environment provided a synopsis of the responses that it had received to the public consultation on its proposals. Members were content that the Department had responded appropriately to the views expressed by submissions and agreed that it should proceed to draft the legislation.

Some concerns were raised, however, in respect of the proposed timing of the introduction of the legislation. The Committee believed that these provisions should not come into operation until September 2014, rather than September 2013 as suggested by the Department. This delay would enable the Committee to carry out a more thorough scrutiny of the numerous statutory rules required to implement the provisions of the Taxis Act 2008. It would also ensure that the suite of changes came together as a cohesive and coordinated package. The Committee was also concerned that the Department should use this period to engage with all sectors of the taxi industry to resolve any outstanding issues and to raise awareness of the impact of the changes delivered by the new legislation.

The Department brought the SL1 proposal for both of these rules to the Committee on 27 June 2013. Members welcomed the Department's willingness to listen to the views of the taxi industry on this issue and its commitment to determine a more detailed timetable outlining the key steps and milestones, including consultation time frames and SL1 target dates for the whole package of legislation. On this basis, the Committee agreed that the Department should make the statutory rules.

When the Minister met the Committee on 24 October 2013, the Committee raised concerns that, while members still supported the reshaping of the taxi industry to provide a higher level of service to all its customers, there were still issues relating to the costs of the new requirements. Members believed that some sectors of the industry would be disadvantaged and thus less able to cope with the increased financial commitments. Those related specifically to the costs of new roof signage, taximeters and printers, and the training for the new driver tests. All of those additional costs, together with a much higher level of competition, have the potential to result in the loss of jobs or livelihoods in the Belfast public hire sector.

The Committee urged the Minister to look carefully at the proposed legislation to see how that sector could be facilitated.

The Committee agreed to explore that issue further during a meeting with departmental officials in December 2013. Members suggested that a possible way forward might be to introduce an exemption in the single-tier licensing proposal in order to maintain the existing two-tier system within a certain radius of Belfast city centre, possibly during certain periods of the week. That exemption should be accompanied by a much higher level of enforcement within that radius. While officials agreed to take those proposals back to the Minister, he has consistently reiterated that he does not believe that there would be any merit in accepting them. The Department has proceeded to lay the rules, based on an unaltered policy position, and they have been referred to the Committee for agreement.

The Committee does not believe that the two statutory rules represent the best way forward in this situation and, accordingly, agreed to table these motions to ask the Assembly that they be annulled.

**Mr Eastwood:** Thank you, Mr Speaker. You caught me by surprise there. I will speak against the motion and in support of the Minister. This has been an ongoing saga. We have been through it quite a bit. It has been over and back, and people have been lobbied by different organisations on all sides of the debate. I think it fair to say that there are strongly held views on all sides.

A number of years ago, the Department did some consultation work and research, and talked to the public about their view on the issue. It turned out that 84% of those surveyed supported the Department's proposals. The Consumer Council, Disability Action, Women's Aid, Victim Support, Belfast Chamber of Commerce, the Northern Ireland Hotels Federation, Pubs of Ulster and Visit Belfast supported them.

For members of the Committee who live outside Belfast, it is important that we remind people that there is life outside Belfast. There are operations and systems outside Belfast that work perfectly well. Looking in on it, some of us view the system in Belfast as kind of strange, to say the least. I have been contacted, as I am sure other Members have, by the North West Taxi Proprietors, an organisation well known to some Members. They have clearly stated their support for a single tier. They said that they have invested heavily because they believed that the issue had been resolved. They also clearly support metering and a fairer and more uniform system of charging across the system — I understand that, because the public in the place that I know best, Derry, definitely support that. I can only imagine that that is the same in Belfast.

The regulations simplify a very complex system that most who have to use do not really understand. I know from experience of trying to get a taxi in Belfast that it is quite difficult, especially if you are leaving a pub or nightclub. It seems almost impossible at times to get to where you are going because you have to phone a taxi and wait for it to come, whereas, in any other place in the world, you can just flag a taxi down.

You can also just flag down a taxi in any other place in Northern Ireland. The Minister is attempting to bring Belfast and the North into line with the rest of the world, where visitors from different countries can easily get

around the city. Tourism is a major part of the growth potential for this city and the whole of the North. If tourists do not know how to get around the city, the system is not the best. That is highlighted most starkly when you get off a plane at Belfast City Airport. It is strange that you cannot walk outside and get a taxi. The new system means that you have to ring somebody, which, I think, tourists do not understand. I think that what the Minister proposes is a fairly simplified —

**Mr Weir:** I thank the Member for giving way. I appreciate his point, and I will come to it in more detail. He mentioned the airport, but this does not change that situation. Those are the regulations for the airport rather than the lack of a single tier or otherwise.

**Mr Eastwood:** The airport recently changed its system and has moved to one that allows for more private hire than public hire. The Member is right on that point. However, my point stands: if it is private hire, members of the public should still be able to flag down a taxi as they walk out of the airport, as you would in any airport in any other place in Ireland, Britain or the world. We have to understand that it is a strange system, and the Minister is trying to simplify it.

There has also been strong support for the proposals from Disability Action and other disability groups, because they recognise that the regulations on wheelchair access are 30 years out of date. They need to be updated very quickly.

Some of us can probably predict what will happen with the vote. That is unfortunate. The weight of public opinion and of all those who are interested in the issue is with the Minister. Public hire taxi firms have the right to be angry and annoyed, and they have lobbied very strongly, but public opinion is with the Minister on the issue. It is a shame that, if people in the House get their way, we will not move towards a single-tier system, a system that makes sense for all the reasons that I have outlined. After today, we need to consider seriously how people can move around this city easily, a city that tells everybody that tourism is a major growth sector for it. It is bizarre that we now tell people that it is very difficult to get around the city, and that is what we are advertising today.

I am against the motion, and I support the Minister. I hope that, after today, we can begin a sensible conversation about how we move forward.

**Mrs Overend:** It has been a rather long and ill-fated journey for the Assembly and the Department to this stage and the annulment of the regulations. I have been on the Committee for a little over six months, and the issue of taxi legislation and regulations has been brought up a number of times. I am sure that that would have been considered unlikely seven years ago, when the Taxis Act (Northern Ireland) 2008 was passed by the Assembly.

We need to remember how we reached this situation. As was said, much of our taxi legislation was and still is outdated. Naturally, modern society has requirements that are very different to those of the early 1950s. In my opinion, it was only logical that steps should be taken to modernise it. That was the background to the Taxis Act 2008, which, it is important to point out, received the unanimous support of the parties in the Assembly at that time. The difficulty was, however, that it was primarily enabling legislation, so, whilst the framework may have been voted on and agreed, as the Department has learned

to its detriment, the real detail and changes were not. The only part of the Act that has commenced so far is the introduction of taxi operator licensing. The Department even delayed much of the reform programme to give taxi firms extra time to prepare for the reforms, just to get to this stage, where the changes are only a matter of minutes away from being thrown out.

### 5.00 pm

There is a range of concerns with what the Department has proposed, especially from public hire taxi operators in Belfast. Whilst I have sympathy for their concerns, I believe that what they have argued most against would have given the consumer a better deal. That belief has been supported by countless consumer and trade representative bodies. For instance, under what the Department had proposed, the consumer would have had greater choice, and, essentially, the hiring of a taxi in the middle of Belfast would have been much less restrictive and confusing than it currently is.

One of the regulations — probably the most contentious change of them all — is the introduction of a single-tier taxi licensing regime. It would have seen the removal of the restriction on private hire taxis plying for hire in Belfast, a privilege that all taxis outside Belfast enjoy. To the vast majority of taxi users, that would have been most welcome. The Department, too, had sound reasoning for seeking to make many of the changes it had proposed. No doubt, it saw the challenges of effectively having a hierarchy of taxis in Belfast, and the Minister will probably raise the problems of the demand and the confusion for people looking for taxis in the city centre on nights out. Importantly, the current enforcement policies are not properly targeted on addressing the more important issue of illegal and dangerous taxis, so I am sure that the Minister will make reference to that as well.

Whilst what has been proposed may have sounded logical, somehow Sinn Féin and the DUP have changed their positions quite significantly from what was agreed in 2008. The then Minister, Arlene Foster, was the main advocate of what the DUP is now so vociferous in opposing. You only need to look at Hansard, especially around mid-2007, to see that. Indeed, as I have said, the regulations have been bandied about for around seven years. The deliberations on the regulations have been a mess and, ultimately, have resulted in the debate today. What I know is that the ongoing uncertainty is damaging the taxi industry and creating confusion. Correspondence that I received over the weekend iterated the view that some taxi operators thought that legislation was already agreed. Many taxi operators have already invested in taxi systems and taximeters on the basis that legislation is going forward. So, while some operators are working to new regulations that are not yet legislated for, others are lobbying for change. It seems that a bit of a mess has developed over the years.

I detect a sign of resignation from the Minister and his Department that the current proposals will not win through and they need to go back to the drawing board. Maybe that drawing board is a welcome place to be. Will the Minister outline where he will take it from here? The Minister cannot afford to leave it like this.

The Ulster Unionist Party will also support today's prayer of annulment. We do so not because of any major

disagreement with the proposals — on the whole, we agree with the broad policy intent, and our position has remained fairly consistent — but because, as the Minister will no doubt be well aware, the regulations as currently drafted will have had a disguised yet hugely significant unintended consequence. I am, of course, talking about the impact that it will have had on the bus lanes in Belfast. If we were to move to a single-tier regime immediately, the number of vehicles allowed to use the bus lanes would swell as private hire taxis would suddenly took advantage of the opportunity open to them. That would not benefit public transport, as buses would find themselves caught in more traffic, nor would it benefit cyclists, whom we, collectively, have been successful at drawing into the city in increasing numbers.

Whilst, at this stage, this is a redline issue for my party for why we cannot support a single-tier regime, it is something that, I trust, Minister Durkan will contribute to rectifying. I know that it is something that the Minister for Regional Development would be keen to find a long-term remedy to. Unfortunately, until a compromise —

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

**Mrs Overend:** Sorry, I am just finishing. Unfortunately, until a compromise is found and despite the other benefits being proposed, my party will not be able to formally support any such statutory rule.

**Ms Lo:** As legislators, we must be objective when making judgements, always bearing in mind what is best for the largest number of people in Northern Ireland.

We must also listen to public opinion. The motions for annulment are calling on the Assembly to make a U-turn and throw out previously agreed legislation that was supported by the public to regulate and improve taxi services and to give customers more choice. During Committee discussions, I did not hear any compelling arguments to object to the statutory rules for a single-tier system. I therefore oppose both motions on behalf of the Alliance Party.

The Taxis Act was passed by all parties in April 2008 as enabling legislation to bring our outdated laws into the 21st century and was welcomed by the public and businesses. It is right and proper that the Act allows the taxi industry a period of time to prepare for the proposed changes, but common sense would say that seven years must be long enough.

In June 2013, the Committee first considered the synopsis of the public consultation responses, which were vastly supportive of the proposal for the single-tier system. Naturally, we all agreed that the Department should proceed with drafting the legislation with the caveat of a delay of a further year to give the industry more time to meet new requirements. The Department agreed and duly brought the SL1s, which the Committee then agreed. The sense in the Committee at the time was that the public really wanted the changes and that the long gap between the 2008 Act and implementation of the new single tier and the whole raft of regulations was becoming unacceptable.

Somehow, from late October 2013, DUP and Sinn Féin members, following lobbying from Belfast public hire, began expressing concerns about the costs of equipment and the notion that competition may drive the Belfast public hire out of business. They proposed an exclusion

zone in Belfast for black taxis, which the Minister refused. I agree with him. It will cause more confusion for customers if they can wave down a taxi only in certain areas in Belfast. Belfast public hire represents around 5% of taxis in Northern Ireland and around 10% of taxis in Belfast. There is no rationale for the Assembly to ignore overwhelming public support for a single-tier system in favour of keeping the monopoly for Belfast public hire.

In proposing the motion to annul the regulations, DUP and Sinn Féin will allow one small sector in the taxi industry to prevent progress for the whole of Northern Ireland. Competition is always good for customers, as it drives up quality and maintains price competitiveness, and any sector in the industry that provides high-quality services should not be fearful of levelling the playing field for fairer competition. An email from North West Taxi Proprietors called on all MLAs to act in the best interests of the taxi industry as a whole, indicating that the Consumer Council, Imtac and others have agreed with the majority of the taxi industry that single tier is the best way forward for customers.

In any big city, such as London, New York, Hong Kong or Tokyo, where taxis are an essential means of transport for the public to move around the city, people take it for granted that they can hail a taxi anywhere, at any time and without having to book in advance or walk to a taxi rank. Tourists coming to Northern Ireland cannot understand why empty taxis will not stop for them. If we want to promote tourism, we need a taxi service fit for purpose.

I understand what Mrs Overend said about bus lanes, and I know that, during Committee Stage, she objected to the prayer of annulment. I call on the UUP to think carefully. The decision on whether to allow taxis to go on bus lanes is based purely on the judgement of the Minister for Regional Development. In many cities where there are bus lanes taxis can use them only to drop off and pick up passengers; otherwise, they are not allowed to use bus lanes. That is one way that we should be implementing it. There is no need to say, "Right, we want to reject single tier as a whole." I urge UUP Members to think carefully and not to throw all this out but to support our party and the SDLP in rejecting the motion.

**Mr Weir:** I rise with a heavy heart in certain regards. For many of us who have been involved in the Committee, and some of us have served our time since 2007, it is a pity that we have come to this position, because, as the Deputy Chair highlighted, this issue has been ongoing for quite some time.

While there are differences of opinion and of emphasis in the Committee, all of us had hoped to see a resolution. Certainly, a range of concerns about Belfast has been directly raised in the Committee for a year and a half at least. Indeed, mention has been made of the legislation, and as somebody who went through every painful session on the legislation a number of years ago — I think that Mr Boylan was in the same position — I can confirm that it was acknowledged even at that stage. While the general principle of the single tier was something that in broad terms people could buy into, DOE officials indicated in their evidence in 2007 that it would not necessarily be a one-size-fits-all approach. Indeed, we had quotations from Hansard in the Committee indicating that this is something that may or may not necessarily apply to Belfast, but, indeed, we were looking at the wider sphere of Northern

Ireland. The peculiar problems in Belfast have been acknowledged and accepted for a long time.

I would like to respond to an issue raised by the last Member to speak. There is a range of issues, and I think what we need to do to move forward on the taxi issue — I agree with Mr Eastwood on at least one point — is to have a sensible consideration and, indeed, a sensible compromise. I am not going to put words into Mr Eastwood's mouth, but I agree with him on that, and I think that there is the basis for a sensible solution, but it has to be holistic.

There are issues to do with Belfast, with single tier, with enforcement and with metering itself, which is still a source of concern. People in the industry have concerns that the metering side of things should be got right; it is due in by September of this year. There are also concerns over, from a Belfast point of view, the bus lane side of it, not least the impact that it would have on the growing cycling population. I agree, for instance, with remarks made by Northern Ireland Greenways, who have concerns about that.

What we need for a solution is an overall package. There is no point trying to extricate particular elements of this, implement them and leave other elements outstanding. I agree, for instance, with Mrs Overend, who, while she welcomed generally a lot of the stuff on it, highlighted a very important issue as regards the bus lanes side.

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

**Ms Lo:** Will the Member give way?

**Mr Weir:** I will give way to Mr Maginness, who asked first. Then I will give way to Ms Lo.

**Mr A Maginness:** I have listened with great interest to the Member, and I understand where he is coming from, although I am not sure where he is going. *[Laughter.]*

**Mr Poots:** *[Interruption.]*

**Mr A Maginness:** I am sorry, Mr Principal Deputy Speaker, but I did not quite hear that.

At the end of the day, the single-tier system will have to come in. When does the Member suggest that that should happen, because that is the view of the House as expressed in the 2008 Act?

**5.15 pm**

**Mr Weir:** Before I answer that, it may be helpful to give way to Ms Lo, and then I will answer both points.

**Ms Lo:** I do understand that there was a lot of discussion in Committee. Reference was made to the raft of issues, such as metering and receipt printers. To be fair to the Department, it has brought forward a range of arrangements, time after time, following delay after delay, for the industry to adapt to. This was all meant to be happening in 2013, but, in 2015, we are still no further forward.

**Mr Weir:** Rather than dwell on the amount of time that it has taken, we need to try to get this right and get an overall solution that deals with a range of the issues, such as metering, bus lanes and the single-tier system.

There is a lot in the regulations that I do not have any problem with. Therefore, I think that they can be the basis



of a sensible way forward. Similarly, mention was made of the North West Taxi Proprietors. Although I bow to the superior knowledge of Mr Eastwood, who has lifelong experience in that regard, it is clear that we are essentially dealing with a Belfast problem. There are differences in Belfast that do not exist in the rest of the country. From that point of view, if a statutory rule simply dealing with outside of Belfast had been brought in, I would not have had any problem supporting it. However, the peculiar situation of Belfast is that you have the range of taxi drivers.

This is sometimes misconstrued as being about public hire on one side and all of private hire on the other side. I have met probably all the interested parties. A couple of the major firms are very much in favour of single-tier system, as, indeed, are some solo operators. If you talk to the Belfast Private Hire Proprietors' Association, for instance, which deals with a wide range of taxi firms that would probably be described as the smaller firms in Belfast — not the big two — you will hear that it does not believe the single-tier system to be fit for purpose. It is a much more diverse situation than people will sometimes present.

If we were starting from a completely blank page, and there were no taxi industry in Belfast, we might come to different solutions, but we also have to deal with what is there at present. The widespread concern that there has been, from public hire and a lot of private hire, is that, rather than the utopian idea of this, simply in the centre of Belfast, leading to increased competition, it will essentially become a duopoly via the back door. You will have a market that is overwhelmingly dominated by two major companies.

There is no doubt that, if I were in the shoes of those major companies, I would be arguing very much for a single-tier system on that basis. However, if you have a situation that instead of increasing competition restricts it, that is not in the consumer interest. I have met the Consumer Council and some of the disability groups. They have taken at face value and accepted the idea that merely removing certain regulations, or putting in new regulations, will simply lead to increased competition. They will freely admit that, if they get further evidence on that, this is not a hard and fast position for them.

All public hire taxis are disability-friendly; they are constructed on that basis. However, it is much more of a mixed bag on the private hire side. If it means that large numbers of public hire are effectively put out of business, and the quantum of taxis that are disability-accessible is reduced for the city centre, it will not increase competition or increase the opportunities for those who are disabled. That is why this is not straightforward.

**Ms Lo:** Will the Member give way?

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

**Ms Lo:** Mr Weir, I really cannot understand why you have been arguing that the situation will be less competitive or that there will be more competition for the public hire companies and that they are not viable. At the moment, they do not travel around; they stop at taxi ranks and they pick up passengers. They can continue to do that. People can still go to taxi ranks to get black taxis.

**Mr Weir:** With respect, there is a potential danger that a market gets flooded by a couple of major companies. That is a major concern, but I do not know whether that will

happen. The reality is that if you damage one aspect of the market and remove a certain level of competition — that is the practical reality — you reduce consumer choice and you move closer to a duopoly situation. That is a very real concern.

There is no doubt, with respect to the various sectors involved in this, that there are very strongly held views. If we are all being honest, we would recognise that all those at various levels in the taxi industry will argue for their own point of view and, to some extent, will argue in their own self-interest. That is human nature. In terms of these statutory rules, we have something that is not entirely fit for purpose. We are, perhaps, in an unfortunate situation because of the nature of statutory rules: had this been something that was amendable, amendments could have dealt with it. When we are left with a statutory rule, we either have to accept it in its entirety or, alternatively, not move forward. That is something that the Minister would admit; it is in the nature of the system.

Sad to say, despite the effort and goodwill that has been put in, we have not reached a solution as yet. We are relatively close to that situation because there are ways in which we can find a compromise that is not in the interest of any particular sector and, to be perfectly honest, would not be the blueprint that the public hire companies or the private hire companies — the major companies — would put forward. There are sensible solutions that can be produced. If the statutory rule was passed today, for example, it would take effect in June. Time should not be the major problem because, if there is goodwill on all sides and a sensible approach, we can reach a solution relatively quickly. That would allow a timetable that is very close to what is there at present.

From that point of view, these statutory rules, unamended and unchanged, are not for the overall benefit of the taxi industry and neither, in the long run, are they in the interests of the consumer, at least as regards Belfast. As an Assembly, we have no other option today but to say no to these rules. There will be a commitment from all of us, however, on all sides, to work together to find a "sensible solution", to quote Mr Eastwood accurately. There is something out there that can be grasped. There have been discussions already over the last year and a half which point in the rough direction of that solution.

From that point of view, I urge the House to allow a sensible solution to be produced which can deal not simply with the issue of the single tier, but with the issues of the bus lanes and metering to try to make sure that all that is put together as a proper package that we can all agree on and unite around and which everybody in the industry can at least live with.

**Mr A Maginness:** Thank you very much, Principal Deputy Speaker. I will take this opportunity to congratulate you on your election. Just because I did not vote for you does not mean that I do not wish you well.

It is unfortunate that we have reached this stage and that there is this prayer of annulment. We all look forward to a sensible solution to this particular issue. In all walks of life, whether it is business, the professions, politics, the Church or whatever, people find change difficult. I can understand in particular the decision of the public hire practitioners. They remind me of my old profession as a barrister

because they are single practitioners who are subject to the market. In fact, when we were at the Bar, we were told that we were like taxi men, because we just picked up the next fare or the next case. *[Interruption.]* I hear a voice behind me saying that we were not metered. *[Laughter.]* Some people think that we were over-metered.

I do have sympathy, because change has come to the legal profession, and it is coming to those engaged in the taxi business and so forth. The public hire people have given great service to Belfast. I have used them frequently, and it is a quality service. They will be able to compete in the future whenever the single tier comes in. It is inevitable; the question is over how it will come in, how quickly it will come in, what shape and form it takes and what stages there will be etc. However, as Ms Lo said in her address to the Assembly, we have been dealing with this for the past seven years. That is a long period of time to allow any transition. People involved in this business have to realise that, to fulfil the wishes of the Assembly in the 2008 Act, it is necessary for us to reach an end point.

There are other issues involved, one of which is wheelchair accessible taxis. Public hire taxis are in a pole position to — I use this term properly — exploit the market, bring the capacity they have to that market and assist people who are disabled. That is why Disability Action is supportive of these changes. I also understand very clearly why the tourist industry is very supportive of these changes. In any other city in the world, you just stick your hand out and you get a taxi. In Belfast, alas, for whatever historic reasons, you cannot do that with all taxis; you can only do it with public hire ones.

We have to look very carefully. Inevitably, this prayer of annulment will be passed. That is unfortunate, but we have to look to the future and see how we bring this about. I am not convinced that the exclusion zone system which is being put forward would work. If we are going to approach it, we have to think very carefully about the practicalities. I am not sure that it would be particularly enforceable, but we have to get our heads around this and find, in the words of Mr Eastwood, a “sensible” solution.

The Minister has acted quite properly. He has brought this to the Committee and, as a consequence, to the House, and he has confronted all of us in this Chamber to say, “If we are going to fulfil the will of this Assembly in terms of the 2008 Act, then we have to act, and act reasonably quickly.” He was right, therefore, to bring forward his regulations. It was right and proper for him to do that. Ministers are constantly criticised in this House for not making decisions. This Minister has made decisions. The decision that he has made is being thwarted by parties in this House. That is unfortunate, but there should be a short period of reflection after the inevitable happens here. I am supporting the Minister on this today.

**Mr Lyttle:** I am grateful for the opportunity to speak on this issue. I am not a Member of the Assembly’s Environment Committee, but I have been approached by a number of organisations who are frustrated at the length of time it has taken to deal with this issue. That delay has cost them jobs as a result of the work that they have done to prepare for changes that are scheduled to come into play.

I had hoped to get a bit of a clearer understanding today as to why the DUP and Sinn Féin feel there is a need for further delay on this issue.

I must admit that I am not much clearer than I was when the day started. I have heard talk of anti-competition and some reference to self-interest. However, my understanding of the proposals is that they are really to create a level playing field and robust regulation and licensing for the taxi industry in Northern Ireland, which my colleague, the Chair of the Environment Committee, Anna Lo, supported today.

### 5.30 pm

I have heard a number of organisations make the case for why robust taxi regulation and licensing is urgently needed. I have heard of a number of problems that the lack of regulation and licensing is causing. In particular, I have had first-hand evidence of taxi equipment installed to dangerously poor standards that has led to a number of cases of electrical fire caused by faulty wiring. That is putting drivers, drivers’ families, customers and the general public in Northern Ireland at a serious health risk. We have heard of man-in-a-van, backstreet installation putting the public at risk and putting reputable companies, which the vast majority of those in our taxi industry are, at a disadvantage because of their efforts to comply with the proposed regulations. That is why there is an urgent need for progress on this issue. We need to address what appears to be a genuine public health risk.

We want a fair, easy to understand, consistent system of taxi licensing with fixed taxi rates. We also see this as an opportunity to improve the current situation that we are met with at large-scale events and in our city centre. Certain taxis can be hailed, but others have to be booked in advance. The feedback that I am receiving is that a single system, in which all taxis can be hailed, would make for much better coming and going at large-scale events —

**Mrs Cochrane:** Will the Member give way?

**Mr Lyttle:** Yes, I will give way.

**Mrs Cochrane:** Does the Member agree that, at these large-scale events, we have a consistent problem with the number of people who park near the venue? I am thinking particularly of Ulster Rugby. People tell me that they end up driving over because it is so difficult to get a taxi when they come out. Surely, if we had single-tier licensing, that would enable us to get large crowds away from events quickly afterwards. That would be a very progressive and welcome move, especially for residents of, in this example, the Cregagh estate.

**Mr Lyttle:** Absolutely, and I thank the Member for her intervention. We have a number of instances, not least the example given, in which this more organised system would improve —

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

**Mr Lyttle:** Yes, certainly.

**Mr Weir:** I appreciate that. Looking at the big-scale events has to be in the mix of any solution. As regards Ravenhill specifically — I am sure that the Minister will be smiling at this point because my colleague Lord Morrow has put in question after question on Ravenhill — one of the issues is the contractual situation between Ulster Rugby or Ravenhill and a particular firm or firms. There is full involvement of private hire in that situation. I suspect from what Mrs Cochrane said that it is not one that is working out particularly well, but the single-tier system would

not resolve the particular issue at Ravenhill, which is a separate one. However, I agree with the general point that, if we are looking at an overall solution, factoring in the issue with some of the larger events has to be part of the overall mix.

**Mr Lyttle:** I thank the Member for his intervention.

**Mrs Cochrane:** Will the Member give way?

**Mr Lyttle:** I will certainly give way. *[Laughter.]*

**Mrs Cochrane:** Mr Weir said that there is a contractual issue with private hire, but that had to be put in place because you cannot hail taxis on the road. When coming out of the ground, there are not a lot of taxis coming along that are able to pick you up. You have to phone and book them to an address. So, Ulster Rugby books taxis to the ground in order for them to be able to pick people up. It definitely would be a solution because it would not have to be just one company.

**Mr Lyttle:** I thank the Member for giving way — sorry, I thank the Member for her intervention. I was glad to act as chair for that mini-debate. *[Laughter.]* We have covered an important issue. The important point is indeed that that simplified system would help large-scale event organisers, residents and taxi companies themselves to better understand and better operate in that context.

Another issue that has been raised and that is close to my own interests is the impact that the new licensing and regulations would have on the use of bus lanes by cyclists. I am chair of the all-party group on cycling. I welcomed Mrs Overend's contribution up to a point. I thought that it was balanced on the issue, but the comments about an immediate concern for cycling were somewhat irresponsible, given that the Ulster Unionist Party Minister for Regional Development, Danny Kennedy, is responsible for the regulation and enforcement of bus lane use. Indeed, he has available every power, if and when these regulations and licensing are enacted, to respond to that issue absolutely to ensure good control and enforcement of bus lanes, which would lead to priority being granted to cyclists, given the widespread support in the Assembly for the cycling revolution, which Danny Kennedy rightly wants to lead. We can respond in ways that safeguard the progress being made for cycling in bus lanes. For the Alliance Party, single-tier licensing and regulation is ultimately about bringing Northern Ireland into line with modern standards and practices.

In closing, I again ask the DUP and Sinn Féin to set out more clearly why they are blocking and delaying this legislation, when many organisations are clearly calling for its urgent delivery. Indeed, I ask them to set out what exactly their plan B is to address the urgent need for reform to and assistance for our taxi industry.

**Mr Durkan (The Minister of the Environment):** Mr Principal Deputy Speaker, I echo the congratulations from my colleague Mr Maginness to you on your election.

I welcome the opportunity to reply to this prayer of annulment to the Taxi Licensing Regulations and Taxi Operators Licensing (Amendment) Regulations, and to put forward the strong case for modernising the taxi industry with the introduction of improvements to the taxi licensing regime across the North, thereby implementing further elements of the Taxis Act (Northern Ireland) 2008. Those Members who voted in the Environment Committee

against the two sets of regulations have consistently stated that they have no significant issues with the majority of the regulations. The issue that causes them concern is that of introducing a single-tier licensing regime in Belfast, a change that would permit all taxis, not just Belfast public hire taxis, to pick up passengers on the streets of Belfast.

All Members will agree that taxis are a vital part of our economy. Every year, they greet many of the million-plus visitors who come here. They make tens of thousands of trips to bring people to and from work or safely home after a night out. They also help some of our most vulnerable people, young and old, to travel in the way that most of us take for granted. The majority of our taxi legislation, however, dates back to the early 1980s. In fact, in Belfast, it goes back even further to by-laws introduced in the early 1950s. The problem is, quite simply, that the legislation is not up to the task of effectively regulating taxis in the 21st century.

The Taxis Bill was therefore introduced by a previous Environment Minister, Arlene Foster, who, in doing so, quite rightly stated that single-tier licensing was a “fundamental tenet” of the Act. The merits of the Act were debated and approved by the House, without division, and Royal Assent was granted in April 2008. The aims of the Taxis Act are to raise the standard of taxi services, reduce illegal taxiing and improve compliance. Its broader objectives are to promote road safety, improve accessibility for older people and people with disabilities, and facilitate fairer competition for taxi services.

In short, it is about creating a safe, fair and fit-for-purpose industry that allows those involved in it to make a living from it.

To date, two significant parts of the Act have commenced: taxi operator licensing, which came into force in 2012 for the first time, makes operators accountable for the operation of their business and the actions of their drivers; and the taxi-driving test and periodic training, which came into force last October, aligns the taxi industry with other professional driving industries and will help to raise standards and improve road safety.

Aside from the regulations that we are debating today, the remaining elements of the Taxis Act include the implementation of taxi meters to enhance customer protection and the introduction of a new specification for wheelchair-accessible taxis that will update the current 20-year-old specification. That will improve the safety and comfort of the taxi journey for people with disabilities, while ensuring, through the introduction of a maximum fare, that they, and indeed all customers, are not overcharged.

At present, we have essentially two regimes: one dual-tier system in Belfast, where private hire taxis must be pre-booked, thereby restricting customer choice; and a single-tier regime everywhere else, where consumers can choose either to hail on the street or pre-book. The current dual system in place in Belfast is broken. It cannot adequately address a number of problems that the Act was designed and introduced to tackle.

First, the general public, residents and visitors alike are confused as to what taxis they can use in different circumstances. In many instances, they do not care, so long as the taxi is licensed and will take them home. A single tier will remove that confusion.

Secondly, there are insufficient numbers of taxis that can pick up on the street in Belfast — a particular problem at peak periods — to meet demand and ensure public safety and order. A single tier will address this deficiency in the current market by significantly increasing the number of taxis that can be hailed.

Thirdly, a great deal of DVA enforcement activity currently addresses licensing offences that exist only because of the operation of a two-tier licensing system in Belfast. That is time-consuming for DVA and serves only to reduce the resources available to address the illegal and dangerous taxis that are unfortunately out there. That type of enforcement activity plays into the hands of illegal taxis and those operators and drivers who are licensed but choose to break the law. This cannot continue. A single tier will remove illegal PU-ing by licensed taxi operators and drivers and free up valuable resources so that more serious offences can be tackled more often in a targeted and robust manner. A single-tier licensing system will increase choice for consumers, increase competition and increase standards across the board.

Support for a single tier comes from a wide variety of organisations. In addition to three consultations indicating a preference for a single tier, 913 letters from Belfast private hire drivers and 4,200 postcards received from private hire taxi passengers and submitted to the Environment Committee all called for the implementation of single-tier licensing. Furthermore, as Mr Eastwood told us, the Consumer Council wants it; disability groups, including Disability Action, want it; Women's Aid and Victim Support want it; the Belfast Chamber of Trade and Commerce, the Northern Ireland Hotels Federation, Pubs of Ulster and Visit Belfast all want it. Why? Because they see the clear benefit to consumers, to the increasing number of tourists coming to Belfast and the rest of Northern Ireland, and of course to the industry itself. Indeed, only a year and a half ago, even the proposers of the motion wanted it. The Environment Committee unanimously indicated its support for a single tier. It was frustrated at the delays in introducing it. Mr Boylan's view was that the continued delays in introducing a single-tier system were "ridiculous". His view then was:

*"it was about the customer and the consumer",*

and he quite rightly made the point that it is not the Belfast Taxis Act but the Taxis Act. However, his direction of travel has seemingly changed. All that I can say is that I am glad that I am not in Mr Boylan's taxi, because, with all those roundabouts and U-turns, it would cost me a fortune.

#### 5.45 pm

The concern of those who oppose the single tier is seemingly the possible impact on jobs within Belfast public hire. On that matter, I agree with Arlene Foster, the originator of the Bill, who, as Minister, argued that the legislation does not put jobs at risk. In fact, it will increase the demand for legal taxis, because the industry as a whole will be improved, will be more attractive and will be better regulated. More effective action will also be able to be taken against illegal taxis, using the new powers —

**Mr Weir:** I thank the Minister for giving way. Nobody has made a case for the legislation not applying throughout the bulk of Northern Ireland. I think that there are advantages to that.

The Minister is very good with quotations, but, during the passing of the Taxis Bill, it was brought before the Committee and acknowledged by departmental officials that it may not be something that would necessarily have to apply to all of Northern Ireland and that Belfast would have to be looked at. That is a matter of public record and formed part of the evidence that was given to the Committee at the time. I presume that the Minister will be happy to acknowledge that as well. The Act has not been universally accepted as applying throughout Northern Ireland or automatically.

**Mr Durkan:** I thank the Member for the intervention.

More effective action would be able to be taken against illegal taxis by using the new powers, which the regulations will enable, to seize illegal taxis. Without the regulations, those powers will continue to lie redundant and unused.

I have listened to all views. Since taking office, I have met many representatives across the sector and have considered many points that have been made in favour of and against implementing the remaining provisions of the Taxis Act. Specifically, I have met representatives of Belfast public hire taxis and have listened to and considered their very genuine concerns. However, I have not been persuaded by the arguments that have been put forward, and, in any case, I must balance those with the reasonable demands that have been sought by consumer and disability groups to improve regulation for a safe, fair and fit-for-purpose taxi industry, which, I reiterate, was the major driver for the introduction of the Taxis Act that was supported without division by the House.

Members will also wish to note that the regulations continue the provision and protection for Belfast public hire taxis that only wheelchair-accessible taxis can work from ranks within Belfast. That means that all Belfast public hire taxis will continue to be able to work from ranks and the current saloon-style private hire taxis will not.

My Department has also indicated that the current Belfast public hire fleet will have grandfather rights for five years on the new wheelchair accessible specification. That means that they will not have to comply until 2020, unlike new entrants to the market who will have to comply this year, on the basis that the regulations remain in place.

So, to say that the impact on Belfast public hire has not been considered or will be fatal is simply not the case. I am convinced that any sector of the industry that provides a good and price-competitive service will be able to thrive in the improved regulatory regime that the Taxis Act provides for. Why would it not?

The demand for the services of all taxi services, including Belfast public hire taxis, should be determined by the service that they provide and the price at which it is provided. I cannot justify a licensing regime that serves to protect a particular part of the industry to the clear detriment of consumers.

Consider the scene: a taxi driver with a taxi driver's licence in a taxi with a taxi vehicle licence, who is legally working for an operator with an operator's licence, is driving along one of Belfast's busy streets at closing time on a Saturday night.

The driver sees a young man or woman or a couple who want a taxi home after being out for a few drinks. They want to use the empty taxi that they can see in front of



them, and the fully licensed and compliant taxi driver wants the fare. What possible role has the Department of the Environment in denying such a commercial transaction and denying the consumer their choice? The presence of the archaic by-laws, written long before modern dispatch systems were conceived, is not a good enough excuse, nor is the fear of change. There is, in fact, no reason at all.

Seemingly, the Members opposing single-tier do not want to extend to people in Belfast the flexibility on offer to people in Bangor, Armagh, Dungannon, Derry and elsewhere. Those Members want to ensure that where there is the greatest demand for taxis anywhere in the North — Belfast — such a choice is not permitted. Maybe it is no coincidence that not one of the Members who spoke in favour of the motion was elected by the people of Belfast. I know that they are not representing their best interests today.

I listened carefully to all the Members who spoke during the debate, and I thank everyone for their contribution. I will make a few comments on some of the points raised.

Mrs Cameron moved the motion and outlined the Committee's consideration of and deliberations over the regulations. She suggested that we look at a compromise deal, whereby single-tier or dual-tier could work at certain times. That, in my opinion, would compound the confusion that we are trying to clear up.

Mr Eastwood opposed the motion and highlighted the fact that, in the main, taxi operators and drivers wanted to see the legislation and the regulations finally coming in. The aim is to simplify the current system, and that would be beneficial to tourists and locals alike. He referred to the ridiculous situation at George Best airport, where many people's first experience of Belfast is a confusing one.

Mrs Overend referred to the delay that had been granted to give taxi operators time to prepare for the change. To their credit, Belfast public hire have used that time to lobby, and they have lobbied very effectively, causing the DUP and Sinn Féin and now also the UUP to change their position. She referred to the need for certainty in the industry, and that is something that all those involved in taxiing and the wider public need. Having spent five minutes rubbishing the motion and ridiculing those who proposed it, Mrs Overend veered unexpectedly into bus lanes. DRD has primary responsibility for bus lanes, and I understand that it was waiting to see what the new licensing regime would look like before taking a final view on which taxis, if any, are allowed to travel in bus lanes. From a DOE perspective and an SDLP perspective, I hope that it retains the current position of permitting only wheelchair-accessible taxis in bus lanes.

Anna Lo said that, in her time chairing the Environment Committee, she had not heard any compelling argument against the introduction of single-tier. She spoke of competition being good for consumers and felt that those supporting today's motion are preserving the monopoly of Belfast's public hire taxis to ply for trade in the city centre.

Peter Weir spoke of finding a solution. I am certainly keen to do that and will work with everyone to do so. However, I am genuinely not sure what compromise might be acceptable to the drivers who have persuaded his change of heart on the issue. He rightly identified this as a Belfast problem. He spoke of the fear of creating a duopoly, and the evidence certainly exists to show that two

big organisations becoming overdominant is bad news for everyone — except for those two parties.

Mr Maginness —

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

**Mr Durkan:** Yes.

**Mr McElduff:** I believe that there is a taxi for Durkan to take him out of the Building. *[Laughter.]*

**Mr Durkan:** Thanks for that, Barry.

Mr Maginness likened public hire to his past career as a barrister. I know that they charge extra for taking cases. Mr Lyttle spoke of the very real commercial concerns that have been caused by the delay. He talked about the difficulty that exists, particularly around large events, and helpfully cleared up the concerns of cycling groups and cyclists, although I know that a few of them would happily have the buses removed from the bus lanes as well.

I will summarise my position. The case has been made by all sides for almost 10 years. It should be for consumers to decide which services they want to use, taking account of quality and price. There is no reason at all why Belfast public hire should not flourish in such an environment. The motion jeopardises a fundamental tenet of the Taxis Act, reduces choice for consumers in Belfast and puts at risk the aims and objectives of the Act. I sincerely hope that Members will choose to support the case for modernisation and vote against the motion. It is high time that we moved to implement the remaining elements of the Taxis Act as the House intended in 2008. The public in the North need the change, as does the taxi industry.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I start by congratulating you on your new role. I wish you well in it. With your indulgence, I will speak first on behalf of the Committee and will then make a few remarks as an MLA.

I reiterate why the Committee agreed to table the motions on statutory rules 2014/302 and 2014/303: Members do not want to see the public hire sector disadvantaged by the high level of increased competition in lucrative city centre locations that will result from the introduction of single-tier taxi licensing. It will mean that that sector of the industry will become less able to cope with the additional financial commitments for new roof signage, taximeters and printers and training for the new driver tests that are included in the statutory rules. All of that could result in the loss of jobs or livelihoods in the Belfast public hire sector, which provides a 24-hour service, seven days a week, not just on busy late nights at weekends. The Committee urged the Minister to look carefully at the proposed legislation to see how the sector could be facilitated. However, since he chose not to help Belfast public hire, we, unfortunately, have had to oppose the rules.

I thank all the Members for their contributions and will comment on some of the things that were said. It was interesting to listen to Mr Eastwood. On the one hand, he said that we were introducing a single-tier system that would facilitate more taxis in Belfast, but, on the other hand, he said that people could not get taxis.

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

**Mr Boylan:** I will in a minute.

I brought up that point because single-tier is in effect happening in Belfast at the minute. Why is it happening? It has been happening for a number of years because of the lack of enforcement — simple as. I will get round to the Minister's comments in a minute, and I will let in Mr Eastwood in a minute, but I repeat that people have to realise that single-tier has been operating in Belfast because of the lack of enforcement over the past number of years.

So, we cannot say that we introduce the single-tier system, and more taxis will come in, when we already know what is happening in Belfast. I will let Mr Eastwood in.

#### 6.00 pm

**Mr Eastwood:** Thanks. The Member points out that single tier might lead to more taxis. I do not know whether that is true, but the point that I made about you not being able to get a taxi is not based on there not being enough taxis. It is because not enough of them can stop and pick people up. The problem is empty taxis driving past people, not that there are not enough taxis.

**Mr Boylan:** I will clarify my point. You are correct, but what I am saying is that, in Belfast, there are enough taxis, and that is the way that they are operating at the minute. That is why I said that a single-tier system is operating — it is because of the lack of enforcement. That is the point that I am trying to make. The issue of enforcement has been going on for a period of time, and the Minister is well aware of that, because a series of questions have been put to him about actions that have been going on. So, in essence, that is what has been happening in Belfast. I just wanted to pick up on that point by Mr Eastwood.

I did not know what way Mrs Overend was going at the start of her contribution. She picked on everybody about what they had said in the past. A number of years ago, we as a Committee agreed to a single-tier system. There is no doubt about that. We thought that we had done a good piece of work, and we listened to a lot of presentations and everything else on it. As part of that legislation, we built in a two-year review to see exactly how the legislation would operate on the ground. Because it has taken nearly seven years to introduce the first piece of legislation — I am not picking on anybody in that respect — we have seen exactly how it is operating. People have to understand that.

Anna Lo talked about competition. If we allow this to go ahead and, by not praying, do not force this motion through, what will happen if we allow a system where a number of cars go into the city? I will explain how I think that we can get around this in Belfast. If a number of companies are allowed to buy into the system and to start operating in the city centre, what will that create? For some people, it may create more choice, but you cannot allow numbers and numbers of taxis, which would happen under single tier. In the two the licence systems, A and B, where the taxi ranks are protected, how many cars can operate at ranks, in reality? So, let us be realistic. The Minister said that nobody has come up with a real effort for a solution that would try to deal with this. We have had some suggestions of how it might happen.

I want to pick up on some other points made by Members before I go on to some other points. Peter Weir is right, to be fair, to say that we started to talk over this process, I think, 18 months ago. Some Members said that we agreed

to single tier in 2013 and not to introduce until 2014. If I remember correctly, we agreed to single tier on the basis that we would try to find a solution for Belfast. I could be wrong; Mr Weir was part of the Committee as well. I am nearly sure that we agreed the single tier on that principle. Whilst he supports the motion, he is saying that the rules are not currently fit for purpose. I do actually think that there is a lot of good stuff. I do agree with him; there is some good stuff within the rules that we could work on.

I appreciate and support Alban Maginness saying that the public hire taxis have given a good service down through the years, but I would be minded — and I am sure he would be too — to support the public hire taxis to get their act together as part of the new regime if we brought forward some suggestions on how to deal with it. I think he would support that. They have, and sometimes we forget that and sometimes we do not want to recognise the contribution that public hire has made.

Mr Lyttle was asking what we have brought forward. All I can say is where we see it going wrong. Mr Weir has already talked about a duopoly. How would there be work for everybody in the city if you decided to leave it open? Different people have talked about tourists and not being able to hail and this, that and the other. Other than the groups mentioned by the Minister and by Colum Eastwood, I do not know where we have done that public tawl to see exactly what the people have to say — a proper exercise. I know that different taxi firms have carried out lobbying on their own, but I do not know whether the Department has done that exercise or not. It is something that I would like to hear or see coming forward to see what people have said on that.

I just want to pick up on a few points as an MLA and member of the Committee. Eighteen months ago we asked for the Minister to go away with some suggestions to see if we could address the issue and maybe bring forward a two-tier system in Belfast, because, clearly, with between 500 and 700 black taxis, it needs to be looked at and there needs to be a solution for it. Most of the people here support a single-tier system allowing a monopoly of one group to come in and adhere to one set of rules against another group of people. Anna Lo touched on it. Why should we let that monopoly do something for this monopoly? So we are going to create another monopoly to take over: is that the case? That is what could happen if people were lifting all over the city.

I want to suggest to the Minister some things that we could look at. We talk about an operator licence. If we are serious about looking at operator licensing, we could bring forward a licence system that would differentiate between what the public hire and private hire could do. The facility is there in the Bill, to my knowledge. I think there is a facility for a two-tier system and a facility to look at the operator licence. We mentioned exclusion zones. I think Alban Maginness thought that they could not work, but, to my knowledge, the whole issue is over a five-mile radius in Belfast. We suggested that we could look at the radius and see who would operate within that radius. I think that is something that we could still look at if the Minister is minded to do so.

I am nearly sure that there was a facility in the Bill, or that we looked at taxi marshals to move people on or operate around ranks where you felt that you had to move traffic or footfall at any point in time. People mentioned additional taxi ranks. I think the Minister is right on that. The Minister has no responsibility for that. That is the responsibility of

DRD, so, unless he works with another Department to provide additional taxi ranks for Belfast public hire, I do not think it is within his remit.

The other thing that most people talked about — I am getting back to the issue that Colum Eastwood talked about — was taxis not being available. Nobody said that we would not look at the idea of allocating an additional number of public taxis. If people are saying to us that Belfast public hire cannot service the footfall that is there at the minute, in particular at the weekends, why can you not look at an additional number of taxis?

So, there are some suggestions that the Minister could maybe look at.

I have to say this about Belfast public hire: we need to look at a dress code and some of the other issues that came to Committee, such as the standard of vehicle. We would be minded to do that as part of this whole shake-up

In closing, and thank you for your indulgence, Mr Deputy Speaker, the Committee does not believe that these two statutory rules represent the best way forward. Accordingly, it asks the Assembly to agree that they be annulled. Go raibh míle maith agat.

**Mr Principal Deputy Speaker:** I remind Members that I will put the Question separately on each of the motions listed on the Order Paper.

*Question put.*

*The Assembly divided:*

*Ayes 64; Noes 24.*

## **AYES**

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr McCartney, Mr McCausland, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McQuillan, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, 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 Boylan and Mr G Robinson.*

## **NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey.*

*Tellers for the Noes: Mr A Maginness and Mr McGlone.*

*Question accordingly agreed to.*

*Resolved:*

*That the Taxi Licensing Regulations (Northern Ireland) 2014 (S.R. 2014/302) be annulled.*

## **Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014: Prayer of Annulment**

*Resolved:*

*That the Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/303) be annulled. — [Mrs Cameron (The Deputy Chairperson of the Committee for the Environment).]*

*Adjourned at 6.24 pm.*

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# Northern Ireland Assembly

Tuesday 3 February 2015

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

*Members observed two minutes' silence.*

## Assembly Business

**Ms Ruane:** On a point of order, a Cheann Comhairle. Can you clarify that the motion before the House on the NCA is a private Member's motion; it is not, in fact, a legislative consent motion or, indeed, an Assembly consent motion under Standing Order 42.

**Mr Speaker:** Yes. The description of a motion has to be precise, and I have to satisfy myself about that. It is neither a legislative consent motion nor an Assembly consent motion. It is, in fact, a private Member's motion. On that basis, I considered whether it was legal and within the competence of the Assembly, and I have so decided.

**Ms Ruane:** Further to that point of order, a Cheann Comhairle, can you confirm that there is no such motion under Standing Orders as an Assembly consent motion?

**Mr Speaker:** I do not know the minds of Members: how would I? I dealt with the motion as presented and agreed at the Business Committee. I am satisfied that it is competent; that is as far as my responsibility goes. If anything else is put before me, I will give it the same due consideration. I do not intend to take any further points of order on this matter or to go into detail about the terms of the motion, the relevance under Standing Orders or the procedural approach. I have ruled that this motion is competent. It is now a matter for the Assembly to decide in due course. Let us move on.

**Mr Flanagan:** On a point of order, Mr Speaker. First, let me take this opportunity — the first I have had to do so — to congratulate you on your recent appointment. I wish you well in your new role. Secondly, I apologise to you for remarks that I made during a debate here last Tuesday evening, which you have deemed, in your infinite wisdom, to have been a challenge to the Chair. I fully accept your ruling and I certainly will not challenge it. I offer my sincere apologies for the comments that you deemed to be a challenge to the Chair.

**Mr Speaker:** I thank you for that, Mr Flanagan, and for presenting yourself in person to deliver it. I will give careful reflection to the decision that I announced yesterday and be in touch with you later today. Thank you very much for coming here this morning.

## Public Petition: Railway Street Addiction and Rehabilitation Unit, Ballymena: Withdrawal of Funding

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

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. Over 2,200 people have put their name to this petition to prevent the cut to the service at Railway Street in Ballymena. The cut from the Department of Justice is not a 5% cut, a 10% cut or a 20% cut; it is a 100% cut in DOJ funding to the service, which prevents crime, drug addiction and, indeed, human misery. It is a non-judgemental service that can respond to members of the public who walk in off the street. That will not be sustainable after the cuts take effect.

The decision to withdraw funding, with no consultation with service users, was a cruel act. To offer hope, to bed in the service over 14 years and then to walk away is disgraceful. This is about the removal of a life-saving service to people who are often seen as the undeserving recipients of health care.

There is something wrong somewhere when so few questions are asked about the cost of incarceration in prison. Railway Street has consistently demonstrated that, given access to good-quality treatment, crime will fall and health outcomes will improve. Indeed, there are obvious benefits to the public purse. The cuts to Railway Street can in no way be made without there being severe consequences for patients, their families, criminal justice agencies and other Health and Social Care professionals. All will struggle to cope with the void that will be created. However, I welcome the fact that some small amounts of funding have been extended to the end of this financial year, but the service clearly needs to be protected beyond 31 March. I urge the Justice Minister to listen to what the families, the victims of drugs and the communities where I come from in north Antrim are saying. This is a relatively small amount of money, and it makes a big difference to their lives.

*Mr McKay moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward the petition to the Minister of Justice and send a copy to the Committee for Justice. Thank you very much, Mr McKay.



## Executive Committee Business

### Off-street Parking (Functions of District Councils) Bill: Final Stage

**Mr Kennedy (The Minister for Regional Development):**  
I beg to move

*That the Off-street Parking (Functions of District Councils) Bill [NIA Bill 40/11-16] do now pass.*

I do not intend to address the content of the Bill to any great extent. This is a single-clause Bill with a single aim: to put in place one aspect of the Executive's vision for stronger and more responsible local government in Northern Ireland. The Bill will provide the new district councils with the powers to provide and operate off-street car parks and to carry out enforcement of parking contraventions in them. That will be achieved largely by providing councils with certain existing powers of my Department that are contained in the Road Traffic Regulation (Northern Ireland) Order 1997 and the Traffic Management (Northern Ireland) Order 2005.

Designated park-and-ride and park-and-share car parks will remain the responsibility of my Department.

Each of the 11 new councils has confirmed that it wishes the traffic attendants employed by my Department to continue performing their enforcement activities on behalf of the councils until at least the expiry of the present contracts in 2016.

The Bill was introduced in the House on 13 October 2014, and its Second Stage took place on 21 October. I am grateful to Members for the contributions that they made to that debate, and I place on record my thanks to the Chairman and members of the Committee for Regional Development for their cooperation in completing their scrutiny of the Bill by 9 December 2014. That was within the 30 working days provided for in Standing Order 33(2). Without that cooperation it would not be possible for the Bill to come into operation on 1 April 2015.

That the Members of the House were content with the content of the Bill was indicated by the fact that no amendments were tabled at Consideration Stage on 13 January or at Further Consideration Stage on 26 January. I am happy to respond to any comments that Members may wish to make during the debate.

**Mr Clarke (The Chairperson of the Committee for Regional Development):** I welcome the opportunity to contribute to this debate in my capacity as Chair of the Committee for Regional Development. First, I apologise to Members that the full Committee report on the Bill was not available in advance of Consideration Stage. This was due to a tight timeline in getting the report printed. I am aware that Members received a manuscript copy of the report at Consideration Stage and have now been provided with full copies well in advance of today's debate.

The Committee is content with the principles of the Bill. However, as will undoubtedly be expressed by others today, Members had a number of concerns that arose during Committee Stage. I hope that the Minister will address those concerns today and provide Members with the assurances that the Committee believes are necessary.

It was difficult to pinpoint the precise value of the assets that were being transferred, which ranged between £233 million in 2010 to approximately £65 million at today's values. They are, nevertheless, very substantial and it was key to the Committee that these valuable public assets were and are protected. The Committee did not wish to impose the "restrictive conditions" that the Minister so unhelpfully referred to during the Second Stage debate. That was a reference that contributed to a great deal of confusion and concern at local government level. I will reiterate what the Committee has recorded in its report:

*"The Committee is strongly supportive of local economic regeneration. In considering how it might amend the Bill, in order that local retail outlets be protected and supported, the Committee was agreed that, where car park spaces are used for local regeneration, spaces should be replaced either by a more efficient car parking arrangement or in another location that is conveniently located to the Primary Retail Core".*

This provision is provided for in planning policy. The Committee seeks a strong assurance from the Minister or his relevant Executive colleagues that the retrospective scheme of transfer is amended to strengthen the references to existing planning policies and to protect local economic regeneration accordingly.

Local authorities had an expectation that, when the transfer of car parks was first mooted, the revenues from car parking tariffs and penalty charge notifications (PCNs) would be sufficient to cover the cost of maintaining the networks of car parks in their respective areas. In receiving oral evidence, the Committee was alarmed to learn that this was not the case and that other transferring functions, such as planning, would also be offset against any excess revenues from the car parks. There remains a significant concern among local councils that, ultimately, responsibility for off-street car parking will be a financial burden for ratepayers since the revenue potential of car parks is being reduced by the transfer of other functions and the current or future tariff policies of the Executive.

The Committee is keen to ensure that there is no financial burden on the ratepayer and is seeking an assurance from the Minister that the transfer of all functions remains rates-neutral not just at the point of transfer but also for the foreseeable future, subject to any changes in car parking charges and PCN tariffs implemented by the respective local authorities. In providing this assurance, the Minister needs to ensure that there is no ambiguity and that his message, for once, is loud and clear that there will be no financial burden imposed on ratepayers as a result of assets and functions transferring to local authorities.

Almost every council made reference to the poor condition of the car parks being transferred. Indeed, representatives from the Committee saw these conditions when they undertook site visits. Flooded, potholed surfaces with no visibly marked-out spaces are not the fit-for-purpose car parks that the Department was trying to sell to the Committee or local government. The Committee is therefore seeking an assurance from the Minister that all car parks will be brought up to an acceptable standard, preferably in advance of the point of transfer. Where this is not possible, the Minister should provide the Committee and the relevant local authorities with a timeline for the

upgrading of car parks to a specification and standard that is acceptable to local authorities.

#### 10.45 am

I referred earlier to the Committee undertaking site visits to a range of car parks. At one such car park, in Enniskillen, the Committee was advised that departmental officials had been out that day and verbally informed council officials that they were retaining a strip of spaces on one side of what they deemed to be a public road. Curiously, they did not want the comparable strip that bordered the other side of the road; they just wanted the strip on one side of the road. That was indicative, the council believed, of inappropriate, ineffective and inefficient communication from the Department. Unfortunately, that is something that the Committee is experiencing more and more, and it is a problem that has led us to explore the application of section 44 of the Northern Ireland Act to try to prise information from the Department.

Unfortunately, local authorities do not have that option and have implored the Committee to seek, on their behalf, the timely delivery of all information relevant to the transfer of functions, which ranges from maps of the sites to be transferred and financial histories in respect of claims and revenues of each car park to the very basic issue of what car parks would actually transfer. The Committee, therefore, seeks further assurance from the Minister that all financial, legal and other relevant information is, or has been, communicated to all local authorities as a matter of urgency.

I referred to the difficulties that the Committee and local government have had in respect of getting information from the Department. Whilst I started this speech on a positive note by stating that we were supportive of the Bill, I must finish it by being critical of the Minister and his Department during the process.

Members will be aware that the Minister requested, in correspondence dated 30 September 2014, that the Committee complete its scrutiny of the Bill in accordance with the statutory period defined in Standing Order 33(2), namely 30 days. Mindful of their obligations to properly and appropriately scrutinise primary legislation, members agreed, reluctantly, to accede to the Minister's request, subject to their right to seek an extension under Standing Order 33(4) should there be a need to do so. A prerequisite to that was that the Department would cooperate with regard to the turnaround of papers and information requested by the Committee to ensure that the normal 10-day period could be circumvented.

It is unfortunate that, despite initial assurances from the Minister that it would cooperate with the Committee in that respect, the Department chose to ignore that agreement and reverted to type. Two letters to the departmental assembly liaison officer, dated 8 and 21 October 2014, specifically asked for information within a period of five working days. The turnaround time was 10 and 13 days respectively.

I am aware that further primary legislation will soon be laid in the House, which should come to the Committee following Second Stage. I hope that the Minister and his officials will bring that in good time and allow the Committee to carry out proper scrutiny of the clauses in the Bill. I further advise the Minister that the Committee will take the necessary time to conduct its statutory scrutiny

and will not be bound by impossible timelines defined by his officials, particularly given their uncooperative approach to working with the Committee.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. First, I concur with much of what the Chair said. My party is also content with the principles of the Bill.

Our decision to go out and engage with the people in local councils who are going to assume responsibility for off-street parking was not only a useful but a very informative exercise. The meeting in Enniskillen, which is in my area and was referred to by the Chair, was attended by people from Omagh, Fermanagh and mid-Ulster. The engagement at that meeting crystallised many of the issues that are at the heart of the matter, particularly for myself. Those issues included a lack of information from the Department, not being furnished with maps or drawings that would give an understanding of exactly what was being transferred, financial figures based on tariffs and information on the condition of car parks. I hope the Minister can tell us today how many of those blockages have been resolved.

I want to touch on a number of the key issues that arose during our engagement. Sinn Féin does not support any restrictions being placed on the transfer. All councils and the representatives we have spoken to work for the greater potential for their particular town centres. One of the core principles of local government is to have greater powers of responsibility, and we argued throughout the passage of the Bill that greater powers should be given to local councils. Local representatives will have a much greater say in shaping how local town centres develop and how local services are delivered.

It was best put by Cathal Mallaghan, of Mid Ulster District Council:

*"The council recognises the strong relationships between parking provision and high street footfall and how making it easier to park will support local shops, local jobs and tourism."*

As I said, we argued that the Bill will contain no conditions. I think that it was referred to by the Chair and clarified by the chief executive of Mid Ulster District Council, Mr Anthony Tohill, who said that restrictions already existed in planning legislation:

*"The restrictions covered are exactly what I have read from what I assume to be the Committee's possible intentions on this, which are to protect car parking and ensure that it is retained in town centres. That is exactly what is in the planning legislation and exactly what is in our current area plans."*

The second issue is that councils identified legal issues of entitlement that needed to be resolved. Minister, councils need to know exactly what is being transferred. None of us would sign up for even a simple house transaction if all legal issues were not resolved. That is what your legal advice would inform you of anyhow. Have these legal issues been qualified? If not, can the transfer go ahead within the time frame?

Take the example of Castle Park car park in Enniskillen. The Chair referred to it, and I know the car park very well. When we met the council, it had no details of the legal title or claims history associated with the car park. A road runs directly through it. On one side, you have Translink.

One side is classified as on-street parking whereas the remainder is off-street.

The difficulty for councils sorting out such issues was a lack of information requested from the Department. There were no title maps to do any proper analysis. Other problems associated with this car park, which my colleague Declan McAleer will go into in greater detail, include poor markings, subsidence, poor surfacing and it being prone to flooding.

Councils have good arguments for upgrading car parks. It was obvious from the slides that we were shown that little had been spent on many of these car parks in many years. The estimated cost to upgrade this car park — I know that car parks have been upgraded in recent times — was approximately £70,000.

I will leave it at that and hope that the Minister can clear up a lot of the issues that I raised.

**Mr Dallat:** I join others in paying tribute to the Clerks of the Committee who arranged the outside meetings and provided us with an opportunity to see and hear at first-hand what the challenges are. We have certainly heard some of the downside of it, but I want to focus on the opportunities.

If it is simply a transfer of car parks to local councils, the exercise will have failed, but, if it is seen as an opportunity for the new councils to focus on the regeneration of the towns and villages that they now have an increased responsibility for, it will work. Councils will need to have enough autonomy to influence how those car parks are operated. At the same time, they will need to retain the technology that allows users of a car park to use, for example, apps on their mobile phones.

I hope that they do not get bogged down in traffic wardens' uniforms and things like that but will see this as a powerful tool to put life back into many of the towns and villages that have suffered in recent years from the onslaught of supermarkets and out-of-town shopping centres in the larger urban areas. I believe that our new councils will seize the opportunity. There are interesting models where this has been done in different parts of the world. For town centres that are full of empty spaces, dereliction and so on, adjusting or abolishing car parking charges or whatever could well be the magnet that brings people back to those places.

I do not want to be negative at all, but I want to endorse a fear that, in some cases, the transfer of the car parks could be an added burden on ratepayers. We have already heard that many ratepayers face increased charges as a result of historical facts. It is important that that does not happen. We saw car parks that are badly in need of upgrading. I suspect that there are also towns where past investment in car parks has been very poor. I was intrigued that one town with a multistorey car park, which I will not name, was complaining that it needs to upgrade it and that that would cost £1.25 million or something. I know that Coleraine would be very happy if it had a multistorey car park. It has been trying to get one for years and never quite managed it for all sorts of reasons.

There is an opportunity here for the super-councils, as they call themselves, to really make an impact and justify the enormous outlay on regurgitating the councils as they were. I sincerely hope that, at the end of the day,

ratepayers will have something that they can be proud of and that will operate in the different towns and villages to the benefit of the people who live there, not just the people who use the car parks but the traders and businesspeople who depend on decent car parking as a way of wooing people into those towns and villages.

**Mr Beggs:** I, too, welcome the fact that we have reached the Final Stage of the Bill, which will see the transfer of ownership of off-street car parks to the new super-councils in April of this year. We have to remember that this is the transfer to local government of assets to the value of tens of millions of pounds. That is the right thing to do. Local government is best-placed to make the best use of those assets and determine how best they will be used in the future. I hope that they will exercise that authority carefully and with their local communities in mind.

Having listened carefully to some of the comments of others who have been so critical of this process, I am actually wondering how they are going to vote at the end of the debate. Is the Bill the right thing to do? I think that it is, and I hope that everybody in the House will support it despite their comments. Parking has been a big issue in many town centres for years. Town centres are vital to local communities, yet many of those town centres are experiencing difficulty. They are under threat from online retailers and out-of-town shopping centres.

We are entering a new era of local government with our super-councils. I believe that local people, who will be able to take on board the views of local traders, local residents and local officials who may see issues arise much more quickly, will be able to react with the support of their local councils to deal with the needs in those communities.

So I, with the Ulster Unionists, support the Bill and the transfer of the powers over off-street car parks to those councils. We will have a greater level of local accountability and a faster decision-making process to react to local needs.

Many have wanted these powers to be devolved for some time, so it is good that we are finally reaching the last stage of the legislative process that will enable that to happen.

#### 11.00 am

Councils will be able to decide what mechanisms to use in the future. They will be able to look to tailoring new schemes to suit their area, perhaps in the run-up to Christmas. They may identify a lack of activity in their town centre and look to innovative ways to try to attract additional custom and address their community's needs. Town centres are very important to communities, and it is important that we keep the heart of our town centres. I think of recent innovative schemes. Last Christmas, the Minister came up with the idea of the five-hours-parking-for-a-pound scheme, which brought more activity to our town centres at the same time as raising money when appearing to give a discount. By presenting better value for money, it was possible to bring about wins on all sides. I hope that, in future, councillors, working with traders and with their communities, will be able to think of such things and bring about benefits.

Councils will have to look at how best to balance the pressures: how to keep down costs yet meet the community's needs; and how to ensure that car parking spaces close to town centres are available for those who

wish to use them, to ensure that there is a degree of turnover. Some Members spoke about cost difficulties. I have no doubt that it would be wiser to meet the cost of some car parks in east Antrim rather than charging for them, because there are so many vacant parking spaces in some of our town centres. Perhaps councils can examine that and keep a smaller number of pay-and-display charging spaces. They can also decide to provide more free parking, if they wish. Local councillors can now make that decision, and it is much better that the responsibility lies with them.

As we move to the future, local government will also have wider town centre regeneration powers, including community planning, the development of town centres and even developing area plans. Putting all these things together creates a much better method of enabling local government, local councillors and local people to make adjustments to their town centres for the benefit of all.

There will be challenges. Some may be attracted to selling off car parks. Remember, though, that these are community assets, and I caution those who may take control and wish to make a quick buck by simply selling them on. It is important that councillors look to the long term and do not take any decisions for a short-term advantage.

So, with the final approval of the Bill —

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

**Mr Beggs:** Certainly.

**Mr Clarke:** The Member raised an interesting point, and that is why there was confusion at Committee Stage. In the Minister's words, we were talking about restrictive conditions, whereas we were looking for protection for the very point that you just made about the opportunity for individual sell-offs. Some Committee members argued for a form of protection, not to restrict councils from selling but, should they want to sell a car park, its places would have to be replaced by an additional number of places somewhere else, so they would not just sell a valuable asset.

Another point, if you will bear with me while I am on my feet, is that this is only enabling legislation. It should be put on record that one council that we visited that day said that, as it stands, it will not accept the transfer of car parks.

**Mr Beggs:** Thank you for your intervention. I believe that we have to trust local people. They will be accountable to their ratepayers, to local traders and to democracy. It is much better that they face the challenges. We have to accept that, on some occasions, the best long-term result may be to sell off some small car parks. Who knows? So, why should we put in protection? Are we not going to trust local government? Are we not going to trust those given the authority by their community to make these decisions? The Ulster Unionists believe in delegating that authority so that decisions can be made quickly and without unnecessary bureaucracy: you either trust your local councillors or you do not. I am not quite sure what the Member is saying, but I fully believe that local government is best placed to make those decisions.

With the final approval of the Bill, the control of off-road car parking will be in the hands of local people, who should best know their communities. It is not just about the traders: we have to think of the residents in our town centres and the customers who use the town centres.

With that authority comes great responsibility for council officers and councillors, and I hope that they will use the power carefully and wisely. It can be an important tool in helping to regenerate our town centres and to improve local communities. I, and the Ulster Unionists, therefore support the Bill to devolve off-road car-parking powers back into the hands of local councils, as occurs in most other parts of the world.

**Mr Lyttle:** I welcome the opportunity to speak on the issue. I also believe that the transfer of powers to councils to operate off-street car parks and their enforcement can be an important tool to assist them with their enhanced regeneration and economic development roles. The work of the Committee on this issue was robust. I agree with other Members that the Committee was content with the principles of the Bill, as long as the Department acted on the recommendations that the Committee report sought to raise and, indeed, the concerns that were raised throughout the process. One concern, which has been raised today already, related to the fact that assets needed to be protected from being sold on for revenue-raising purposes. It is my understanding that, during Second Stage, the Minister for Regional Development did state that many town or city-centre car parks have already been identified as key sites in the development of regeneration projects for commercial centres.

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

The Committee considered an amendment to restrict the selling on of car parks to protect regeneration and retail provision in towns. However, there was opposition to that from a number of councils during the evidence stage. Instead, as has been said, the Committee seeks strong reassurance from the Minister that the respective scheme of transfer will include reference to existing planning policies on the replacement of car-park spaces being used for local regeneration and that spaces should be replaced, either by more efficient car parking arrangements or in another convenient location.

There was also concern with the transfer of functions being rates-neutral. There still seems to be significant concern among local councils that ultimate responsibility for off-street car parking could be somewhat of a financial burden. It is important to get reassurance on that issue for ratepayers. It was evident from many inspections that were conducted and from written and oral evidence taken by the Committee from local authorities that the physical condition of car parks is inconsistent across local authorities. That is another important issue for the Department to address. Committee members raised the issue of the need for improved communications and information provision. It is crucial that, for transfer to go smoothly, timely information is given and maps and financial histories are made available to local authorities.

I believe that this power will, if well utilised, help to drive good local authority car park planning and economic regeneration for ratepayers in our community. I look forward to further progress being made.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. I commend the Chair and the Deputy Chair of the Regional Development Committee and, indeed, the members who spoke today, who accurately reflected the discourse that went on during our investigations.



I thank Paul and the other members of Committee staff for helping us with the fact-finding when we went out and about to meet representatives from the different councils.

I do not want to go over old ground, but we found that a common thread in all of our deliberations with representatives of the councils was that they do not want any restrictions to be placed on the transfer of car parks. I am glad to note that that is not the case and that no amendment on that has been tabled. Councils also made the point that restrictions could impede future development. Representatives from Belfast City Council, for example, said that restrictions could impede its place shaping. Representatives from Mid Ulster District Council said something along the same lines and felt that restrictions could undermine and complicate the council's different master plans.

The issue of the future financing of car parks was also raised, and some of the council representatives made the point that DRD has access to in-year monitoring funds for the upkeep and maintenance of car parks but that would not necessarily be the case for councils in the future. Some felt — it has mentioned in the House — that there is a lack of clarity about the financial history of some of the car parks and about boundaries, titles and a whole range of other things.

One of the issues that stressed the benefits of going out and meeting people and seeing how it affects them, was the finances. Representatives from Mid and East Antrim District Council said that they remained unclear and felt that there was no transparency about the cost of the transfer of functions. They also suggested that, with the downward trend in the cost of car parking, the cost of the transfer would not remain cost-neutral when the councils took over. That point became crystal clear when we went out and about, particularly when we met representatives from Mid Ulster council, who made the point that, in the current proposed model, the surpluses will be top-sliced from councils so that they could pay for other transferring functions such as planning. So, for example, if planning cost £300,000 per annum to run, it would be run at a deficit, and that would need to be top-sliced from the surpluses from the car parks. That made us think that the car parks will not just be a cash cow for the councils and that it is a more complicated issue.

The point was also made that, whilst councils will have control of car parks, if they decide to reduce the current tariffs, it could result in a deficit that would have to be footed by them, which would have an impact on ratepayers. NILGA also identified the issue of no restrictions.

A second key issue that the Committee raised with officials was about the regulations. There are a number of regulations relating to car parking devices, the conditions for the removal of vehicles, the release of vehicles and penalty charges, and it was suggested that an amendment might have been required to ensure that there was consultation with councils on this. The Department assured us that it would consult with councils in respect of these and that an amendment was not necessary.

There was broad agreement among most of the councils about the transfer of car parks but widespread opposition to restrictions. There were also quite a few requests by councils for more clarity on the Bill and queries about the

financial models and the regulations. I would appreciate it if the Minister would pick up on some of those issues in his comments.

**Mr Kennedy:** I am grateful to the Members who have contributed to the debate. I believe that the Bill will make a significant contribution to the reform of local government here.

I want to touch on the issues that have been raised by Members. Much has been said by Members about the condition of off-street car parks and the councils' desire to see them upgraded prior to transfer. I remind the House that, during my closing speech at Second Stage, I advised:

*"The Executive did not agree that assets would be brought up to an improved standard prior to transfer".*  
— [Official Report, Bound Volume 98, p365, col 2].

I also stated that my Department had not been given any additional funding by DFP to resurface or upgrade car parks in advance of their transfer to councils, and that, of course, remains the case. I believe that the car parks that we are transferring are fit for purpose. They are inspected regularly and used daily, and that will continue up to the point of transfer. Any defects that are identified in the run-up to 1 April will be prioritised and repaired as the Department's resources permit. I understand that some councils have carried out their own condition surveys, and my Department has already agreed to carry out some repair works before 1 April. I have asked officials to carry out a special public-liability inspection of car parks prior to the handover and to complete any maintenance work identified prior to 31 March.

#### 11.15 am

In terms of the potential disposal of car parks, some Members said that there might have been a need to prevent councils from disposing of off-street car parks that are to be transferred to them. As I said before, one of the principal aims of local government reform is to create stronger and more responsible local government, and I think that any such restriction would have been counterproductive to that aim and might have meant that a council could not act in the best interests of its ratepayers; for example, where a developer wishes to invest in a town centre and use a car parking site for redevelopment or where it is proposed to redevelop a car park for a social housing project. Some members of the Regional Development Committee had suggested that the Bill should be amended to include a restriction. It has, however, been confirmed that such an amendment would be outside the scope of the Bill. This is a very straightforward, single-clause Bill, as Members have said.

Members raised the issue of the transfer schemes. My Department will produce transfer schemes provided for under section 122 of and schedule 8 to the Local Government Act (Northern Ireland) 2014 to transfer formally the car parks and any associated machinery and equipment to each of the new councils. A sample transfer scheme is presently under consideration by the Departmental Solicitor's Office and will shortly issue to the councils for comment. However, detailed information on each car park in a new council area has been provided to every new council.

Mr Lyttle said that transfer schemes might include a reference to existing planning policies or replacement of car parking spaces to ensure that, where car parking spaces are used for local regeneration, they be replaced either by more efficient car park arrangements or another location that is conveniently located to the primary retail core. The Department's legal advice is that the provisions of the Local Government Act 2014 do not confer any powers to include a restriction on subsequent use by the transferee of the assets transferred in a scheme under the Act, and, consequently, I cannot give that reassurance.

Let me deal with the issue of rates. Concern was expressed that the transfer of all functions should remain rates-neutral, not just at the point of transfer but for the foreseeable future, subject to any changes in car parking charges and penalty charge notice tariffs implemented by the councils. I refer Members to the statement made by the Minister of the Environment on 22 April 2013, when he said:

*"functions that are to transfer from central to local government should be ... cost-neutral to the ratepayer at the point of transfer." — [Official Report, Bound Volume 84, p109, col 1].*

That will be the case for off-street car parks at the point of transfer. From that point onwards, it will be up to councils to decide whether functions will be provided at an increased cost or to the benefit of ratepayers.

My Department is transferring assets valued at almost £43 million to councils. Those assets currently generate a surplus in each of the new 11 council areas totalling almost £6 million. However, the financial settlement for all the transferring functions is the responsibility of the Department of Finance and Personnel. I understand that the final allocations that will be paid to each of the new councils in connection with the transfer of responsibility to local government for planning, off-street car parks, economic development and water recreation sites were provided to councils on 20 January this year. So, the provision for car park maintenance in the budget to transfer to councils is based on actual expenditure in 2013-14 on all aspects of maintenance. It is uplifted by inflation to the 2015-16 level, where applicable, and includes capital expenditure, whether budgeted for or not. Those figures were subjected to independent review commissioned by the councils.

I will deal very quickly with the specific contributions of Members. The Chairman of the Committee indicated unhappiness with the engagement with the Department. I regret that. It is not in the interests of either not to seek fully to respect or cooperate with each other. If there are issues that need to be addressed, we should do that, but I do believe that the officials sought to provide all the necessary information as quickly as possible to facilitate the work of the Committee. It is important that the Committee fulfils its scrutiny role. It has done that: it produced a detailed report within the confines of the 30 days. It was necessary to ask for that to be done because of the time pressures that were outside my control — the introduction of the measure in time for new local government to take on responsibilities by 1 April.

I say to Mr Lynch, yes, it is important that any legal issues are sorted out. All title information and boundary maps have been shared with councils over recent months. That is the basic information that will be included in the

transfer schemes to be signed off by the Department. Mr Lynch mentioned the specific case of Castle Park car park in Enniskillen, the condition of it and issues around it. I understand that flooding impacted on part of that facility. My officials have met local council officials to discuss the concerns. Obviously, those negotiations and discussions will continue as necessary, and it is important that they do so.

As John Dallat said, huge opportunities come with the increased responsibilities. It is a comparatively minor and straightforward power for my Department to transfer to councils. Nonetheless, locally elected councillors will have the ability to decide whether to charge, to reduce charges or to amend charges at set times. The five hours for £1, which was referred to by my colleague Mr Beggs, has been very successful. It has been met with a very good response from the management of town centres and Chambers of Trade around Northern Ireland. There are opportunities that we can all avail ourselves of and which can be to the benefit of local government, too.

I hope that I addressed most of Members' issues. We will scrutinise the Hansard report, and, if we need to get back to Members on any issues, I will happily do so.

It only remains for me to thank Members for their positive contribution, not so much today but overall, to the Bill throughout its Assembly passage. I commend the Off-street Parking (Functions of District Councils) Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Off-street Parking (Functions of District Councils) Bill [NIA Bill 40/11-16] do now pass.*

## **Inquiry into Historical Institutional Abuse (Amendment of Terms of Reference) Order (Northern Ireland) 2015**

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** I beg to move

*That the draft Inquiry into Historical Institutional Abuse (Amendment of Terms of Reference) Order (Northern Ireland) 2015 be approved.*

This order was laid in draft before the Assembly on 9 January 2015. The order will amend the terms of reference of the inquiry into historical institutional abuse, thus enabling the inquiry's time frame to be extended by one year. The chairperson of the inquiry, Sir Anthony Hart, has made a compelling case for a one-year extension to the inquiry time frame, most notably on the basis of the inquiry panel's experience of the first module. The first module spanned 11 weeks, 41 sitting days, had 79 witnesses, with over 19,000 pages of documentation and over 100,000 documents. The experience of module 1 meant that Sir Anthony was in a position to better calculate how many sitting weeks it will take to call all witnesses who wish to give evidence from every institution and every individual that the panel will or probably will investigate.

The First Minister and deputy First Minister agreed with Sir Anthony that the inquiry must be allowed to:

*"provide every opportunity for those impacted by the allegations of institutional abuse to be heard in an open forum."*

The inquiry terms of reference stipulate:

*"The Inquiry and Investigation will conclude within a two year six month period following the commencement of the legislation establishing its statutory powers."*

They go on to say:

*"If additional time is required the Chairman will, with the agreement of the Panel, request an extension from the First Minister and deputy First Minister which will be granted provided it is not unreasonable."*

To extend the time frame of the inquiry by one year, as requested by Sir Anthony, the inquiry terms of reference must be amended to stipulate:

*"The Inquiry and Investigation will conclude within a three year six month period following the commencement of the legislation establishing its statutory powers."*

This order will accomplish that.

The process by which the inquiry's terms of reference can be amended is set out in its primary legislation. Section 1(3) of the Inquiry into Historical Institutional Abuse Act 2013 states:

*"The First Minister and deputy First Minister acting jointly may at any time amend the terms of reference of the inquiry by order after consulting the chairperson if a draft of the order has been laid before, and approved by resolution of, the Assembly."*

A one-year extension will extend the timescale up to 18 July 2016 to complete the public hearings, with a report to the

First Minister and deputy First Minister by 18 January 2017. The report will be laid before the Assembly as soon as is reasonably practical after its publication by Sir Anthony.

A targeted consultation on the draft order that focused on the historical institutional abuse victims and survivors groups was carried out over an eight-week period from 8 August to 3 October 2014. However, all late responses were accepted. As well as victims and survivors groups, the consultation paper was distributed to the Human Rights Commission and Amnesty International. All respondents were broadly supportive of the draft order and the one-year extension. Respondents' comments were shared with the inquiry and, subsequently, with the OFMDFM Committee. The draft order was listed without comment in the report of the Examiner of Statutory Rules of 16 January, and the OFMDFM Committee approved the draft order at its meeting on 21 January. I believe that this subordinate legislation is necessary to allow the inquiry into historical institutional abuse to properly carry out its work. I therefore commend the order to the House.

**11.30 am**

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

The Committee has closely followed the progress of the historical institutional abuse inquiry since it was established through an Act of the House in 2012.

The Committee first became aware of Sir Anthony's request for a one-year extension to the inquiry time frame during a briefing from officials in June last year. Following the briefing, the Committee wrote to the Department to seek its views on the implications of the extension, particularly for victims who fall outside the remit of the HIA inquiry.

Members were able to pursue the matter further on 25 June, when the First Minister and deputy First Minister, accompanied by junior Ministers, appeared before the Committee to discuss Programme for Government commitments and the work of the Department. At that meeting, I expressed concern for those victims who fall outside the scope of the terms of reference for the HIA inquiry and who may, as a result of the extension, be required to wait until 2017 at the earliest before anything can be put in place to assist them. The deputy First Minister advised that that represented a further issue to be considered by the Executive, and the First Minister added that the issues were being scoped out.

In fairness, junior Minister Bell is probably in the lead, as the person whom I have heard most often articulating the view that anybody who was abused and who falls outside the remit of the inquiry should take their complaints to the Police Service of Northern Ireland and/or social services. That is correct, but you may question why some victims get an inquiry and others do not. The Executive will finally have to take a position on that issue. I can put it in no more stark terms than this: as we stand, it could be that an abuser abuses person A in an institutional setting one morning and then, after lunch, abuses person B in a domestic dwelling in the afternoon, but only person A has access to a bespoke, multimillion-pound inquiry. Person B, suffering the same fate and abuse, can go only to the police and social services. As I said, at some point, the Executive will have to decide whether that is fair and equitable. So while it is vital that Sir Anthony and his team

have enough time to complete their work, the potential impact on those who fall outwith the current inquiry cannot and should not be ignored.

The Committee is aware of two separate scoping exercises, the first relating to victims of alleged abuse in the Magdalene laundries and the second relating to issues arising from mother-and-baby homes like the one in Tuam. In May 2013, the Committee was first told by the Department that Ministers had appointed a senior civil servant to draw up a scoping report on the Magdalene laundries and similar institutions to see what further action could be taken. In December 2013, the Department advised that Ministers were giving serious consideration to the options that had been laid out before deciding the way forward. A briefing on the matter was scheduled for 4 February 2014, but that was postponed at the request of the Department.

Since then, the Committee has tried unsuccessfully to obtain an answer to the question of what options are being considered with regard to the Magdalene laundries following that scoping exercise or, indeed, following the scoping exercise relating to the mother-and-baby homes. The most recent communication to the Committee advised that, as the two are not mutually exclusive, Ministers are considering the options from both scoping exercises together, but, again, there is no clear time frame as to when the matter might be moved forward.

The Committee formally considered the policy proposal to extend the inquiry time frame by a year at its meeting on 14 January. Members were pleased to note that the Department had undertaken a focused consultation on the draft order and noted that all respondents were broadly supportive of the draft order and the proposed extension. The Committee also noted that the one-year extension would cost an estimated £4 million, but also welcomed the fact that the 2015-16 Budget includes a baseline allocation for the inquiry that places its funding on a more stable footing. Members may be aware that, previously, the HIA inquiry did not have a budget line but depended instead on in-year monitoring rounds for funds. At a meeting, the Committee indicated that it was content for the draft rule to be made.

I have to put it on record, however, that I was disappointed to learn that the draft order was first laid in the Business Office before the Committee had an opportunity to consider and comment on the policy proposal at its meeting on 14 January. I would have liked to say that I trusted that this was simply the result of an administrative oversight by officials and not a presumption of the will of the Committee. Unfortunately, that trust does not exist. In that regard, I note the comments on the previous piece of business from the Chair of the Committee for Regional Development on cooperation between his Committee and departmental officials.

The Committee considered the draft order at its meeting on 21 January and noted that the Examiner of Statutory Rules had no comments to make. The Committee recommended that the draft order be affirmed by the Assembly.

At this point, I would like to make some personal comments. Let me be clear in closing as Chairperson that, on behalf of the Committee, I support the motion.

I want to say that victims and survivors have waited a very long time for this inquiry. Therefore, we should not underestimate how big an ask it is of them to seek their support for this extension. As junior Minister McCann made clear, the report is unlikely now to be considered by the Executive before 2017. Given the form of OFMDFM, it is not unreasonable to assume that it may be under consideration for 12 months, taking us into 2018. It could well be that, as a result of that, there is a further scoping exercise that could take us to 2019. The inquiry covers abuse that began in 1922. If you were abused in 1922, you could wait 97 years — 97 years — for a final conclusion from OFMDFM. Of course, if you have to wait 97 years, you will almost certainly be dead. Be in no doubt that people will pass away who are waiting for the outcome of this process.

I know that some victims and survivors would therefore like Sir Anthony to make an interim report. He was very clear in his evidence to the Committee, as this inquiry was being established, that he did not feel that it was an effective use of his time to bring forward an interim report, but I think that this extension changes that position. It is reasonable to ask the Department to consider asking Sir Anthony to bring forward an interim report in line with the original time frame for the actual report, which is the end of January 2016.

His report, when it finally comes, is to make recommendations across a number of findings. Should there be an apology and, if so, by whom and what should the nature of that apology be? He is to make a conclusion as to whether there were institutional or state failings in duties towards children in care and whether those failings were systemic. He is to make recommendations as to whether it would be appropriate to have a memorial or tribute to those who suffered abuse. He is also to look at the requirement or the desirability for redress to be provided by the institution and/or the Executive to meet the needs of victims. According to the terms of reference, the nature and level of any potential redress, which could be financial and/or services is a matter that the Executive will discuss and agree following receipt of the inquiry and the investigation report. There is a sequence here.

As I understand it, victims signed up to the HIA inquiry on the basis that the report would be completed by January 2016. As I said, it is a very big ask to make of them to consent to a further extension. If that is to happen, I put it to the junior Minister that it is only fair that Sir Anthony be asked to produce an interim report in January 2016 in line with the original timeline and that this report should make specific recommendations to the Northern Ireland Executive based on the evidence that Sir Anthony has received in chairing this inquiry on actions that the Executive will be likely to have to decide upon when he finally reports in 2017, specifically to give guidance on whether they have to consider whether an apology should be made and particularly the question of reparations and compensation. If this request is not reasonable, I ask junior Minister McCann to tell me why that is and, much more important, tell the victims and survivors of institutional abuse why that is an unreasonable ask.

**Mr Moutray:** I do not want to say much in relation to this motion today, only that, ideally, we would not need this extension. I feel that we must listen to the clear advice from the chairman and accede to his request for it. The



chairman is in the best position to be able to project what time is required to ensure that all victims and survivors can be given the opportunity to have their testimony heard. He has based that judgement on his experience of previous modules, and I am satisfied that his expert judgement in this matter should prevail. I am confident that Sir Anthony Hart would not have made the request unless he felt it absolutely necessary. I agree with him that we should not deny the victims and survivors their opportunity to speak to the inquiry. Therefore, I support the motion.

**Ms McGahan:** Go raibh maith agat. Like the previous Member, I will not talk for very long, but I support the extension of one year to the HIA inquiry to submit its report. We recognise the suffering endured by all those who were subject to abuse in institutions. I acknowledge the frustration of victims at the delay in the publication of the report's recommendations on reparations and compensation, but I think that it is important that justice takes its course, and it should not be impeded by any deadlines that could impact on the consideration of all the relevant evidence for the inquiry report to make its recommendations and findings. I support the statutory rule.

**Mr Attwood:** As with previous Members who spoke, I support the extension as proposed under the paper, for the simple reason that there is an inquiry process in place, and the best advice of the chair of the inquiry is that he needs more time. Remember that it was in 2009 that victims of institutional abuse began to more actively campaign in respect of the experience that they had during all those years. Here we are, five years later, and it seems to me to be reasonable to allow an extension of time for the inquiry, given the amount of effort that has been invested in creating the inquiry and all the monumental efforts, emotional energy and commitment of victims and survivors to having the truth and accountability of their experience stated in a public fashion and then recorded in a public report.

Like the Chair of the Committee speaking in his party capacity, I want to make a number of comments. First of all, and I will put this to the junior Minister, it seems to me that if the circumstances around the inquiry have changed, which they clearly have because Justice Hart has made the request to the Office of the First and deputy First Minister, does it not follow that there has to be an assessment about whether other decisions that have been taken heretofore should also be changed in the new circumstances that have arisen?

It seems to me that, rather than adopt a defensive approach to say that the inquiry now has to have a longer time to finish its proceedings and thereafter some further time to report to the First Minister and deputy First Minister and hold that template, if there has been a change of circumstances around the inquiry, has there not been a change in circumstances more generally? Is there not now an obligation on the First Minister and deputy First Minister to stand back and say, "If there has been a change in circumstances, what consequences does that have in respect of other matters?"

I think that it is time to reboot this process — to borrow the more popular phrase at this time. What does that mean? It has a number of dimensions. The first is that, noting the position heretofore in respect of an interim report, it seems to me that the change of circumstances that we are discussing this morning now require further assessment of a request to Justice Hart for an interim report.

#### 11.45 am

So far, victims and survivors have travelled far at an unfortunately slow pace, but far nonetheless, with the inquiry process. However, they are now saying, to use their words, that there is now an unnecessary, prolonged and agonising wait on the historical institutional abuse inquiry. Given that the needs of victims and survivors should get our primary attention, and if victims and survivors are now saying that about their overall sense of where the process is at, it seems to me to be appropriate, in response to that sense, to adopt a new approach to the overall issue of addressing institutional abuse. That is why it is now necessary, in order to respond properly, to seek further advice on whether an interim report will be available. I say that because, under the new time frame, it will be January 2017, which is two years from now, before a report goes to the First Minister and the deputy First Minister. Thereafter, they will have to assess that report.

You could draw conclusions from how things are assessed in the Office of the First and deputy First Minister, including the current impasse in respect of the appointment of members to the Victims' Commission, where two people's names went forward and there was no question about the validity of the process, yet, on the far side of that, the First Minister said that we have to increase the salary band to attract new candidates. That seems to be a strange commentary on the process, and even on those who went into that process. When the report goes into the Office of the First and deputy First Minister, under the current time frame of January 2017, how long will it take before conclusions are reached and how much longer will the victims and survivors have an agonising wait on the outcome of the HIA inquiry, not just of the report from Judge Hart?

Therefore, I ask the junior Minister in those circumstances, mindful of the issues around the Office of the First and deputy First Minister but more mindful of the needs of victims and survivors, to consider whether there is a need for an interim report. If it so transpires that the First Minister and the deputy First Minister do not feel that the matter should be pressed at the moment — I encourage them not to go in that direction — I think that it is necessary for them, with the knowledge of the inquiry and its chair, to scope out financial redress. If there is a further delay in the report going to the First Minister and the deputy First Minister, and then a further delay in the Office of the First and deputy First Minister as to what might happen, I think that, in response to the victims and survivors, we now need to show good authority by interrogating the issue of financial redress in real time without prejudice to the outcome of the inquiry process. It will do no violence to the inquiry process and no violence to the issue generally if we now begin to scope out the issues of financial redress, and, in doing so, have the understanding of Judge Hart, given the terms of his mandate.

There was a report in the newspapers — I think at the weekend but certainly in the last number of days — in which it was confirmed that the Catholic Church in Ireland had disposed of 44 properties with a net sale value of €44 million as part of the its contribution to the financial redress arrangements arising from the Ryan report and other reports in the South. It is highly likely that Judge Hart will address the issue of financial redress, and I think that we need to anticipate that in one way but, in any case,

give certainty to the victims and survivors by having the First Minister and the deputy First Minister now address the issue of financial redress. Without prejudice, look at best models, look at good authority and borrow from the experience of other jurisdictions, including the rest of Ireland, to see what that might be. Otherwise, there will be an unnecessary, prolonged and agonising wait on a financial redress package in response to institutional abuse. It seems to me that that does not stretch OFMDFM very far, but it gives some confidence to victims and survivors.

I agree with Mr Nesbitt's comments. It has been five years since the campaign to deal with institutional abuse became more visible and public. However, it has not concluded on how the issue of victims of clerical abuse outside institutions will be addressed. Whilst the First Minister gave some answers on the Floor in recent weeks, that is another example of when we must create certainty.

As the Stormont House Agreement is taken forward, legislation is drafted and tabled where it is needed, victims and survivors see some concrete product from the agreement in addressing the past in a comprehensive way, albeit noting the gaps in detail and policy proposals in the agreement, the narrative of this place and other legislatures, over the next 18 months or two years, will be about how to deal with the past. Are we going to say to victims of clerical abuse outside the institutions that we will not deal with that issue in that environment? Will we say to victims of institutional abuse that we are on hold, pending the Hart report, even though there will be a narrative, a lot of attention, media comment and victim and survivor input into the wider issues of how we deal with the past in respect of the actions of the state and terror organisations? We are in an environment in which it is better to show good authority now rather than defer and delay, in the context of all the narrative that will arise for dealing with the past generally.

I ask the junior Minister, whatever her response today might be — I can anticipate that — to go back to the Office of the First and deputy First Minister and ask those Ministers three questions. First, is there not now a need to look again at the issue of an interim report? Secondly, independent of that and without prejudice to the inquiry, is there not an urgent need to scope out redress so that, on the far side of this report, if there is work to be done, it can be done more expeditiously? Thirdly, in the context of dealing with the past generally, will there still be no answer for victims of clerical abuse outside the institutions on how their issues will be interrogated?

**Mr Lyttle:** On behalf of the Alliance Party, I consent to the request for an extension to the inquiry. I also use this opportunity to express the concern of many victims and survivors at the length of the inquiry and, as Members mentioned, the lack of interim reporting or progress on the scoping of redress and compensation for victims and survivors.

Victims wish to ensure that the process delivers truth, justice and redress in a timely manner for those who suffered abuse as a result of the actions and inactions of state and non-state agencies. The report will not now be published until 2017, and it appears that, at this moment, no consideration is being given to the question of reparation, including compensation, until that point in 2017. That is a significant length of time for victims and survivors waiting to hear any information about redress.

As Members said, many victims are at an advanced age, and there is genuine concern that some may not live long enough to avail themselves of compensation for abuse suffered.

Victims participated in the HIA inquiry proposals on the basis that an inquiry report would be submitted to the Executive in January 2016. At the time, there were concerns and misgivings that the issue of redress would be deferred until the end of the inquiry process, but victims participated so that the inquiry that was so urgently needed could get under way.

As many Members have made clear today, if the Executive and Assembly agree to an extension of the inquiry, a clear commitment should be given to a parallel process to consider redress and reparation. Indeed, an interim report should be submitted in accordance with the original timetable of January 2016.

I also take the opportunity to seek an update from the Office of the First Minister and deputy First Minister and junior Minister McCann on inquiry participant and witness aftercare. I continue to receive reports of significant trauma being incurred by witnesses and participants and a gap in aftercare for those participants. I recognise the work of survivors and victims of institutional abuse to fill those gaps for victims and survivors who are showing the courage to participate in the inquiry process and need significant support thereafter.

I also seek an update from the Minister on the impact of the recent judicial review and, indeed, clarity, if further clarity can be given, as to whether witnesses who want to contribute with evidence on the heinous Kincora abuse allegations will be able to do so without prosecution under the Official Secrets Act 1989.

The victims of non-institutional abuse remain outwith the scope of the inquiry. I seek an update from the junior Minister on what OFMDFM is doing to deliver truth, justice and redress for them.

It has been a challenging privilege for me, as it has for many Members, to meet and work with the victims and survivors of institutional abuse. I acknowledge the ongoing courage that they show in contributing to the inquiry, and I encourage them to persevere. I hope that OFMDFM will give them the commitments and assurances that they need to retain confidence that the process will deliver the truth, justice and redress that they deserve.

**Mr Poots:** Some Members complained this morning about the time it has taken to conduct the inquiry, but we need to recognise that the time taken to conduct the inquiry is not because it is being drawn out. Sir Anthony is conducting the inquiry very well, and we need to recognise that and express our appreciation of the work that he is doing. He has taken on the very difficult role of listening day in, day out, to how people were abused as children. We need to recognise that he is doing an excellent job and give him our support. It is the scale of abuse that is holding the inquiry back. There has been so much abuse and there are so many victims who need to tell their story: that is causing the delay.

I move on to the argument over an interim versus a final report. I can see the argument for an interim report, but, again, we need to take counsel from Sir Anthony on that,

because it may delay the final report. It may be helpful to some and unhelpful to others.

**Mr Spratt:** I thank my friend for giving way. We are all sympathetic to calls for an interim report, but the extension, as you well put it, is a result of more and more victims coming forward and, indeed, the Kincora issues being thrown onto Judge Hart as well. All of us would have wished that to take place in another place. If the judge were now to do an interim report, he may be four to six months writing it and bringing it forward, something that would disadvantage people who have, if you like, psyched themselves up to come forward to give evidence for the final report. Does my friend agree?

## 12.00 noon

**Mr Poots:** The Member has articulated the issues that would arise as a consequence of going for an interim report. It is not, therefore, something that can be identified as wholly advantageous.

This is by no means a perfect process, and nobody suggests that it is. It is a process in which people do their best to deal with a problem that arose, as Mr Nesbitt indicated, in some cases, right back as far as 1922. However, it is incredibly important that the Executive and the Assembly ensure that we do our utmost to support the victims of this kind of abuse. That said, it is important that OFMDFM looks at the support that it provides to the support groups — the people who are down there daily with the victims, giving them support — and ensures that those people and organisations are adequately supported for the work that they do and that the statutory sector has the requisite people available to the individuals who have given evidence.

There can be absolutely no doubt that it is desperately traumatic for individuals to relive what has happened to them, maybe 50 or 60 years ago, in some cases, or perhaps longer. Many of those people, many older people, are having to go through something that they have sought not to think about and are having to be questioned in fairly considerable detail about those circumstances. There is absolutely no doubt that the trauma that is being caused to individuals, although it is necessary that it is done this way, is extensive. Therefore the groups who support those people need to be supported, and we need to have the appropriate statutory people in place.

Mr Attwood raised the issue of financial redress. It is important that discussions start with people on that issue. Let me be very clear: the victim makers should be the victim payers. Those who engaged in daily abuse and the orders and groups of people who allowed this to happen day after day after day are responsible for their actions and should have to pay for them. Victims deserve some form of redress for that. Those discussions need to be opened up, and they need to be had.

As for what is going on in Banbridge, some people should look at themselves and examine themselves in terms of openness, honesty, transparency and integrity. Some people who have been witnesses to the inquiry — people who have been accused of various things — are being far from honest. They are cold; they are calculating; they are menacing; and they still seek to bully the victims. That adds to the trauma that has taken place. I commend Father Tim Bartlett, who came to Banbridge and was open,

honest and transparent. Unfortunately, the De La Salle order, in particular, has been anything but; its behaviour has been disgraceful thus far. People need to examine how they are doing this. Wrong has been done; wrong has been perpetuated. For individuals to string this out and engage in all sorts of transparent denials only adds to the troubles of people who have already had their life destroyed by those individuals and brings further trauma upon them. That is wholly wrong.

**Ms J McCann:** I thank colleagues and fellow Members for their comments today. It is particularly encouraging to see the support here for the inquiry into historical institutional abuse. I take the opportunity to acknowledge the courage and dignity of victims and survivors as they participate in the public hearings at Banbridge Courthouse. I recognise that issues and concerns have been raised by Members about certain matters and will try to deal with them now.

First, I assure the Chairperson of the Committee that the fact that the draft order was laid before the Committee could consider its policy position was an oversight on the part of officials. I wanted to make that very clear. I am very aware of the people who fall outside of or are excluded from the current inquiry, particularly those who were over 18 and in institutions. Ministers have received a scoping exercise that was initiated when the issue of the Toome baby came to the fore. We are looking at that at the moment. We have also had ongoing discussions about those who were over 18 and are not included in the current inquiry. Other Members, including Mr Attwood, talked about victims of clerical abuse outside of institutions. Again, we are looking at that to see how we can deal with those issues. Mr Attwood also talked about dealing with the past, and a proposal was put to the North/South Ministerial Council to have an initiative that would look at how to support all victims of sexual abuse and at how people can feel safe about coming forward and reporting abuse to the appropriate authorities.

*(Mr Speaker in the Chair)*

The main issue raised by Members was about how the delay was having an effect on people who are now particularly elderly. I await that report. Another issue was the interim report. I am fully aware of the concerns of individual victims and survivors and of organisations. I met Survivors and Victims of Institutional Abuse (SAVIA) yesterday on the issue of an interim report and on redress. I endeavoured then to say that I would be in contact with my fellow junior Minister, Jonathan Bell, to look at the issue. Members will be aware — members of the Committee in particular — will be aware that Judge Hart was very much not in favour of doing an interim report, because he felt that it would delay the final report. We have to take on board what Judge Hart says, but I assure the House today that we will be open to looking at how we can address the concerns that victims and survivors have raised with me as a party member and yesterday as junior Minister.

**Mr Nesbitt:** I thank the Minister for giving way. I want to address the issue of an interim report and the concerns rightly raised by Mr Poots and Mr Spratt that it potentially creates another delay and puts a burden on Sir Anthony. I propose something more by way of a heads-up, with Sir Anthony alerting the Executive that he may come forward with a view about an apology or a memorial, about whether the abuse was systemic or about whether there should

be reparations. Perhaps I can put an alternative to the junior Minister: if she feels that an interim report is not the way forward, another way of giving some comfort and assurance to victims and survivors would be to say that, although Sir Anthony is bound by the statutory timelines by which he must finish his inquiry and present his report, the Executive will bind themselves to timelines for considering the report and reacting to any recommendations that he may make.

**Ms J McCann:** First, I assure the Member that foremost in my mind is the need to provide the assurances and comforts that victims and survivors need.

As the Member will understand, I cannot give any commitment today. However, we have listened to the concerns of victims and survivors about the time the process has taken, and we will have further conversations. My first port of call will be a conversation with colleagues. I cannot, however, give any commitment today to do a, b or c.

**Mr Spratt:** I thank the Minister for giving way. We are all concerned about the thoughts of victims, including those who have already given evidence. Does the Minister agree that it is important that the Executive and the Department are not seen to interfere with a judge-led, independent inquiry?

**Ms J McCann:** The Member makes a valid point. That is why I say that there can be no commitment and that nothing can be done by anyone other than the judge. You are totally right. The judge stated that, until the inquiry completes its work, it is not likely to be in a position to make any recommendations. I am just saying that we are taking on board the concerns that have been raised.

I will go through a couple of other points. Chris Lyttle raised the issue of the judicial review. Obviously, the judicial review is being appealed, so I cannot go into that in any detail today. You also mentioned support services for victims. Again, over some time, I have had meetings with and spoken to victims and survivors, who have expressed concerns about the level of support. I hope that that service is now in shape and is fit for purpose and that those people are making use of it. There is also a small grants scheme, which was initiated in the Department and has allowed SAVIA, for instance, to open a centre where people can come together and get support from one another. I visited the centre, and it seems to be working well. I cannot emphasise enough that our Department is trying its best to ensure that we can directly help victims and survivors as much as possible.

You mentioned Kincora and will be aware of the debate in the Chamber on that issue. We are seeking for that inquiry and the people who would go before it to have the same protections for victims. We were disappointed that the Home Secretary decided not to include it in the Westminster inquiry, but we hope that the inquiry here will have the same power to compel witnesses and everything else. We are working towards ensuring that people are not prevented from getting the truth.

I conclude by saying again that, in asking us for an extension, the judge has made a very compelling case. He wanted to ensure that everybody who wanted to be heard at the inquiry was heard. That is very important and is the reason why we agreed to an extra year. It is not fair that people who wanted to tell their story were not able to do so. Mr Poots talked about the difficulties that victims have

experienced during the inquiry: I have been down there and witnessed the difficult situation at first hand. As you say, it is very difficult for people who have buried issues for years to come to speak to the inquiry. We are trying our best to ensure that everybody feels safe and supported so that they can come forward. We have made an attempt to ensure that the support services are there for people when they go to the inquiry and that there is aftercare, which is an important part of this. I know from speaking to people that sometimes they might not need the support that day but would certainly need it in a week's time or whenever.

**12.15 pm**

Again, I assure Members that we will do all in our power to ensure that there is a service available and that there is no undue delay in the inquiry's recommendations coming forward. We are acting on the good guidance of Judge Hart, who asked for this year. All the other issues that I have listened to today I will look at. I will take them back to discuss them with colleagues in OFMDFM, and we will see how we can progress this. Thank you for your debate.

*Question put and agreed to.*

*Resolved:*

*That the draft Inquiry into Historical Institutional Abuse (Amendment of Terms of Reference) Order (Northern Ireland) 2015 be approved.*



## Private Members' Business

### Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015

**Mr Speaker:** The Business Committee has agreed to allow up to two hours for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Ross:** I beg to move

*That this Assembly consents to the making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 laid before Parliament on 29 January 2015.*

The issue of the National Crime Agency (NCA) and why it needs to come into operation in Northern Ireland is nothing new and has been debated in the Assembly before. However, given the fact that the Westminster term is coming to a close and there is a short window left for legislation to be passed, it is my estimation that this is probably the last opportunity for the House to signal its consent for the NCA to operate fully here in Northern Ireland.

Established to fight serious and organised crime, the NCA works with local enforcement agencies in fighting what are often international and complex criminal networks that seek to operate within our borders. In recent days, the NCA has had successes in catching criminals intent on smuggling huge sums of money out of the United Kingdom, arrested individuals involved in a £1.2 million counterfeit operation and brought action against a couple in Sussex involved in child cruelty cases. The fact that the NCA is not yet operational in Northern Ireland means that criminal gangs are potentially escaping justice and that Northern Ireland is not as well equipped to tackle serious organised crime as elsewhere in the United Kingdom.

I am sure that Members will have noted comments from the PSNI Chief Constable, who stated that there would be gaps in our law enforcement ability for as long as the absence of the National Crime Agency continued. The PSNI has said:

*"It is the PSNI view that if the NCA is unable to operate fully in Northern Ireland, this will have a detrimental impact on our ability to keep people safe."*

For those who do not believe that this is an issue of great importance, I ask them to consider the assessment that up to 150 organised crime gangs are operating in Northern Ireland in drug dealing, fuel laundering, illegal dumping, cybercrime, child abuse and human trafficking. The PSNI needs support in tackling gangs across borders, and the House should give it the support that it requires.

The NCA are the UK's leading experts in combating cybercrime, child exploitation and large-level criminality. The PSNI needs to be able to tap into the resources of the NCA and, in return, the NCA can ease the burden on the PSNI by releasing officers to work on local crimes. This helps the police locally to cope with the current budgetary pressures and releases officers back into community policing.

One of the key arguments for the NCA is around the area of civil recovery, allowing the NCA to target the assets of local criminals.

Since the NCA came into existence, there has been no capability in Northern Ireland for civil recovery of criminal assets. That is shameful and sends out the wrong message to criminals. Those involved in making money from illegal activity should know that they will be caught and that, when they are, they will lose everything that they have accumulated.

I doubt that anyone in the Chamber would wish to construct an argument that suggests that criminal gangs and organised criminals should not be brought to justice, but there are those who have raised particular areas of concern around accountability. Accountability is important. Indeed, it would be a very foolish legislature that would create a powerful body without having accountability mechanisms in place. Over the past number of months, detailed work has been undertaken by the Department of Justice in Northern Ireland, the Home Office and Home Secretary, the NCA, the Northern Ireland Office and the PSNI. The PSNI again is on record as saying:

*"It remains our view that the NCA should only work in Northern Ireland alongside the PSNI, so that operational control ultimately remains with the Chief Constable and nothing proceeds without agreement. There must be complete transparency for PSNI of the NCA's intelligence, investigations and operational activity. Through such arrangements, the Chief Constable can be held accountable for NCA operations via the Policing Board."*

Most Members will be alive to the issues around accountability mechanisms and their importance for many Members. The National Crime Agency is, of course, a UK-wide body established by legislation at Westminster, but a number of assurances and clarifications have been arrived at, following intensive work between the devolved Department of Justice, the PSNI, the Home Office and some of the interested parties. In this regard, it was extremely useful that the Minister shared with the Justice Committee, on Wednesday past, a paper outlining his revised proposals for the parties in the Northern Ireland Assembly.

For example, in relation to the code of ethics, NCA officers do not have to just read and understand the PSNI code of ethics. The director general of the NCA has made a commitment to seek to make NCA officers operating in Northern Ireland bound by the code. The director general (DG) will also be required to attend the Policing Board and report on the delivery of his annual plan. The DG is on record as saying that there is an implied obligation to provide information and answer questions asked by the Policing Board and that the board itself would have a statutory responsibility to monitor the performance of the NCA in carrying out the annual plan as it relates to Northern Ireland.

It is now also proposed that it would be laid down in statute that the director general:

*"shall supply the Board with such information and documents as the Board may require for the purposes of, or in connection with, the monitoring of the performance of the NCA in carrying out its Annual Plan as it relates to Northern Ireland."*

That is effectively mirroring section 33A of the Police Act 2000. Section 59 of the same Act places a general duty on the Chief Constable to report to the board with certain exceptions. Section 60 enables the board, having considered a report, to instruct an inquiry into a matter because of its gravity or exceptional circumstance.

The proposal now is to include in statute words to the effect that:

*“the DG shall, whenever so required by the Board, submit to the Board a report on any matter connected to the performance of the NCA in carrying out its Annual Plan as it relates to Northern Ireland.”*

There have also been clarifications around the fact that the NCA must secure PSNI agreement to an operation. Once this request has been made, the Police Service of Northern Ireland must carry out a community impact assessment that the NCA must have regard to. It is also proposed that the Department of Justice or the Home Secretary may, after consulting the ombudsman and director general, refer a matter to the ombudsman for investigation if it is in the public interest to do so. A similar power will be given to the DG to call in the ombudsman. These, of course, mirror the arrangements for the police in section 55 of the Police (Northern Ireland) Act 1998.

I believe that this highlights the accountability mechanisms called for by Members during previous debates on this issue, most notably back in October 2014. I urge Members to support the motion this afternoon and take the vital step to ensure that Northern Ireland does not become the easy option for criminal gangs and organised criminals. I commend —

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

**Mr Ross:** I will give way; yes.

**Mr Allister:** Just before the Member finishes, could he explain why paragraphs 14 and 15 of schedule 3 to the Crime and Courts Act 2013 are not to be extended to Northern Ireland. Paragraph 15 would give the Minister of Justice the right to direct the PSNI to assist the NCA. Why should that power not be given, particularly since, under the legislation, it is a duty of a member of the PSNI to cooperate with NCA officers? Therefore, why are we not extending paragraph 15 of schedule 3? Why are we not applying it? Can any light be shed on that?

**Mr Ross:** I appreciate the Member's intervention. He will know that there have been a number of negotiations on how we can get the NCA operating in Northern Ireland, and there are various areas in which the legislation will be implemented here slightly differently from the rest of the United Kingdom. It would be good to get to the point at which we get agreement in the House to have the NCA operational in Northern Ireland. I think that the PSNI is confident that it has the ability to work alongside the NCA in protecting the community here.

**Mr Humphrey:** I am grateful to the Member for giving way, and I welcome his bringing the motion forward. We saw terrorist activity in north Belfast at the weekend. I, along with councillor colleagues, spent time on Friday afternoon with youth providers on the greater Shankill. They told us that the drug problem is huge and endemic. Will the Member agree with me that it is not desirable but essential that the powers be fully extended and that

the NCA become fully operational in Northern Ireland to deal with the issues of drugs, human trafficking, fuel laundering and criminality that are on a scale that cannot be addressed solely by the resources of the Police Service of Northern Ireland?

**Mr Ross:** I absolutely agree with the Member. I mentioned that one of the biggest areas in which our legislation is deficient is in having the ability to take assets off criminals. Particularly when it comes to drug dealing, fuel laundering and suchlike criminality, it is important that we have the powers in place to allow the authorities to seize the assets of those involved. The other area, of course, in which we need the NCA's expertise is with large-level crime, particularly cybercrime, to ensure that, in particular, our young people and children are safe.

My time is almost up. I hope that today the Assembly will signal its consent for the NCA to become fully operational in Northern Ireland and for ensuring that we have in place the legislation required to keep people here safe.

**Mr G Kelly:** Go raibh maith agat, a Cheann Comhairle. I will start with the basics: the Good Friday Agreement achieved the architecture of a new beginning to policing, and it is Sinn Féin's view that the PSNI is more than capable of policing with the community, which is the core function of policing. It has a duty to do that and to tackle all crime, including serious and organised crime. We support the police fully in that endeavour, with the only caveat being that they are accountable at all times. That was at the core of the policing issue as well.

There has been a long debate, discussion and negotiation on the issue of the NCA, which is, of course, already active in the North. There is cooperation with the gardaí and the PSNI, and NCA expertise is also available to them. Accountability is again the issue at the core of the debate, and changes have been achieved. I find it interesting that the Member who spoke previously went through a list of those changes, particularly on accountability, because unionists wanted to sign up to the NCA before any of that was agreed. Indeed, they would have signed up to it at that time and have criticised us since for trying to get more out of it. Without repeating what the Member said, the changes that have been achieved are to the Policing Board's mechanisms, the accountability of the ombudsman, Criminal Justice Inspection and, indeed, the HMIC, and we welcome all of that.

However, under this order, the British Home Secretary can extend the power and remit of the NCA, without reference back to or the agreement of the Executive, the Assembly or even her own Westminster Parliament — she does not have to go back to it either. At any time, and she was urged to do so, the British Home Secretary could have chosen to remove that power or diminish its application, and that she did not is a difficulty. It also opens up a second question, which is to do with the relationship of the NCA with MI5 and other security services. Unfortunately, we have to deal with empirical experience that we have of what used to be called the “secret services”, not just in the North but, more recently, in Iraq and Afghanistan. However, let us deal with Ireland. At the moment, MI5 has no arresting arm. The question is this: will the NCA then become that arresting arm? At the moment, when the PSNI takes over any operation, it is accountable under all the accountability mechanisms. That is the safeguard.

12.30 pm

I know that the SDLP will be up after me, but I want to quote from its document to the Stormont House Agreement:

*"A second stream of the NCA negotiation is the shadow world of intelligence. There are two primary issues. One is the power of the London Home Secretary, by way of 'order' to broaden the role of the National Crime Agency into anti-terror operation. The second is the relationship between the National Crime Agency and the Security Service ... The contention that a Home Secretary 'by Order' could expand — and this is not conceded by the SDLP — the role of the National Crime Agency to Anti-terror operations in Northern Ireland without a proper process and proper principles is deeply problematic. Moreover, the National Crime Agency operating in Northern Ireland in association with the security service is a current expression of another concern about accountability around intelligence, policing —"*

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

**Mr G Kelly:** I will not; I am nearly finished:

*"— including the work of the security service."*

I understand that the SDLP has a letter from the British Home Secretary. I suppose the question is: if it can put that in a letter, why did it not just change the Order in Council? I assume that SDLP Members will answer that when they get up. If the party is sincere in what it says, why does it not do that?

Sinn Féin will vote against the motion on the basis that it is an underhand process, which another colleague will deal with shortly — *[Interruption.]*

**Mr Speaker:** Order.

**Mr G Kelly:** It is interesting that the Minister is laughing, but it is not the Minister who is bringing this forward. Maybe he can answer that when he eventually gets up.

The British Home Secretary can change the remit without agreement, and we can and should deal with civil recovery, which I did not get to deal with. Very early on, we asked for a bespoke process, and the Minister has refused to do that.

Lastly, the police say that, in the end, the only argument they have is over resource. If the argument is over resource, let us argue for more resource.

**Mr Speaker:** The Business Committee has arranged to meet immediately after the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time. The debate will continue after Question Time, when the next Member to speak will be Dolores Kelly.

*The debate stood suspended.*

*The sitting was suspended at 12.32 pm.*

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

2.00 pm

## Oral Answers to Questions

### Agriculture and Rural Development

**Mr Speaker:** I advise Members that questions 1, 3 and 8 have been withdrawn. Judith Cochrane is not in her place. Tom Buchanan is not in his place.

#### Circuses: Ban on Use of Wild Animals

5. **Mr Agnew** asked the Minister of Agriculture and Rural Development for an update on any discussions she has had in relation to a ban on the use of wild animals in circuses. (AQO 7481/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. We are very quickly skipping up the numbers.

I hosted a meeting on 21 January 2013 to discuss the issue of wild animals in circuses. The meeting was attended by representatives of the Born Free Foundation, Animal Defenders International and the Captive Animals Protection Society. Since that meeting, I have corresponded with the Born Free Foundation and the Captive Animals Protection Society, and my officials will continue to liaise with all the organisations.

I also raised the issue of the use of wild animals in circuses at the North/South Ministerial Council agriculture meetings on 10 July 2013, 13 November 2013 and 1 October 2014. Minister Coveney and I agreed that officials would investigate the possibility of an all-island approach to the issue of animals in travelling circuses and that the findings and proposals would be reported at a future NSMC agriculture meeting.

My officials met counterparts from the Department of Agriculture, Food and the Marine (DAFM) on 5 September 2013, 19 March 2014, 24 July 2014 and 29 September 2014 under the auspices of the North/South animal welfare and transport working group and discussed the issue in detail. As there are no circuses based here, DAFM agreed to engage with stakeholders who would be directly affected by any proposals on the use of animals in circuses. That stakeholder engagement, which included several circus operators, local authorities and the European Circus Association, has now concluded, and DAFM proposes to introduce a code of practice on the use of wild animals in circuses. My officials continue to work with DAFM officials. We will continue to engage on the issue as it progresses, with a view to having an agreed all-island code of practice.

**Mr Agnew:** I thank the Minister for her answer and, indeed, for all the work that she has done on the issue. Whilst a code of practice sounds like a way forward, I do not believe that even a well-intentioned circus can meet the needs of wild animals in the conditions in which circus animals are, by necessity, kept, including being transported in cages etc. There have been discussions on an all-island basis, but is there any reason why Northern Ireland cannot itself introduce a ban on wild animals in circuses? If the Minister

finds herself in disagreement with her counterpart in the Republic of Ireland, is she willing to act alone?

**Mrs O'Neill:** I have always said to the Member that I am very open to the possibility of banning the use of animals in circuses, and I still have that position. However, no circuses are based in the North, and when we create legislation we have to make sure that it is relevant and is responsive to a need. Given that we do not have a circus based here and only have visiting circuses from the Twenty-six Counties and, indeed, from across Europe, the best solution that we have at the moment is to develop a very strong protocol so that everybody is clear about their responsibilities. As I said, the work and the discussions are ongoing, and I certainly do not have a closed mind to moving towards banning animals in the future if there was a clearly identified need. I have looked at what is happening in Scotland, where they are also reviewing the situation. I also believe that Wales is moving to the same position as England, moving on ethical grounds rather than welfare grounds, given that there is perhaps a lack of information about the welfare issues.

I hope that the Member is assured that we will keep the issue under review. There will certainly be an ongoing discussion at NSMC level, but, in the meantime, we will move forward with a very strong protocol.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer. Will she advise what collaborative work has taken place with the Department in the South?

**Mrs O'Neill:** It is vital that we take forward the issue collectively, given that there are no circuses based in the North. A number of travelling circuses are inspected by councils. You will be aware that all non-farmed animals are inspected under the Welfare of Animals Act 2011 and that that is taken forward at council level. On future cooperation, I have outlined quite a number of areas of discussion, including engaging with stakeholders and engaging with the Department. Officials at working-group level are working hard to identify the need and then bring forward recommendations, the first of which, as I said, is around the protocol. However, I do not have a closed mind to moving towards a ban if I have valid reasons for doing so.

**Mr Dallat:** Hands up as someone from a rural area, where the highlight of my year was the coming of the circus to our town. Does the Minister agree that the circuses of Ireland — Duffy's, Fossett's and all the others — are about more than wild animals? Will she tell the House whether she has directly communicated with the wonderful people who have brought so much joy and so much happiness to children like me, when I was a child?

**Mrs O'Neill:** I think that we can all admit to enjoying the circus when we were children.

As part of the ongoing engagement, we have to engage with stakeholders. However, none of those circuses is based here. As I said, if I were going to legislate, I would need to have a valid reason for doing so. Given that animals in circuses are inspected and looked after by local council animal welfare officers, I can say that, since the legislation came into play in 2012, only one case has been reported to councils. Therefore, we would need to legislate only if there were merit in doing so and if welfare issues were identified. There is always the argument around

circuses as to whether you move forward on an ethical basis, which they are doing in England, on a welfare basis or both. However, I have an open mind to it. I am not trying to be a killjoy and ruin any child's fun, but this is about making sure that, if there are valid welfare issues, they are addressed. I know that other countries are looking at licensing circuses, and that is another possible option that could be explored over the next wee while. As I said, those discussions are ongoing with my Department and with DAFM in the Twenty-six.

**Mr Lyttle:** I welcome the work that the Minister has undertaken on the issue, and I heed what she said about a code of practice for wild animals in circuses. However, does she not accept that a circus is not a place for wild animals and, indeed, that she should make progress on introducing a ban on wild animals in circuses?

**Mrs O'Neill:** As I said, England has looked at bringing forward legislation. They had originally ruled it out but are now bringing it forward on ethical grounds. That is for any Minister to decide. I do not have the information in front of me that would suggest that we need to move, but I want to engage with the body of work that is ongoing in my Department and DAFM on talking to stakeholders, exploring the downsides and looking at what we can do. The protocol is certainly a step in the right direction, but there are other areas that we can look at around licensing. As I said, I do not have a closed mind to legislating, but I would have to be assured of the merits of doing so and make sure that there was absolute justification for it.

## GAA Clubs: DARD Funding

6. **Mr Allister** asked the Minister of Agriculture and Rural Development to outline the departmental funding allocated to GAA clubs since May 2007. (AQO 7482/11-15)

**Mrs O'Neill:** Out of funding allocated by my Department under the tackling rural poverty and social isolation framework, five GAA clubs received a total of £31,219 from the rural challenge programme. All the projects focused on community health and well-being initiatives.

Under axis 3 of the rural development programme, my Department has not allocated any funds directly to GAA clubs. However, local action groups have competitively assessed a number of applications under axis 3 where the GAA has promoted a project that also benefits the wider rural community and is separate from its primary activity. To date, 15 such projects, worth almost £3 million, have been funded since May 2007. I would add that similar projects that benefit the wider community have been successful for other sporting clubs, such as sailing, soccer and athletics clubs and the Special Olympics. They have invested over £1 million in community projects on the ground. I take the opportunity to thank all the organisations involved for taking a lead in their community and for addressing specific community needs.

**Mr Allister:** With our dairy farmers in crisis, our pig farmers in crisis and our beef farmers in crisis, is it not a scandal that something in the order of several million pounds has been siphoned off to the GAA and some other sporting bodies, much of which is modulated money that, in the first place, came out of the pockets of farmers? Three quarters of a million pounds was given to perhaps the richest GAA club in all of Ireland: Tyrone. Is it not a



scandal that funds of that nature are being siphoned off when they should go to front-line agricultural needs?

**Mrs O'Neill:** Perhaps the Member should educate himself better about the merit and benefit of what GAA clubs provide in communities, particularly rural communities. They are very often right at the heart of a rural community. All the projects that have come forward have been assessed in line with the rules and regulations that are set out. They were found to be projects of merit and have been funded accordingly. I thank all the projects that have come forward. One of the benefits of being able to do the work is that it is communities telling us what they need as opposed to Departments telling communities, "Here's what we're going to give you". I very much value the work that has been done with GAA clubs, soccer clubs and all the other groups that I outlined that have benefited from the programme.

As for the crisis in the dairy sector, it is not fair to pit one against the other. I assure you that I am doing everything that I can to protect and work with the farmers in the dairy sector who are having such a very difficult time. I assure you that I am prioritising getting the single farm payment out to farmers. We are exceeding all our targets, and I will continue to do that work. All that work comes out of pillar 1 rural development funding. Rural communities also deserve support. Rural people deserve support for community services, basic services and to help rural businesses to diversify. It goes across that whole range. It is not a case of playing one against the other. Let us support rural communities in their entirety.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. Will the Minister outline what factors she considered when allocating funding to the new local action groups?

**Mrs O'Neill:** We looked at that very carefully. It is about trying to target rural need and making sure that money in the rural development programme is targeted at areas in need of services and support. Allocations are based not just on population; the key factors to be addressed are poverty and isolation. Therefore, 50% of the funds have been allocated on the basis of the top 30% of rural areas with high unemployment. We also looked at multiple deprivation. Last October, we announced the allocations for each of the LAGs. They are working hard to get the new structure up and running. We hope to open up for projects towards the end of April and certainly into the start of May. I look forward to seeing another run of successful projects that will really get into the heart of rural communities with the support that they absolutely deserve and need.

**Mr Elliott:** The Minister will be aware that, in the operating rules of axis 3 of the rural development programme, there was a special sample letter for the GAA so that it could apply, but it was not relevant, for example, to church groups. Church groups have been refused where the GAA was approved. What are the Minister's comments on that?

**Mrs O'Neill:** The rural development programme does not set out to discriminate against anybody. I assure the Member that church groups have been successful in coming forward when working in collaboration with other groups in rural communities. I am happy to provide in writing the details of all the projects that benefited. I can also tell the Member that we fund two posts under rural faith-based programmes that work with church groups in trying to encourage more participation in seeking

rural development funding and other funding for rural communities.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire as na freagraí go dtí seo. I thank the Minister for her responses up to now. I am sure that she will confirm that many of those sporting organisations, including the GAA, are not just that: they contribute to health, education, culture and language in their community. Will the Minister confirm that those organisations have gone through an evaluation process and conform with the criteria that are set down, irrespective of their background?

**Mrs O'Neill:** Absolutely. There is nothing hidden here. Any sporting group that applies goes through exactly the same process. It is assessed by the LAG, which includes members from all political parties, community representatives and other statutory partners.

It is a very rigorous process, which all groups go through.

## 2.15 pm

Again, I put on record and agree with you about the benefits that these groups provide in rural communities. They are absolutely second to none. As I said, the GAA is at the heart of the community. Those are the groups that provide all the services around health and well-being, trying to tackle isolation and trying to get more people involved in community activities. I am delighted that they have been successful in the past, and I know that plenty of groups in rural communities are looking forward to the new programme opening towards the end of April and into May. Indeed, rural businesses are also looking forward to the programme opening up for the opportunities that there may be there for them.

**Mr Deputy Speaker (Mr Beggs):** Alasdair McDonnell is not in his place.

## Fisheries Task Force

9. **Miss M McIlveen** asked the Minister of Agriculture and Rural Development for an update on the work of the fisheries task force. (AQO 7485/11-15)

**Mrs O'Neill:** The fishing industry task force was established last year to examine issues affecting the offshore fishing fleet. It was agreed that, initially, the task force would consider the factors affecting profitability of certain fleet segments and the future challenges faced by the fishing fleet and onshore businesses, particularly the EU landing obligation.

An interim report was requested to detail priority actions to address those issues. The task force included representatives from the catching sector, the prawn processing sector, the pelagic processing sector, fisheries science, fisheries economics, fisheries policy, producer organisations and active fishermen. The task force met five times last year, and I received its interim report on 14 January. The interim report, which is available on our website, contains 12 recommendations, which I shall respond to over the coming weeks. They concern the implementation of the EU fish landing obligation, the launch of the new European Maritime and Fisheries Fund, the assessment of the capacity of the fishing fleet, priorities for fisheries science and policy for dealing with the annual fisheries negotiations.

The task force has made a valuable contribution to date, and there is still much work to be done. I therefore look forward to the task force continuing to work with my Department in the future.

**Miss M McIlveen:** What discussions have been had in respect of decommissioning or scrap-and-build schemes?

**Mrs O'Neill:** Yes, the Member will be aware that that is an issue that has been ongoing for some time. The task force will be giving further consideration to the economies of scale that could be achieved from looking at the fishing fleet during 2015. In particular, it will be looking at a report that is due to be produced by Seafish on the impacts of the landing obligation on the catching and processing sectors, as well as an assessment that will be sponsored by my Department on the balance between what fishing capacity is available and, obviously, the fishing opportunities for Irish Sea nephrops. That may lead to a further examination of options to encourage a restructuring process.

**Mr McAleer:** Go raibh maith agat. Will the Minister give us an update in relation to the inshore fisheries strategy?

**Mrs O'Neill:** I announced the publication of the DARD inshore fisheries strategy on 19 December 2014. That strategy focuses on the development of inshore fisheries, based on the key challenges facing stakeholders, such as management of fisheries, improving data, increasing the use of technology, enhancing economic returns and safer fisheries. One of the priorities within the inshore fisheries strategy is the creation of a partnership group to inform future inshore fishery policy.

My officials have written to industry stakeholders seeking nominations to serve as members of the partnership, with the aim of convening its first meeting during March 2015. One of the group's early tasks will be to consider in which priority order the key measures within the strategy should be progressed. Given the nature of the work, the group will comprise primarily fishing industry representatives, along with environmental, sea angling and public sector representatives.

**Mr Kinahan:** The question I was going to ask is exactly the same as that just asked. Will the Minister update us on whether the sea bass stakeholders are included in the fisheries task force? I know they were pushing for it and felt they were being left out.

**Mrs O'Neill:** I will check that for the Member and come back to him. I am not sure; I do not have that information here.

## Fishing Industry

10. **Mr McCarthy** asked the Minister of Agriculture and Rural Development for her assessment of the current schemes available to help ensure a sustainable supply of labour for the fishing industry. (AQO 7486/11-15)

**Mrs O'Neill:** I am very supportive of our fishing industry and the contribution it makes to the economy, and I am keen to support the industry through measures geared towards helping businesses adapt to the challenges they face.

The European Fisheries Fund (EFF), which is now closed for applications, has provided funding for projects to encourage new entrants into the industry, as well as enhancing the skills of those already employed in the

fishing sector. An example of that was the new entrant training scheme, in which over £32,000 was awarded to Seafish to deliver a number of introduction to commercial fishing courses. Those courses were designed to encourage potential new entrants to the industry, show them what is involved in a career on board a fishing vessel and provide the appropriate skills that would assist them should they wish to pursue such a career. Other examples of such grant awards include £46,000 to provide deck and engineering courses and £75,000 to support fishermen in obtaining their skipper's ticket.

The new European Maritime and Fisheries Fund (EMFF), to be launched later this year, will provide further opportunities to support the fishing sector and contribute to developing skills and knowledge of the fishing industry. A key objective of the EMFF is the development of professional training, new professional skills and lifelong learning. Specific articles within the EMFF regulations also provide for the promotion of human capital, job creation and social dialogue. My Department will consult the fishing industry to identify the measures required to meet its needs.

Through past support from the EFF and future assistance from the EMFF, I am showing a clear commitment to helping the fishing industry to develop its workforce.

**Mr McCarthy:** I very much welcome the response from the Minister. Given all that she said — and I welcome everything that she did say — why is the fishing industry finding it difficult to recruit people, particularly young people? It would be a shame, when there is a glimmer of hope in the fishing industry, if it went back because of a lack of young trainees coming in.

**Mr Deputy Speaker (Mr Beggs):** The Member has asked his question. Thank you.

**Mrs O'Neill:** It is obviously a very difficult career. It is a very difficult and tough job to be involved in. A lot of the work that we are doing is around giving younger people a taster of what is involved in working in the sector. Hopefully, that will encourage new people to get involved in the industry.

I suppose that it is a wee bit about how we can best forward plan, and there will be opportunities through the new EMFF to allow us to do that. What will complement that work is the work that is being done with the fisheries task force, because obviously that will identify the future needs of the industry and where we need to focus our efforts. So, a range of things across the board will hopefully assist in creating a situation where we have a sustainable fishing fleet and industry.

**Mr Boylan:** Go raibh míle maith agat, a LeasCheann Comhairle. Will the Minister expand on the support that the European Maritime and Fisheries Fund will offer?

**Mrs O'Neill:** The current fund is at an end, so the new funding package will support the sector until 2020. The bulk of the funding will go towards supporting the common fisheries policy reform and measures to improve the economic and environmental sustainability of the industry. Important areas, such as technology to reduce fish discards and the modernisation of vessels to improve health and safety, are a welcome inclusion in the funding proposals. So, there is quite a range of areas of work,

which will be taken forward in conjunction with the industry and on the basis of identified need in the industry.

## Pig Meat Market Price

**11. Ms Sugden** asked the Minister of Agriculture and Rural Development for her assessment of the impact that the current differential pig meat market price between Northern Ireland and Great Britain is likely to have on the growth objectives for the pig sector as outlined in the 'Going for Growth' report. (AQO 7487/11-15)

**Mrs O'Neill:** I am aware of the difference in the prices paid to pig producers in Britain compared with those paid to producers in the North and that a growth in the differential has coincided with a wider downward trend in European pig prices. Whilst that price differential is a commercial matter and my Department has no remit to intervene, I am aware that the current fall in pig prices is placing our pig sector under considerable pressure and is limiting growth opportunities. Pig farming plays a significant role in the agricultural economy here, and it is important that we work to help the sector be sustainable and build resilience against market volatility.

The Going for Growth action plan sets ambitious targets for the local pig sector, and I am hopeful that the sector will meet them. I recently met with local pork processors to discuss access to new trade markets, including China and Australia. My officials are working to secure access to those markets, which will hopefully mean greater returns for the pig sector. It is also hoped that that will mitigate price fluctuations and contribute to growth in the sector.

In addition, a key recommendation in the Going for Growth action plan was to have the farm business improvement scheme, which is being developed under the new rural development programme. That will also assist our local pig sector in taking advantage of current and future market opportunities.

**Ms Sugden:** I thank the Minister for her answer. Does she have any plans to appoint an independent veterinary expert to provide strategic oversight of the health of the pig herd to ensure effective growth?

**Mrs O'Neill:** I am happy for the Member to write to me to talk about that. It is an issue that has been raised on a few occasions in the past.

I am keen to do everything that we can to protect the interests of the pig sector. We are actively pursuing additional markets, which will obviously help with the price issue. Export growth is what we are targeting. We are disappointed that we have not had the visits from the Chinese officials recently, but we are hopeful that those will happen over the next number of months. I have assured the industry that, if needs be, I will go to China and seek political meetings, if doing so will improve the situation and speed up the time frame of those inspections.

We are also looking towards new markets. Australia is another market that the local industry is very interested in. So, I suppose that, in trying to create new market opportunities, working alongside the industry through the advisers we have on the ground, I think that a combination of issues will hopefully see the industry through what is a difficult time.

**Mr Byrne:** Given that people involved in pig production have two major bottlenecks, the price of pig meal feeds and the pressure from the banks, can the Minister give any reassurance or encouragement to the pig men in relation to talking to the feed suppliers and, indeed, the banks to give them some space?

**Mrs O'Neill:** I met the banks just before Christmas to ask them for some compassion and flexibility, initially in relation to the dairy sector, but, obviously that is relevant right across the board, with the pig sector in difficulties too. Whilst I cannot do anything about the market issues that lead to price, we can chase after new markets, as I said. Alongside that, it is about what we can do in-house to assist the industry. I assure the Member that we will continue to do that.

**Mr Irwin:** Given that pig prices in Northern Ireland are running at about 20p per kilo less than the current UK price, does the Minister accept that that leaves our producers at a big disadvantage and that it is, therefore, unacceptable?

**Mrs O'Neill:** I am aware of the difference between the price paid for pigs in Britain and here in the North and of the fact that that gap has grown, with local processors dropping their prices by quite a greater degree against the standard pig price. As I said, the price that farmers are paid for their produce is a commercial matter, and the Department does not have a remit to intervene on that issue. Nevertheless, as I have always made very clear, I believe that farmers should receive a fair price for their produce. I encourage all elements of the supply chain to work together to mitigate fluctuations and to facilitate sustainability in local farming, particularly in the pig sector.

**Mr Cree:** The Minister has touched on this issue, but will she provide an update on the progress of the audit from the Chinese authorities on the pig industry?

**Mrs O'Neill:** I had a recent meeting with the pig industry on 19 January. I advised them that we were initially expecting the visit to be last week but that that had been postponed. So, we have engaged with the Chinese officials at a political level in China to try to secure that engagement. We have been told that it will certainly be over the next number of months. We were also delighted to host a delegation from Australia in looking towards opening up that market for us, so we are coming at it from a number of angles.

Certainly, the industry here is greatly disappointed that Chinese officials have not been here yet for the inspections, given that producers are all in a state of readiness and are very happy to open their doors to show the safe and secure practices that they have. We are hopeful of securing access to those markets. I will do all that I can at a political level to encourage the Chinese visit as soon as possible. Obviously, I will keep the industry up to speed on any developments.

## Ballykelly: Public Transport

**12. Mr G Robinson** asked the Minister of Agriculture and Rural Development whether she has had any discussion with the Minister for Regional Development on improving public transport infrastructure in relation to the relocation of her departmental headquarters to Ballykelly. (AQO 7488/11-15)

**Mrs O'Neill:** I can advise the Member that, as I reported previously, I have met Minister Kennedy to discuss transport issues at the site. A transportation assessment is being undertaken at the site and is expected to be completed by the end of this month. My officials will continue to liaise with colleagues in DRD to consider all the transport implications of the move of my Department to Ballykelly.

**Mr G Robinson:** Will the Minister agree that a rail halt at the very welcome relocation of DARD headquarters to Ballykelly would be a big benefit to the travelling workforce?

**Mrs O'Neill:** Yes, absolutely. I think that it would be a tremendous asset. I suppose that it comes down to costings, affordability and timings on the track. It has been raised with me, not least by Cathal Ó hOisín, in the past. We have discussed it with DRD and with Minister Kennedy, and officials are continuing to do that piece of work. I look forward to getting the report at the end of the month, which will give us a bit more detail on whether it can be progressed and how. I agree that it would be a tremendous asset in assisting the move to Ballykelly.

## 2.30 pm

**Ms Sugden:** Is the Minister aware of any community or voluntary groups that have expressed an interest in working alongside the Department on the site?

**Mrs O'Neill:** I do not have the list of groups that have expressed an interest. I know that there was quite considerable interest in response to the OFMDFM survey. The fact that we announced our move obviously led the way for other groups to come forward. I intend to visit the site very shortly, and I have been told that quite a large number of community and voluntary groups are interested in meeting me and discussing the potential for them on the site, so I am very keen to explore that.

**Mr Deputy Speaker (Mr Beggs):** That is the end of the time for listed questions to the Minister. We now move on to topical questions.

## TB Reactors: Discrepancies

**Mr Buchanan:** First, I apologise for missing question 4. I was meeting the Minister for Employment and Learning and was not able to be here.

T1. **Mr Buchanan** asked the Minister of Agriculture and Rural Development to explain the apparent discrepancies in the 2013 TB reactor figures, given that, in April 2014, the figures showed that there were 8,271 reactors, while in September of the same year, they showed that there were 8,392 reactors, and earlier this year, they showed that there were 7,502 reactors. (AQT 2041/11-15)

**Mrs O'Neill:** I do not have the figures with me, so I will have to pick it up with the Member in writing. I cannot respond to those figures, because I do not have them.

**Mr Buchanan:** How can we have any confidence in the system currently being used in the battle against TB when there is so much discrepancy in the figures for only one year?

**Mrs O'Neill:** You are suggesting that there is a discrepancy in the figures. I will need to take a look to analyse them further, but I can assure you that we have

a very firm, EU-supported programme in place for TB eradication, and I assure you that I am committed to trying to eradicate the disease. The Member will be aware that there is no simple solution or quick fix. It is not a simple disease to solve, but, the work of our EU eradication plan and that of the TB strategic partnership group — the Member will be aware that I established it, and, on it, the key industry representatives come together on the next approach that we have to take — means that we are certainly not taking our eye off the ball when it comes to eradicating the disease. We have seen the figures come down year on year — nowhere near as fast as we want, but at least we have that downward trend, and I hope that it continues.

As I said, I can give the Member an assurance that we are working very hard to get ourselves into the position of eradicating the disease, which will open up new markets to us for the trade opportunities that we are trying to explore.

## Flooding: South Belfast

T2. **Mr Spratt** asked the Minister of Agriculture and Rural Development what discussions she and her officials from Rivers Agency have had with the Minister for Regional Development and Northern Ireland Water about the Glenmachan project in the South Belfast constituency to alleviate the flooding problems in Sicily Park and the Greystown area. (AQT 2042/11-15)

**Mrs O'Neill:** There is quite a large volume of work being done in south Belfast around Sicily Park, Upton Park and all the other areas. I am just trying to get you the specifics on the area that you referred to. At Orchardville, Rivers Agency has completed maintenance and upgrading work, and it continues to monitor the situation. In the Sicily Park and Greystown areas, Rivers Agency is working in partnership with NI Water on the development of a scheme to upgrade existing infrastructure. Subject to securing agreement with landowners, it is hoped that we will be able to commence the first phase of that scheme in the summer. Rivers Agency has also taken on responsibility for three privately owned urban drains in the Sicily Park area and at Upton Park, and investigations by NI Water, Transport NI and Rivers Agency are ongoing.

I hope that that covers the area that the Member is talking about. If not, I am very happy to provide him with an up-to-date position. There is certainly quite a lot of work going on in south Belfast, and a lot of it is being taken forward right across all the structures — NI Water, DRD, my Department and Rivers Agency — but I am happy to give the Member any other detail that he needs in writing.

**Mr Spratt:** I thank the Minister for her answer. I ask her to instruct her officials to have urgent talks with officials of Balmoral golf club on the river that runs through its park. They are being treated in a most disgraceful way at present by both DRD and Northern Ireland Water. That will cause serious problems to the business, which employs some 80 people. The issue must be very sympathetically looked at by everyone concerned.

**Mrs O'Neill:** NI Water is leading on the scheme for the Sicily and Greystown areas. It is in negotiation with Balmoral Golf Club, to which the Member referred, regarding the storage of floodwater in the club grounds. I am told that the negotiations are at an early stage and that, subject to agreement with the club, NI Water hopes to



commence the scheme in the summer. I will take on board what you said and ensure that I relay it to my officials for their engagement with the project.

### Horse Mussel Beds: Strangford Lough

T3. **Mr Lunn** asked the Minister of Agriculture and Rural Development for a progress report on the restoration of the modiolus or horse mussel beds in Strangford lough. (AQT 2043/11-15)

**Mrs O'Neill:** The work is ongoing. I am trying to get you an update on horse mussels. I do not have the detail, so I will write to you with more detail. The restoration plans are in place, and Europe is happy with our approach. Ulster Wildlife is also happy. It is about trying to protect the horse mussel and create a situation in which it is sustainable for the future. It is also about trying to sustain those pot fishermen who have been working that area for such a long time. It was always about trying to get a balance in how we take it forward. If there is anything else to add to that, I will certainly provide it to the Member.

**Mr Lunn:** I thank the Minister for that positive response. Will she advise us on possible European action against us for infraction? Are we on course to avoid that or, if not, how much is it liable to cost?

**Mrs O'Neill:** We are on course to avoid that if we have not already avoided it. Europe was content with the plan that we produced and forwarded. As I said, the plan commanded support across all those people who had an interest in the horse mussel and in Strangford lough. I believe that we have avoided the potential scenario of facing fines.

### Farmers: Banking Arrangements

T4. **Mr McCallister** asked the Minister of Agriculture and Rural Development whether, following her meeting with the Ulster Farmers' Union and local banks before Christmas, any progress has been made with regard to banks dealing with overdraft facilities or even capital holidays for farmers, particularly as she will be aware of the pressures from a huge drop in milk pricing and other sectoral cuts to the single farm payment. (AQT 2044/11-15)

**Mrs O'Neill:** As the Member rightly said, I met the six main banking organisations along with the Ulster Farmers' Union (UFU) in December. It was a very positive engagement, and there was a positive meeting. The UFU and I asked for flexibility, a bit of sympathy and certainly a more proactive approach from the banks to their farm customers on the difficulties that they face.

As regards follow-up, the banks were then, as I said, to go and proactively have that engagement. Over the last number of weeks, I have written to them to ask for an update on where we are at and any progress that they have made.

The Member referred to capital payments. I suppose that there are arguments for and against that. Some farmers would like that, but I suppose, in the longer term, that it can sometimes increase penalties and fees further down the line. That is not to say that it will not suit everybody, because, for some farmers, it will suit them very well at the time. It is about options, so my role in engaging with the banks was about their being open and flexible about working with the industry.

Through the College of Agriculture, Food and Rural Enterprise (CAFRE), we are planning a series of meetings with local bank representatives to help farmers to deal with cash flows. That is positive because, given the volatility, managing cash flow is a key issue that farmers need to deal with. I am very happy that we will be able to do that work along with our CAFRE advisers and local banks.

**Mr McCallister:** I am grateful to the Minister for her reply. She, quite rightly, identified issues about cash flow. I also draw her attention to an investigation by the Competition and Markets Authority into banking. Has she had any input into that, given the importance of the agrifood sector in Northern Ireland? If not, will she endeavour to do so?

**Mrs O'Neill:** Yes. I have not been invited to give any evidence, but I am certainly willing to do so. The Member is absolutely right: this is about fairness in the supply chain and us supporting farmers through a very difficult time. If the situation arose, I would be very happy to go along to that inquiry and give evidence on its local impact. Maybe I could take that suggestion up from the Member today. This is about championing the fair treatment of farmers and ensuring that that fairness exists across the supply chain.

I welcome the moves from DEFRA in England this week around giving the groceries adjudicator additional powers. That is something that we all welcome. The industry had said from the start that it was concerned that it did not have enough teeth. Having the power to impose fines on supermarkets will enhance what it is able to do. It is something that is very valuable for the industry, so we will watch that with keen interest and will feed into the discussions on the development of that legislation.

**Mr Deputy Speaker (Mr Beggs):** Edwin Poots is not in his place.

### Young Farmers' Scheme: CAP Support

T8. **Mr Milne** asked the Minister of Agriculture and Rural Development for an update on the support that will be made available to young farmers under the CAP reform measures. (AQT 2048/11-15)

**Mrs O'Neill:** The young farmers' scheme is a mandatory component of the direct payment support framework. That scheme is going to be financed by reserving up to 2% of the direct payments budget ceiling for this purpose. I am delighted that we are able to bring forward the young farmers' scheme. We all know about the age profile of the farming industry and how we need to change that. Over the course of the CAP discussions, and with the fact that we have been able to announce the young farmers' scheme, a considerable number of young farmers — over 2,000 — have enrolled in our CAFRE courses. That shows that quite a number of young farmers out there are heads of holdings and are working in partnership with their family farm business. I am delighted that we will be able to provide that support for those young farmers.

While I am on my feet, I just want to say that this week we will be publishing further guidance in relation to firming up and giving people the information that they absolutely need in deciding whether they are a young farmer and the types of evidence that the Department will be looking for. It is really about providing more information and the last wee piece of the jigsaw for those young farmers to make the

decisions when it comes to making their claim for single farm payment in May.

**Mr Milne:** Mo bhuíochas leis an Aire as na freagraí a thug sí dúinn go dtí seo. I thank the Minister for her answer. Will young farmers also qualify for support under the proposed farm business improvement schemes?

**Mrs O'Neill:** Yes, they will benefit from grant aid. We are still working on the ins and outs of the more detailed aspects of the farm business improvement scheme, but we hope to open it up later this year. The grant aid that we will provide to all farmers is 40%, but in order to support and enhance the investment and efficiency around farms, particularly from young people, we will increase that grant aid to 50%, so it will be an additional 10% for young farmers. I know that that has been very much welcomed by young farmers' clubs, and, from engaging with young farmers, it is something that they are very keen to explore and hopefully be able to bid into in the future.

**Mr Deputy Speaker (Mr Beggs):** Oliver McMullan is not in his place. As the next period of Question Time does not begin until 2.45 pm and we have completed our topical questions, I can only suggest that we take our ease for a few moments until 2.45 pm.

2.45 pm

## Culture, Arts and Leisure

### Football Funding

1. **Mr Newton** asked the Minister of Culture, Arts and Leisure when she plans to announce which clubs have been successful in obtaining Northern Ireland Football League (NIFL) funding to upgrade their facilities. (AQO 7491/11-15)

2. **Mr Easton** asked the Minister of Culture, Arts and Leisure what discussions she has had with the Minister of Finance and Personnel for the release of funding for capital projects for Irish League clubs. (AQO 7492/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a LeasCheann Comhairle. With your permission, Mr Deputy Speaker, I will take questions 1 and 2 together.

The Executive endorsed a proposal to provide £36 million for the subregional stadium development for football as a priority area of spend in the next comprehensive spending review (CSR) period. My Department has developed a strategic outline case for the subregional programme and, following the Assembly's approval of the 2015-16 Budget, that programme will now proceed and commence its next stages. No decisions have been taken as yet on which stadia will develop from that funding. Programme-specific details such as eligibility criteria, funding strands, funding limits, funding timelines etc are being finalised. Plans for consultation with key stakeholders are being processed and, once finalised, the subregional programme will be formally launched. I am optimistic that the remaining funding will be approved in due course to allow construction work to start in 2016-17.

**Mr Newton:** I thank the Minister for her answer. Does she envisage that NIFL will have any role to play in the distribution of the moneys?

**Ms Ní Chuilín:** No. I have heard plenty of rumours. People have raised concerns that, if the Northern Ireland Football League is allowed to dictate the level of resource and investment, that will not only undermine the IFA but will have an impact on groups that are not affiliated to it.

**Mr Easton:** I thank the Minister for her answer so far. Does she agree that this could be a real game changer for clubs right across the Irish League and possibly Bangor Football Club, if it is able to apply for those grants? It will make all the difference to the infrastructure and enable supporters to come and view the games.

**Ms Ní Chuilín:** I congratulate the Member on getting a pun in about it being a game changer. The subregional development and the investment that we are looking at thereafter will not only have a huge impact on the facilities that people go to to enjoy games, but I believe that, with the proper investment, it will help attract more people to the games and provide better opportunities for families to come together to enjoy them. I know that some of the complaints across the board about a lot of sporting facilities, particularly in soccer, are about toilets and being able to access food and car parking. The basic amenities that you come to expect are sorely lacking. This will have a huge impact on the clubs that receive it in this stage and in other stages that I hope to bring forward in the future for those to apply and succeed thereafter.

**Mr Eastwood:** Aside from upgrades of facilities, can the Minister tell us how much money has been given to clubs for general grounds maintenance and pitch maintenance?

**Ms Ní Chuilín:** The Member will appreciate that I do not have those figures to hand, but I am certainly happy to supply them to him. I can give him the figures from 2011 until the current date. If he needs any additional information, he can write to me and I will happily get that for him.

**Mrs Dobson:** When will the Minister be in a position to give details of funding that may be available for Portadown and Glenavon football clubs?

**Ms Ní Chuilín:** I anticipate that the next lot of questions about funding for soccer will be constituency-based. As I said to Mr Easton and Mr Newton, when the IFA, in conjunction with DCAL, brings forward the subregional programme, I anticipate that not only the two clubs that the Member mentioned but clubs that Members have mentioned previously and clubs that other Members have yet to mention will apply to that fund.

**Mr B McCrea:** Minister, this is part of an outworking of the arrangement that included the GAA and the IFA. Do you have any plans to extend it to rugby to see whether we can get subregional stadiums for that sport as well?

**Ms Ní Chuilín:** The Member is aware that I am in good discussions with the three large governing bodies. The subregional money for soccer is the remainder of the money that was awarded for the development of Windsor Park. I know already that development of the management and facilities, through the strategies that the GAA, Ulster Rugby and the IFA will bring forward, will run not only into the next Assembly mandate but into the following one. The good thing about the three sports is that they are growing.

They are certainly much more inclusive than they were previously, in that they include women, young people and children with disabilities, and because there has been an increased demand for them, there has been increased investment. However, in this period and, in response to this question, I am dealing primarily with subregional facilities for soccer.

**Mr Deputy Speaker (Mr Beggs):** I advise Members that questions 5, 8, 10 and 13 have been withdrawn.

### Sports Stadia: Public Transport Links

**3. Mr Lunn** asked the Minister of Culture, Arts and Leisure what discussions she has had with the Minister for Regional Development to improve public transport links to Belfast's three upgraded sports stadia. (AQO 7493/11-15)

**Mr Lunn:** Go raibh maith agat, a LeasCheann Comhairle. Ceist uimhir a trí.

**Ms Ní Chuilín:** Go raibh maith agat. Thank you very much. I have had no direct discussions with Minister Danny Kennedy with regard to improving public transport links to Belfast's three upgraded sports stadia. However, as part of the planning process for each proposed new stadium, Transport NI was a consultee and has provided comments and support where appropriate, which has been very helpful.

With regard to Windsor Park, I understand that the IFA met the Regional Development Minister on a few occasions regarding the creation of pedestrian links between the Adelaide Halt train station and the stadium. A planning application has also been submitted for those works on behalf of DRD and Translink. With respect to Casement Park, the GAA submitted an events management plan along with its planning application for the redevelopment, highlighting that Translink was agreeable to sitting on the event management board for Casement. The Ulster Council of the GAA has also committed to providing a public transport fund of £30,000 annually for the first two years of the stadium to encourage public transport travel amongst its supporters. That is to be welcomed. Finally, in relation to the Kingspan Stadium at Ravenhill, engagements with DRD, Translink and the Irish Rugby Football Union Ulster Branch and their respective team members were undertaken in order to deliver the current park-and-ride arrangements.

**Mr Lunn:** I thank the Minister for her answer. She knows that there is already a problem in trying to get people away from the Kingspan Stadium. When Casement eventually becomes a reality, transport will clearly be a major problem there with the increase in its capacity. Does she agree that this is a matter that needs to be addressed now, rather than later, when the problem actually arises? Perhaps she should be talking to Minister Kennedy and even to Minister Durkan about the taxi service.

**Ms Ní Chuilín:** I thank the Member for his supplementary question. He may be aware that some comments were made in the 18 December 2013 judgement by Judge Horner in relation to some aspects of Casement Park. I intend to talk not only to Minister Mark H Durkan but to Minister Kennedy, as I anticipate that there will be an application from the Ulster Council of the GAA for the revamping of Casement Park. Already, I know that the sponsored work programmes, which are made up of the three sporting bodies' officials, also have an obligation

to liaise with the officials of other Departments when problems arise. That means that such problems are dealt with as quickly as possible and, if they cannot be dealt with, an action plan is formulated to get the issues resolved. Traffic is certainly one of the aspects that has caught the imagination and exercised some people to the point where they may feel that, as a result of traffic problems, the shine has been taken off the facility that was developed in their community.

**Mr Dunne:** I thank the Minister for her answers. Can she give us an update on progress on the new entranceway at Boucher Road to improve access to Windsor Park? How will that reduce the impact of increased traffic on the Lisburn Road and Tates Avenue entrances?

**Ms Ní Chuilín:** As I said in my answer to Mr Lunn, the IFA — and Belfast City Council, in relation to Olympia Leisure Centre — has been talking to Minister Kennedy as well as to DRD. It is crucial that those discussions are ongoing, as they have had a helpful outcome in identifying problems. Certainly, the IFA had to submit a very detailed traffic management plan as part of its planning application in order to get planning approval in the first instance.

In fairness to the IFA, it has not left it at that. It is constantly looking at opportunities to improve the situation. Indeed, other events on the Boucher Road, albeit not sport-related, have been used by the IFA, along with the PSNI and others, to see how traffic was managed when big crowds were coming into and leaving the vicinity. I am happy with the discussions thus far. They will be kept under constant watch to make sure that residents are not put out by cars being parked in their street, preventing them from getting in and out of their own home. It is very important that residents are not disturbed.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. Can the Minister inform the Assembly of the current status of the Casement Park project?

**Ms Ní Chuilín:** The Member will be aware that there was a judicial review in December of last year. I believe that there is a strong resolve within the Ulster Council of the GAA. In fact, it voted unanimously on Saturday in favour of bringing forward the redevelopment of Casement Park. I have met you and many other elected representatives from west Belfast who are urging DCAL and the Executive to maintain their support for the redevelopment. I have also met lots of residents, community and voluntary groups, sporting groups and businesses. Indeed, all the sporting groups, not all of which were from the GAA community, encouraged me by saying that the development is needed.

The update is this: I anticipate that the GAA will bring forward its plans for another planning application. We will just need to take it from there. I am certainly supportive and will do everything that I can to assist the GAA with that.

**Mrs Overend:** Has the Minister designated any other areas for use as park-and-ride facilities to improve traffic flow during major matches?

**Ms Ní Chuilín:** Are you talking about Casement Park or Windsor Park, or both?

**Mrs Overend:** Both.

**Ms Ní Chuilín:** Park-and-ride facilities have been identified for Windsor Park, and that work will be ongoing. It has been acutely tested as part of not only the planning

approval but, as I explained to Mr Dunne, the review of it thereafter. Windsor Park will hold up to 18,000 people, while Casement Park could have 32,000-plus people. In any new application on behalf of Casement Park, traffic management will be critical to planning approval. Greater detail than was provided in the first application, which was identified as being weak on areas of traffic management, will be needed to secure planning approval.

### Derry City: Financial Support

**4. Mr Elliott** asked the Minister of Culture, Arts and Leisure whether her Department, or any of its arm's-length bodies, has committed to provide any financial support for the refurbishment of League of Ireland club Derry City's home ground. (AQO 7494/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. The Executive endorsed a proposal to provide funding of around £36 million for subregional stadium development for football as a priority area of spend. The subregional programme is a logical channel for any potential funding application, and the Brandywell stadium is one of a number of eligible venues across the North. DCAL has developed a strategic outline case for the subregional programme, and, following the Assembly's approval of the 2015-16 Budget, the programme will proceed and commence its next stages. I am optimistic that the remaining funding will be approved in due course, allowing construction to commence in 2016-17.

**Mr Elliott:** I thank the Minister for that clarification. I noted in recent press reports that Derry City are looking for money to expand and for their stadium. Has the Minister any idea whether that money may be subject to a move away from the Brandywell so that Derry City can re-enter the Irish League in Northern Ireland?

**Ms Ní Chuilín:** It is up to Derry City where they play, who they play with and who they play for. It is not a matter for me. I did anticipate that many Members would rise to their feet asking for support for their own club, as your party colleague did. I am glad, however, that the Member supports the application for investment for the Brandywell.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. I hope the fact that Derry City beat Ballinamallard United 2-0 last night had nothing to do with the type of question just asked.

Does the Minister agree that, whatever development is done at the Brandywell stadium, it is important that it is seen to be part of the Foyle valley gateway, which was a catalyst project in the One Plan?

3.00 pm

**Ms Ní Chuilín:** I agree with the Member. We have invested in the Foyle valley gateway. I have met officials from Derry City Council and Derry City Football Club, as well as a host of other sporting and community groups. The Foyle valley gateway is an ambitious plan, and the One Plan is even more ambitious than that. What I liked about all those plans, particularly the One Plan, is that they set out a direction of travel for investment by the Executive in the north-west. As I said earlier, I anticipate that Derry will put forward an application to the subregional programme.

**Mr G Robinson:** Has any financial support been committed to the upgrade of the grounds at Coleraine Football Club and Limavady United Football Club?

**Ms Ní Chuilín:** Not as yet, but I would expect that the Member and other Members who have been lobbied heavily in their constituencies would support clubs in making applications to the subregional stadia programme.

### Stadia: Financial Assistance

**6. Mr Hilditch** asked the Minister of Culture, Arts and Leisure what assistance is available for designated stadia in Northern Ireland. (AQO 7496/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. The subregional programme is one of the channels for any potential funding applications for IFA designated venues. The Executive endorsed a proposal to provide funding of around £36 million for subregional development for football as a priority area. DCAL has developed strategic outline business cases for the subregional programme. As I said in a previous answer, the programme-specific details for eligibility and funding strands and limits have yet to be determined, and no decisions have been taken on the specific stadia that will benefit from this.

**Mr Hilditch:** I thank the Minister for her answer. It is a timely question, because I learned this morning that a club in my constituency may be interviewed under police —

**Ms Ní Chuilín:** Caution.

**Mr Hilditch:** Yes, so it is a very timely question. Will designated stadia throughout the Province receive any priority because of the government regulations under which they have to act?

**Ms Ní Chuilín:** I understand, as does the Member, that there is a need for designated stadia, particularly for health and safety reasons, which I know that he supports. The gap has now been created where individual clubs want to meet, if not exceed, their health and safety standards but are not financially in a position to do so. I have heard not only what the Member but what others have had to say about this. I imagine that, when it comes to subregional funds or any other funds in DCAL vis-à-vis Sport NI, people and clubs will approach us about getting health and safety standards met through those funding streams.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answers so far. Given her previous comments on plans to develop subregional facilities, will she outline the current status of the IFA governance situation?

**Ms Ní Chuilín:** I thank the Member for his question. He will be aware that, some time ago, an independent review of governance was completed, and recommendations were accepted by the IFA board. I am pleased to say that the IFA has implemented those recommendations, which gave DCAL the assurance that appropriate governance has been and continues to be maintained and fully meets DCAL's needs. I am satisfied that the IFA has made significant progress against all those recommendations. That informed my decision to allow the IFA to proceed with the release of the construction notice for Windsor Park, which enabled construction to proceed. Had I not been satisfied of the governance procedures, as the IFA was fully aware, Windsor Park would not even have started.



**Mr Cree:** The Minister will know that, because regional stadia funding was returned, the Executive have agreed to consider favourably any in-year bids, provided they have the money. Has the Minister drawn up such a list yet, or is she considering that issue?

**Ms Ní Chuilín:** Well, I have not drawn up a list of clubs. Certainly, I know what the financial portfolio and the needs are around the subregional stadia and, indeed, the continuation of the stadia. Bear it in mind that the money that was returned also included money for Windsor Park. I have met and discussed this with Simon Hamilton, the Minister of Finance and Personnel. There is a process well under way to draw down those moneys. The Finance Minister anticipates a bid from my Department to make sure that the money to complete the stadia and commence the subregional stadia is available.

### Creative Industries: Investment

7. **Ms Maeve McLaughlin** asked the Minister of Culture, Arts and Leisure to outline the investment provided to the film and creative industries in the north-west. (AQO 7497/11-15)

**Ms Ní Chuilín:** I thank the Member for her question. Investment by NI Screen and the Arts Council in film and the creative industries in the north-west in the last three years exceeds £4.2 million. That funding consists of production funding, film education, film festival funding and creative industries innovation fund grants and supports my focus on establishing the north-west as a key driver for the creative industries and wider social innovation. In addition, as the Member will be aware, DCAL contributed over £12.3 million to the City of Culture in 2013 for projects and events that focused on culture and creativity. They included flagship projects, such as Portrait of a City and Music Promise. This year, a significant amount of the £1 million resource budget secured in the October monitoring round has been allocated to organisations supporting the creative industries sector in the north-west. That includes places such as the Nerve Centre and its creative learning activities and the FabLab programmes, and organisations such as CultureTECH and others have received funding to help increase their capacity to support skills and development. A number of NI Screen-funded productions such as 'Dracula Untold', 'Game of Thrones' and 'Jump' have also used the north-west as a film location, further boosting the local economy, raising its profile and helping the local tourism industry.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for that answer and for the investment and the particular role that she herself has played in relation to the City of Culture and investment in the north-west generally. Will she outline how the development of cultural hubs will benefit the communities in Derry and the wider north-west?

**Ms Ní Chuilín:** I thank the Member for her supplementary question. The cultural hubs are about making sure that it is multi-community and multi-purpose. They can look at things like sport and physical activities, virtual community infrastructure and networks. However, in the main, the principle behind them is making sure that investments, particularly in areas under the responsibility of DCAL, such as libraries, museums, sports and arts venues, are brought together to make sure that they provide an overall

wraparound service. Indeed, some venues can be used for other activities. For example, films or discussions could be hosted in libraries, rather than using a theatre or anything else. Particularly in rural areas of the north-west, it is important that those services are available to as many people as possible.

**Mr McCausland:** The film and creative industries are hugely important for job creation and our economy. Does the Minister recognise the opportunities that arise in her constituency with the arrival of the University of Ulster, with all of the creative energy around that and the potential even to develop some activity in the film and creative industries in that area as the university comes on site?

**Ms Ní Chuilín:** Absolutely. The investment of the Ulster University at York Road and neighbouring the Cathedral Quarter, one of the most vibrant parts of the city and our constituency — indeed, the Library Quarter as well — has potential to, I suppose, encourage and nurture the creative industries that are currently there and encourage others to invest there. Certainly, we have an opportunity in North Belfast to look at the redevelopment and investment from the university, which I believe will attract other creative industries, crafts and artists to that sector and to that area. That is to be welcomed.

**Mrs McKevitt:** What support has the Department given to the development of the Irish language independent production sector?

**Ms Ní Chuilín:** The Member will be aware that programmes, documentaries and training and apprenticeships are being built around the Irish Language Broadcast Fund. It has caused me concern that, at times, the funds seem to be vulnerable in that they end one year and then you get another year's extension. That is an issue, and I have already started the process from last year to try to get those further secured. I have tried not only to have them secured but to point out that, within both the Irish language and Ulster-Scots broadcast funds, there needs to be more local film production and procurement. Local television-, documentary- and film-makers need to make sure that they have opportunities to benefit and that it is not the same people who benefit from one funding stream to another.

### Cultural Hubs: Londonderry

9. **Mr Devenney** asked the Minister of Culture, Arts and Leisure for an update on the plans for cultural hubs in Londonderry. (AQO 7499/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. I am committed to supporting the development of cultural hubs as part of my Department's focus on north-west development after City of Culture 2013. I want communities to have local access to equipment and support that allows people of all ages to develop new skills and have access to cutting-edge digital technology and encourages social enterprise in the heart of communities.

DCAL has identified over a dozen existing community-based venues across the north-west, including community centres and schools, to be developed as cultural hubs. These venues are in the context of significant need, where provision is inadequate or, at times, non-existent. The Nerve Centre is working with venues to refine equipment and training needs. The programme will roll out until the

end of March. Venues will be provided with equipment such as digital technology, software and music-making and film-editing equipment.

**Mr Devenney:** I thank the Minister for her answer. Does the Minister agree that it is vital that the hubs are situated on sites that every community can use? Would the Minister consider the Ebrington site for one of the hubs, given that it is very much a neutral site?

**Ms Ní Chuilín:** The Ebrington site has benefited from a lot of investment from all Departments. If the Member is hinting or suggesting that the development of the cultural hubs is being done in a way that denies people access, I would refute that. Some of the cultural hubs that have been developed, not only in the city of Derry but elsewhere in the north-west, are based in communities that all people can access. If the Member has any concerns about a particular group or area, I am happy to meet him or to accept his correspondence and get back to him.

**Mr Dallat:** Does the Minister agree with me that Derry city is an example to the world of how different communities can share their culture? Does she accept that it is a model for the rest of Northern Ireland to emulate? Orangemen, Apprentice Boys, Hibernians — it does not matter who they are: they have this unique capacity to share their culture. In 2013, they showed the world how it could be done.

**Ms Ní Chuilín:** I thank the Member for his supplementary. I am a north Belfast girl — I was born and reared there — but I have a lot to learn from the city of Derry. Many people across the island have a lot to learn from the city of Derry. If each of us can take a wee piece of that and bring it into our constituencies, that is a good thing.

### Cycling: DCAL Support

11. **Mrs Dobson** asked the Minister of Culture, Arts and Leisure how her Department supports cycling. (AQO 7501/11-15)

**Ms Ní Chuilín:** I thank the Member for her question. In the three financial years up to 31 March 2015, my Department, through Sport NI, has provided over £646,000 to promote cycling. In addition, funding to the Sports Institute provides specialist support to talented local cyclists in the form of sports medicine, performance skills, lifestyle management, performance analysis and strength and conditioning. This investment has resulted in success at international competitions for local cyclists.

Events such as last year's Giro d'Italia have boosted a local interest in cycling. I am keen to capitalise on that growing popularity through increased participation. DCAL has also provided £10,000 for VC Glendale cycling club to deliver a cycling training and participation programme for children from the Shankill and Colin areas of Belfast. This is part of DCAL's World Police and Fire Games legacy.

**Mrs Dobson:** I thank the Minister for her answer. Is the Minister aware that those competing in the disciplines of mountain biking and cyclo-cross do not receive funding? Will she take steps to ensure parity of esteem in the funding of each cycling discipline?

**Ms Ní Chuilín:** The Member has raised points that I am not familiar with.

I will ask for, and happily furnish the Member with, details of that. However, it is hard to describe parity of esteem

between different brands of cycling, particularly when you do not have the detail. So, I will wait and see what they are and make my judgement but keep the Member informed.

3.15 pm

**Mr Deputy Speaker (Mr Beggs):** That ends listed questions. We move now to topical questions.

### Aonach Mhacha Cultúrlann Project: Armagh

T1. **Mr Boylan** asked the Minister of Culture, Arts and Leisure for an update on the Aonach Mhacha cultúrlann project in Armagh of which she is well aware. (AQT 2051/11-15)

**Ms Ní Chuilín:** I am aware of the project to develop a cultúrlann-type project. As an update, the Member may be aware that £150,000 was earmarked to develop the site, pending the successful outcome of the business case, which we are still working through. That was the indicative figure that we hoped to invest in that area.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra. I thank the Minister for her answer. She is well aware of the time and effort that have gone into this project. Will she give a commitment to keep me updated on the project, because it is vital to Armagh city and district?

**Ms Ní Chuilín:** To answer the latter part of the supplementary first: I will endeavour to keep the Member updated. I agree with him that it is important that the project is resolved and that construction starts. The Member and those involved in the development of this investment and application are well aware of DCAL's requirements and they are very positive in proactively working their way through all the elements and additional information required.

### Cycling: Development

T2. **Ms McGahan** asked the Minister of Culture, Arts and Leisure for details on how Sport NI and the governing body will develop cycling in the future. (AQT 2052/11-15)

**Ms Ní Chuilín:** I thank the Member for her question; I know that she is a keen cyclist. Sport NI has given significant support to cycling, the future development of which is one of the areas of increased demand. Through its work with grass-roots community groups, some cycling clubs and the governing body, Sport NI has taken on board what many people are saying. Some of our athletes who have performed over the years, particularly in cycling, have inspired people to get involved. So, Sport NI and my officials are more than aware of the increased demand around cycling.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for her answer. Will she ensure that the lack of facilities in rural areas, as well as how to encourage more women into the sport, will be considered?

**Ms Ní Chuilín:** I certainly will. It may encourage the Member to know that many of the groups and individuals that I have spoken to have been from rural communities. I have absolutely no doubt that Sport NI has received the same if not similar representation. The whole area around rural communities has been highlighted, because our own natural environment is one facility that we have on our

doorstep, and we need to use it better. If we can use it through the development of sport and physical activity, all the better.

### CAL Savings: EQIA

T3. **Mr Cree** asked the Minister of Culture, Arts and Leisure for an update on the full equality impact assessment on the savings proposal she intends to carry out for the current Budget year. (AQT 2053/11-15)

**Ms Ní Chuilín:** I am not yet in a position to give the Member an update, because we are still looking not only at the responses to the consultation but at the whole equality impact assessment process. The Member is on the Culture, Arts and Leisure Committee, which, in the first instance, will receive the report on the outcome of that, which I expect to see in the very near future.

**Mr Cree:** I will continue to push my luck. Can the Minister reassure us that she is still wedded to her decision to ensure that libraries do not close as a result of budget cuts?

**Ms Ní Chuilín:** I reaffirm my commitment to ensure that libraries do not close. I understand that some libraries may face a slight reduction in their opening hours, but my decision is to protect libraries as much as possible. I know that other arm's-length bodies (ALBs) in DCAL are unhappy with that, but my commitment remains to protect libraries as much as possible.

### Irish Language and Ulster-Scots Strategies: Consultation

T4. **Mr Weir** asked the Minister of Culture, Arts and Leisure what level of Executive approval was sought before issuing the consultations on the Irish language and Ulster-Scots strategies, given the cross-cutting nature of some of the issues contained within those strategies. (AQT 2054/11-15)

**Ms Ní Chuilín:** There is a huge amount of consultation across the Departments. The Member is more than welcome, as is anybody else, to look at the publications, which are on the DCAL website.

**Mr Weir:** Why were the strategies then issued without approval by the Executive?

**Ms Ní Chuilín:** The strategies, the consultation and the outworkings of the consultation were all brought to the attention of Executive colleagues. If some people slept in and missed that, that is not my problem.

### Festivals: CAL Funding

T5. **Mr Newton** asked the Minister of Culture, Arts and Leisure how she will ensure adequate funding for community festivals and, in particular, how she expects to fund the Eastside Arts Festival. (AQT 2055/11-15)

**Ms Ní Chuilín:** The role that festivals play is very important. The Member will know that the work of Eastside Arts is very, very important, and not only to the east of the city. Eastside is one of the cultural partners that have been working together for the last couple of years, particularly around the World Police and Fire Games. It has shown very clearly, as have other groups involved in the arts, creativity and festivals, that with a small investment there is a big outcome. That is the sort of work I hope that not

only the Arts Council but local councils, in this case Belfast City Council, will support.

**Mr Newton:** Does the Minister recognise that the Eastside Arts Festival, as it is now branded, has been developed over the past few years basically on a shoestring, and that, as such, needs investment to ensure that it can catch up with all the other festivals that have a history of success?

**Ms Ní Chuilín:** I am sure the Member is not suggesting that, because other festivals in other parts of Belfast have used their initiative, got funding for a period of years and built up their performance portfolio and reputation, they should be held back in order to let Eastside catch up. That is not what Eastside Arts is saying. However, I was the only Minister who invested in Eastside Arts. No one else did it. I appreciate and value the work that it does. I will continue to try to make funding available where possible. I encourage the Member to talk to some of his colleagues about what is a great funding opportunity for their Department to fund such a great organisation that gives great outcomes to the community.

### Irish Language and Ulster-Scots Strategies: Next Steps

T6. **Mr McElduff** asked the Minister of Culture, Arts and Leisure what the next steps are following the publication last Friday of her Department's strategies on the Irish language and Ulster-Scots culture and heritage. (AQT 2056/11-15)

**Mr McElduff:** Is é mo cheist, cad iad na céad chéimeanna eile don straitéis sin?

**Ms Ní Chuilín:** I thank the Member for his question. The next steps are that my officials will draw up an action plan for each of the recommendations and commitments that are outlined in both strategies. That will involve other Executive Ministers. If other Executive Ministers, ALBs and public bodies feel that they cannot adhere to the commitments in those strategies, that is a matter for them. However, I am drawing up an action plan for the Irish language strategy and the Ulster-Scots culture and heritage strategy.

**Mr McElduff:** Go raibh maith agat. I thank the Minister for her answer go dtí an pointe seo. Cén ról a bheidh ag na grúpaí seo? What role will core funded groups have in implementing the Irish language strategy?

**Ms Ní Chuilín:** I know that Conradh na Gaeilge, which is responsible for lobbying and trying to procure the development of services to protect and enhance the language, will have a pivotal role, particularly in relation to local councils and their responsibility to not only the Irish language but to Ulster-Scots culture and heritage. Some of the other groups that are core funded by Foras na Gaeilge will have a role as well. My first contact with one of the six groups has been through Conradh na Gaeilge, which, at the minute, is trying to liaise with local councils to make sure that they are honouring the commitments they have in the European charter.

### Rural Communities: Arm's-length Bodies

T7. **Mr McAleer** asked the Minister of Culture, Arts and Leisure how DCAL's arm's-length bodies could provide a better presence in rural communities. (AQT 2057/11-15)

**Ms Ní Chuilín:** The Member was in the Chamber when I spoke about the value of libraries and the commitment I have made to them. Libraries are part of the DCAL family, and we are very keen to ensure not only that the libraries are protected but that people from around the community can use libraries; for example, to show films or have lectures, talks, exhibitions and things like that. Schools and other venues can also be used for that. I have been talking to colleagues about where our resources can provide the best services and outcomes for rural communities, so I am acutely aware of the need to get services, particularly in some of the more deprived rural areas.

**Mr McAleer:** Go raibh maith agat. I thank the Minister for her answer. I am sure that she will agree that libraries and schools are very much the heart of rural communities. Would she be prepared to consider those as potential locations for such events and maybe have a meeting to discuss those propositions?

**Ms Ní Chuilín:** Yes, I am prepared to consider that, and I am happy to meet the Member and, indeed, any other Member for that matter.

I will elaborate on my first answer to him: I have had the same discussions with the ALBs. I have had discussions with the arts sector about what it can do to bring exhibitions to libraries. The arts sector is also having discussions with those in some of the higher education and further education facilities about what we can do to make sure that we use the resources that we have to try to bring better services and, indeed, events and initiatives to rural areas. I am happy to meet the Member to see how we can further take that forward.

### Irish Speakers: DCAL Staff

T9. **Mr McGlone** asked the Minister of Culture, Arts and Leisure, given her recently announced consultation on the Irish language, how many people employed in the Department have fluency in the Irish language to deal with that consultation. (AQT 2059/11-15)

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom ceist a chur ar an Aire maidir leis an chomhairliúchán ar Bhille na teangan. An féidir leis an Aire inse dúinn cá mhéad duine atá fostaithe ag an Roinn a bhfuil cumas Gaeilge acu le déileáil leis an teanga?

**Ms Ní Chuilín:** The consultation has not been launched yet. However, currently, there are at least three fluent Irish speakers in the Department. If I need additional resources to deal with the response to the draft Acht na Gaeilge — Irish Language Act — I will bring them in to cope with what I expect to be a big demand.

**Mr McGlone:** Go raibh maith agat as an fhreagra sin, a Aire. You said that you have three fluent Irish speakers. Are they employed in the section that will deal with the consultation process?

**Ms Ní Chuilín:** They are working on the Irish language strategy and the Líofa programme and will be employed directly in that section. They work in the languages branch of the Department and will be working there.

While those three people are fluent Irish speakers, the Member will know that I also outsource translation, and I will outsource additional translation to outside companies

and bodies. If I need to, I can bring in additional expertise as and when it is required.

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

**Mr Deputy Speaker (Mr Beggs):** Question Time has not yet been completed.

Jo-Anne Dobson is not in her place. That brings us to the end of the period for questions to the Minister of Culture, Arts and Leisure. We now come to a question for urgent oral answer.

**Mr McCausland:** When can I raise my point of order, Mr Deputy Speaker?

**Mr Deputy Speaker (Mr Beggs):** It is normal to raise points of order after Question Time. We will complete Question Time with a question for urgent oral answer. You or any other Member may raise points of order after that.



# Question for Urgent Oral Answer

## Justice

### Maghaberry Prison: Recent Incidents

**Mr Deputy Speaker (Mr Beggs):** I remind Members that, if they wish to ask a supplementary, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary first. Two other Members tabled similar questions and will be called immediately after Mr Givan.

**Mr Givan** asked the Minister of Justice what steps are being taken to restore order in Roe House at HMP Maghaberry following an escalation of tensions over the past number of weeks with ongoing adverse incidents as threats and abuse continue against Prison Service employees.

**Mr Ford (The Minister of Justice):** The Prison Service has a crucial operational responsibility in delivering a safer Northern Ireland against the backdrop of a dissident threat. I have repeatedly reinforced the difficulties of having separated areas for some prisoners in Maghaberry prison.

The incident in Maghaberry yesterday brought into sharp relief the challenges in that respect.

#### 3.30 pm

In Roe House, at approximately 10.00 am, following a period when staff had been subject to verbal intimidation, several prisoners were instructed either to lock in their cells or move to a communal area. One prisoner who refused to comply was moved to his cell using control and restraint techniques. He was examined by a nurse, who confirmed that he had not sustained any injuries at that time. The Northern Ireland Prison Service (NIPS) remained in control of movement on the landing throughout. Several opportunities were afforded to the prisoners who remained secured in communal areas to return to their cells but were refused. At 6.00 pm, a plan to return the prisoners to their cells was actioned, and it was completed, without the need for any force, shortly after 7.00 pm.

These are very real challenges that operational staff in Maghaberry face. I wish to reinforce my appreciation of their dedication and professionalism, and my condemnation of any threat or intimidation of Prison Service employees. The incident that occurred yesterday reinforced the fact that there are well-established arrangements to manage disorder by prisoners and to maintain the security of the establishment. It is important to remember that no prison officers or prisoners were harmed. NIPS will continue to pay the closest attention to Roe House and take action to protect staff. A clear example of the action that has been taken is the physical changes on the landing that were introduced for that purpose.

The report by the independent assessment team, which was published at the end of last year, remains the best way of making progress in Roe House. This is not about fulfilling a wish list from republican prisoners but about

responding to an independent report on how to normalise the regime on the separated landings within a secure environment.

**Mr Givan:** The ongoing level of threat and abuse against the prison officers in Maghaberry by republicans is a deliberate, orchestrated campaign to have their demands met. The Minister and the director general are pandering to them by making concessions. Indeed, they unilaterally made compromises on the back of the stocktake exercise. When will the Minister stand firm against the demands that the republican prisoners are making? Will he condemn the graffiti that was put up on the walls yesterday, which stated, "David Black No 2 very soon"? Indeed, what efforts are being taken to support the staff —

**Mr Deputy Speaker (Mr Beggs):** I think that the Member has had two questions.

**Mr Givan:** — particularly the officer who was subjected to being surrounded by the protesters yesterday —

**Mr Deputy Speaker (Mr Beggs):** Order. Order. It is a question to the Minister, and the Member has asked two questions.

**Mr Ford:** I certainly agree with the Member that there appears to be an orchestrated attempt on the part of some of the prisoners in Roe House to gain control of the landings in general, and that is not being allowed to happen. Yesterday proved that that is not being allowed to happen, by the determined, resolute and appropriate response from prison officers and prison management.

The recommendations in the stocktake report were recommendations to normalise circumstances, and the Prison Service, with my support, took action to implement the aspects of the recommendations that fell to it, while noting that there were also obligations that prisoners had to live up to.

Mr Givan referred specifically to graffiti naming David Black. I have been unable to ascertain exactly what the situation was with that. However, there is no doubt that verbal threats have been made against some prison officers, naming David Black, and there have been threats made to the officers on the landings in Roe House. That must be stood against by all of us. There is no room for any such threats. According to the agreement of August 2010, prisoners have obligations to refrain from such conduct, and that is what they must do.

**Mr Elliott:** I thank the Minister for coming to the House to answer questions. Does he regret giving concessions to the prisoners in Roe House through the stocktake process? Will he ensure that the prison officers on the ground in there get all the help and support that they require?

**Mr Ford:** The first question is a nonsense question, because I cannot regret doing something that was not done. Concessions were not made. Suggestions were made in the stocktake report of movement towards gradually normalising the regime in Roe House, and that is what was started. There was an implementation of gradual change, subject to measures coming back. Those measures need to come back from prisoners before any further progress can be made. It is not about concessions being made and regret, because that is simply not the case.

**Mr McCarthy:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí go dtí seo. I thank the Minister for his answers to date. Does he agree that a full investigation of events yesterday is needed to ascertain all the facts and that we then need to move swiftly to ensure that the good work done by the assessors is implemented so that we can have a conflict-free situation, where people can live their life free from any form of intimidation or threat?

**Mr Ford:** I certainly agree with Mr McCartney's suggestion that we need a conflict-free set of arrangements in Roe House. As would be normal in any such event, an investigation is being carried out in the Prison Service, external to Maghaberry, to see what lessons might be learned from yesterday's events. Certainly, positive lessons can be learned from the way in which it was managed. Other lessons may need to be carried through, and we need to establish the exact facts. That is what I expect to happen in the immediate future.

**Mr A Maginness:** I thank the Minister for his detailed answers. I condemn any threats or attacks on prison officers and the vile graffiti that seems to have appeared yesterday.

Good work was carried out by the assessment team. Will the Minister ask the team to come back to look at the situation and to come up with further proposals to try to ease the situation and get a permanent settlement of the problem?

**Mr Ford:** I thank Mr Maginness for his condemnation of the threats. I am sure that he speaks for the whole House when he does so.

The role of the independent assessors is ongoing; it is not something that is completed and over with the stocktake role. There will be issues for them to address in the future as they seek to assist in the normalisation of the Roe House regime and to ensure that the 2010 agreement is stuck to by those who are currently not doing so. There will be a continuing role. We look forward to seeing any future recommendations that they make.

**Mr Lunn:** I thank the Minister for his answers so far. Will he give us an assurance that this prison and all prisons will be run on the basis of safety for all prisoners and staff and the community and not on the basis of what prisoners, politicians or the media attempt to dictate?

**Mr Ford:** I can certainly assure my colleague that all three prisons are run on the basis that the safety of prisoners, staff, visitors and the wider community is the key issue. There are clearly major difficulties in managing some prisoners, particularly in Maghaberry, but it remains the only way in which prisons will meet the needs of society and be run safely. That will be the case as long as I am Minister.

**Mrs Hale:** I thank the Minister for his answers today. He will remember that I raised a similar issue last week, and I thank him for meeting me at lunchtime. Will you confirm that, despite staff shortages, the number of prisoners on landings actually increased? What are you doing to remedy the staff shortages at Maghaberry prison?

**Mr Ford:** Mrs Hale raises the serious issue of staff shortages. Fewer staff are in post in the Prison Service at present than is appropriate. The shift patterns are maintained to some extent by the use of overtime. After a

period in which there were virtually no lockdowns because of staff numbers, we saw an increase in November and December. Prison Service management is addressing those issues.

Supervision ratios in Roe House is a particular issue with staffing numbers. My understanding is that staffing ratios have been maintained as they should have been, but I suspect, as I just said to Mr McCartney, that the review of what happened yesterday will identify whether there were specific staffing issues on either of the Roe landings at that point.

**Mr Poots:** When Sue McAllister was at the Committee, she said that one threat was one threat too many and that the concessions being given to the prisoners would be removed if the threats resumed. Can we be assured in the House today that the concessions given to prisoners will be removed and that we deal with them in a very strong way, as opposed to being lapdogs to the prisoners?

**Mr Ford:** Yes, Mr Deputy Speaker, I can assure Mr Poots and the rest of the House that Prison Service management, and Maghaberry management in particular, are closely examining appropriate arrangements as they apply today and in the coming days to ensure that there is no repetition of what happened yesterday.

**Mr Craig:** Minister, there was a very unfortunate incident regarding the protest outside the prison in that a prison officer inadvertently drove into the middle of the protest. I have had a meeting with the Chief Constable and welcome the fact that he is reviewing his procedures. Do you feel it would be appropriate also for the prison itself to review its procedures as to how it notifies its staff of these protests and what routes they should take to the prison?

**Mr Deputy Speaker (Mr Beggs):** Members, as you can appreciate, there is an excessive amount of interference. I ask that Members ensure their electronic equipment is not interfering with the sound system. Minister, I am not sure if you caught all of that. If you are able to answer, please proceed. Do you need it to be repeated?

**Mr Ford:** I think I caught enough, thank you, Deputy Speaker. Mr Craig highlighted the issue of contacting the Chief Constable. He will be well aware that dealing with public order matters outside the prison is an issue for the PSNI. As he is a member of the Policing Board, he is well aware that that is not an issue on which I will comment. The notification of staff is an issue which I imagine will be considered in the review that is being conducted by NIPS as to how the incident was handled yesterday. Clearly, there were matters of significant concern for one member of staff, which were most unfortunate in the way that other members of staff were unable to avoid being caught up in that public order issue.

**Mr Moutray:** Minister, I have been contacted this morning by prison officers' families who are deeply concerned that they were, in fact, allowed to drive into a hostile protest last night, when going on to night shift. They were verbally abused and, in one case, one had their car attacked. What will you do to assure us that prison authorities will never let this happen again?

**Mr Ford:** Mr Moutray talks in the plural; my understanding is of one prison officer who got caught up in the public order problems outside the prison gate. As I have just said to his colleague, that is an issue, which I imagine will be

followed up by the Prison Service in terms of notification. Mr Craig previously indicated his intention: I did not quite catch whether he had spoken to, or intended to speak to, the Chief Constable, which is the appropriate way in which to discuss the policing arrangements.

**Mr Allister:** Does the Minister intend to continue with the folly of the concession of tripling the number of prisoners permitted on the landings at any one time, which contributes to such events? He says that what happens outside is a matter for the Chief Constable, but, as Justice Minister, is he not concerned at the lack of policing that was evident last night?

**Mr Ford:** It appears that even though Mr Craig understands the concept of the operational responsibilities of the Chief Constable, Mr Allister does not. Perhaps I could ask Mr Craig to assist Mr Allister in learning that point. I really do wonder where nonsense like the “folly” of “tripling” numbers of prisoners on the landings come from, because, to me, an increase from three to four prisoners on the landing at a time is an increase of 33%, not 300%.

**Mr Frew:** Minister, in your last answer, you mentioned moving the number from three to four. When you consider the lack of staff and prison officers who are on the landings, moving from three to four is a colossal leap that puts more officers, prison officers and staff under incredible pressure and —

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

**Mr Frew:** — under more threat.

**Mr Ford:** I think there was a question there somewhere, Mr Deputy Speaker. The issue of what was described as a “lack of staff on landings” is an issue where there are concerns about the overall staffing of the Prison Service, but staffing ratios on different landings in different houses in different prisons will vary depending on the time of day, the circumstances, the particular group of prisoners and the number of prisoners who happen to be there. Mr Frew and others can remain assured that staffing ratios are at the highest when dealing with category A prisoners and rather lower when dealing with those prisoners who require less supervision for their safety or the safety of officers.

3.45 pm

## Assembly Business

**Mr McCausland:** On a point of order, Mr Deputy Speaker. In relation to the question asked by my colleague Mr Weir to the Culture Minister, is it in order for the Minister to mislead the House in relation to the strategies for the Irish language and Ulster-Scots language and culture? She did not table her strategies for the Executive meetings, and she neither sought nor secured the approval of the Executive for them. Therefore, they have no status whatsoever.

**Mr Deputy Speaker (Mr Beggs):** I thank the Member for raising the issue. He has put his points on the record. I will ensure that it is drawn to the Speaker’s attention if there is any need for him to intervene.

I ask Members to take their ease for a few moments as we change the people at the Table.

(Mr Speaker in the Chair)

## Private Members' Business

### Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015

*Debate resumed on motion:*

*That this Assembly consents to the making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 laid before Parliament on 29 January 2015. — [Mr Ross.]*

**Mrs D Kelly:** I am pleased to speak on behalf of the SDLP this afternoon in support of the motion. The SDLP has, over the last number of months, been negotiating hard and long into the evenings with the Department of Justice, the National Crime Agency (NCA) and the PSNI on the accountability mechanisms that, we believe, are necessary to allow the full operation of the NCA in the North of Ireland. We believe that it is the right time for that. Only recently, senior police officers referred to there being up to 160 organised crime gangs in the North, and we believe that it is in the public interest for the full resources available to the law enforcement agencies in the North to be in place for them to go after the criminals. We are pleased with the level of accountability that we have secured. I will touch on some aspects of that shortly.

Today is a day when, once again, the SDLP gives leadership. It gives leadership across the policing architecture and makes its own decision on what is right, and not just for the people whom we represent. The accountability mechanisms that we have secured will win favour with all of the people. I am told by senior police officers and others that many chief constables in GB are quite jealous of the accountability mechanisms that we have secured.

I noted Mr Kelly's earlier comments. I hope he is not too aggrieved that, on this occasion, he did not act as the postman for the NIO in relation to the delivery of letters of comfort to the SDLP from the Home Secretary and the Secretary of State.

At a recent meeting of the Policing Board, Policing Board member Caitríona Ruane asked the Chief Constable about operations against the UVF, particularly in east Belfast. The answer was that the police would be able to go after them harder and faster if they had the support and the resources available through the full operation of the NCA. I hope that today puts on notice those people who want to destroy our communities and infect our young people with their drugs and their criminality.

So, too, has the NCA been put on notice. It has the support of the broad community in the North, and we want to see results as a consequence of it having, with the police, the full range of powers.

I wish to outline some of the accountability mechanisms, which were not on the table only a matter of weeks ago, in more detail than Mr Ross did. He stole some of my thunder in outlining some of those accountability mechanisms.

One that is most important and which Mr Ross referred to is the code of ethics. We are very pleased that the director general of the NCA will not only be bound by but will be held to account on the code of ethics, which is similar to that of the PSNI. We welcome his intention to see where he can incorporate the best parts of that code of ethics into the operation of the NCA not only here but in GB. That says something about the code of ethics to which our police officers have to adhere.

We are also very pleased with the Police Ombudsman's full range of powers. Not only will he have the full powers available to him in relation to how the NCA operates here, but, if an NCA operative acts wrongly here, or there is a complaint against him, the Police Ombudsman can have that long reach across to GB or wherever that officer may be. There will be no hiding place for them.

We also believe that we have secured a full range of powers, both in statute and in the memorandums of understanding. As detailed in the papers before you, the human rights adviser of the Policing Board will have full powers of inspection and will have the same level of transparency available for her inspection of the NCA. The Policing Board, most especially, will have the full range of powers of accountability and scrutiny, which will include being able to hold the director general to account not only in relation to the annual plan but in how he gives effect to the annual plan.

The SDLP has worked hard. We always said that, if we believed that the time was right and the accountability mechanisms were right, we would lend our support to the operation of the NCA. I believe that that day has come.

**Mr Kennedy:** This is an important debate. At the outset, I welcome the debate, and I particularly welcome the statement that we have just heard from Mrs Kelly: very clear and distinct support has been indicated — some would say at long last — by the SDLP. It is welcome nonetheless because we bear in mind that it was as far back as 2010 that the then Home Secretary announced the creation of the NCA to lead the UK's fight to cut serious and organised crime, which the NCA's website states is one of the greatest threats to the UK's national security. The National Crime Agency became operational in October 2013, and its website describes it as a new crime-fighting agency with:

*"national and international reach and the mandate and powers to work in partnership with other law enforcement organisations to bring the full weight of the law to bear on serious and organised criminals."*

Organised crime, of course, covers a diverse range of activities, including child sexual exploitation and abuse; the criminal use of firearms; cyber crime; drugs; economic crime; organised acquisitive crime; plus organised immigration crime and human trafficking. The NCA responds on a 24/7 basis, targeting the criminals and groups posing the biggest risks to the UK. It does this in three ways: by conducting its own operations; by providing operational and specialist support to its partners' operations; and by providing clear national leadership that ensures that UK law enforcement makes the best use of its collective resources and targets them most effectively.

The NCA builds a single comprehensive picture of serious and organised crime affecting the UK, drawing on



information and intelligence from a wide range of sources that drives both the NCA's and its partners' operational activity. It has been a great source of concern that the NCA has not been able to operate in Northern Ireland to the same extent as in the rest of the United Kingdom. That denies us the same level of protection as the rest of the kingdom and also risks Northern Ireland becoming a back door for organised and criminal gangs to use as an entry point to pursue their illegal activities in the United Kingdom. The Ulster Unionist Party has been clear from day 1 that this situation is simply not acceptable. We consistently argued that point at Stormont and at Westminster. I pay tribute to my party colleague Lord Empey, who, in another House in another place, has doggedly pursued the issue.

The NCA has a great deal of expertise, which the PSNI should be able to call upon to assist it in the fight against serious and organised crime. There is no question that the PSNI and Northern Ireland plc need the National Crime Agency. Previous opposition to the NCA operating here as in the rest of the UK was couched in terms of concerns about oversight arrangements, and I trust that those have now been overcome.

Police assessments state that there are at least 140 organised criminal gangs operating in Northern Ireland. Members will know from within their own constituencies that many of our communities have a serious problem with gangs supplying illegal drugs. In my own constituency, there is a major and well-documented problem with fuel smuggling. Fuel fraud costs the Exchequer an estimated £80 million per year in lost taxes, which would be better spent on health, education or, dare I say, roads. There is also conclusive proof of the shocking damage that it causes to the environment and the health and well-being of local residents. There have been recent media reports highlighting the shocking extent of pollution to waterways that has been caused as a result of the illegal activities of criminal gangs through fuel smuggling, so any assistance that the NCA could provide would be very welcome. I have absolutely no doubt that the agency, working with the PSNI —

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

**Mr Kennedy:** — could make a huge contribution to the welfare of our people in Northern Ireland.

**Mr Lunn:** I am happy to support the motion. The need for the extension of the NCA into the devolved area is self-evident. The current Chief Constable, his predecessor, the Deputy Chief Constable and all the assistant chief constables have articulated in the strongest possible terms the detriment that is being caused to the fight against organised crime, to the protection of children and to the seizure of criminal assets. In briefings to the Policing Board and in media interviews, they have set out real instances where their inability to work with the NCA on the ground in Northern Ireland has left people exposed. Sometimes, the exposure is direct, where criminality that the NCA could help tackle has not been acted upon as effectively as it could. Sometimes, it is indirect, when resources that could have been deployed to safeguard the public have had to be redirected to fill gaps left by the absence of the NCA.

The NCA's international reach, expertise and specialism in relation to particular crime types, such as major financial crime and the rapidly growing area of cybercrime, offers

the PSNI a level of support and all of us in Northern Ireland a level of protection that we need. They have also made clear how the absence of the NCA in operations relating to devolved policing has meant the diversion of PSNI resources into areas where the NCA could have brought its resources to bear. Work that the NCA would willingly do is having to be done by a diminishing number of PSNI officers. If that was an issue two years ago, how much more of an issue is it now, with the PSNI budget suffering reductions of millions year on year?

The police will, of course, work to fill that gap, just as they have pledged to do so in relation to other areas where the reducing budget is putting them under pressure, but they simply should not have to. The NCA is there as a free benefit to be used in the best interests of law-abiding people, so why on earth would we not avail ourselves of it? The PSNI cannot close the gap in relation to civil recovery, nor can any other agency. In the absence of the NCA, civil recovery has been left largely unattended since October 2013. That is an area where effective action can make a real and lasting impact on organised criminals, tackling them in ways that the criminal law struggles at times to do and in ways that the public want to see. We need to get back into it.

#### 4.00 pm

Some will argue that we should not avail ourselves of the NCA because there is no proper accountability in place. Frankly, nobody who has read the papers that the Minister of Justice circulated to parties in recent weeks can credibly argue that the accountability arrangements for the NCA are still not sufficient.

**Mr A Maginness:** I thank the Member for giving way. He is a member of the Policing Board and has vast experience in that organisation. Does he accept that the additional accountability provisions made as a result of these negotiations and settlement will add to the credibility of the NCA and, indeed, the PSNI in the fight against organised crime?

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

**Mr Lunn:** I thank Mr Maginness for the intervention. I completely agree with him that this can only be of benefit in the overall structure of the accountability mechanisms. At this point, I say to Sinn Féin that, given the Policing Board's role in the future, and, if I may say so, the contribution that the Sinn Féin members, particularly Mr Kelly, Mr Sheehan and Ms Ruane, who, strangely, are not in their places, have made to it — they should not be too concerned about their ability to scrutinise this new body through the auspices of the Policing Board, as they have done successfully in the last four years.

The package now available reflects an array of measures. With the Policing Board, the ombudsman, Criminal Justice Inspection Northern Ireland (CJINI), Her Majesty's Inspectorate of Constabulary (HMIC) and the Surveillance Commissioner, to name only some — there are too many to list in the time that I have available — nobody could credibly claim that any aspect of the NCA's functions in Northern Ireland have been left uncovered. The Policing Board in particular has been given a powerful role.

It is right to acknowledge the SDLP's contribution in intensive discussions in recent weeks. Proper, realistic engagement has paid off. I commend Mrs Kelly, Mr

Maginness and Mr Attwood. They have taken due diligence to heights unscaled in the past. That is good because they are now satisfied and on board — you are very welcome.

Ironically, if we were not to pass the motion, the NCA would continue to operate in Northern Ireland on non-devolved matters without any of these accountability measures. There would be no role for the board, the ombudsman or anybody else. You really cannot argue for accountability on one hand and, on the other hand, vote against measures that deliver that accountability. It just does not make sense.

I am perfectly happy to support the motion. It offers us an opportunity to move on, get past the seemingly endless discussions and stand-offs, get on with the job that we were given to do and allow the PSNI and the NCA to get on with theirs. I support the motion.

**Mr Craig:** I also support the motion. Indeed, it has been an ongoing debate. I declare an interest as a member of the Policing Board, and it has been an ongoing debate for the board itself.

At this point, it is appropriate that we sign up to the resources of the NCA. As some Members have already pointed out, policing in Northern Ireland is under huge budgetary and resource pressures. At present, we are supposed, allegedly, to have 7,000 police officers in Northern Ireland. The simple truth is that the current figure falls 300 short of that. Recruitment is under way to rectify that situation, if possible and if finances allow. There is a huge question mark over that. Under those circumstances, it is quite clear that any external resources that the Chief Constable could rely on, such as the National Crime Agency, are not only welcome but essential in order to ensure the safekeeping and security of everyone in Northern Ireland.

It is clear from the figures presented to the Policing Board that criminal gang activity is rising in Northern Ireland.

In fact, the figures for drugs seized in the past three to four years show an alarming increase, with the figure almost doubling every year for the past three years. That is a clear indication that, given the lack of the National Crime Agency in Northern Ireland and the lack of an ability to seize the assets of crimes in this country, criminals, unlike their caricatures, who are portrayed as being stupid, are far from stupid. They are clearly exploiting the loophole here at present. That is something that, hopefully, the House will rectify today.

I also want to speak on the need for accountability for the National Crime Agency in Northern Ireland. That issue was raised not only by our colleagues on the other side of the House but by us, and, more importantly, it was also raised by the Chief Constable. Even he could not figure out how, under any circumstances, two law enforcement agencies could act in the one jurisdiction and serious incidents not occur. He has argued from the very start that accountability for the NCA and its operations in Northern Ireland should go through the office of the Chief Constable. The order clearly indicates that that is the case and will be the case. Under those circumstances, it is very simple for me to support the measures proposed here today.

We all know that the PSNI is one of the most accountable police forces on the planet, quite frankly. It is accountable

to HMIC, CJINI and the ombudsman's office, and, ultimately, the Chief Constable is accountable to the Policing Board. That same Chief Constable will now also have the responsibility of taking on whatever actions the NCA takes in Northern Ireland. Ultimately, it will be accountable to the Policing Board. I am sorely tempted to say that, as members of the Policing Board, we are going to have an awful lot on our plate in a short time, because we will now be accountable not only for the Chief Constable but for the NCA, and, ultimately, we are also going to be held to account by the Historical Investigations Unit (HIU). There will be no slackness on the Policing Board when it comes to the number of things that we will have to look after.

The Bill clearly opens up a pathway forward, which, hopefully, will see the NCA taking action against the criminal gangs who have moved into Northern Ireland over the past number of years, as well as drug dealers and child molesters. I, for one, welcome not only the Bill but the ability of the Policing Board to scrutinise the NCA and its actions taken to attack those criminal activities. I commend the order to the House.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gerry Kelly dealt with the wider issues of this particular motion. I am very mindful of the fact that Caitríona Ruane made a point of order this morning, and we accept the competency of the motion. However, I want to outline aspects of this important matter that have been brought to the Assembly for a decision that, in my party's opinion, are questionable and inappropriate.

The established mechanism, as laid out in Standing Orders and based on the principles underpinning the Good Friday Agreement, that permits Westminster legislation to take effect here is a legislative consent motion (LCM). Those structures were designed to ensure effective protections, accountability and the primacy of the Assembly. Indeed, the Minister previously tried to bring an LCM to deal with the role and remit of the NCA in this jurisdiction. The route for bringing that to the House is by Executive approval. In particular, Executive approval is sought if a matter is considered significant, controversial or falling outside the Programme for Government. I contend that many people would see the remit of the NCA as significant and, indeed, controversial. It certainly is not in the Programme for Government. That process may not be to the liking of the Minister and those who rushed to have the NCA in place, irrespective of the impact that it will have on accountable policing, good governance and how the Assembly should do its business. However, that process has been circumvented by the Minister bypassing the Executive and the LCM process.

**Mr Ford (The Minister of Justice):** Will the Member give way?

**Mr McCartney:** No, I will not give way. You will have an opportunity and can address all the questions that I will put.

The route chosen is now the one before us, and that is the one that we will vote on today. I want to outline how this has been brought to the Assembly in, in my opinion, a clumsy and damaging manner. The British Government laid an order in their Parliament on 29 January 2015. Paragraph 7.2 of the explanatory notes, which is policy background, states:

*"David Ford MLA, the [NI] Justice Minister, laid a motion before the ... Assembly on 27 January ... [The text of the motion reads: —"*

**Mr Ford:** On a point of order, Mr Speaker. Mr McCartney is reading from an early inaccurate draft of the explanatory memorandum, and it is inappropriate that he should make an argument on that basis. The correct explanatory memorandum makes it absolutely clear that the motion has not been tabled by the Minister.

**Mr McCartney:** The Minister finds himself guilty before I make the case.

*"[The text of the motion reads: 'That this Assembly consents to the making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) [(NI)] Order 2015, laid before Parliament on 29 January 2015.' ]"*

Paragraph 7.3 outlines the relevant NCA provisions and states that they are:

*"consistent with the ... motion laid before the ... Assembly ... by David Ford MLA".*

**Mr Ford:** On a point of order, Mr Speaker. I have corrected Mr McCartney. Is it appropriate that he should continue to repeat the inaccurate early version that was subsequently corrected and that is available in the Assembly Library for all Members?

**Mr Speaker:** The point has been made for the record, and I think that it is appropriate that it should be. I think that it is also appropriate to remind ourselves that we are talking about a private Member's motion. To allege that the Justice Minister has any direct association with that would, at the very least, require that you demonstrate that. We know who co-signed the motion, and it was not the Minister of Justice, no matter what suspicions or beliefs that you have or any quotation of similar text. Let us deal with the facts and the motion that is before us, please.

**Mr McCartney:** With respect, I am dealing with the facts. I received correspondence as a member of the Justice Committee, and I am reading from that correspondence. The Minister may have subsequently corrected some aspect, but I am reading from a document that I have in my possession.

I will go on. For the record, last Tuesday, 27 January, at the Assembly Business Committee, the DUP requested that its motion on human fertilisation be replaced by another motion, which is the motion that is now before us, the wording of which is the exact wording in the memorandum that was laid before the British Parliament two days later in the name of the Justice Minister. I will not dwell on the inaccuracy or competency of that order; that is a matter for Westminster. Indeed, on Friday 29 January, the Justice Committee received a letter and a copy of the order and the memorandum that again stated that the Minister had tabled the motion at the Assembly. The Minister did not correct what was an obvious error, if that is what it was —

**Mr Ford:** The Minister did correct it.

**Mr McCartney:** — in his correspondence to the Committee. I am told that no documents, explanation or correction have since been provided to the Committee. I am told that the documents are now before the British Parliament and that they have been corrected and

amended and that the Minister's name has now been removed.

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

**Mr McCartney:** No. No explanation has been offered as to why such an error occurred; there is just reference to the need to withdraw an earlier explanatory memorandum. So that is the trail. I notice that the names of the proposers of the motion do not appear in the explanation. To date, no such corrected document has been sent to the Justice Committee.

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

**Mr McCartney:** No. So much for openness and transparency. Indeed, only last week, at the Justice Committee, in response to Edwin Poots, the Justice Minister stated that he did not like taking regulations directly to the Assembly —

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

**Mr McCartney:** — and that the established protocol was to take them through the Committee. So the Minister has not dealt with this. The Minister has tried today, by points of order, to mislead this Assembly.

**Mr Speaker:** Thank you.

**Mr Ford:** On a point of order, Mr Speaker. Ask the Member to withdraw that slur, please.

**Mr Sheehan:** On a point of order, Mr Speaker. Perhaps I am wrong, but I would have thought that, given that the Minister made a couple of points of order, Mr McCartney would have been given extra time as a result.

4.15 pm

**Mr Speaker:** The clock was stopped, but you do not get extra time for points of order. The clock was stopped, and I was quite generous in interpreting what was left. You have made your point, and it is on the record. I will take a look at the record and use my judgement to see whether there was a slur. I think that the Member was attempting to set out a paper trail, and he has succeeded in putting that on the record as well. So I suggest that we move on, and I call —

**Mr Ford:** Further to that point of order, I accept the ruling that you will examine it, but Mr McCartney specifically accused me of misleading the Assembly, and that is a very serious charge against a Minister.

**Mr Speaker:** I will take the time to read the record before I come to a conclusion. I think that that is only fair on everybody and on the Assembly itself. I will take a look at Hansard, and that is what I would do in any such circumstance.

**Mr McCartney:** Can I make a point of order?

**Mr Speaker:** Of course you can.

**Mr McCartney:** When you examine the record, examine what the Minister alleged that I was doing. The Minister, in effect, accused me of lying.

**Mr Speaker:** I did not pick that up at all, but I will take a look at Hansard and, if that becomes apparent to me and I missed it, I will return to the subject.

I now call Mr Edwin Poots and thank him for his patience.

**Mr Poots:** Mr Speaker, it is not often that I am brought in as a peacemaker, but on this occasion I am happy to intervene in the tussle between the Minister and Mr McCartney. Sinn Féin would do well to examine the £700,000 that it pays to Research Services Ireland if the information that it gets is so faulty. I have just come from a Committee meeting where Sinn Féin also had faulty information.

This is a good day. There has been a whole series of blocking mechanisms around this issue for a long period. The people of Northern Ireland will welcome the fact that Sinn Féin is no longer capable of blocking this particular measure from going forward, because it will make a real, tangible, demonstrable difference to the lives of people across Northern Ireland, and it will make a real, tangible, demonstrable difference to the criminals who are operating in Northern Ireland. For the last number of years, we have not been able to claim the assets from the criminals and they have been able to keep them, as a result of the procrastination that has taken place around this issue. As a consequence, the criminals have been pounds in.

What is Sinn Féin afraid of? We know that one of the organisations in republican circles was recently named as being in the top 10 of criminal organisations for its wealth and assets. Why does Sinn Féin not want to go after that organisation? Perhaps it will explain. Maybe the next Sinn Féin member to speak will tell us why that party does not want to go after the assets of those criminals — individuals who will terrorise the communities that they represent. They will bully and evict people within those communities and use weaponry against those individuals — weaponry bought by the benefits of having those criminal assets that Sinn Féin does not want removed from such individuals. It is good news for those people who are opposed to people smuggling and the criminal activities that are taking place in this Province daily. I welcome the fact that we have moved a considerable step forward to bringing the National Crime Agency to Northern Ireland. It will relieve considerable pressure on the PSNI and put considerably greater pressure on individuals involved in crime.

Some months ago, George Hamilton, the Chief Constable, indicated that he was satisfied with the accountability measures that are in place. That had not always been the case. So I welcome the fact that the SDLP has now crossed the line and it, too, is satisfied with the accountability measures. It is right and appropriate that we have one police service in Northern Ireland. That is something that we need to be very careful about in moving forward with historic investigations: that we have one police service that is accountable to the people of Northern Ireland.

Sinn Féin engages in that accountability mechanism yet seeks to block the National Crime Agency, in spite of the fact that the accountability measures have been applied through the Policing Board and the PSNI Chief Constable. One has to pose this question again: what is Sinn Féin's problem with this? Over the past 10 years in Wales — I do not believe that Wales has as strong a criminal underworld as Northern Ireland — £46 million that was in the hands of criminals has been released back into the community. One thinks, for example, of Minister Ford's problems in funding the likes of the Railway Street —

**Mr Frew:** I thank the Member for giving way. Does the Member agree with me that there may be two things

annoying Sinn Féin about this matter? The first thing is that crime will now be tackled effectively in Northern Ireland, or maybe it is that, because they cannot take their seats in Westminster, they will not be able to affect it going through?

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

**Mr Poots:** Thank you, Mr Speaker. Of course, they can take their seats in Westminster; they just choose not to represent the people on that front.

I believe that crime will be tackled more effectively. While it will not be a panacea — there will still be people out there engaging in criminal activity — it will be another tool in the armoury, and a very significant tool it will be.

I was going to suggest that Minister Ford was having tremendous difficulties funding an organisation in the Member's constituency — on Railway Street in Ballymena — that was doing tremendous work. Would it not be wonderful if the assets stripped off criminals could be put into an organisation like that and help to maintain organisations that support women who are being brutalised, people who are trying to come off drugs and all those things? This is a no-brainer, and Sinn Féin would do well to step up to the plate, demonstrate some degree of responsibility —

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

**Mr Poots:** — and support the motion today, which can take Northern Ireland a significant step forward in tackling crime.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. First of all, I must refer to the accusation that Sinn Féin is afraid to tackle crime, dissident republicans or any other group. We are the people who come face to face with them in the community. We are the people who stand up to them, who tell them that they are cowards, parasites and traitors. We are the ones who have had death threats from them.

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

**Mr Sheehan:** No, I will not give way. We are not afraid of tackling crime. The best way to tackle crime is to ensure that law enforcement officers have the complete confidence of the community. Given the legacy of policing in this part of the world, it is absolutely essential that law enforcement in all its guises has the complete confidence of the community. We have spent the last number of years building confidence in the PSNI. We are confident that the PSNI itself would have the ability to deal with all crime, if it was properly resourced. It is not, and that is another matter.

The motion came to the Floor of the Assembly today in a rather convoluted way. The Minister, as Raymond McCartney pointed out, has questions to answer around that. The Minister was obviously very defensive during Mr McCartney's contribution, and no doubt he will be able to answer for himself at a later date. I am not going to labour that point.

What is important is that we were in the middle of a negotiation. Gains have been made; there is absolutely no doubt about that. The parties opposite would have settled for anything for the NCA to set up shop here. We said that we needed accountability, and we have gone a long way to getting that. Further progress on the negotiation was cut short by the laying of this Order in Council in Westminster.



Those who settled for that stopped the negotiation. It has opened the way — this is the difficulty — for the Home Secretary at any time by Order in Council to extend the functions of the NCA to include a counterterrorism remit.

The SDLP says that it has a letter of comfort from the British Home Secretary saying that she will not extend the function of the NCA. If she is prepared to say that in a letter, why was she not prepared to do so in the Order in Council? What is the difficulty there? The suspicion here will be that she is not sincere in what she says in her letter; that is what ordinary people in the street will say. This will be another shadowy organisation that will not command confidence. The SDLP has a letter stating one thing, but it is not mentioned in the Order in Council and there is no commitment from the British Home Secretary to ensure that it is included in a further Order in Council.

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

**Mr Sheehan:** I will give way; go ahead.

**Mr Allister:** I am puzzled by Sinn Féin's position; well, maybe not. I would like to explore Sinn Féin's position. They tell us that they have signed up to the support of policing and the rule of law, but, whether they like it or not, it seems probable that the NCA will come into operation. Its officers will be able to operate as PSNI officers in Northern Ireland. The question for Sinn Féin, therefore, is this: will it support those officers and tell the community to support them in their operations as PSNI officers? That is the challenge to Sinn Féin.

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

**Mr Sheehan:** This is the first time I have heard that the NCA will be PSNI officers. My understanding is that it is a distinct organisation. The Member has information that I certainly do not have.

The negotiations ended prematurely as a result of one party here accepting a commitment that will not be enforced in legislation. That is the difficulty. Leaving that to the side, it would be churlish not to acknowledge the gains that have been made around NCA accountability, on the ability of the Policing Board to require disclosure, on ensuring that not only can the board call in the ombudsman but the ombudsman can call himself in if and when required and on making the discharge of civil recovery functions subject to the oversight of the board, the ombudsman, Criminal Justice Inspection (CJI) and HMIC. That is also progress, as is the requirement on the NCA to obtain the agreement of an Assistant Chief Constable (ACC) prior to commencing covert investigations. Of course, the fact that that ACC would be fully accountable to the Policing Board in respect of that agreement is also progress.

**Mr A Maginness:** I will deal with the last points made by the Sinn Féin Member for West Belfast. The fact is that there have been substantial changes in law. I could go through all of them, but I will go through some of them to satisfy the House. It is in law that the Policing Board will monitor the exercise of NCA functions in Northern Ireland and not only its annual plan. There is in law a provision that the Minister of Justice can —

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

**Mr A Maginness:** No, just hear me out, just hear the list. There is a provision that the Minister of Justice can

request HMIC to carry out an inspection of NCA in addition to the Policing Board asking the Minister to exercise his power. NCA officers will have to read and understand the PSNI code of ethics and NCA disciplinary code, which is explicitly referred to in statute and makes NCA officers bound by the code of ethics. There will be a statutory requirement on the NCA to supply the ombudsman with such information and documents as the ombudsman may require for the purposes of or in connection with the exercise of any of the ombudsman's functions. As with section 55 of the Police Act 1998, the NCA can call in the Police Ombudsman. I could go on and on; that is in law.

So the Member cannot come to the House and say that his party — I do not recognise that his party negotiated at all in relation to this; he may claim that for the media, but I do not see any evidence, papers or anything else — did any negotiating. Similar to the way in which the PSNI was set up, it was the SDLP that did all the hard work. It was the SDLP that brought about the creation of the PSNI. So we are not going to accept the rubbish — the rubbish — that the Member has just stated in relation to negotiations not being completed. The negotiations were completed. The negotiations were substantial, and my party believes that, in law, we established a massive improvement in the accountability measures and the other measures necessary to bring about the operational acceptance of the NCA here in Northern Ireland.

#### 4.30 pm

The previous Sinn Féin Member who spoke, Mr McCartney, spent most of his time talking about the procedures in relation to the motion. Not once did he refer to any point of substance — not once. He talked about the procedures. Now, the Business Office accepted the motion as valid. I assume it took advice in relation to it. I cannot see how on earth the motion is not a viable motion, not one in law or not one that can be agreed by the House.

**Mr Speaker:** I want to make it clear that the Member who you just referred to also accepted, in his presentation, that this was a valid motion.

**Mr A Maginness:** I accept the point that he made, but he spent all his time exclusively talking about procedure. Not once did he comment on the merits of the changes that have taken place in relation to the NCA here in Northern Ireland.

**Mr Frew:** I thank the Member for giving way. I commend the SDLP on the issue at this time. Does the Member think that there is now any reason why Sinn Féin should withhold support for the NCA?

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

**Mr A Maginness:** I thank the Member for his intervention. He, of course, reminds me of what Mr Kelly said in the Assembly in, I think, 2013 in relation to the NCA:

*"There is absolutely nothing to fear from accountability. I really do not understand what you are afraid of. The Member spoke about the ombudsman: the easy answer to that is that that will be involved if we can get the full suite of accountability mechanisms, which was agreed in Patten and should be brought in here." — [Official Report, Bound Volume 98, p9, col 1].*

That was the point made by Mr Kelly, the spokesperson for Sinn Féin on policing and on the NCA. We have achieved that. The Members outside Sinn Féin accept and recognise that, the Chief Constable recognises that and any reasonable independent observer will accept that. That has been an achievement for all of us, because we all made a contribution to this. It is important that it is publicly recognised that accountability has been achieved. That is what we sought at the beginning of our negotiations. It is what we sought to the very end of the negotiations, and that is what has been achieved. I believe that this is a triumph for common sense, a triumph for negotiation, a triumph for democracy and a triumph for the Assembly.

**Mr Frew:** I support the motion. It is a good day, as my colleague Edwin Poots suggested. It is a good day for the House, a good day for Northern Ireland and a good day for the people of Northern Ireland, the law-abiding citizens of this country. It is a bad day for the criminal elements in our society, the leeches on our society that, through their crimes and their activities, suck our people dry. We should rejoice in the House today. The will of the House will be tested today, and everyone in this country of the UK and throughout the world will know what the mind of Northern Ireland is on the issue.

Whilst I would have liked to see the NCA with full operational capacity in Northern Ireland much sooner, I recognise the stance taken and the movement made by the SDLP. I did not necessarily agree with their positions and negotiating stances, but I acknowledge that there is still a job of work to be done in negotiation, whether you agree with it or not. I must say that the SDLP has put its hand to the wheel to come up with an outcome that is acceptable to the vast majority of people in the House. At one time, I feared that the SDLP, like Sinn Féin, was hiding behind the cloak of accountability. We will go on for ever and a day on the question of how accountable is accountability. However, I am glad that my fear has not been realised and that we have come to an agreement that the vast majority of people in the House can support.

This will be an asset of great value to the people of Northern Ireland. For the foreseeable future, people will be able to rest easy in their bed, at their place of work and in their home because of the activities of the NCA and the PSNI in combating crime of the most serious and complicated nature. When we talk about these criminals, we are not talking about people who wear stripy jumpers and have a swag bag over their shoulder; these are the most organised, evil, smart, clever criminals in the world. I fear that they have been looking towards Northern Ireland because of the vacuum that was created here, and we must recognise that.

**Mr Givan:** I appreciate the Member giving way. In anticipation of the democratic decision of the House to pass the motion today, does he not think that it is incumbent on Sinn Féin to accept and respect that democratic decision and then give its support to the NCA and its structures operating in Northern Ireland?

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

**Mr Frew:** Thank you for your intervention, Mr Givan. That is the crux of the matter, here and now. If you value accountability — the Members opposite say that they do — law and order and democracy, you should have no reason

whatever for not putting your full support behind the NCA when it becomes fully operational.

**Mr D McIlveen:** I thank the Member for giving way. Does the Member agree that, in areas such as south Armagh, which has been scourged by the curse of fuel smuggling and the illicit cross-border trade going through that part of Northern Ireland, moderate nationalist voters who have been plagued by that will equally rejoice today and that, come an election, they may be influenced by the outcomes of what happens in the House today?

**Mr Sheehan:** On a point of order, Mr Speaker. The NCA already has responsibility and is operational on the issue of fuel smuggling.

**Mr Speaker:** Thanks for that information. It is on the record.

**Mr Frew:** The Member across the way misses the point entirely. Even though the NCA has had operational capacity in Northern Ireland and works with an Garda Síochána down south in the Republic, it was not able to claim and collect the assets. It is the assets that make it incredibly lucrative for the criminals. I am glad that those people will now be hunted down and stripped of their assets and their wealth. For far too long, they have held the people of Northern Ireland to ransom. That has to stop, and it should stop now.

I commend the SDLP for coming to its position. It is a day for the enlightened and for slow learners, and I look forward to the day when Sinn Féin also comes to that realisation. If it does not, these questions will remain: what has it got to hide? What is it hiding within its communities, the people whom it says it represents? What is Sinn Féin hiding that it does not want the NCA to find or to collect? That question will be on the lips of all the people of Northern Ireland today.

**Mr Attwood:** First, I make the point that this is a negotiation that the SDLP should never have had, because these NCA matters, which are now being put into law, were settled in the Patten negotiation, in the Police Acts and in the implementation of Patten's 175 recommendations. When it comes to accountability, oversight and the ombudsman, these matters were settled nearly 15 years ago. Neither the SDLP nor anybody else should have come back to this negotiation, because these matters had been resolved previously. There should not have been any reason for any London Government to roll back, through the front or back door, that which had been achieved in the role of the PSNI, the authority of the Policing Board, the powers of the ombudsman and the new beginning to policing.

However, we had to go back and do some of it again. If people look at the order that was tabled last Thursday, they will see the proof of that negotiation — proof that nobody in the Chamber can find reason to dispute. There is nothing in the legislation that is now proposed, further to the SDLP negotiation, that anybody can dispute. Indeed, it now seems that even the DUP and others accept — I say this gently, because I noted carefully what they said — that the thresholds of accountability now being proposed are beyond what was there two years ago. Consequently, and Mr Craig best made the point, accountability around policing is better than what we had a couple of years ago.

Members have outlined what this will mean. It will mean compliance with the PSNI code of ethics. It will mean that the Home Secretary no longer has a veto over those precious powers of the Policing Board when it comes to reports and inquiries.

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

**Mr Attwood:** Yes.

**Mrs D Kelly:** It also means, does it not, Mr Attwood, that the Chief Constable has the power of veto over the operation of the NCA?

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

**Mr Attwood:** Thank you.

Yes, and that includes a veto over the recruitment of agents or the use of other intelligence weapons and mechanisms. More than that, the Police Ombudsman now has the full menu of powers necessary to ensure that he can take complaints in the devolved and non-devolved sectors about NCA conduct or activity. Therefore, as best we can, and far more than some would have suggested, we have recreated the powers of the Policing Board over the NCA and the primacy of the Chief Constable when it comes to the operational life of the NCA. That is no mean success in the past number of months.

I put on record that not just my colleagues but other individuals in government and agencies applied themselves to the task of that most intense negotiation, especially since the summer of last year, in order that what had been secured 15 years ago with Patten, the Policing Board, the ombudsman and all the rest of it should not be prejudiced and put in jeopardy.

I do not agree with what the DUP has done in challenging Sinn Féin in some speeches today. Sinn Féin was largely absent from the negotiation, but it has been fulsome in its recognition of the outcome. From our conversations with Sinn Féin over the past number of days, I do not think that there is any dispute in its Members' minds — it is for them to speak — about the measure of what has been achieved. It seems to me that, in these circumstances, Sinn Féin should look at its own history.

People were ahead of the parties when it came to the new beginning for policing, and it is my belief that people are again ahead of the parties on a whole lot of aspects of public policy in Northern Ireland, including when it comes to standing against organised crime on this island. I ask Sinn Féin, as it processes this, to consider making a call earlier rather than later, rather than what happened on policing, when the call was later rather than sooner.

#### 4.45 pm

Are there issues that even I would have tried to negotiate further on? Yes. However, given the threat of organised crime on this island, given the thresholds of accountability that have now been secured, and given that our people are under the cosh when it comes to environmental crime operations up in Derry and illegal fuel smuggling in the south Armagh area, can anybody deny that it is time for all of us to stand in solidarity with those who face down all the criminals, wherever they might be —

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

**Mr Attwood:** — including those who are off limits and those who are not off limits?

**Mr Douglas:** As a member of the Justice Committee, I support the motion. I congratulate my colleagues Alastair Ross and Stewart Dickson for bringing this hugely important issue before the House.

Earlier today, my colleague Alastair Ross said:

*"given the fact that the Westminster term is coming to a close and there is a short window left for legislation to be passed, it is my estimation that this is probably the last opportunity for the House to signal its consent for the NCA to operate fully here in Northern Ireland."*

I hope that people will respond to that, accept that this is the last opportunity and go for it.

I want to read from a letter that we got from the Minister. I hope that this does not trigger a point of order, as happened earlier. The Minister says that he believes that:

*"the order and the motion, which would be subject to Westminster consent, provide an opportunity for the National Crime Agency to add more of its expertise to the law enforcement effort against organised crime groups here."*

I wholeheartedly agree with the Minister. I sincerely believe that some Members are looking a gift horse in the mouth. Let us see what they are potentially rejecting. This morning, I looked up the NCA website. It says that the NCA is a new crime-fighting agency with:

*"national and international reach and the mandate and powers to work in partnership with other law enforcement organisations to bring the full weight of the law to bear on serious and organised criminals."*

Is this not what the majority of people in our communities want: the full weight of the law being brought to bear in cutting serious and organised crime? I suggest that, if we went round the doors tonight and spoke to people in Belfast and across Northern Ireland, the overwhelming majority would agree with the new agency being set up and would support it.

Earlier, I spoke to a senior PSNI officer, who informed me that organised crime is growing and becoming more sophisticated. There are more international crime gangs in Northern Ireland, including, he said, Russians. Those gangs are operating across Belfast, across Northern Ireland, across the border, in the rest of the United Kingdom and, as we all know, across Europe. Is this not a wake-up call for all of us in the House to support the motion? I understand that some Members may have concerns about transparency and accountability. However, the order will provide a vehicle to hit criminals where it hurts most and would do so in a way that places the PSNI at the heart of decision-making on operations. It also provides a role for the Policing Board to monitor the exercise of NCA functions, to call the director general of the NCA to meetings and to call for reports, updates on progress and so on.

And there is more: the Police Ombudsman also has a full role. I agree with the Minister, who is clear that the order will fill a gap in our law enforcement effort that he, as Justice Minister and chair of the Organised Crime Task

Force, and our Chief Constable have highlighted for some time.

I believe that NCA operations will be subject to significant and robust accountability arrangements, because of those assurances and the ability for the agency to respond — let us not forget it — on a 24/7 basis to target those in our communities — the criminals, the blackguards and the groups — who pose the greatest risk to the people of Northern Ireland and beyond. The issue of the National Crime Agency and why it needs to come into operation in Northern Ireland is well known and has been debated in the House before. I support the motion.

**Mr Allister:** I welcome the fact that we are now on the verge of the NCA being fully operative in Northern Ireland. I acknowledge the role of the SDLP in enabling it to reach this point, but I regret its tardiness in coming to that position, which, of course, has given a couple of years and more of respite to criminal gangs in the Province. Of course, those who will be least happy about this will be the members of the criminal gangs, because I suspect that they fear the NCA. I trust that those fears will be fully realised in respect of the operation of the NCA, and I look forward to the full realisation of those fears.

The gangs are unhappy, and it is quite clear that Sinn Féin is also unhappy, and people can judge the coincidence or otherwise. Sinn Féin is smarting today, because it has been outmanoeuvred. It has been outmanoeuvred on the issue to the point that the NCA will now be operative in Northern Ireland. Its members are also smarting because they know that they are now in a dilemma. Sinn Féin's members tell us that they support the rule of law and have signed up to all of that. If that is so, it follows, as night follows day, that they will be required to support the NCA.

Under article 6 of the order and schedule 3 to the order, the NCA will be qualified to be designated with police powers in Northern Ireland. NCA officers will now exercise the police PACE powers. That means that those officers with police powers will have the power of arrest, the power of search and seizure, and the ability to take fingerprints and samples. The challenge, therefore, to Sinn Féin is whether, when and if the NCA becomes operative in Northern Ireland and begins exercising those powers, it will have the support of a party that claims to support the rule of law. Will Sinn Féin members say to the community that they purport to represent that they encourage them to cooperate with the NCA officers in their exercise of police PACE functions? If they do not, then they are patently defaulting on their supposed commitment to the rule of law.

There is a challenge to the deputy First Minister. I trust that our press will not allow him to wriggle off the hook and that he will be challenged to say whether he now fully supports the operation of the NCA within Northern Ireland and its exercising of those powers and other powers that I have mentioned. I trust that the answer to that will be yes, but we will wait and see whether it will. That is the real political challenge that arises for this moment.

I go on to refer to the editorial, which I assume the Minister has read, in today's 'News Letter', where it raises an issue turning upon this community impact assessment. The editorial states:

*"There is a proposal that the NCA will have to secure PSNI agreement to an operation. The PSNI would*

*have to carry out a community impact assessment and the NCA would have to have regard to it.*

*This is troubling talk.*

*It is essential that an NCA has the ability to act in a sweeping manner against dangerous and determined criminals, and that it is allowed to operate with the same freedoms as in Great Britain."*

So I would like the Minister to tell us a little more about the supposed community impact assessment and whether it will be a restraint. It would be quite preposterous if there was a need for an operation —

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

**Mr Allister:** — that could proceed in GB, and in Northern Ireland the Chief Constable would say, "Oh, we have to have a community impact assessment. We must give the criminals time" —

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

**Mr Allister:** That must not be acceptable, and I trust that the Minister will indicate that that is not going to happen.

**Mr Ford:** I congratulate Alastair Ross on succeeding in achieving this debate today. As Justice Minister and as chair of the Organised Crime Task Force, I want to place on record my absolutely clear view that this is an important motion for those who want to see our law enforcement efforts enhanced in Northern Ireland. The Chief Constable has also gone on record as saying that he, too, would welcome the extension of the NCA's powers in Northern Ireland.

I spoke to the Home Secretary when plans for the NCA were first announced, and I made it clear then, more than two years ago, that its role in Northern Ireland would have to take account of our very different policing architecture here, especially regarding accountability and the primacy of the PSNI, and she accepted that. I have spent two years in ongoing dialogue with Assembly parties and others regarding the issue. Unfortunately, it has not proved possible to reach the Executive consensus necessary for me to bring the motion to the Assembly myself, and it is no secret that I would have wished to. Therefore, I welcome the opportunity that the Assembly is being offered to resolve what is currently an unacceptable situation.

During a previous debate on 6 October 2014, I shared with Members of the Assembly the difficulties being faced by law enforcement bodies because of the ongoing situation with the National Crime Agency. Agreement was not reached before the NCA came into operation on 7 October 2013. In discussions since then, parties have not reached agreement on its powers extending into the devolved arena with appropriate accountability. Let me re-emphasise: extending the powers with appropriate accountability. Failure to reach that agreement means that some 16 months have passed, with the PSNI having to stretch resources to cover work that it should have been able to pass to NCA colleagues; 16 months of no civil recovery; and 16 months of the people of Northern Ireland being at a disadvantage in terms of organised crime compared with people in the rest of the UK.

We are not talking about low-level crime. As a number of Members have emphasised, it is serious and organised



crime. PSNI figures estimate there being 140 to 160 organised crime groups active in Northern Ireland — an estimated 800 active criminals. I know that the PSNI and others in law enforcement have worked hard to ensure that the impact of the gap on the people of Northern Ireland has been as small as possible. They would, however, acknowledge that, at times, due to limited resources, hard decisions about priorities have had to be made.

In opening his remarks, Gerry Kelly said that the PSNI was more than capable of fighting all crime. I have no doubt, and I agree with Gerry Kelly, that the PSNI is an excellent police service, but it does not have the operational international reach; it does not have the specific expertise in matters like fighting child exploitation online or the financial matters that are available through the NCA.

I know, too, that organisations have stretched, so that help has been given up to the limits of the law. However, there is absolutely no doubt that, for those 16 months, law enforcement agencies have had their hands unnecessarily tied behind their back in trying to serve us and to protect this community. One example I have been given was of police officers having to be moved from important drug searches to attend a serious sexual assault incident, thus delaying the searches and endangering the NCA's case against a UK-wide organised crime group operating in our midst.

The NCA could not do the work itself because we had not given it the powers.

#### 5.00 pm

Moreover, SOCA, the NCA's predecessor, assisted the Environment Agency in respect of a major investigation into waste crime, which was highlighted this afternoon. The specialist skills were in SOCA, but when the NCA was created, that had to stop; it no longer had the powers necessary. While there have been workarounds where possible, we have no statutory input into NCA planning, so we cannot shape its work to assist the PSNI. Given the global nature of organised crime, which is an area where the NCA, with its international reach, has particular benefits, we need the support of the NCA. Over the past year, that has impacted on cases involving child abuse, drugs and money laundering.

Let me give the House some stark figures on civil recovery. Since June 2013, there has been a 58% decrease in the number of Northern Ireland investigations, from 19 to eight. Obviously, there have been no new devolved cases, although there have been two HMRC referrals. There has been a 71% decrease in the number of property-freezing orders in Northern Ireland cases. The House should also remember that the NCA has some powers here, such as customs and immigration powers, which are not devolved, but, currently, it has no accountability for its conduct in using those.

A full statutory role for the Police Ombudsman across all NCA powers has been sitting on the statute book waiting for the House to reach agreement. There has also been no formal role for the Policing Board. In addition, my desire to see formal police primacy over NCA operational powers has been stalled. Let me make it clear: I have been working hard to ensure appropriate accountability; it is accountability comparable to that for the PSNI. However, one has to recognise that the NCA is different in terms of its structure and the nature of its work. For one thing, it is a

UK-wide body. For another, as was mentioned, its reach is well beyond these shores.

I recognised that some Members had concerns regarding the accountability arrangements. That is why I, along with the Chief Constable, the director general of the NCA, the Secretary of State for Northern Ireland and the Home Secretary have all engaged to seek to address those concerns and provide reassurance at a governmental and an operational level. Over that time, and especially in recent weeks, the SDLP, in particular, as much lauded by the DUP Benches, has engaged constructively and energetically with me and my officials — sometimes too energetically — and with the PSNI and the NCA in seeking to reach a resolution to outstanding issues.

As my colleague Trevor Lunn said, the SDLP has taken accountability to new heights. As a result of that engagement, and also from considering concerns raised by Sinn Féin, the Home Secretary and I have agreed draft legislation that we are confident provides a robust, tailored accountability framework for Northern Ireland circumstances. It is, in fact, a very extensive framework, especially when compared with the arrangements elsewhere in the UK for the NCA. I had hoped that, before today, we could have got Executive agreement; unfortunately, that was not possible.

Let me set out some of the elements of the accountability framework. Many Members have already referred to aspects of them. The role of the Police Ombudsman would extend to cover any complaint about NCA officers in devolved matters, non-devolved matters and in civil recovery. The Policing Board will monitor NCA activity in Northern Ireland. That point was noted by, amongst others, Dolores Kelly and Jonathan Craig, possibly noting the amount of work that may fall to them. The board can request reports and institute inquiries as necessary. It must consult the Home Secretary, but it does not require her agreement. The Chief Constable's agreement is needed for the use of constabulary powers and any covert investigations. NCA officers in Northern Ireland will be bound by the PSNI code of ethics, which is a point that was similarly highlighted. In addition, the NCA is already an active member of the Northern Ireland Organised Crime Task Force. Therefore, it works closely with other law enforcement bodies in Northern Ireland.

In an exchange between Jim Allister and Alastair Ross, issues were raised about paragraph 14 of schedule 3. Paragraphs 14 and 15 deal with directed assistance from the PSNI to the NCA and from the NCA to the PSNI. I concluded at an early stage that, given the arrangements that we have for the policing architecture here, it was not appropriate for there to be any powers of ministerial direction. Therefore, they do not appear.

With agreement to the motion, and if Westminster then affirms the order, we will have access to the NCA's considerable expertise and support while embedding the agency in our local structures.

Gerry Kelly asked about a potential counterterrorism role for the NCA. The Home Secretary and the Secretary of State for Northern Ireland have both said that that will not happen. Were there to be any such proposal, a super affirmative procedure is in place. It could not be introduced through the order-making powers in schedule 24: there is simply no vires for it.

Jim Allister referred to the 'News Letter' editorial — I confess, it is not always the first thing I read every morning, although I did read it today — which referred to the issue of community impact statements. The reality is that community impact statements are carried out by the PSNI when considering major operations. It is exactly the same measure for the NCA; it is not something new. Sadly, it appears that Mr Allister is reading editorials in the 'News Letter' rather than considering the legislation.

Mr McCartney quoted from the early version of the Home Office's explanatory memorandum. I hope that I have adequately drawn attention to the fact that that was corrected when it was drawn to the attention of my Department. Clearly, I had wished that it would have been possible to get Executive agreement and I had wished to introduce this measure as Minister, because that was appropriate. However, it is also absolutely clear that things have been done by an entirely proper procedure.

Mr Speaker, I would not call into question the decision you took to list this business as part of today's proceedings. Not everything is done by an LCM, as we saw, for example, with a proposal to devolve justice powers to this House. That was not technically an LCM; it was a motion of a very similar nature to the one that is before us.

So, there was lengthy negotiation over a significant period of time. Pat Sheehan said that he believes that the negotiations ended prematurely. I believe that the negotiations ended at a point when, as Sammy Douglas highlighted, time was running out in the Westminster timetable to get business concluded before the general election and at a point when it appeared to me that there were sufficient grounds for believing that this House was likely to pass the motion to bring into play the devolved responsibilities of the NCA in Northern Ireland. When we look at the fight that we have against organised crime and look at what we need to do to protect vulnerable people in this society from those who would prey on them, we can wait no longer.

Intensive negotiations took place with those who wished to intensively negotiate. If others were not particularly involved, I am sorry, but I did my best to meet the concerns that were put before me. What we have on the table is an extremely high level of local accountability that preserves the PSNI's position as the lead local law enforcement agency.

I thank all those who have done that detailed work over the last while, including MLAs, party staffers, people in other bodies and, most of all from my perspective, officials in the Department of Justice, who worked to ensure that we got the maximum possible arrangement. I also offer my thanks to the Home Secretary and the officials in the Home Office. Perhaps they do not always understand the nuances of Northern Ireland when business starts off, but they certainly understand the nuances of Northern Ireland now, and they have been extremely helpful in making the changes that we put forward as we worked from the initial position I took of the need to recognise the primacy of the PSNI and the need for proper accountability mechanisms to take account of our architecture for policing.

I urge all Members to support the motion before the Assembly to allow the National Crime Agency to come into full operation in Northern Ireland. I want all parties to step up so that we can send a signal of unity against the organised crime gangs that prey on this society and see

it as easy pickings without the NCA and the operational reach that it has in England, Wales and Scotland.

Many Members highlighted the problems we face from organised crime. Let us stand united against that, because if we miss the opportunity today, we will be selling our law enforcement effort and our community short for a long period of time. I urge Members to support the motion.

**Mr Elliott:** Obviously, it has been an interesting debate. It is one that we had some time ago. In fact, on two occasions, we have had debates in this House over the National Crime Agency. I am almost tempted to say that I feel the hand of history on my shoulders, but I do not think it has gone that far. This is an important day. It is important in the sense that we are getting a level of comfort and security for the citizens and the people of Northern Ireland. That, I think, is what is most important.

For once, I pay tribute to the Justice Minister and indeed to those in the National Crime Agency for their persistence and perseverance. This has been rumbling on now for two years, I am sure, maybe even more. I know that they have not had a very easy time. Indeed, I put on record that the SDLP has persisted through difficult times on this as well. It is a pity that the SDLP did not come to this conclusion earlier, but, as my mother always said, it is much better late than never. We will give the SDLP some credit for where it is today.

The question remains: why has it taken us this long? I know that people have issues with the accountability mechanisms, and those are important, but we must get our priorities right as well. It is also important that the people and communities of Northern Ireland are safeguarded and feel safe. It is important that we catch criminals, especially the large organised crime rings. It is important that we stop child exploitation. It is important that we stop drug trafficking. It is important that we stop all the fuel smuggling that people talk about. It is important that we recover assets from those criminals. All that I am trying to say is this: let us put it in perspective. Yes, accountability is important. We want that as much as Members on the other side of the House do, but the priority is catching criminals and allowing people to be safe in their communities and in their homes.

The NCA can, of course, be an important tool in the fight against organised crime and international crime. The NCA and the PSNI should complement each other. They should cooperate with each other, and I do not see a major issue with that.

I heard Mr Allister pose a question about the community impact, and maybe that was not fully explored by the Minister, who may not have had time. I met the Chief Constable yesterday: I also wanted reassurance on that very issue because I had concerns. I am informed that the community impact is, as the Minister highlighted, within the PSNI. It is to ensure that they get the timing of operations right so that they do not inhibit other operations. I was assured by the Chief Constable that the community impact will be valuable as opposed to inhibitive. The one thing that I do not want is for operations to be inhibited. I do not want the crime gangs to get away with drug smuggling and human trafficking. I do not want that to be allowed to persist, so I would not want that community impact to stop those operations. Neither would I want other aspects of the accountability mechanisms to stop the NCA and the PSNI

taking on those criminal organisations. I think it important that they have a level of freedom and enforceability to do that in a legal manner that allows them to cut out and curtail those criminal activities.

It was quite interesting to hear some of the Members' thoughts on the processes, and Mr Ross highlighted the proposals very well. He took us through how the National Crime Agency would operate and put some perspective into the debate. I will not dwell on Sinn Féin's suggestions and how its Members put forward their thoughts. It is more important that we are moving forward with something that will help society here in Northern Ireland.

Dolores Kelly was first up for the SDLP, which has taken up the mantle and put forward its thoughts and proposals on how the National Crime Agency can work better. On some of those aspects, we may disagree slightly, but that is what democracy is about, and that is why we are here. We may have got to a compromise now that is fairly suitable and satisfactory for most.

### 5.15 pm

Mr Danny Kennedy welcomed the stance by the SDLP, and he rightly paid tribute to Lord Empey in the House of Lords, who has pursued the matter with vigour over the last number of years. I also want to pay tribute to Lord Empey's persistence.

Mr Lunn of the Alliance Party very effectively highlighted how the fight against international crime will operate. Indeed, an issue that he mentioned, which may go unnoticed on many occasions, is the fight against cybercrime, because the NCA is an organisation that can deal with international crime. He also indicated that these are free benefits, which we do not often get. I assume that he meant that the benefits to Northern Ireland will be free in financial terms.

Mr Craig highlighted the mounting pressures on the Policing Board. I am not sure whether the Policing Board is looking for a much greater role or whether that has been forced on it, but, one way or another, it is clearly going to have much more work to carry out in the not-too-distant future.

Mr Edwin Poots indicated that the Chief Constable is satisfied with the accountability mechanisms. He went on to say — this was quite interesting — that there must be only one police service in Northern Ireland. He warned of the future and the proposals that may be brought forward for the Historical Investigations Unit. I think that Mr Poots was putting down a marker there as to how we may deal with that in the future.

Mr Alban Maginness highlighted the amendments secured to the proposals and said how it was, in his terms, a "triumph for common sense". That is what I am trying to say as well. I think that we have probably got to that common-sense compromise. It is just a pity that it did not happen a couple of years ago and that the SDLP did not accept it then, but, anyway, we accept it now that it has come this far.

What Members have highlighted today is that common-sense approach: that they want to bring forward the National Crime Agency; that they want it to work in partnership and cooperation with the Police Service of Northern Ireland; and that they want it to fight criminals

and crime. I, for one, look forward to the National Crime Agency taking on the criminal organisations and helping to rid our society of such crime and criminals. We do not want to make Northern Ireland a haven for international and organised criminals. We do not want Northern Ireland to be a criminal's paradise. We want it to be a safe place for everyone to live in, for communities to grow and prosper, and for everyone to live in the harmony that we all look forward to.

*Question put.*

*The Assembly divided:*

*Ayes 68; Noes 26.*

### AYES

*Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dallat, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.*

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

### NOES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McCartney and Mr Sheehan.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly consents to the making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 laid before Parliament on 29 January 2015.*

**Mr Speaker:** The House will take its ease while we change the top Table.

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

*Motion made:*

*That the Assembly do now adjourn. —  
[Mr Deputy Speaker (Mr Dallat).]*

## Adjournment

### Housing: Temporary Sites in Antrim

**Mr Deputy Speaker (Mr Dallat):** The proposer of the topic will have 15 minutes and all other Members will have approximately six minutes.

**Mr Clarke:** I rise to talk about a Travelling site that arrived in Antrim some months ago. I suppose that I am coming at it with some degree of concern. I know that Sinn Féin took exception to my definition yesterday of “ordinary” people. Habitual residents who live in a particular area and reside in a purpose-built brick house are what I would describe as ordinary. Indeed, I am one of those ordinary people myself. Many people from Rathenraw and, indeed, the wider Antrim area come to my office and those of my constituency colleagues daily looking for accommodation. They are in housing stress in the greater Antrim area.

I am appalled at how the Housing Executive has handled this site and the complaints of the residents of Rathenraw. It has made a difference between members of the Travelling community and — again I use the terminology — “ordinary residents”. Many of those people are in housing stress and come to our offices daily, as I have said, looking to be housed in a particular area. It pains me that the Housing Executive has treated the Travelling community differently from other residents. If I, a father of three children, were in housing need, the Housing Executive would not go to the same lengths for my family as it has done for the Travelling community. It would not build my family temporary accommodation.

Rathenraw had its difficulties in the past, but, thankfully, it has turned a corner and improved over the last 10 or 15 years. Those problems are now in the distant past. However, the people of that area are disappointed to realise that they now have a permanent camp or site, whatever you want to call it. Whilst I have sympathy — I think — for the Travelling community, in that Travellers need somewhere to stay, I am surprised that people who define themselves as Travellers are in permanent caravans. They will not be towing those caravans along our county roads as they go from site to site. I do not know why they need permanent residence in a residential area. Indeed, if they want to be treated the same as everyone else, they should be afforded the same housing stock. I do not think that we should deny anyone the opportunity to be housed; however, Travellers should be treated the same as other residents of the Antrim area.

Then there is the question of how the Housing Executive has approached the subject. It made a retrospective application. Mr Deputy Speaker, when, some years ago, you were an elected representative sitting in council, I am sure that, like the rest of us, you would have been critical of individuals seeking retrospective applications for houses in any area. However, this public authority, the Northern Ireland Housing Executive, has set up a temporary site in Antrim, moved the diggers in and brought

in static caravans. I stress that these are static caravans, not the type that you would normally associate with the Travelling community. The Housing Executive set up a static caravan site where Travellers have the right to bring in horses, donkeys and whatever else they want to bring. Housing Executive rules suggest that there should be only one domestic animal, so we are treating the Travellers differently. They are not on a par with everyone else; they do not come within the definition of ordinary residents of that area.

What makes it even stranger is that the very site that the Housing Executive has picked is beside a historic monument. Anyone else seeking planning permission for that area would be refused. I come here tonight somewhat disappointed. I appreciate that my colleague, the Minister for Social Development, is here to respond to the debate because it is primarily a social development topic; however, there is a degree of crossover with regard to this site. The site has been granted permission, albeit the process continues, and there will be meetings at which strong objections will be lodged. I would love it if the Minister of the Environment could tell us, the elected representatives, how a temporary site for caravans can be afforded beside a historic monument. If someone wanted a permanent residence there, it would not have been afforded them. I am bewildered as to how that decision has come about.

In relation to the Travelling community itself, it is sad for me to say that there has been an increase in incidents in the area since they arrived. Indeed, as one delves into the origins of the people, we find that they are not unknown or unfamiliar to the law. Indeed, they have been somewhat involved with the police over this last number of years. The Minister may be responsible for the Housing Executive, but he is not the Housing Executive; therefore I am sure that it will be difficult for him to account for how the Housing Executive arrived at the ridiculous decision to bring Travellers to this area and make such a site.

One of the things that the Housing Executive prides itself on — some would say, and others would say that it does not pride itself very well on it — is that we have areas where the Housing Executive places problem tenants, who cause great difficulties to other tenants in that area. Not only has the Housing Executive brought in problem tenants, it has brought in a permanent camp that has brought the problem itself. Indeed, the attitude of the tenants who have come to the area is telling.

Indeed, some of the people who live there will tell you about bicycles being stolen. They think it is a case of, “You have to tie it down, or it is gone”.

There have been problems with crime in the town itself, and it is reported that those involved were from the Travelling community. As I said, the Housing Executive prided itself in the past on how quickly it reacted to problems from ordinary residents — you keep logs and various things. Many residents have made representations to the Housing Executive about the problems associated with these individuals, but it is falling on deaf ears: nothing seems to be done to help the residents of the area, and everything to help the Travelling community. What I really want is for the Minister to relay our concerns to the Housing Executive and to see what assurances he can get that issues in the area will be addressed.



The Minister will be aware that I have had much correspondence with him on a number of questions relating to how much is being spent. They have temporary roads and standpipes. The Housing Executive is now picking up the cost of maintaining and servicing the temporary toilets. The Housing Executive is picking up the costs of emptying the skips that have been put on sites. These residents are being treated entirely differently from everyone else living in the Antrim area. I am not saying that all individuals should be allowed more for domestic waste. Everyone is allowed a black bin, which is emptied once a fortnight; however, if you come from the Travelling community, you can have a skip. It will be emptied at will, and it will be paid for out of the public purse. Could we ascertain from the Minister whether those members of the Travelling community who are now permanent residents in Rathenraw make any contribution through rent? What do they contribute to the Housing Executive that they should be treated in such a royal manner? There seems to be such a difference in how these individuals are treated versus the people who reside and have grown up in the area.

I can understand the worry and frustration of those living in the area as the whole escapade unfolded. There are not two or three objections to this, but hundreds; there is a petition to the Planning Service in relation to this site. One would say they have to be housed — I have no issue with that — but they arrived at this site from somewhere in the Belfast area. I hope that they do want to fit in with society and get involved, but if they were previously housed in the greater Belfast area, and if they have been educated, how has the Housing Executive seen fit to bring them to Antrim, dispersing them from where they were originally? Are they continuing within the education programme or, indeed, are they treated differently in that?

Certainly, lots of questions have to be asked. If they did need a site such as this, why did the Housing Executive not see fit to keep them in Belfast? It is widely known that there was trouble created where they were in the past. The trouble should have been dealt with. Antisocial behaviour should be treated the same as when committed by other residents, instead of bringing them to Antrim to a perfectly good site, where people have enjoyed looking out at green fields for many years and which, as I say, has a historic monument. I am absolutely bewildered that the Planning Service has seen fit to do as it has done.

I would like assurances from the Minister that, however this debacle has unfolded, he will use his good offices to liaise with the Housing Executive to try to bring about a conclusion that is favourable to the people who have lived there for many years and who want to continue to live there.

As I said in my opening remarks there has been trouble there in the past. The residents of Rathenraw have seen that come and go, have got on with their lives, have stayed the course and want just to live in and enjoy the Rathenraw area without looking out at what can only be deemed as — Well, I had better not say on the public record what type of camp this is. How is it that the animals roam all day tethered by a chain or piece of rope, doing circles on the grass while they eat, whereas the other residents in the area are allowed only one domestic animal each?

**Mr Kinahan:** I am glad for the chance to have this debate, and I thank Trevor Clarke for bringing it forward. When I looked at the title and saw “temporary accommodation”, it made me think of another key point that comes our way

often. Before I lose the Minister, it was the fact that there are often young homeless males in every patch.

When I first looked at the title of the adjournment topic, that is what came to mind. One late Friday afternoon, when I tried to find housing for single males, the closest place that I could find them anywhere for the weekend was in Armagh. Later, when I rang St Vincent de Paul and the Simon Community, only to discover that there are some 30,000 calls every year for houses, that is what I was thinking.

#### 5.45 pm

Now that we are here and talking about Ballygore and Rathenraw, I will move on to the main subject of the debate. With others, I have met some of the residents and heard their concerns. There were, Minister, 253 objections, which I am sure that you are aware of, and a petition of 301 signatures. Councillor colleagues have taken many calls — some very angry, some just concerned. I have also met the Travellers. We must all remember that we have to respect everybody's rights. Residents have rights and Travellers have rights, but with rights come responsibilities. We all have to live within the law, and the law must be applied equally to everyone, just as the Housing Executive and the councils must abide by the rules and policies.

The provision of proper housing sites is the responsibility of the Housing Executive. Therefore, it is up to it to decide on such locations, but it does not seem to have looked at this site with any strategic forward thinking. It looks like we have a complete Horlicks on this site.

I will turn to the specific problem. We have a group of Travellers who arrived in the northern end of Rathenraw and made themselves at home in the car park. We have the Housing Executive putting in for temporary planning on the site. At the last Antrim Borough Council meeting, the matter was deferred to an objectors' meeting that was meant to happen tomorrow. I am told, however, that it will not happen because of a legal case. The whole matter raises a raft of questions.

I will focus on the residents first. Not all the residents were consulted. I am told that only the owners of Housing Executive properties were informed or consulted. As the Minister knows, I have written to him and the Minister of the Environment to ask for clarification of this and other matters. I am told by the residents that there were plans to make the Ballygore area of Rathenraw into its own little community, and the residents had been encouraged in the past by the Housing Executive to buy their homes. Understandably, what is going on affects the value of those homes, and, at present, it would be difficult to sell them. If we have temporary planning, it will stay like that.

We need to know whether this is really temporary or whether it will turn out to be permanent. We need to know what the future of that site is because it affects the value of all those houses. As I asked on the back of yesterday's question, can we find out whether the Housing Executive looked or is looking at other sites? What do we really mean by “temporary”? Is it two years from when the Travellers arrived on the site or two years from when they get planning permission? Can the Minister guarantee that it will be temporary?

The biggest gripe all the way through this has been the lack of consultation, the lack of talking to the community and letting it have a say. Does the Department have a

consultation policy? If so, was it followed? It does not seem that that is the case. Does it include every house? It should. When we were looking at the Planning Bill a few years ago and I asked, in relation to community planning, who was included, I was told that it was all those who lived there, all those who worked there and all those who passed through. There lies the whole problem of who will be consulted when we move to the super-councils.

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

**Mr Kinahan:** I am happy to give way.

**Mr Clarke:** That brings something to mind. You will be familiar with other areas in Antrim where the Housing Executive contacted community representatives before it would consider housing developments. Maybe the Minister could explain, through his officials, why this is different. As an elected Member, I know that my colleagues had no correspondence whatever. However, in the case of other permanent sites, the Housing Executive always consulted and tried to bring them on board.

**Mr Kinahan:** Thank you. That is a very good point, which I did not have here, so it is very helpful.

I want to move on to the Travellers. There are three or four caravans on the site, surrounded by animals and everything else. They have been given an area with gravelled access, but they have no electricity. You can imagine what it is like at the moment, particularly on a cold night such as last night. Travellers have their rights, too, so we need a proper system. I am on the all-party group on ethnic minority communities, and we have had presentations from the Travelling community. I want to make two key points. I know that Travellers choose the lifestyles that they have, but we have to look after them as well. Their life expectancy is 10 to 15 years worse than ours, and, when it comes to education, the figures for those who achieve five GCSEs at A\* to G is 88% for all pupils but just 24% for Travellers. Therefore, we have a great duty to find a way forward.

If we look at the application proposed, we will see a red line where they are and where the access road is. Residents nearby were not consulted. Look at that line and you will see that it is never going to keep them within it, if you think of all the things that come with their caravans — the animals, the ornaments and everything else. If — it is a big “if” — the site is to be there for a while, the red line does not even work. Therefore, we need to listen to the residents, find out what they are happy to live with, if, indeed, this is to be a temporary site for two years, and try to find some way forward and something that works for everyone.

I know that many do not want it there at all, but we should look at suitable fencing, suitable access and a suitable set of rules — maybe even a code of conduct that everyone has to work to. However, we have to find a way forward, and I look forward to hearing what the Minister will say and whether there are alternative sites. Let us see how this goes. I look forward to his help in resolving the matter.

**Mr Girvan:** I thank my colleague for bringing forward the Adjournment topic. It highlights a major difficulty that we have. I, for one, believe in using the Housing Executive list to identify those in greatest housing need. Unfortunately, we have one section of the community that has decided that it can sidestep all the measures in place to ensure that

people get accommodation on a fair and equitable basis. Whether they want to call themselves Travellers is one way of looking at it. We are dealing with one family in particular, who have occupied a site, not necessarily with approval. They have tended to wreak mayhem everywhere that they have been, and I would class them as a lawless family. They have created all sorts of disturbances, right from Belfast City Hall forward. They tented the area around Belfast City Hall to highlight their plight.

I agree that, if you want to talk about equality, I would say that we have had a measure of inequality dealt to those who wish to abide by lawful means and go through the proper process. They are being put to the back of the list, in favour of those who want to ride roughshod over the process. Having been on the receiving end of some physical abuse from members of that community, I can say that they have done nothing to endear themselves to the wider community by showing any intention of wanting to integrate or by being in any way friendly towards those whom they have to live beside. As a consequence, a large number of residents and others have signed a petition. We are not talking about small numbers but about hundreds of people in the community who feel that the Housing Executive has failed them, not just by not consulting them but by going down the route of looking for temporary approval on what I deem a sensitive site. Trevor already mentioned the issues with the monument beside it —

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

**Mr Girvan:** I will indeed, yes.

**Mr Clarke:** The Member talks about how the Housing Executive has failed the residents. Maybe the Member would like to draw out how it has failed them. I am sure that the Minister, in his response, will talk — I hope he will — about how much has been spent on the site. There are people in the Antrim area who have been waiting for Housing Executive repairs to bring their house up to a good standard.

I am sure that the Member will agree that the failure extends to that. I know, from some of my questions, that the cost of accommodating them is running into thousands of pounds. However, there are permanent residents with Housing Executive houses who are still waiting on repairs that will run into thousands as well.

**Mr Girvan:** That is the point. The Housing Executive has failed people who have been good tenants and who attempt to look after their properties. It has gone down the route of making an application for what is a temporary site. I do not like the word “temporary” and want to know how long “temporary” will be. We all know that, once something has had an approval on a temporary basis, that sets a precedent and opens the door for a permanent application to be approved. There is a major issue there that needs to be looked at.

We have to consult widely if we are going to put in a permanent site. However, I do not think that that should be over and above what is expected of any other tenant of Housing Executive stock. I do not think that special accommodation should be made. We all talk about turning areas into mixed and shared spaces. This is one community that does not want to have shared space with anyone. That has been demonstrated throughout, with the problems that it has caused elsewhere.

We have recently had difficulty in the south Antrim area, where a number of businesses were held to ransom by these families. They parked up and asked for several thousands of pounds to move away from people's gates. All the customers had to come in and out past them. They have created all sorts of mayhem as a consequence. Some very big international companies have been affected like that. I know that Caterpillar, which was FG Wilson, also had a major problem on its Larne site.

That community needs to recognise that it has not endeared itself. It is not going down the right route. Crime figures in the area have increased, and a lot of fingers are pointing in one direction. It needs to be looked at. This site has caused major concern. I blame the Housing Executive for allowing what was an open space area to be occupied and for creating this problem.

**Mrs Cameron:** I welcome the debate. I am pleased to speak on the matter on behalf of my constituents. Much is said in the House about tradition and culture, and, for the most part, whilst we do not always agree on the individual argument, there is broad consensus that individuals have the right to choose how to live and how to express their view in society, provided they do so in a law-abiding manner. So I immediately have a problem here. I want to respect the rights of any member of the Travelling community to live the life that they choose and to be free to travel wherever they wish. However, I need to balance that against the rights of those who are affected by the establishment of the Travellers' camp in their midst.

The residents who are affected by the subject of this debate have made a choice. They have chosen to pay their taxes. They have chosen to abide by their contract with the Housing Executive or the terms of their mortgage. They pay their bills, and they have chosen to adopt a pattern of society in which they are subject to the law of the land and must abide by that code of practice. To the best of my knowledge, the Travelling community is not bound by any such contract. In some ways, I almost envy them their freedom.

I am here because the people in the community place their trust in me to speak on their behalf. It would be a dereliction of my duty if I failed to represent them now. We might talk in this place about the Stormont House Agreement or a matter of the day, but it is what greets my constituents when they look out their windows each morning that really affects them. That is why I must speak out against this infringement of their rights. We must accept a dose of reality here. In this case, it appears that the Housing Executive has played the political correctness card over and above the wishes of the broader community.

It is my understanding that due regard has been given to the rights of the Travelling community through the creation of spaces across Northern Ireland where they are free to park up and use facilities provided to them with no charge or contract.

**Mr Clarke:** The Member raises the point that they are free to travel, and I do not think that anyone should be against their right to travel. However, I am sure that the Member finds it as strange as the rest of us do that this is not actually a Travellers' site as such. These are static caravans that you would find in a holiday village and not the type that you will see pulling into a lay-by. Do you not find it particularly strange that these are not caravans that we would see being towed by vehicles?

## 6.00 pm

**Mrs Cameron:** I thank the Member for his intervention and agree with his remarks. Given that this is how it is, I am at a loss as to why the Housing Executive has in this instance created a space in the middle of an established community. It seems to me to have no logic whatsoever and goes against the wishes of the community. Whilst I completely comprehend that the Housing Executive has been faced with the difficult task of balancing its obligations to the Irish Travellers and its responsibilities to the settled community, I do feel that this has been handled particularly poorly. Allowing the family in question to move onto the site prior to any planning application or community consultation has left an extremely bad taste in the mouths of the people of Antrim.

The Minister needs to establish who is at fault here, what precedents are being set and why the development has been given priority over and above the residents who are committed long term to the community. I hope that in his remarks he can explain to the people of my constituency what actions his Department will be taking to rectify the situation.

**Mr Storey (The Minister for Social Development):** I thank all those who have contributed to the debate and my colleague Mr Trevor Clarke for securing the Adjournment debate and the representation that he and his colleagues have made on this issue. I realise that I have a time constraint of 10 minutes, so I want to try to set some comments on the record about the detail of this. Then, I will address some of the specifics that have been raised by Members. Following on from the debate, we will then check the Hansard report. Any issues that we have not addressed, we will then follow up, so that we have a comprehensive response for Members in relation to this issue.

Before getting into some of the specifics raised during the debate, it might be helpful if I set out what is required of the two main statutory agencies involved in this case: the Northern Ireland Housing Executive and the Department of the Environment planning group.

Until 2003, district councils were responsible for the provision of sites for the Travelling community. The system did not work particularly well, and in 2003 the law was amended to give the Housing Executive the legal obligation to provide such caravan sites as appear to it to be appropriate for the accommodation of caravans of the Irish Traveller community. The Housing Executive establishes the accommodation needs of Travellers through the Northern Ireland-wide comprehensive Traveller accommodation needs assessment. In providing accommodation for Travellers, the Housing Executive needs to balance the needs of the Travellers with the needs of the settled community. That point was raised by a number of Members, particularly in the concluding comments of Mrs Cameron around the way in which the settled community is dealt with or disadvantaged in how this can play out.

There are three main types of sites. First, group housing. Some Travellers want to live in conventional housing, either in existing social housing estates or in group housing schemes that cater for their desire to live together in extended family groups. Secondly, serviced sites. A number of Travellers have indicated a desire to live on serviced sites, which provide facilities for residing in static mobile

home-type accommodation. There are currently four occupied serviced sites in Northern Ireland. Thirdly, transit sites. Some Travellers wish to remain nomadic, and their needs are provided for through transit sites. The progress made by the Housing Executive since 2003 has reduced the number of illegal encampments in Northern Ireland and improved the living conditions for the Travelling community.

I turn now to planning issues. Any temporary or permanent Traveller site is subject to the planning rules. The Department of the Environment planning group currently determines all planning applications and has the responsibility to consult residents near any planning application site, as well as the appropriate district council. In some cases, the applicant seeking planning approval will also engage with the local residents, but there is no legal requirement currently so to do. That said, my Department expects housing associations that are developing new social housing to consult residents in the vicinity of new social housing developments. My Department does not currently place similar requirements on the Housing Executive in relation to Traveller sites, and I want to revisit that issue for any future developments.

It is never easy to reconcile competing views and interests. In many ways, with the provision of Irish Traveller sites, the Housing Executive is in a difficult position in trying to balance its legal obligation to Travellers with the views of local communities. It is rarely easy, and there have been particular difficulties in this case that it would be helpful to set out briefly.

In 2009, the Irish Traveller family in question began unlawfully occupying land owned by Northern Ireland Water close to the M2 motorway in north Belfast. In line with its obligations, the Housing Executive invoked its Traveller cooperation policy that allows Irish Travellers to camp on a temporary basis and to have basic humanitarian amenities provided.

Northern Ireland Water sought to have the family removed from the land, and, at a hearing on 19 and 20 December 2013, the court gave an order for possession to take effect as of 31 March 2014. The Housing Executive investigated what existing established Traveller sites were available, but none was suitable. The Housing Executive followed good practice that recommends that, where a body owes a duty to secure accommodation but an appropriate site is not immediately available, the housing authority may need to provide an alternative temporary solution until a suitable site or some other suitable option becomes available.

It would be good to put on record the outcome of that hearing. As I said, at that hearing, the court gave an order to take possession on 31 March 2014, but the family indicated that the offers of accommodation on established Traveller sites were unsuitable. Sites that were offered at the time — this might address Mr Kinahan's point about what other sites were looked at — included sites in Strabane, Londonderry and Craigavon, as well as the Glen Road Heights in Belfast. The family's representatives indicated that the family needed to be in that area of north Belfast to meet the children's educational needs and the family's health needs. They also gave reasons why they could not occupy land in west Belfast. I understand that the Housing Executive also looked at other sites in the Antrim area, but the family came to the site in question. We will come to that in a moment.

The Housing Executive investigated what public land was available that could be considered to meet the immediate needs of the family. Given the short time available, the Housing Executive looked to its land bank first. A number of sites were explored, but all were unsuitable. In the difficult circumstances, the lands at Rathenraw offered, in the opinion of the Housing Executive, the least worst short-term option; although, as many Members have commented, the site is not ideal.

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

**Mr Storey:** Yes, I will give way.

**Mr Clarke:** The site may not be ideal, but it also not in north Belfast, so I am wondering how the Irish Travellers settled in Antrim.

**Mr Storey:** That raises an issue that we need to revisit in what will happen following the debate. I want to revisit a number of points, and I have already alluded to some of those. I intend to write to the chief executive of the Housing Executive about the matter following the debate, and some of the comments that have been made in the House will be conveyed to him. The issue needs to be addressed.

I want to —

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

**Mr Storey:** Yes, I will. Briefly.

**Mr Girvan:** You mentioned education in north Belfast. The Department of Education is providing transport to and from the school, so it has obviously changed its policy on children going to their closest school.

**Mr Storey:** That is another issue, and we will seek clarification on that from the relevant education authority.

The Housing Executive has assured me that it is continuing to investigate the availability of other suitable land or a more permanent site. The Housing Executive has told me that, given the short time available from the date of the court order to the family's eviction from the Northern Ireland Water land, it did not have adequate time to consult the community in the normal way.

I want to come to a question that was asked by Mr Clarke. I trust that I will be able to get through some of the points that Members have made. I assure Members who raised specific points that I will write to them if I run out of time. The Member asked about the cost. I will indicate what facilities have been provided at the temporary site in Antrim and their cost.

The Housing Executive operates a cooperation policy that, in summary, means that it provides basic amenities as a way of dealing with humane requirements. The amount spent at Rathenraw to date on the temporary provision of skips is £900; the amount for the temporary provision of a Portaloo is £2,845; while the provision of a water supply has cost £2,694. More recently, an access road has been provided to facilitate access for the family and the service providers at a cost of £26,000. Those costs were incurred for the period from 1 April 2014 to December 2015. Whilst not directly related to the provision of facilities, the costs for a temporary planning application at Rathenraw amount to a standard fee of £831. To save Members counting all that up, the total comes to £33,270.76. I think that that gives some indication of the cost.



A question was asked about whether rent was charged. No rent is charged for the temporary site. If it were to become permanent and established, rent and rates would be charged. However, it would not be retrospective; it would only be from the time that the application was approved.

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

**Mr Storey:** Yes, I will give way.

**Mr Kinahan:** I do not want to break the love-in between all of you up there. However, on the cost of putting in electricity, do you have any estimate of that in the future? It does not exist at the moment, but I know that they are pushing for it. No. OK.

**Mr Storey:** No. In relation to the love-in, that is the nature of our party; we enjoy a family atmosphere.

There is no electricity, so no cost has been incurred.

Mr Deputy Speaker, is my time still up?

**Mr Deputy Speaker (Mr Dallat):** I was hoping that you would not ask that.

**Mr Storey:** OK. Well, maybe I could deal with a couple of other issues. How many complaints were received about the site? There are no antisocial complaints about the site from the PSNI, although some complaints to the Housing Executive were from anonymous sources. Investigations from different bodies have not confirmed the allegations.

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

**Mr Storey:** Yes.

**Mr Clarke:** I am sure, Minister, that you understand why people would take the time to be anonymous. Given the history of the individuals on the site, the person who made the complaint would want to remain anonymous in case of retribution.

**Mr Deputy Speaker (Mr Dallat):** Order. I ask the Minister to wind up. Giving way to more Members is just pushing it a bit far.

**Mr Storey:** I thank the Deputy Speaker for his indulgence and concur with the comments that have been made.

I conclude by making one response, which is the obligation that Travellers have in relation to the keeping of animals on permanent or temporary sites. The Member made a very valid point. Horses are not permitted on caravan sites, and the Housing Executive endeavours to work with the Travelling community to find grazing land for the horses. The Housing Executive has advised me that the horses associated with this site are not on Northern Ireland Housing Executive land and that Travellers have the same rights to have a domestic pet as any other tenant.

There are other comments that I could make, but I gave an assurance to Members that I would write to them.

In conclusion, this issue has created considerable concern, and valid points have been raised about how the settled community is treated. There was a very valid point about historic monuments and the whole planning process. There is a planning process, and we await the DOE's decision on that. I assure Members that I will write to them on the points that have not been covered in my responses in the House this evening.

*Adjourned at 6.14 pm.*

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# Northern Ireland Assembly

**Monday 9 February 2015**

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

*Members observed two minutes' silence.*

## Committee Business

### Committee Membership

**Mr Speaker:** As with similar motions, the motion on Committee membership will be treated as a business motion and there will be no debate.

*Resolved:*

*That Mr Roy Beggs replace Mr Michael Copeland as a member of the Committee for Social Development; and that Mr Robin Swann replace Mr Roy Beggs as a member of the Assembly and Executive Review Committee. — [Mr Swann.]*

## Executive Committee Business

### Standing Orders 10(2) to 10(4): Suspension

**Mr Hamilton (The Minister of Finance and Personnel):**  
I beg to move

*That Standing Orders 10(2) to 10(4) be suspended for 9 February 2015.*

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

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Orders 10(2) to 10(4) be suspended for 9 February 2015.*

## Supply Resolution for the 2014-15 Spring Supplementary Estimates; Supply Resolution for the 2015-16 Vote on Account; and Supply Resolution for the 2015-16 Main Estimate

**Mr Speaker:** As usual, there will be a single debate on the motions. One amendment has been selected for debate regarding the Supply resolution for the 2015-16 Vote on Account and is published on the Marshalled List. As a valid of petition of concern was presented on Friday 6 February in relation to the amendment, the vote on the amendment will be on a cross-community basis. I shall call the Minister to move the first motion, which is on the 2014-15 spring Supplementary Estimates. The debate on all three motions and the amendment will then begin. When all those who wish to speak have done so, or when the time limit has been reached, I shall put the Question on the first motion.

The second motion, which is the 2015-16 Vote on Account, will then be read into the record, and I will call the Minister to move it. The amendment will then be read into the record, and I will call Mr Allister to move it. The Question will then be put on the amendment followed by the Question on the second motion. After the Question is put on the second motion, the third motion, which is the 2015-16 Main Estimate, will then be read into the record, and I will call the Minister to move it. The Question will then be put on that motion.

The Business Committee has agreed to allow up to four hours and 30 minutes for the debate. The Minister will have up to 60 minutes to allocate at his discretion between proposing and winding. The proposer of the amendment will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who are called to speak will have 10 minutes. If that is clear, I shall proceed.

**Mr Allister:** On a point of order, Mr Speaker. Could I have clarification about the validity of a petition of concern? Surely, at the point at which the signatories apply their name, they should know that which they are petitioning. In this case, the petition that was lodged contains your name, Mr Speaker, Tippexed out, which suggests that it came out of the bottom of a drawer and was prepared long before the motion that it is petitioning ever came into existence. How, therefore, could a petition of concern be valid if, when the signatories applied their signatures, they did not know that which they were petitioning?

**Mr Speaker:** The Member will understand the process as well as anyone in the House. I, as Speaker, have to judge whether the petition of concern is valid. I seek to determine whether the names of those who have signed that petition are valid and whether it was submitted in the appropriate fashion. That is as far as I intend to go with the point that you made. You have succeeded in putting it on the record, and I suspect that you will be satisfied with that.

**Mr Hamilton (The Minister of Finance and Personnel):** I beg to move

*That this Assembly approves that a total sum, not exceeding £15,646,075,000, be granted out of the Consolidated Fund for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food*

*Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2015 and that total resources, not exceeding £17,051,879,000, be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2015 as summarised for each Department or other public body in columns 3(c) and 2(c) of table 1 in the volume of the Northern Ireland Spring Supplementary Estimates 2014-15 that was laid before the Assembly on 2 February 2015.*

*The following motions stood in the Order Paper:*

*That this Assembly approves that a sum, not exceeding £7,075,640,000, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,283,000, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in columns 4 and 6 of table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]*

*That this Assembly authorises resources, not exceeding £50,000, for use by the Department of Justice Northern Ireland Judicial Pensions Scheme for the year ending 31 March 2016, for the purposes specified in column 1 of the 2015-16 Main Estimate document that was laid before the Assembly on 2 February 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]*

The Supply resolution debate is a critical step in the legislative process that governs our finances. The debate commencing today primarily covers the final spending plans for the 2014-15 financial year, but it also covers the first few months of 2015-16 and the 2015-16 Main Estimate for the new judiciary pension scheme. Today, I am tabling three Supply motions for debate. Through the first motion, I seek the Assembly's legislative approval of the Executive's final spending plans for 2014-15. As Members will be aware, these final spending plans are detailed in the spring Supplementary Estimates. The second motion requests interim legislative cover for resources and funding for

the first few months of 2015-16 in the form of a Vote on Account. The third motion seeks legislative cover to spend in respect of the new judicial pension scheme that will come into effect on 1 April 2015.

I request the levels of Supply set out in the motions under section 63 of the Northern Ireland Act 1998, which provides for the Minister of Finance and Personnel to make recommendations to the Assembly, leading to cash appropriations from the Northern Ireland Consolidated Fund. The amounts that I now ask the Assembly to vote in Supply for 2014-15 are substantial: some £15.6 billion in cash, £17.1 billion of resources and £2.4 billion of accruing resources to be used by Departments and other public bodies in Northern Ireland.

As I mentioned, the first Supply motion relates to the spring Supplementary Estimates, which reflect all in-year changes made since the Main Estimates were approved by the Assembly last June. That includes any funding surrendered by Departments, allocations received or other technical transfers of funding processed through the three monitoring rounds in this financial year. They reflect the departmental expenditure limit (DEL) changes agreed by the Executive at the June, October and January monitoring rounds, and the annually managed expenditure (AME) funding agreed by the Treasury since the approval of the 2014-15 Main Estimates. Therefore, this legislation process simply ratifies Budgets previously agreed by the Executive.

Before going into the detail of the 2014-15 public expenditure transactions, I think that this is an opportune time to reflect on what has been an incredibly challenging year. The public expenditure environment that the Executive and Assembly had to face was immensely difficult, and there were times when the scale of the challenges facing us threatened to unhinge the entire Executive. The reasons for the very tight public expenditure position have been well documented. It was a combination of a reduction in our spending power since 2010 of more than £1 billion, increasing pressure on our public services, such as health, and the impasse over welfare reform. With the Stormont House Agreement, we now have a basis to move forward in respect of both political agreement and public finances. Specifically, the agreement on welfare reform has put the Executive's finances back on a long-term sustainable footing. The Executive's publication of a 2015-16 Budget last month means that we can look ahead with a key cornerstone in place to underpin the agreement.

The Stormont House Agreement also paved the way for the Assembly to take on new powers to vary our rate of corporation tax. What we have achieved over the last few months should, therefore, not be underestimated. That said, it is well known that it has been a bumpy road. I am still frustrated that it took so long to get agreement to implement welfare reform. The UK Government still insist on deducting funding from our Budget for the non-implementation of welfare reform to date. In this financial year alone, that deduction amounted to £87 million, which could otherwise have been used to deliver public services in Northern Ireland. With the Stormont House Agreement, we were able to negotiate additional flexibility to address the issue of welfare reform deductions, and I am pleased that we now have a mechanism to deal with that, but we should not forget that failure to proceed earlier on welfare

reform has cost us £100 million in lost investment in public services.

I now want to look ahead with renewed focus and optimism to ensure that we continue to deliver for the people of Northern Ireland. I hope that everyone else in the Chamber shares that vision.

Let me return to the detail of the 2014-15 in-year changes, which is the focus of today's debate. We began the 2014-15 financial year with an overcommitment of £76.7 million on the resource side and £51.6 million on the capital side. That is normal budget management practice and was based on the expectation that the Executive would be able to more than recoup those amounts through reduced requirements being surrendered in the monitoring rounds. In any other year, that approach would have been perfectly logical, as it was when the Executive agreed their 2011-15 Budget in 2010. However, in terms of the resource budget, this year was not business as usual.

As I said, in the June monitoring round, we were facing a critical financial position that required in-year resource reductions to be imposed on Departments. As Members will recall, the Executive agreed reductions to departmental resource DEL of 4.4% across the June and October monitoring rounds. That impacted all Departments, with the exception of the Departments of Health and Education and a number of minor public bodies. In fact, the total amount of departmental reductions applied in this year was £164.6 million.

So far, my understanding is that the Departments are on target to deliver those savings, perhaps with the exception of the Department for Regional Development, which bid for additional resource funding in the January monitoring round. I reiterate the critical importance of all Ministers adhering to their budget control totals and, indeed, the resource and cash limits included in the spring Supplementary Estimates.

Despite the in-year reductions applied to departmental resource budgets, some reduced requirements were still surrendered through the monitoring rounds. On the non-ring-fenced resource side, that amounted to £36.1 million. As would be expected, given the in-year reductions, that was significantly less than the £90.7 million surrendered last year.

If we take funding to manage the overcommitment, technical adjustments and other issues into account, the Executive balanced the in-year reductions with allocations of some £206.8 million non-ring-fenced resource during 2014-15. A considerable proportion of that — £80 million — went to the Department of Health to ensure continuation of critical front-line health services. Funding was also allocated to key Executive commitments, including local government reform, Invest NI business support and the historical institutional abuse inquiry. Additional resource funding was also provided to the Department of Justice for the PSNI and legal aid pressures.

On the capital side, the Departments surrendered some £331.1 million through the in-year monitoring rounds. Members should note that that included some £132.8 million identified in the Executive's capital reallocation exercise in 2013, and that was not available for reallocation in this year. Some of the largest reductions included £119.5 million from the Department for Regional Development in respect of the A5 road scheme and £63.1 million from the



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Department of Culture, Arts and Leisure in relation to its regional stadia programme.

If we take the opening position at the start of the year, technical adjustments and other issues into account, capital allocations to Departments amounted to some £226.9 million in 2014-15. That included £54.5 million to the Department for Social Development, primarily for the co-ownership scheme, social housing development and urban regeneration projects. There was also £48.3 million for the Department for Regional Development to fund the structural maintenance of roads and other capital works. There was also an allocation of £48.5 million financial transactions capital towards the University of Ulster's greater Belfast development scheme.

Those were just some of the departmental expenditure limit allocations in the monitoring rounds. However, the 2014-15 spring Supplementary Estimates also include some £3 billion of annually managed expenditure for social security benefits.

This funding goes a long way to protect those most in need and provides mainly for expenditure on disability benefits, pension support, employment and support allowance, jobseeker's allowance, income support and housing benefit.

#### 12.15 pm

Before leaving the detail of the spring Supplementary Estimates, I would like to highlight some limited headroom that has been built into the position over and above the January monitoring position. Headroom has been included for the Department for Social Development and the Department for Regional Development to ensure that, should other Departments have capital underspends before the end of the financial year, there is sufficient legislative cover to allow unspent capital to be redirected to these Departments. This will help the Executive to maximise capital expenditure and should ensure that no capital funding is lost to Northern Ireland under the Budget exchange scheme. I must emphasise that this headroom has been included on the condition that it must only be used if capital funding becomes available before the end of the financial year. I hope that Members will endorse these actions in respect of headroom and share my desire to avoid scarce capital funding being surrendered to the Treasury at the year-end.

Turning from the 2014-15 financial year and looking ahead to 2015-16, the second motion seeks approval of a cash and resource Vote on Account to ensure the continuation of services into the next financial year. The amounts of cash and resources proposed are an advance of around 45% of the final 2014-15 provision and have no direct correlation to the Budget allocations for 2015-16. This advance is simply necessary to enable services to continue into 2015-16 until the Main Estimates are presented to the Assembly for approval in June.

The final motion is the Main Estimate for the 2015-16 judicial pensions scheme. Legislation is currently under way to establish a new pension scheme for the devolved judiciary to take effect from 1 April this year. Since authority to spend in relation to this scheme must be in place before 1 April, the third motion introduces the 2015-16 Main Estimate for this new pension scheme.

I commend to Members the 2014-15 spring Supplementary Estimates, the 2015-16 Vote on Account, the 2015-16 judicial pensions scheme Main Estimate and the related Supply motions. At the end of today's debate, I will endeavour to deal with the issues raised by Members.

**Mr Allister:** I beg to move the following amendment:

*Leave out all after "Assembly approves" and insert*

*"that a sum, not exceeding £7,075,390,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,033,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in columns 4 and 6 of table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015."*

I will speak primarily to the subject matter of the amendment. Contrary to what I suspect some will allege, this amendment is not an assault on the existence of the Equality Commission. If it were, then, of course, the attempt to reduce its budget would be much more radical, because it has a budget of something approaching £6.5 million. This amendment, in a very proportionate way and by a relatively modest amount, seeks to afford MLAs an opportunity to rebuke the Equality Commission for its anti-Christian agenda.

The Equality Commission is publicly funded. Indeed, it requires the votes of today on the two resolutions to provide it with the funding that it spends. It is, effectively, living off and spending public money as an arm's-length body of OFMDFM, and its money comes by that route: through OFMDFM. Therefore, it is right that an elected Assembly should take an opportunity such as the Estimates debate to lay down markers in respect of the public performance of such a body.

This amendment seeks to do that in that measured way, to oppose and expose its adventurist agenda to try to suppress freedom of conscience in the area of human rights law. However you look at its recent actions, it is hard to escape the conclusion that part of this adventurist agenda is to push the boundaries of equality law to the point that it is beyond dispute that what they call "gay rights" trumps freedom of conscience. They utterly overwhelm them to the point that, no matter what religious freedom one might be supposed to have and no matter what freedom of conscience one might be supposed to

have, there are circumstances, such as those that are manifesting themselves in current litigation, in which the Equality Commission wishes to demonstrate and to put beyond doubt that gay rights trump the Christian right to freedom of conscience. That is wrong, which is why, I believe, the opportunity is appropriate and timely to rebuke the mischievous madness of the Equality Commission in this regard.

**Mr Givan:** I thank the Member for giving way. The commentary is around gay rights trumping the rights of conscience and Christians in our society, but is it not the case that for Ashers bakery the sexual orientation of the customer was irrelevant? It was the message that the bakery was being asked to produce that was the problem. Therefore, had a heterosexual male asked for a cake with that message, it would have denied the service to that individual as well, because it was the message as opposed to the messenger that there was an issue with.

**Mr Speaker:** I invite the Member to return to the subject of the debate. I was giving you some scope — I am sure you will appreciate that — but it is time to discuss the business of today. The intervention has required me to make that clear. I was worried that we might head off in a different direction on a different debate for a different occasion. Today, we are discussing the budgetary measures, and I invite the Member to concentrate on that in his remaining time.

**Mr Allister:** I agree entirely with the comments made in the intervention. The purpose of the amendment is to put down a marker to the Equality Commission on its spend of public money and show it that there are those in this House who object to its actions and want to take the opportunity, I hope, to disapprove in a tangible way, such as by voting for the amendment, to demonstrate that.

It strikes me that the Equality Commission must have too much money if it can afford to go on the adventurous persecution that it is involved in. Of course, the Equality Commission is very bloated with its level of public support: it has 130 staff. We run the Policing Board, apparently, with 47 staff, but the Equality Commission needs 130. The Victims and Survivors Service has 136; the Equality Commission has 130.

When we come to the Equality Commission, we discover the astounding fact that it cannot even provide for equality in its own house. According to its last annual report, of its 130 staff, 66% are from a Roman Catholic background and 33% are from a Protestant background. Sixty-five per cent are from a female background, but 34% are male. Surely within the Equality Commission we should expect wholly transparent manifestations of equality. Yet, we find that things are of that nature.

My message to the Equality Commission through this amendment is very straightforward. Take the beam out of your own eye in terms of equality before you start worrying about the adventurous matters that you are meddling in.

I trust that the House will take the opportunity to mark the Equality Commission's card in this matter. It is a matter of regret to me that the republican front in this House has sought to block expression through a petition of concern, but there still will be an opportunity for people to show their tangible disapproval.

I trust that many will take that opportunity today and send the message that needs to be sent to the Equality Commission.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. Senior DFP officials briefed the Committee for Finance and Personnel in relation to the spring Supplementary Estimates (SSE) and Vote on Account, and the Committee approved accelerated passage for the Budget Bill, which will be introduced by the Minister later today. That decision was on the basis that there had been appropriate consultation with the Committee as provided for by Standing Order 42(2), and I wrote to the Speaker to provide confirmation of that.

As was pointed out, the SSE reflect the changes that were made to the opening Budget position for 2014-15 as a result of the monitoring rounds in June, October and January. Additionally, the Department explained to the Committee that headroom was built into the spring Supplementary Estimates to give the Executive ability to spend any last-minute underspends on priority areas to ensure that no resources are lost to the Treasury under the Budget exchange scheme. That relates to the Department for Social Development and Department for Regional Development in particular.

During the evidence session, the Committee received helpful clarification from officials on a number of significant allocations, easements and technical adjustments that occurred during the in-year monitoring round process. The officials ran through the detail of those when explaining the reconciliation of the spring Supplementary Estimates with the Main Estimates of Departments, which were approved in the Assembly last summer.

That reconciliation exercise highlighted the scale of the movement of moneys across Departments during the year. From a quick calculation, the total resource allocations amounted to £239 million, while total capital allocations amounted to almost £227 million. That was against total easements of almost £78 million in resource and £331 million in capital. In some instances, the figures were substantial, in particular for Health, Social Development and Regional Development.

The Committee for Finance and Personnel undertook an active role in scrutinising the quarterly monitoring rounds at a strategic and departmental level throughout the 2014-15 financial year and received timely briefings on the Department's position prior to each monitoring round.

As regards its own expenditure, the Department of Finance and Personnel reported easements totalling £1.6 million in resource. In allocations, the Department received £5.8 million resource and £29.4 million capital, primarily in relation to the asset management strategy.

In the Committee's previous debate on its report into flexible working, a key issue in relation to office accommodation savings was that we do not yet have firm figures from the Department for the potential savings or even a plan setting out when and how those savings will be achieved. The Committee discovered that only 20% of Civil Service office space met workspace utilisation targets and traditional office space was typically occupied for only 45% of the time. Given the scope for significant savings in this area in 2015-16 and beyond, I expect the Committee will wish to closely monitor progress in this area.

Arising from last week's evidence from the Department of Finance and Personnel, the Committee agreed that in its future scrutiny it would be beneficial if, in advance of the Committee receiving an oral briefing and of the related Supply resolution debates, the Department provided the more-detailed information explaining the changes in departmental positions from the opening position to the Estimates. That would ensure that the Finance Committee and other Statutory Committees had a more detailed understanding of the changes ahead of debates. I look forward to the Department's response in that regard.

I turn now to the motion relating to the Vote on Account for 2015-16. That is a practical measure that provides interim resources at approximately 45% of the 2014-15 provision. That enables Departments, as the Minister said, to ensure that public services continue during the early part of the financial year until the Main Estimates for 2015-16 and the associated Budget Bill are debated by the Assembly before the summer.

### 12.30 pm

I will now speak from my party's position. I turn first to Mr Allister's amendment. The amendment is juvenile and petty. The Member for North Antrim does not like a decision that the Equality Commission has made, so he wants us to just take its money away. This is a Budget debate. It is a serious debate for the House. We should not be led into any diversionary debates that, as the Speaker has already said, belong elsewhere. You cannot have your cake and eat it. Have your 10 minutes and have your little argument, but, as far as we are concerned, this proposal is going nowhere. It is part of a homophobic front, to use the Member's terminology, because the whole argument that has arisen from the proposed legislation is about not only targeting the LGBT community and undermining the Equality Commission but opening a Pandora's box on equality. It is no surprise that the Member has brought this proposal forward.

I turn now to corporation tax. The Committee recently received evidence from Dr Graham Gudgin from the Centre for Economic Policy. He made a very interesting point, and one that we certainly agree with, that, in the calculations around corporation tax, there is a clear deficit. Most people expect that if, when the Assembly receives corporation tax powers, there were a decision to reduce the rate, then the secondary tax impacts of that — for instance, an increase in income tax revenues, an increase in VAT, and a reduction in welfare payments — should result in a benefit to the Department of Finance here in Belfast. We looked at Scotland, because the Smith Commission has rightly secured an assurance that any secondary tax impacts arising from fiscal powers used by the Scottish Government will make their way back to Edinburgh and to the Scottish Government. The Minister and the Executive need to seek an assurance that we do not get only the sting in the tail of corporation tax in terms of the cost, the £300 million projections, that have been put out there. If this is going to result in significant revenues going to the Treasury in London, those should be taken off the cost of corporation tax.

We do not know what is going to happen in Westminster over the next few months. However, there is every possibility that Scotland and the SNP, which wants to see corporation tax powers in Edinburgh, will get a better

deal on corporation tax. It is important that we ensure that we get a good deal and a complete deal on corporation tax and that the Treasury does not pull a fly one with the Executive. A lot of these situations arise for a very simple reason: the fact that we do not have adequate detail on revenues and taxes. The Department of Finance and Personnel is often left in the position where the Treasury can wilfully pull the wool over its eyes whether it likes it or not. This is not an ideal position and does not represent good governance as far as the people we represent are concerned. It will lead to situations where we are not getting an appropriate and fair deal when it comes to any dealings with the Treasury.

In the DEL budget contained in the document before us today, there is reference to the European Social Fund (ESF). There is a lot of concern out there at the moment. I recently met a number of organisations in my own constituency to talk about how the ESF payments and the ESF process have been dealt with. There is a sense that community-based groups have been cut out of this process. There have been questionable changes made to the criteria for level 1 and level 2 qualifications. It is important that, over the next financial year, the Minister for Employment and Learning looks after not only his own Department but those in the community and voluntary sector who, in a lot of instances, deliver better outcomes and better results on the community line.

Finally, a lot of money has gone to Health over the past year for front-line support. That will continue with the £200 million uplift in 2015-16, but I hope that the Health Minister will learn —

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

**Mr McKay:** — that any decisions he makes will have to be based on protecting front-line services, like those at Dalriada, and that they will also need to be rural proofed in the year ahead.

**Mr Ross (The Chairperson of the Committee for Justice):** I am pleased to be able to speak on behalf of the Committee for Justice, which has obviously regularly scrutinised through written and oral briefings the Department of Justice's budget, including the delivery of savings plans, as well as pressures and easements, which are identified in monitoring rounds. As everyone is now aware, it has been a particularly challenging time for the Department of Justice, given the in-year budget reductions arising from the October monitoring round and the ongoing pressures created in other parts of the Department, its agencies and non-departmental public bodies.

Primarily, the ongoing costs of legal aid are of particular concern. Last week, I was at a Commonwealth Parliamentary Association conference to mark the 800th anniversary of the Magna Carta, a document that many Members will understand is rooted in the foundation of parliamentary democracy and, indeed, the rule of law. Article 39 of the Magna Carta talks about access to justice, and I think that we are all aware of the importance of access to justice and a good legal system. At the same time, we also have to be cognisant that the cost of legal aid in Northern Ireland is rising, is continuing to do so and is, indeed, spiralling out of control.

Given the cost of legal aid and its overall impact on the Justice budget, I will talk about it first. As early as the June monitoring round, very large pressures were being

highlighted as a result of the cost of legal aid, and the Department was looking for savings in other areas to enable it to allocate additional funding. Over the year, the Department allocated £35.5 million of additional funding to the legal aid budget, including £13.2 million of the £29 million additional funding that the Executive provided as part of the October monitoring round. That money could have been used — some would argue that it should have been used — to fund other areas, including policing pressures and other front-line pressures facing the Department during the latter part of the 2014-15 financial year. At the Committee meeting on 10 December 2014, departmental officials confirmed that all budget areas had taken cuts to fund the legal aid pressures.

The cost of legal aid is unsustainable, given the reduction in budget that the Department is facing in 2015-16 and the impact that that will have on the provision of front-line services, which I will return to shortly. When he appeared at the Justice Committee meeting on 28 January this year, the Minister of Justice indicated that the key risk to the Department living within its budget next year is legal aid spending and said that radical action is clearly required. The Minister is proposing a range of further reforms, including a short-term exceptional measure to assist in managing the pressures on an in-year basis. That would involve a strictly controlled levy on bills to be paid, based on the amount required to live within the budget. The Assembly will take that decision annually. The Committee has asked for further details on that. It has not seen the detailed proposals, but when it does, it will obviously scrutinise them to make sure that the action will result in the immediate reductions that the Minister claims. Such a reduction in the cost of legal aid will, therefore, provide the time needed for the implementation of a longer-term reform, which, I think, everyone in the House believes is absolutely necessary.

Turning to the PSNI budget, which accounts for over 60% of the overall Justice budget — indeed, it is in the range of being seven times more than any other area of DOJ spending — the Chief Constable clearly outlined the impact that the in-year reductions in the budget would have. They included a severe detrimental impact on police resilience and capacity, including a significant impact on community policing, combating serious crime, legacy investigations and police recruitment plans for police officers and staff. The additional funding from the Executive at the October monitoring round was welcome and provided some assistance to the Chief Constable when making difficult decisions on priorities to ensure that he lives within his budget for 2014-15. The extra £20 million provided in the final budget allocation specifically for the PSNI will also enable the Chief Constable to undertake a level of recruitment and to mitigate to some extent the impact on front-line services during 2015-16. Again, that is to be welcomed.

Given that the police budget receives the bulk of Justice funding, the Committee has emphasised the importance of ongoing scrutiny of all areas of its spend to identify further efficiencies and opportunities to avail itself of shared services. Whilst the PSNI has identified and implemented a wide range of efficiency measures and savings, the need for the Department and the Chief Constable to continue to work closely together is of particular importance in this climate of reducing budgets. The Committee will continue to keep an eye on this area of the budget.

One other pressure that has emerged recently relates to hearing-loss claims from prison officers. Whilst the scale of the claims is unlikely to be anywhere near as high as those for police officers, the Department needs to give consideration to the best approach to handling the claims, given the criticism that has been directed at the handling of the legal and medical costs for the police claims.

I turn now to the Vote on Account, which provides the initial funding for 2015-16. According to the Department of Justice, its aim, amongst other things, is to prevent crime and reduce the risk of reoffending. The Department has already faced substantial pressures in-year, resulting in a range of reductions in funding that have clearly affected the delivery of front-line services, not just by the PSNI, as I have already highlighted, but projects delivered by the voluntary and community sector to address offending behaviour. My colleague Mr Frew, who is sitting along the Benches from me, has raised on a number of occasions the Railway Street Drug, Arrest Referral and Harm Reduction Service in Ballymena. NIACRO has been mentioned as well, and, of course, the work of the Probation Board, including the monitoring of sexual and violent offenders who are living in the community.

The Minister will continue to have to prioritise funding during 2015-16, and the Committee has raised concerns regarding the adoption of an approach to cutting spending that does not include a cost-benefit analysis and an analysis of the likely impact on and cost to other areas of the criminal justice system. By reducing funding to projects that aim to prevent offending behaviour and rehabilitate offenders, not only will the Department reduce the likelihood of achieving its overall aims and objectives for the justice system but it is likely to increase costs for the PSNI, the Courts and Tribunals Service and, ultimately, the Prison Service. The Committee has asked the Minister of Justice to revisit some of the funding proposals, and, again, we will continue to monitor saving plans and related impacts to ensure that budget allocations are not based on a false economy.

When the Minister attended the Committee meeting on 28 January, the budget for the Prison Service was discussed. I raised concerns regarding staffing levels, the use of overtime to cover staff shortages, the number of lockdowns, particularly in Maghaberry, and whether adequate funding is being made available to maintain safety levels for prison officers and prisoners. This morning, I noticed a reply to an Assembly question that I had tabled. It puts this in very stark view over the past five years. In 2010, 63 members of the Prison Service left with no new officers recruited; in 2011, 47 prison officers left the service and none was recruited; in 2012, 257 members left with 140 recruited; in 2013, 323 left and 170 were recruited; in 2014, 104 members left and none was recruited; in 2015, up until the 23 January, nine members of the Prison Service have left with no new recruits. Whilst we acknowledge that many left under the voluntary exit scheme, it highlights that we are running short on the number of prison officers that we have. That will obviously have an impact on the running of our prisons. The Minister indicated that staffing arrangements will be considered and that emerging funding pressures will be considered as part of the monitoring rounds, but it is, as I said, an area of particular concern, particularly given recent events at Maghaberry prison. The Committee will no doubt wish to



discuss the situation with the director general of the Prison Service when she next attends the Committee.

Finally, I wish to mention the Desertcreat community safety training college capital project. The Department has indicated that an allocation of up to £53 million has been provided for that in the next financial year, dependent on agreeing the drawdown of unspent funds from the Treasury. Given that the four-year period provided for the Department of Justice to carry forward underspends is due to come to an end on 31 March 2015, it would be helpful if the Minister could provide an update on the position regarding discussions with the Treasury in relation to the underspend and end-year flexibility arrangements.

I finish by saying that I support the 2014-15 spring Supplementary Estimates and the 2015-16 Vote on Account.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle, as an deis cainte sa díospóireacht seo. Beidh mise ag díriú le linn m'óráide ar an tionchur a bhéas ag na moltaí seo ar rialtas áitiúil. Ní bheidh mé ag tabhairt tacaíochta don leasú ar an phríomh-rún, agus déarfadh mé a thuilleadh faoi sin ar ball. At the outset, I want to say that we will not support Mr Allister's amendment. I will deal with that later. I want initially to outline the very challenging financial position that local government faces at a time when the sector is expected to deliver major reform.

#### 12.45 pm

The reform of local government is one of the flagship commitments in the Executive's Programme for Government. The vision that the Executive set for local government is:

*"a strong, dynamic local government creating communities that are vibrant, healthy, prosperous, safe, sustainable and have the needs of all citizens at their core."*

A key element of local government reform is the transfer of a number of functions to local government. To ensure that that transfer was effective and sustainable and would not increase the burden on ratepayers, the Executive made a commitment that it would be rates-neutral at the point of transfer.

The Minister, Mr Durkan, is responsible for, among other things, planning, which is the largest single area of work that will transfer to councils in April. He has ensured that that commitment has been adhered to with respect to the costs that are associated with that function. That has meant excluding those costs from the effects of the substantial across-the-board reductions that have been applied to the Department's budget by the Executive, thereby creating even greater pressures on the remaining areas of DOE expenditure. However, not all Ministers have felt able to do that, which has left the new councils with the challenge of either having to find additional funding from within their budgets or to cut services to achieve savings from the outset. That has not fulfilled the collective commitment to local government on rates neutrality at the point of transfer. To compound the issue, the Executive's final Budget also applied significant reductions to the DOE baseline provision for a range of local government grant programmes.

Throughout the consultations that led to the draft Budget and the final Budget, the Minister pressed for grant programmes to be protected from across-the-board cuts and the amounts to be ring-fenced so that they could only be used to support local government at this time of great change for the sector. Unfortunately, the Minister's proposals were ignored, which left local councils in a position in which they did not have their funding protected at the point of transfer but, instead, face cuts to their central government funding at a time of significant upheaval.

There is particular concern about the implications of the final Budget on the rates support grant. Reductions to that grant will impact directly on those less well-off councils that have access to those grant payments to help make good the difference between their rates income and the money that they need to maintain parity of service provision with more wealthy councils. That would be a particularly unfair and unwelcome outcome at a time when councils are seeking to make the major organisational changes that are associated with local government reform and reorganisation. Indeed, whilst the additional £1.9 million allocation to the derating grant was welcome, it will not meet the expected pressure on that budget, which, even with that additional allocation, is anticipated to be in the region of £3 million.

Furthermore, a number of other grant programmes that were previously supported by DOE have been subject to across-the-board cuts in the final Budget, including grants that are provided by the Department to local government to carry out statutory obligations or important services on behalf of central government. Those include the emergency planning grant, which is used by councils to support their capacity to provide much-needed support to other agencies at times of emergencies, and we have all witnessed the valuable contribution that councils make in emergency situations, including localised flooding events.

Unfortunately, the decision to apply an arbitrary and substantial cut to what was already a relatively small grant sends the wrong message to the new councils about the value that the Executive place on their previous efforts in emergency situations.

In 2013, the Executive agreed to provide councils with a reform funding package of £17.8 million for 2013-15, with a further commitment of up to £30 million for rates convergence beyond 2015. Mr Speaker, as you will be aware, the £17.8 million commitment for 2013-15 covered only part of the bid for £38 million in costs, and local government has had to meet the balance. That has placed, as you would expect, significant pressure on councils to fund the shortfall of an estimated £20 million, during a time of challenging economic circumstances, in order to cover the costs of the work streams relating to reform that are inescapable and provide no cash-releasing benefit to the sector.

In addition, councils have identified a further £13 million of transition and transformation costs that will, potentially, be incurred over this and the next two financial years. That is adding to the financial pressures in local government created by the final Budget and the reductions in funding transferring with some functions. Those pressures would be difficult at any time, but, coming in the early years of operation of the new councils, the challenge is even greater. Some local government representatives have articulated the view that the Executive are less than committed to making local government reform work and

are not providing councils with adequate resources to be able to fulfil the expectations that citizens have of the reform process. Indeed, they believe that the cumulative effect of all these cuts will be an increase in district rates or cuts to key services.

The Executive need to allocate an additional one-off sum to be paid to councils to mitigate the dual impacts of the one-off costs of reorganisation and the final Budget on Executive funding available for local government next year. In particular, the Executive need to allocate additional funding to support local government at this critical time: for example, £3 million to plug the gap in the derating grant for 2015-16; £2.77 million to restore the rate support grant to its current level of £18.32 million; and a contribution of a further £10 million towards the additional transition costs not covered by the Executive's local government reform funding package. Such sums would be allocated for the exclusive benefit of the new councils.

I do not think that it is any surprise that the SDLP will oppose the amendment proposed by Mr Allister, since we signed the petition of concern. I think that the amendment is a worrying interference in the work of the Equality Commission. The implication of it is that, if we disagree with the direction that the Equality Commission takes on a particular issue, we simply cut its budget. We should allow the Equality Commission to continue to do its legitimate work without such interference.

Mr Speaker, I will leave it at that. Go raibh míle maith agat, mar a dúirt mé cheana féin, as an deis cainte. Ní bheimid ag tacú leis an leasú ar an rún. As I said, we will not support the amendment.

**Mr Cree:** I welcome the opportunity to speak on the two Supply resolutions that are being debated together today.

As usual, the spring Supplementary Estimates contain a lot of figures, and I appreciate that it was no easy task to collate the information. It is three years since Mr Bradley, as Deputy Chairperson of the Committee, brought a motion to the House that gave effect to approving the Committee's report on implementing a review of the financial process in Northern Ireland. The report was adopted and supported by all. It called on the then Minister of Finance and Personnel, in conjunction with relevant Executive colleagues, to implement the report's recommendations. It is a shame that nothing has moved on since then and that we are still labouring with a system that has long since passed its sell-by date. We will shortly enter the last year of the mandate of this Assembly, and I urge the Executive to press on with a proper system, despite the intransigence of the Education Minister.

The Finance Committee has taken evidence from departmental officials in the last few weeks. The Chairman has spoken about this, so I will not go into specifics on the work of the Committee in that regard. The Supply resolution seeks the Assembly's approval of the Executive's final spending plans for 2014-15, as detailed in the spring Supplementary Estimates. At this stage of the year, the Estimates have included all the changes from the monitoring rounds and are largely technical in nature. They require Assembly approval and are the final spending plans for this year.

For a variety of reasons, the Departments struggle throughout the year to spend their capital budgets. It seems prudent that some capital has been built into the

Estimates by way of headroom to allow for flexibility at the year end. The return of capital to the Treasury would be most regrettable, bearing in mind the pressing needs in Northern Ireland at this time. DRD would receive £3 million for further investment for road structural maintenance, and DSD could receive £12 million for further investment in housing stock.

I also welcome DFP's condition that, should the spending not materialise, the Department's virement approval would not be given later to cover excess spending in other areas. The figures in the Supply resolution and the Budget Bill are the same as those in the corresponding spring Supplementary Estimates. They are both routine requirements at this stage of the financial year to obtain legislative Assembly authority for spending for the resources and associated cash requirements for the revised 2014-15 position. However, I ask the Minister for an assurance, which I am sure he will give me, that no unspent resources and capital, both conventional and financial transactions, will be returned to the Treasury this year.

The Vote on Account today is needed to ensure that the flow of cash continues to Departments, and it authorises spending of around 45% of the Budget, as the Minister confirmed. I have said before that it is not ideal to vote through an authorisation to spend almost half the Budget when we do not have the necessary details of that Budget to scrutinise. Until we have a better financial process, we have to use the existing system, poor as it is.

Mr Allister has tabled an amendment to change the Vote on Account so that the Equality Commission will have its budget reduced by £250,000, and this will presumably extend for the full year. I understand why the Equality Commission has been targeted as some of its decisions are, to say the least, bizarre. The Ashers bakery case is a classic example of Christian values being regarded by the commission as a bias, and the bakery has been prosecuted. On the other hand, I acknowledge that some of the commission's decisions are common sense — if sense be common — and the wearing of poppies was such a case. However, a petition of concern has been tabled so that the amendment will not be allowed, which, I have to say, is another decision that is a major concern to me. We hope to recognise that everyone in the Equality Commission is not guilty of illogical decisions, and many are hard-working. I believe that 10 members of staff were released only last week.

Another area that remains vague is the target for asset realisation. We started off the Budget with an expectation of £100 million for the four years. Perhaps the Minister will clarify what the current situation is. Anticipating a satisfactory response from him, I will be prepared to support the two resolutions today on behalf of the Ulster Unionist Party.

I turn now to the Main Estimate for the Northern Ireland judicial pension scheme. It is proposed to have the scheme in place by 1 April this year, and the secondary legislation is under way. Authority to spend under the scheme must be in place before that date, and we have little choice other than to approve the expenditure provision. The Supply resolution has allowed resources not exceeding £50,000 for the year ending 31 March 2016.

**1.00 pm**

**Mrs Cochrane:** I should like to start by saying that Alliance opposed the 2015-16 Budget at the relevant time, both at the Executive and here in the Assembly, as we do not believe that it is sufficiently strategic. However, the Budget has now been agreed by a majority and we do not believe that we should seek to undermine it at this stage.

Alliance will, however, oppose Mr Allister's amendment to remove money allocated to the Equality Commission. It is clear from his comments that he tabled that not to talk about the Budget but simply as an opportunity to give his twopence worth about the fact that they have taken a case against Ashers bakery. Whether or not you agree with the Equality Commission taking that case, it does have an important role here in Northern Ireland, and to seek to punish it because you do not agree with it could undermine its important work on equality issues. Of course, there are other court cases that are taken with public funding, such as on the gay blood ban, and there is no suggestion from Mr Allister that funding should be removed from the Department of Health for that. Ultimately the courts will decide if they got it wrong, and lessons will hopefully be learned on all sides of each argument. Of course, Mr Speaker, as you said, today is not the day to debate that, nor the electioneering clause — sorry, the conscience clause — so I will move on.

Today's Supply resolution and Vote on Account motions authorise the use of that money by the various Northern Ireland Departments and public bodies. They do not, however, lay any groundwork for the radical reform that is required to deliver better outcomes for everyone in Northern Ireland. I ask the Minister how the proposed spending in front of us today will begin the process of making our public finances any more sustainable. We know that the forthcoming Budget for 2016-2020 is likely to see an even smaller block grant in the UK as the Government continue to cut public spending. At the same time, we have the potential added pressure of locally funding a lower level of corporation tax. Of course, we want the anticipated benefits of devolved corporation tax, but our Budget prioritises health and education at the expense of the economy. How we are going to be able to fund the change in corporation tax if we do not reform the most glaringly obvious area remains to be seen.

There is still no real challenge towards reforming inefficiencies in the areas of health and education. We know that those areas are inefficient, even just through high-level benchmarking of costs compared to other jurisdictions, yet the large degree of protection that they have been given creates less incentive for reform. As I said before, Alliance would not have given the degree of protection to the Department of Education, although we do support investing more resources directly into schools, but we think that that can be achieved by better use of the Department's budget in the first place. More money is already spent on education in Northern Ireland than in neighbouring jurisdictions, but less money is invested directly in the pupils. Part of that is due to the divided system that we have, as well as the administration.

The focus for the Department of Health also needs to be on reform, not just simply using resources to cover over gaps here and there in a sticking-plaster approach. The numerous reports that have already shown where there is significant scope for reform in the health sector now

need to be driven forward through investing in rationalising the way services are provided and in further prevention measures. Reforms to the estate are also required, but there needs to be serious political commitment to do that. We cannot expect people to come forward with ideas for savings and then respond with political outrage because it has happened on our doorstep.

Tomorrow we will also debate welfare reform. Notwithstanding the fact that we have already lost millions of pounds in penalties due to the impasse, there will no doubt be a number of issues raised about what more can be done to support our most vulnerable and the money that is required to do that — things like funding an independent advice sector for those seeking to claim benefits, or the need for resources for skills development for those who are trying to move into work. We cannot fund things like that until we take the tough decisions needed for radical reform. That includes things like revenue raising and tackling the costs of division, for example, in our teacher training, an area where, when proposals are made to reform, the bigger parties retreat into their trenches and seek to continue segregation. We have no prospect of funding adequate front-line services, addressing the building pressures or funding a lower rate of corporation tax until we face up to those challenges.

**Mr Campbell:** I begin by apologising for the lateness of my arrival today, the reason for which can be found on the Order Paper under question 10 to the Department for Employment and Learning. It indicates a jobs fair, which I helped to announce in Limavady at 10.00 am this morning. However, I will not go down that route.

I want to concentrate the majority of my remarks on the amendment proposed by Mr Allister. It concentrates of course on the Equality Commission. Members and the general public will be aware that the Equality Commission has been remiss in carrying out its tasks for a number of years. There are a number of questions, one of which is this: why should politicians have to negotiate with, expose in the glare of publicity or meet the Equality Commission to get it to do its job properly? The answer is of course that we should not have to do that, but we do.

The question that Mr Allister poses is one of whether this is the way to get the Equality Commission to do its job properly. I would contend that it is not. The Equality Commission and indeed its predecessors were engaged in a number of failings between 1985 and 2003, when Mr Allister had walked away from confronting both the commission and its predecessors. In that 18-year period, he left confrontation not just with Sinn Féin but with equality bodies. Of course, some of the rest of us kept on and did not walk away. I am sure that we will come back to that at a future date.

The amendment gets down to a cash transaction; a punishment for the Equality Commission through OFMDFM. Yet Mr Allister does not allude to the fact that, in the Finance Minister's statement, there is already a reduction in the money that is going to the Equality Commission. Hopefully when we get the vote through and get this done, that reduction will be a factual one. It is a reality of a reduction; not a press release or a headline, but a real reduction. Mr Allister preferred to go down the press release route to get a headline that he knew could not achieve anything. He knew when he tabled this that there

would automatically be a petition of concern. He knew that, but he went ahead anyway.

I have no objection to a proposition being put, even in the knowledge of a petition of concern, because sometimes you have to do what is right whether or not the objective will be achieved. If Mr Allister was saying that, then fine, we could live with that, but that would bring us on to another contention —

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

**Mr Campbell:** Yes, I will indeed.

**Mr Allister:** I do not quite understand why the Member is smarting. He talks about the fact that there is a reduction in the Equality Commission's budget. That is true of a number of bodies. It is not specific to the issue that I have been seeking to focus on. The purpose of my amendment is to give a platform for people to focus on that specific issue and to have a tangible impact on that. I must say that I am surprised that the Member takes objection to that. I would have thought that he was onside with that issue. It leaves me wondering why he is smarting about it.

**Mr Campbell:** Well, if exposing Mr Allister's proposition to the wider public is "smarting", I am happy to be smarting.

This is what we have today: a proposition that cannot be passed. He knew when he tabled it that it could not be passed. I am glad that he concedes now that there is a reduction in the Equality Commission's budget. There is one; a factual one, not a press release or anticipated one that can never become a reality.

Mr Allister arrived in the Assembly some four years ago, immediately on the heels of 10 years of 50:50 recruitment in the police, which the Equality Commission supported every single year. I have checked to see if there was an amendment. No, there was not an amendment because it could not achieve its objective, just as today's cannot achieve its objective. Mr Allister came into the Assembly and there was an Equality Commission-supported act of discrimination against my community and his. It did not provoke an amendment then or the year after. Mr Allister mentioned in his speech the staffing of the Equality Commission, and he was quite right. Some of us have raised that issue year on year, both when Mr Allister was here and in the years when he was not, when he had gone off and walked away from the confrontation. Yes, we raised those issues and will continue so to do. Was there an amendment then? Was there an amendment last year that, on the basis of the imbalance of staff in the Equality Commission, there should be a reduction? No, there was not. Was there one the year before? No, there was not. Was there one the first year Mr Allister appeared back from the wilderness? No, there was not. Nothing. The man was silent.

The proposition here is that we have to deal with the Equality Commission, and, thankfully, OFMDFM and the Finance Minister have looked at the general Budget and concluded that there is, as has been alluded to, a need for a general reduction and that the Equality Commission should not be excluded from that general reduction. Therefore, we must turn our minds to what action needs to be taken post the vote today and post the Vote on Account and beyond the headlines and the press releases to get a public body to do its duty and to get it to stop doing what it should not be doing. It should not be doing what Mr

Allister, myself and others have talked about. It should not have been doing those things down through the years. This is not the way to deal with the Equality Commission. That body is wrong, and it needs to be confronted about the wrong and its error. It needs to be met and rationalised with and needs to have its budget reduced, as the Finance Minister has succeeded in achieving.

**Mr Ó Muilleoir:** Mo bhuíochas an an deis cainte inniu.

Tempting as it is to get between Mr Campbell and Mr Allister, I think that I will resist that and focus on the Budget, except to say that we are perhaps gilding the lily to refer to the Equality Commission as anti-Christian. The bits of the Bible that I read are very strong on equality. Of course, I could be reading the wrong parts, but, for now, I think that we can stand over the work that the Equality Commission is doing.

I have three quick points on the spring Supplementary Estimates that are before us today, as well as the 2015-16 Budget and Vote on Account. The Minister only referred to the past briefly. Sometimes the past gets us in trouble in here, but he referred to the so-called welfare reform fine from London of £100 million as a loss to public services. It is important to put on record that not all of us agree with that, because we do not think that it is a straight equation that that £100 million would have, in particular, gone to those in need, would have been spent on the economy and would have built up lives, families and communities. It is not a straight equation. I mention that because I hope that we are united in the Chamber against the ideology of austerity and that there is no hankering after that. We have decided to mitigate the worst effects of the so-called welfare reform that is coming down the tracks so that we can ensure that we eschew, rebut and refute the philosophy and ideology of austerity.

I want to focus on the Budget and the figures in front of us. I commend the Ministers on the efforts made in very challenging times when, as the Minister said, London has cut the Budget by £1.5 billion since 2011. Efforts were made by all Departments to focus our funding on growing the economy, creating jobs and trying to move the community confidently forward, and I think that we will see the rewards of that.

#### 1.15 pm

I am of the opinion that we are in recovery. I see, this morning, that Ulster Bank economists are saying that the economy is stumbling, so it is clearly not a self-assured recovery; but I believe that we are in economic recovery. The big challenge for us, as a Chamber, an Executive and an Assembly, is to ensure that the steps we take in the time ahead push us farther into recovery, build the economy and create jobs. There is a danger, and I know that the Minister is aware of it, that when you introduce cuts in such an atmosphere you may damage confidence. I disagree with my colleague Mr Ó Brollacháin in that regard: these cuts are imposed on us by London.

That is the last point I wish to make, and it is well made by greater economic authorities than me. It is the opinion of Wolf, the opinion of Stiglitz, the opinion of Krugman and the opinion of Piketty that austerity, and the ideology of austerity, actually damages an economy.

To build confidence in the time ahead, we need to make sure that the moneys we have allocated in this 2015-16



Budget, in particular regarding the Committee that I am on, the Committee for Enterprise, Trade and Investment, gets down to our businesses and attracts investment as quickly as possible. I think we have done that.

My final point is that Minister Foster will brief the Finance Committee on Wednesday, but I think that there has been a real effort, within that, to give comfort to the tourism sector. Those of us who were briefed on it know that NI tourism, in particular, was very worried. We managed to work hard, I presume, around the Executive table, to negotiate a much better deal for tourism, and I think that that has to be at the heart of the economic recovery of which I spoke.

**Mr McCausland (The Chairperson of the Committee for Culture, Arts and Leisure):** I welcome the opportunity to speak on the motion. While the Department of Culture, Arts and Leisure has one of the smallest departmental budgets in the Assembly, it has an important remit nevertheless, which covers a range of activities that impact on the daily lives and social and economic well-being of everyone living in Northern Ireland.

The Committee has actively scrutinised the changes in the DCAL budget position throughout the year, subsequent to the monitoring rounds. I have to say that the Committee has experienced some difficulty in so doing, and in having access to monitoring round papers in a timely fashion. This is an issue that has been raised with the Minister and the Department. However, members have done their best in the circumstances.

The most significant change in the core departmental provision is the £62 million that was returned during the year because of issues around the stadium redevelopment programme. As Members are aware, there was an issue around perceived state aid, and then there was the situation around the recent judicial review of the Casement Park planning application, which saw the Environment Minister's planning approval overturned. It is good to see the work that has been done at Ravenhill and Windsor Park, but there has been a substantial delay to the commencement of the redevelopment project at Casement, and funding that should have been used has had to be returned. The Committee has been briefed on the issues involved, and the Department and the GAA are talking about a new planning application, although, as that involves an application, and the consultation around that, it will probably take most of this year.

Members expressed some concern regarding the absence of any anticipatory work that might have been carried forward to address the underspend, and there was also concern about the implications for the work on the subregional football stadia in due course, which may be put back a little because of that. The Committee also voiced its concern that the money for the project should not be wasted and that delay on Casement should not impact on the progress of the Executive-approved regional stadium development programme, which includes, as I said already, the football subregional stadium element.

During the year, the Department made a number of successful resource and capital bids through monitoring rounds for the UK City of Culture legacy. That refers to Londonderry's year as UK City of Culture in 2013.

The year was, indeed, a great success for the city, and the Committee was extremely supportive of the Department's

work on the matter. The Department is keen to ensure that there is a lasting legacy from the events of 2013, as, indeed, is the Committee. However, the Committee has not always been clear about how those bids are part of a fully considered and planned legacy strategy. The bids have brought additional resources to the core departmental arts and cultural policy business areas. While that is to be welcomed, the Committee continues to scrutinise the use of those resources.

The Department has also made a number of successful monitoring round bids for resource and capital under the promotion of equality and tackling poverty and social exclusion (PETPSE) and Together: Building a United Community (T:BUC). The Committee is supportive of both bidding vehicles. However, again, the Committee has not always been clear that those bids are part of a clear, planned strategy. Members see the value of the individual bids, but they often seem to be spontaneous, rather than part of an overall strategic approach.

The Committee has considered the increased provision for National Museums Northern Ireland over the year and is supportive of bids that have been made through monitoring rounds for necessary work to maintain the NMNI estate. The Committee believes that it is important to ensure that the fabric of our museums is fit for purpose and provides an inviting environment for visitors. Recently, the Committee visited the Ulster Museum, and members were pleased to see how the facility is being developed as a cultural and educational resource.

The Committee remains very supportive of the departmental bids for resources through the monitoring rounds for libraries, and it supports the efforts that are being made to ensure that the library estate is well maintained and that libraries remain open against the current difficult financial backdrop. However, the Committee is keen to ensure that the value of libraries to our communities is not forgotten, and members support the Department and the Executive's work to make libraries a key element of any community renewal.

Members will also be aware that the Committee has been vocal in its support for the Ulster Orchestra. The Committee is particularly pleased that the orchestra has received half a million pounds through the recent January monitoring round. That alleviates its immediate financial difficulties. However, the Committee appreciates that that is a short-term measure and that work must be done to secure a long-term and sustainable future for the orchestra. The Committee is keen that this issue should continue to receive the Department and the Executive's attention. Members of the Committee right across the board place a considerable value on the Ulster Orchestra as one of the core elements in our cultural infrastructure as a region within the United Kingdom, and it is important that the support is there for the Ulster Orchestra.

The Committee is also supportive of the additional funding flowing from the recent January monitoring round for NI Screen and Cinemagic. Members are aware of the important work on skills development that that funding will support, and it is clear that the creative industries, including film and television production and digital technologies, will be vital to the transformation of our economy.

Sport NI has also received additional funding of over £4 million from the original planned Budget position. That

change reflects successful bids in monitoring rounds over the year for resource and capital, including sports-related bids under PETPSE and T:BUC, as well as for the UK City of Culture legacy for the greater north-west. The legacy bids include resource and capital, one example being the north-west sports village. However, a significant proportion of the figure — over £1.5 million — is in the form of accruals from the previous financial year.

In conclusion, the Committee has been largely supportive of DCAL bids during the past year. In considering the way forward, members stress the importance of making sure that the necessary funds continue to be made available to DCAL so that it can continue to deliver its programmes and to conduct its functions effectively. On behalf of the Committee, I support the motion.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. I apologise in advance of speaking to the House today; I am in the process of losing my voice. Some Members might be glad to hear that.

By agreeing the Supply, Estimates and Vote on Account, we are focused on building a just, fair and equal economy for people of the North and the island. Like all of you, I am committed to building a society and economy of opportunity, prosperity and fairness. We are at an economic crossroads, and it is time to choose what we want our future to be; whether we want to remain wedded to the Westminster austerity experiment or whether we want to carve out our own economic future, building our strength as an island economy. British control of our economy has ensured that it is our people who have the lowest household income in comparison with Britain and the highest rates of unemployment and emigration. Currently, emigration is at its highest since the 1950s. Our people deserve better.

We are caught in an austerity trap, and our people are caught in a poverty trap. Gone are the days when poverty was about scarcity; today, poverty is a direct result of economic policy and inequality. In our case, it is poverty driven by decisions made in Westminster. As I have said in the House before, the good news is that there is a way out of the austerity trap, the cuts agenda and the obscenity of child poverty and food banks. We can, together, secure the full financial powers to tackle inequality, promote competitiveness and allow businesses to thrive. We can take control of our welfare budget and policy, which is a powerful tool to support jobs and reduce inequality. With the powers over our economy, we can ensure that we use that wealth to boost the economy, create jobs and support public spending whilst reducing the deficit through faster economic growth and increased revenues, not spending cuts.

Westminster promises only continued poverty and austerity, but, locally, we can seize the opportunity to do things differently. In an overall commitment to fiscal responsibility, we could collectively provide a credible and sustainable alternative to the current British Government's fiscal plan and place a greater focus on supporting growth and tackling inequality. We can prioritise our choices in many ways. For example, by removing constraints imposed on us, we could increase our investment in infrastructure. Every £100 million in capital investment supports thousands of local jobs. Westminster's austerity policies are harming our people, economy and public services and they have put them under intense pressure. We are not, as the Tories say, all in this together. It is the

most vulnerable and disadvantaged — those who need the most support — who are hit the hardest. We, in Sinn Féin, stood firm, and we can be proud that we have protected our most vulnerable and disadvantaged people from Westminster's attack on the welfare state. We will stand in opposition to the brutal spending cuts and assault on pay and conditions, which is harming families, particularly the most vulnerable. We will stand firm against the cost of living squeeze in our commitment to protect front-line services and to a living wage. We will stand firm in our commitment to building a better business climate.

Politics, North and South, is undergoing the biggest shake-up since partition. In the interests of all our citizens, we must seize the historic opportunity that exists now for change. We need to grow our way to recovery. Any recovery must be a recovery for all, not merely those at the top. To develop a prosperous society, we must sustain decent public services that are accessible to all, including rural Ireland. To protect vulnerable citizens, we need a good, strong economy. There now exists an unprecedented opportunity to transform the political landscape on the island, North and South. Collectively, we can achieve by making progressive policy changes, mapping a way forward and taking power back from Westminster.

### 1.30 pm

Our focus must be on building and rebuilding our public health service, eradicating housing waiting lists and creating meaningful jobs with decent terms and conditions. There is no greater obstacle to progressive change than austerity. Sinn Féin believes that the North must have secure economic power from Westminster to steer a different course from Tory-driven ideology, to leave behind austerity policies and to actively work to revive the island's recovery and economy.

**Mr McKinney:** I welcome the opportunity to contribute to today's debate. I will focus on health, social services and public safety. As the Minister and all of us are aware, there are genuine and many pressures on the health service. Throughout the past number of months, I have expressed the SDLP's concern about the financial allocation given to the health service. Emanating from those fiscal shortfalls is the fact that severe and intolerable pressures are being witnessed in the provision of health and social care here. Once again, we only have to look at the recent cases, less reported, but still existing, of pressure in our emergency departments. That reflects the fact that they are not sufficient to maintain a high quality of patient care in order to deal with patient flow and provide that high-quality care. I will deal with some of the patient flow issues later.

In the past few months, we have also seen further evidence of consistent breaches of performance targets in A&E with regard to four and 12-hour waiting times. We have the worst record in all of the UK for meeting four-hour targets. We have seen the direct consequences of that with the curtailment of elective care provision, which still has to play itself out, which has caused delays in surgery and treatment and, in turn, left many patients needlessly suffering. We cannot continue to ignore the issues involving our accident and emergency provision that have surfaced during the past number of years. They are all too commonplace in a health and social care system that is buckling at its knees.

I reiterate, once again, that the invest-to-save plan of reform at the heart of the health-care system, Transforming Your Care, has not, by any stretch of the imagination, been properly funded. There has been a lack of shift left in expenditure into the community. That has resulted in very little meaningful outcome. I have been saying that, the SDLP has been saying that and it is becoming increasingly clear that more people are beginning to accept that narrative, none more so than Liam Donaldson, who conducted his most recent review into the health and social care system here. He said that the work of TYC is not properly planned or funded and that it has led GPs to take matters into their own hands by way of GP federations. He also said that the review team heard TYC referred to as "Transferring Your Care", "Postponing Your Care" and even "Taking Your Chances". His report states:

*"Carers see it as a euphemism for dumping work onto them; general practitioners likewise."*

Sir Liam Donaldson concludes:

*"Transforming Your Care is simply not being implemented."*

He goes on to say, and I think it is worth reading these issues into the record, that commissioning is underpowered and, effectively, not working. We will vote for money for the health service today, but unless there is some sort of radical change in the system, we will not be spending money wisely; we will not be spending money well; and we will not be spending money consistent with patient need. I want to conclude on Mr Donaldson's report on the issue. I think the health system here should be embarrassed that this point could ever be asked or raised as an issue in a report by someone as eminent as Sir Liam Donaldson. The report asks, "Who runs the health and social care system in Northern Ireland?"

*"The lack of clarity about who is in charge is a major problem for Northern Ireland's care system. The difficulty is not that there is no figurehead, but that strategic leadership does not have the visibility of other systems. Without a clear leader, progress is piecemeal and change is hesitant and not driven through."*

Once again, we can vote money through today, but is there a guarantee that it will be spent well?

Two other reports have come out in the last few weeks. Some people here say, "Sure it is happening over in England", almost as if we should blame it on a general failing here and in England. The reason why it is happening here is that we have adopted some of the same policy considerations. That is why it is happening here and in England. The Westminster Public Accounts Committee has done some significant examination of the issues, and it says that radical change is needed in its system to the way health care is provided, including:

*"making better use of community and primary care services to reduce pressure on hospitals."*

Where have we heard that before? We heard it here about Transforming Your Care, but there is no money available to make it happen.

The Committee said that the health service:

*"was 'out of balance' ... because community and primary care services were not working well which places pressure on hospitals."*

Where have we heard that before? We have heard it here before and experience it here every day. Once again, we will vote through money today for the health service, but we cannot guarantee that it will be spent well, certainly not on the basis of policy provisions copied from the rest of the country.

Finally, an additional external reference is that the King's Fund think tank referred to the fact that NHS organisation was disastrous:

*"Radical changes to the way the NHS in England is organised have been disastrous and distracted from patient care ... People in the NHS focused on rearranging the deckchairs rather than the core business of improving patient care."*

That is slightly different language, but, once again, the direction of travel is the same. We have not invested in the community side, which is the side that can take the weight off less expensively and make provision for people closer to their home, yet we have stripped out on the hospital side, leading to two pressures there.

All say the same thing, which is that the community side of health care is not being properly funded. We must reject the Minister's claims that the crisis that we face is not unique to here. In essence, it is, because we have followed the UK path. We must also look at whether the projected £113 million in trusts' efficiency savings are counterstrategic to the TYC plan. Even DUP Members have joined campaigns on, for example, Dalriada Hospital and the Bangor minor injuries unit, although they managed to overturn that decision, and in other areas. We have seen consistency among political opinion here on the need for funding in the community side.

It is pivotal that we examine whether decisions made by the trusts to save money will have further negative consequences down the line. We must get assurances that any decision taken complies with section 75 of the Northern Ireland Act 1998 to ensure that proper consultations and screenings are implemented and that patient needs are fully appreciated and taken on board.

We have talked before here about the opportunities for efficiency savings in the service. There is significant wastage. Some £50 million was spent on bank and agency staff. There were 360,000 cancellations of hospital appointments by patients and the hospital system itself, and we have seen how we had to reach out to the private sector to perform operations as a result, which is funding them twice. However, we have now run out of road even in that context, as I reflected earlier; we have simply had to cancel elective operations in circumstances of extreme stress.

One of the other issues is patient flow. The Health Committee is examining workforce planning and, even at this very early stage, has discovered that the hospital health system does not know how many people are employed in GP surgeries. It does not do a real-time analysis of the number of people waiting each day for particular surgeries. If the system does not understand the flow through the system, how can it run a business at all? You need, fundamentally, to understand the flows in any organisation to be able to cope, particularly in the health system.

Most concerning is the fact that the block grant from Westminster is continuously being constrained, and, as we go into the next Budget, that will ultimately limit the possibility of doing something proactive to deal with the pressures facing the system. Ultimately, it is imperative that we begin to realise the root causes of the pressure on our health service and that we have a properly financed, measured and strategically focused reform plan in place that will facilitate meaningful outcomes to ensure that we have a health and social care system that is fit for the 21st century.

As we make decisions today, I reiterate that we can allocate money, but we will not know that it will fundamentally put the patient first. We need to have assurances in that regard.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

First, I will make some comments in my capacity as Chairman of the Committee for the Office of the First Minister and deputy First Minister.

In-year, the Committee was briefed by the Department on its monitoring round returns before they were submitted to the Department of Finance and Personnel. We also received written and oral updates on the outcome of the monitoring rounds, but, unfortunately, the papers for the briefings for the June and October monitoring rounds were received just a short time in advance of the start of the relevant Committee meetings. That is a trend and an unwelcome one at that. The late provision of papers does not allow members time to consider them fully in preparation for the briefing, and it could impede our ability to fulfil our statutory role effectively, not least that of scrutiny. It was good to see an improvement for the January monitoring round when the papers were provided early. I hope that that continues during 2015.

It must be noted that the Executive applied a 2·1% reduction in resource budgets in June and, at that point, signalled that a further 2·3% would be required in October. That equated to an in-year reduction of £3 million to the Department's budget.

A key focus area for the Committee was funding for victims. There appears to have been a lack of clarity on the actual baseline for the Victims and Survivors Service for 2014-15. The service told the Committee that it had received a letter in May 2014 advising of an opening budget of £11·685 million. However, OFMDFM officials advised that the opening allocation was £10 million, with the intention of restoring the baseline to £11·3 million through in-year monitoring. An inescapable bid of £1·3 million was not met in June monitoring, which raised concerns about the ability of the Victims and Survivors Service to deliver its programmes. The allocations of £1·3 million subsequently made in each of the October and January monitoring rounds were, therefore, welcome. In addition, although the Victims and Survivors Service will still be required to deliver savings in the coming year, the extra £3 million allocation in the 2015-16 Budget and the confirmation that the baseline for the service will be above that for 2014-15 are also welcome. The Committee notes that the Victims and Survivors Service will take measures, such as moving premises, to save money. I hope that that will help to maximise the funding available for programmes.

Members will be aware that funding for the historical institutional abuse inquiry had been done via the in-year monitoring rounds. In that regard, £4·3 million was allocated to the HIA inquiry in June. While the Executive had committed to providing funding for the HIA inquiry, the allocation of £5 million in the 2015-16 Budget was, nevertheless, welcome.

Other allocations to OFMDFM within the year included £3·5 million for Together: Building a United Community in June. The Committee heard that that would be used in a number of ways, including central good relations funding, urban villages and race hate interventions. In addition, £3·2 million was allocated to Delivering Social Change in January, which, together with £2·1 million identified by OFMDFM, enabled transfers to be made to the Health, Education, Social Development and Environment Departments to help to deliver the signature projects.

The vast majority of easements declared by the Department related to capital funding for the Maze/Long Kesh site, Ebrington Barracks and Crumlin Road Gaol, with some £8 million being returned to the centre. The Department did not return any non-ring-fenced resource funding.

**1.45 pm**

At this point, I will make some comments in a personal capacity, perhaps beginning with the easements and the Maze/Long Kesh. As we know, there is no activity on that development site beyond health and safety and the barest activity that is required. The development of the site appears to remain at risk because of an ideological issue over a party that has failed to persuade the people of Northern Ireland that it is a good idea to build a peace-building centre at the Maze. Let me make a distinction between supporting the concept of a peace centre, which the Ulster Unionists do, and locating it at the Maze, which we believe is the most toxic piece of land you can imagine for such a project.

No activity means we are not delivering the promised 5,000 jobs — 5,000 jobs. We are not delivering the hundreds of millions of pounds of investment because of this ideological hang-up over a peace centre. Yet, for three months in the tail end of last year at Stormont House we talked and negotiated about how to deal with the past, and we came to an agreement in the Stormont House Agreement on dealing with the past. It has many elements. A peace-building and conflict resolution centre is not one of them, so why are we not going ahead with the development of this strategic site called Maze/Long Kesh, with the hundreds of millions of pounds to be invested and the 5,000 jobs to be delivered for our people?

I mentioned at some length the Victims and Survivors Service. It is a matter of deep regret that there was not enough funding for the service in the last financial year. It is a matter of further regret that those who suffered most were the bereaved, because they have a particular desire for two programmes, neither of which was adequately funded over the last financial year. One is respite breaks. The bereaved like to get away; indeed, to maintain good mental health and well-being, the bereaved need to get away. Yet, despite having a reasonable expectation that they could avail themselves of a short break — based on years of delivery, not necessarily from the victims service but, before that, from the Northern Ireland Memorial Fund



— they were denied through a lack of funding, as was education and training, the other programme that is of particular appeal to the bereaved of our Troubles.

Also, victims' groups found themselves disadvantaged through a lack of funding — for example Phoenix, which looks after those who put on a uniform and put themselves in harm's way to protect their families, communities and, indeed, this entire country from the threat of terrorist violence. Phoenix in Armagh. Phoenix in the Minister's own constituency of Strangford. Phoenix in Newtownards, which had, you might argue, the cruel and unusual punishment of finding that it ticked all the boxes to qualify for funding only to be told there was no money in the bank account and funding could not be made available, even though the rules said it qualified, was entitled and was due the money.

It is good that the historical institutional abuse inquiry survived. I know that many victims were very upset when the First Minister warned at the time of June monitoring that, if money was not found, the inquiry might need to be wound up. That was not a message that victims who have waited decades for the inquiry needed to hear, but the Budget line is there for 2015-16, so let us welcome that. I do not want to get into the judicial review of the inquiry and whether or not it makes sufficient legal advice available to victims, because I understand that the Department is appealing that decision, but I note the words of the junior Minister in the House some weeks ago. He warned that that could quadruple the costs of the inquiry and, once again, threatened that it might not even see itself through to its conclusion. That must not be allowed to happen. The historical institutional abuse inquiry must be allowed to finish its work.

I note the words from the Sinn Féin Benches about opposing austerity. It is a fact that every party that has a reasonable chance of occupying 10 Downing Street on 8 May says austerity will continue through the remaining years of this decade, so it is a fact that we will have to face up to.

Whether it is Labour, the Liberal Democrats or some combination of the three main parties —

**Mr Hazzard:** That is right.

**Mr Nesbitt:** — austerity will continue. I give way to Mr Hazzard.

**Mr Hazzard:** I thank the Member for giving way. I was not actually asking for you to give way. I was just saying that you are right that we should be breaking the link with Westminster because austerity is always going to be the dish of the day.

**Mr Nesbitt:** I thank the Member. I did not realise that he was speaking from a sedentary position. I thought that he actually wanted me to give way. I say this to the Member: if we break with Westminster, we lose £10 billion in a block grant. You want to protect the most vulnerable by taking £10 billion off them. It is nonsense economics.

Let us also keep a focus on debt. Mr Hazzard may not be aware of this, but Her Majesty's United Kingdom Government currently spend more on servicing debt — not paying back the debt, but paying the interest on debt —

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

**Mr Nesbitt:** — than they spend on services in both Wales and Northern Ireland.

**Miss M McIlveen (The Chairperson of the Committee for Education):** I will speak on behalf of the Education Committee. The Committee has endeavoured to track the changes in departmental spending that have manifested themselves in the 2014-15 spring Supplementary Estimates. As we are at the end of a Budget cycle, there is now quite a large deviation between the original planned Department of Education spending and the projected final outcome. The deviations, in the case of Education, are largely owing to significant allocations of additional resource, which, of course, is welcome.

It is a useful exercise to do an analysis of what Departments have achieved against what was promised. I note that the 2015-16 Budget document set out, in the case of many Departments, how resource reductions will affect core departmental staffing levels. The Department of Education did not include this information. I suggest that, in future, Estimates and Budget documents should set out staffing levels in all Departments in a consistent way. That would allow the House to compare actual performance with the promises made. The lack of consistency is counterproductive to effective scrutiny.

In the present financial year, the Committee has reviewed the monitoring round information and questioned the Department on its spending. On resources, there have been only a small number of changes. I understand that the Department expects to spend close to 100% of its resource allocation by the end of the year, which, on the face of it, is good news. The Department had a large capital budget in 2014-15 of around £182 million, which is about £70 million more than in previous years. There were some limited adjustments in-year owing to asset sales. The Committee has noted increases in end-year capital spending surges in recent years. As with resource, I understand that the Department expects to spend close to its full capital budget in 2014-15.

In addition to how much money is being spent, the Committee's concern in respect of capital has also focused on what money is being spent on. During the year, the Committee saw quite significant changes in the capital plan. Although members welcomed increased spending on minor works, the Committee was concerned to note continuing delays with major works; that is, new school builds. The House has greatly welcomed a number of announcements regarding the advancement in planning of new school builds. However, Members would be surprised by how few of these announcements have turned into spades-in-the-ground projects. This is of concern to the Committee and, of course, to school communities anticipating movement on projects. It is incredibly frustrating. Members also noted with concern delays in the Lisanelly project, with spending being somewhat reduced or deferred and a completion date of 2020 now being indicated.

On the savings delivery plan, yet again I have to report that the Committee is not able to comment on 2013-14 performance let alone provide any update on 2014-15. In 2012-13, the Education Department's savings achievement was the same as the average for other Departments. I should point out, however, that, unlike most other Departments, the Department of Education also altered its savings delivery plan targets in 2012-13. As Members

are also well aware, DE, uniquely, does not participate in the DFP monitoring of savings delivery plans, and I, again, record the Committee's dissatisfaction about that.

Turning to the pensions issue, the House is aware that an actuarial revaluation of teachers' pensions liabilities has identified an additional recurrent cost of around £38 million in 2015-16. I understand that that will be met from a central fund in that year but will also have to be met for a further three years, possibly from the Department of Education's budget. Obviously, clarification of that would be welcomed.

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

That brings us to the Vote on Account for the 2015-16 Budget. On behalf of the Committee, I will mention one key issue, the funding for schools. The Committee was pleased to learn that the anticipated reduction in the aggregated schools budget of £78.7 million is to be offset by an increase of £80 million in 2015-16. That news is welcome, and it appears to mean that the projected spending reductions of hundreds of thousands of pounds in some schools seems to have been avoided, if not partially, at least for now. I have written to the Education Minister to urge him to put the record straight in respect of school budgets and to provide clarity for schools as matter of urgency.

I hope that the greatly increased funding for the voluntary exit scheme in the public sector, negotiated in the Stormont House Agreement, will allow some breathing space for schools and will result in a period during which principals can plan sensibly and arrange changes in resources and staffing in line with school GCSE and A-level cycles. A key point to consider in all of this is that the financial year does not align with the academic year, causing uncertainty when budgets fluctuate.

The 2015-16 budget was always going to be difficult. It is, perhaps, not quite yet the sea change in education in Northern Ireland that was initially proposed. It is clear, however, that in the medium, if not the very short, term hard decisions will be required in education. The Committee holds the view that if changes are to be transparent and sensible, it is vital that all relevant information is made available to stakeholders, particularly schools, and to the Committee for Education in a manner that allows analysis and time for consideration and amendment, and that has certainly not been the case to date.

**Mr Principal Deputy Speaker:** As Question Time begins at 2.00 pm, I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member to speak will be Chris Hazzard.

*The debate stood suspended.*

2.00 pm

## Oral Answers to Questions

### Education

#### Transfer Tests: Warning Letters

1. **Mr Buchanan** asked the Minister of Education why his Department sent warning letters to eleven primary schools that allegedly provided tuition for transfer tests. (AQO 7505/11-15)

**Mr O'Dowd (The Minister of Education):** The Department has written to a number of primary schools following reports that schools may have been involved in coaching pupils for unregulated tests during core teaching time. It is not accurate to describe the letters as "warning letters", as their purpose was to provide school principals with an opportunity to comment and confirm that the boards of governors had complied with their legal duty to have regard to the Department's guidance on post-primary transfer. The guidance states that primary schools:

*"should not facilitate unregulated entrance test arrangements in any way".*

That includes carrying out preparation for unregulated tests during core teaching times.

In writing to the eleven schools, the Department was also enabling principals to provide confirmation that their schools were meeting their statutory obligation to deliver the curriculum to all pupils. The fact that a school was written to in these terms does not indicate that it has been engaging in preparing children for unregulated tests or, indeed, that it is failing to deliver the statutory curriculum. It merely indicates that a concern has been raised about possible coaching at the school.

The Department's overriding priority is to ensure that the educational needs of pupils are being met. The Department cannot stand by and fail to act when concerns are raised that coaching for unregulated tests may be affecting the delivery of the curriculum and therefore the educational development of all children.

**Mr Buchanan:** I thank the Minister for his response. Will he confirm that the boards of governors have supremacy in this matter? As Minister, does he recognise their independence?

**Mr O'Dowd:** The boards of governors do not have supremacy in this matter. A board of governors is there to ensure that the statutory curriculum is being delivered and has to have regard to the guidance issued by the Department of Education in relation to unregulated tests. They most certainly have a statutory duty to ensure that the curriculum is being delivered to all children.

The concerns raised with me and my Department vary in degrees of seriousness. However, is the Member seriously suggesting that my Department should ignore the fact that a parent, or someone else in the public, raises concerns that all children in a school are not receiving access to the full curriculum or that their education and learning is being fettered by the fact that some pupils are receiving

preferential treatment over others? I think that I would be failing in my duty if I did not raise those concerns.

**Mr Kinahan:** Does the Minister agree with his party colleague Mr Hazzard, who has accused the primary schools that are coaching as misappropriating public funds, or does he agree with me that those are outrageous remarks that should be withdrawn immediately?

**Mr O'Dowd:** It depends on the level at which coaching is taking place, the time involved, and how much public funds schools are directing towards that. Public funds are given to schools for the teaching of all pupils and not just some pupils. It depends on the varying degrees to which it takes place.

The Member is vice-chair of the Education Committee. The Education Committee's role is to hold my Department, and me as Minister, to account. If I had failed in my duty to write to a school that concerns were raised about, a school that has been accused of coaching for tests or of not living up to its statutory obligation — its legal obligation to teach the curriculum — then the Committee would be justified in challenging me as Minister for not carrying out my duties. Here, I have the vice-chair of a Committee criticising me as Minister for ensuring that the statutory curriculum of our education system is being delivered. That seems to me to be somewhat ridiculous.

**Mr Rogers:** Minister, what evidence have you to suggest that some schools are failing in their duty to deliver the Key Stage 2 curriculum?

**Mr O'Dowd:** As I said in my response, we have written to schools and asked them to confirm their position with regard to this matter, and they will respond in due course. We received letters of complaint or complaints from parents and other members of the public. Therefore, we followed them up, as is my duty as Minister, to ensure that the legal obligations of my Department are being carried out.

**Mrs Cochrane:** Does the Minister agree that some preparation should be given to primary-school children in how to deal with exams? For many, within three months of starting secondary education, they are expected to sit a range of exams in numerous subjects. If primary schools do not do some of that prep, who will?

**Mr O'Dowd:** I am surprised that the Member is not aware that pupils sit various tests throughout their primary-school life.

**Mrs Cochrane:** *[Interruption.]*

**Mr O'Dowd:** I assure you that they do. They may sit weekly or monthly tests so that the teacher can assess how they are progressing in the curriculum.

These tests are not for the benefit of the primary school or all the children in the classroom; they are for the benefit of a selected number of schools that select and reject 10- and 11-year-old children. They have nothing whatsoever to do with the primary curriculum, which our schools are tasked and given public money to deliver.

People need to get their priorities right. My job as Education Minister is to ensure that all young people, not just some of them, have an opportunity in life. The worst-case examples that have been given to me over the years show that some children are being coached for a test while others are sent to the back of the classroom with colouring pencils. Is that the education system that

Members want to see delivered in our classrooms? It is not the education system that I am prepared to see delivered in our classrooms. I expect all schools to teach all children to ensure that they have an opportunity in life.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answers thus far. What is the Minister's view of the educational disadvantage in those incidences where children are sent to the back of the classroom with colouring pencils while others are at the front being coached for an exam?

**Mr O'Dowd:** Any corruption of the curriculum is bad for education. Our primary-school curriculum is broad based, and we allow our teachers and schools to choose the tools, equipment and material that they need to deliver that curriculum to all the children in the schools.

Primary schools have a role in education. It is not simply to prepare young people and children for post-primary education; it is to prepare them for primary-school education. We have a specific primary-school curriculum to ensure that young people develop and are enriched in their educational outcomes.

Some in the Chamber seem to have the view that primary schools are there to corral children for a number of years and then to select the few — the chosen ones — and send them off to voluntary grammar schools and grammar schools while the rest of them can do whatever they want. That seems to be the mood of some in the Chamber. *[Interruption.]* That appears to be the mood of some in the Chamber, whereas I believe that it is fair, equitable and just that the taxpayers' money that is given to schools is used to ensure that all the young children in our schools, not just the chosen few, receive an education.

## Teacher Training Places

2. **Mr Lunn** asked the Minister of Education to outline the annual number of teacher training places allocated to St Mary's University College and Stranmillis University College since 2012-13. (AQO 7506/11-15)

**Mr O'Dowd:** The total number of teacher training places that were allocated to St Mary's University College in 2012-13 was 165, while 160 places were allocated to Stranmillis University College. The allocations remained unchanged in the 2013-14 and 2014-15 years. I am considering the allocations for the 2015-16 academic year.

**Mr Lunn:** I thank the Minister for his answer. Given that, on the last available figures, only 18% of teachers found a job one year after graduation, the signature project is about to finish and the teachers' pension scheme is being extended to make teachers work for much longer, how in the world can he justify putting through teacher training places for probably more than 50% of the teachers that we need?

**Mr O'Dowd:** How the numbers are chosen goes through a number of assessments. The Member appears to be supporting his colleague's assertion that we should close our local teacher training colleges.

We are at a very critical stage with our teacher training colleges. If I was to reduce the number significantly, or if we had slightly fewer teacher training places, we would lose our teacher training colleges. It is for others to make that decision, but I believe that that would be a huge

mistake. I believe that it would be a huge mistake to lose that economic driver in our communities.

One of the most important statistics about teacher training is that there are eight applicants for every one place in a teacher training college. It is still a very popular career choice for our young people. Those young people have to make this decision: if I take on teacher training and qualify as a teacher, will I have an opportunity to fulfil my career pathway and become a full-time teacher? There is a serious question mark over that for many of them. What we can do instead is to close down our teacher training colleges and send all those young people over to England. I, personally, think that that would be a huge mistake.

**Mr McCausland:** In view of the number of places to which trained teachers can apply, and if the Minister has the number who are being trained, will he tell us whether he would support the removal of the requirement that to teach in Roman Catholic maintained schools requires a special certificate, which is viewed by many people as a discriminatory practice?

**Mr O'Dowd:** That is a matter for the First Minister and the deputy First Minister to take on board. I have written to the First Minister and the deputy First Minister on several occasions, and I am awaiting a response. Personally, I believe that it should be removed. However, it is up to the First Minister and the deputy First Minister to carry that matter forward.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. What impact might any further reductions in the initial teacher training intake numbers have on students who see teaching as a vocation and will not be deterred by limited places in local universities?

**Mr O'Dowd:** As I said in response to Mr Lunn, I believe that we are now at a situation where, if I were to reduce teacher training places even slightly, we would see the closure of our teacher training colleges. That damages our education system and our economy, and all that we would be doing would be shipping more young people over to England or Wales, wherever they wish to do their teacher training, and then they would return here anyhow. Let us produce high-quality trainee teachers; let us ensure that it happens here; let our teaching institutions become the envy of these islands instead of closing them down and sending our young trainee teachers elsewhere.

**Mr Swann:** Minister, are you aware that, at last week's Employment and Learning Committee, the Minister for Employment and Learning accused you and your predecessor of being involved in a racket and of being involved in a model that artificially topped up the number of places in teacher training? Has the Minister for Employment and Learning ever asked you to reduce the number of teacher places?

**Mr O'Dowd:** I am not aware of exactly what was or was not said at last week's Employment and Learning Committee. We will have discussions in regard to teacher training numbers in the time ahead with the Minister for Employment and Learning. We have reduced teacher training places over the last number of years by 30%. The Minister for Employment and Learning has asked for those numbers to be reduced. I believe that the numbers that we bring forward are reasonable; they think beyond the current economic climate and into the future. We are

about ensuring that we have a good cohort of freshly trained teachers coming through the system. I think that the decisions that we have made thus far are justified, and I emphasise again that we have reduced teacher training numbers by 30% in the last number of years.

**Mr Attwood:** Minister, given that you said that it would be a huge mistake to close our teacher training colleges, given that we are in a critical stage in respect of Stranmillis and St Mary's, and given that there may be as little as 40 days and nights between now and purdah in the middle of March, will you indicate whether you believe that this issue, given last week's view of the premia for St Mary's and Stranmillis, will be resolved, because, if it is not resolved by 20 March, the finances of those two colleges will be in jeopardy?

**Mr O'Dowd:** I am not sure that purdah rules over Executive Ministers; I know that it relates to the Westminster election etc. I think that it can be resolved very quickly, and I understand that the First Minister and the deputy First Minister are seeking for that matter to be brought to the Executive, and it may well be resolved there. I would like to see it resolved before that, but it is a matter for the Minister for Employment and Learning unless the First Minister and the deputy First Minister call it into the Executive again, and then it is a matter for the Executive.

## Shared and Integrated Education

3. **Mr Allister** asked the Minister of Education to outline the impact on departmental functions of Her Majesty's Government having a role in respect of the £500 million of capital funding to support shared and integrated education (AQO 7507/11-15)

2.15 pm

**Mr O'Dowd:** The Stormont House Agreement included a reference to additional capital funding for education as follows:

*"a contribution of up to £500m over 10 years of new capital funding to support shared and integrated education subject to individual projects being agreed between the Executive and the Government".*

Department of Education officials are engaging with the Treasury and the NIO to agree the shared campus and integrated school building projects that this funding is deemed applicable for. When agreement has been reached, the Department will bring forward the potential school build projects that qualify for the funding. The Department will submit these projects to the Executive and to the Treasury in accordance with the Stormont House Agreement. It is not anticipated that this potential funding for shared and integrated education will have any impact on my departmental functions.

**Mr Allister:** If each project has to be agreed, does the Minister anticipate the business plans for each having to be agreed by Her Majesty's Treasury as well as his Department? Does he look forward to that unique form of power-sharing with Her Majesty's Government? That might diminish him as a Minister. I would not object to that, but he might.

**Mr O'Dowd:** The fact of the matter is that you objected to the Stormont House Agreement and the £500 million investment in our education system that goes with it. You



would not find yourself in this position because you would have said, in your traditional format, "No". You would not have to query any of those questions, because no is a very easy word. If you want to invest in education and build a better society, a new society that is different from the one that you and I grew up in, sometimes, you have to say yes. When you say yes, you have to work your way through those processes.

On business cases etc, I hope that the Treasury, like me, wishes to avoid duplication of bureaucracy rather than increasing that bureaucracy. Discussions are ongoing, and I hope that we will make this process as simple and effective as possible, that we deliver new builds in our communities and that we strengthen shared and integrated education in our society.

**Mr Wilson:** As well as accepting advice from Her Majesty's Treasury on his capital spend for integrated education, will the Minister give assurances that, with any capital spend that impacts on other schools in a locality, consideration will be given to the views of other education providers and that we will not have a situation where, for example, an integrated school is allowed to expand at the expense of schools that exist in the area and may well be operating under capacity anyway?

**Mr O'Dowd:** I will take advice from all quarters and then make decisions. That is the role often. Any project being brought forward will have to be area-plan proofed, so it will have to take into account its impact, positive or negative, on other schools in its locality.

**Mr Dallat:** I do not want to get caught in any controversy involving Mrs Windsor. Can the Minister tell us whether this money is about shared education projects rather than about shared education, which already exists in many schools? Those schools may not benefit from this bounty, whoever it comes from.

**Mr O'Dowd:** It is capital funding, so it is for infrastructure. It is for physical developments. I do not rule anyone in or out at this stage. We are still working our way through the finer detail of it, and I accept what I think the Member is trying to suggest, which is that, in many instances, schools have led the agenda in regard to shared education and that many have been years ahead of politicians on shared education. I fully accept that, and significant good work goes on quietly behind the scenes on shared education. As I said, I am not ruling anyone in or out of benefiting from this money, which is not revenue-led or project-led but infrastructure-led.

**Mr Milne:** Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. What shared campus integrated projects are being taken forward in planning?

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta. Six primary schools and one post-primary school have integrated projects being taken forward in planning. Those are, in the primary sector, Braidside, Portadown Integrated Primary School, Drumlins, Roe Valley, Omagh and Corran, and, in the post-primary sector, Parkhall Integrated College.

## Schools: Budget Cuts

4. **Mr Dunne** asked the Minister of Education how his Department will work to negate the long-term damage that budget cuts will have on the future for schools, particularly in the delivery of front-line services. (AQO 7508/11-15)

**Mr O'Dowd:** As part of the 2015-16 final Budget outcome, my Department received an additional £64.9 million of funding in recognition of the inescapable pressures facing education and the overwhelming response to the consultation. However, I must emphasise that there remains a significant pressure on the education budget.

Throughout the Budget process, my aim was to protect, as far as possible, the funding to front-line services. Therefore, following the final Budget allocation and my wider education budget review, I immediately allocated £80 million to the aggregated schools budget. That allocation means that there has been no reduction in cash terms to school delegated budgets, although, in real terms, schools will face pay and inflationary pressures in 2015-16.

My focus remains on raising standards and closing the achievement gap. That continuous improvement will best be achieved when schools are supported and trusted to develop their own school improvement strategies. Also, by working with the boards, CCMS and others, my objective, through the area planning process, is to develop a network of sustainable and financially viable schools of the right size, in the right places and able to maximise the use of available resources so that they can focus on providing the quality of education that pupils deserve.

**Mr Dunne:** I thank the Minister for his answer. Can he give an assurance to the boards of governors of schools, including the board of Holywood Primary, which meets later this week, that, following the budget allocation that you just mentioned, there will be no reductions as such and it will be business as usual for our schools?

**Mr O'Dowd:** I am very reluctant to comment on any individual school, but it has to be recognised that, despite the very welcome contribution of £64-odd million to the education budget as part of the final Budget and my allocation of £80 million to the aggregated schools budget, there remain wage pressures and inflationary pressures on schools. Schools will make decisions on how to manage those pressures, and they are best placed to do so. I am continuing to analyse the remainder of my budget and budget lines, and I am attempting to ensure that I provide more funding to front-line education services. I will make announcements on that in the weeks ahead.

## School Pupils: Skills

5. **Mr F McCann** asked the Minister of Education to outline how he is enhancing pupils' ability to meet the needs of an increasingly competitive global market place. (AQO 7509/11-15)

**Mr O'Dowd:** As Minister of Education, one of my key priorities has been ensuring that our children and young people have the knowledge, skills and attitudes to succeed and do well in work and in life. I am confident that the curriculum allows schools the flexibility necessary for students to build the skills, attitudes and understanding that they need to be global citizens, connected and able to contribute to the global economy.

The curriculum ensures that all our students are educated in the changing concept of a career and the various types of job in the local area, as well as opportunities to explore enterprise and entrepreneurship. Those opportunities allow our young people to investigate the need for creativity and enterprise, whether as an employer or

employee, to identify and practise skills and to develop the attributes associated with being enterprising.

The flexibility offered by the curriculum framework and the curriculum means that schools can respond fully to meet the needs of the economy. Taking account of up-to-date labour market information on skills shortages and priority skills areas as they emerge allows schools to widen and review their curricular offer for pupils.

**Mr F McCann:** Go raibh míle maith agat. I thank the Minister for his response. Will ICT subjects such as computer coding be streamlined in schools?

**Mr O'Dowd:** Computer coding is already available to our schools, and many primary schools in particular have taken advantage of bringing in outside clubs to add to their skills and resources in order to provide computer coding. Members will be aware that I commissioned a fundamental review of GCSEs and A levels in 2012. That work is in train, and, consequently, new and more challenging A levels and GCSEs will be put in place, including a computer science GCSE.

**Miss M McIlveen:** The Member referred to coding in primary schools. The Minister will be aware of lobbying by the digital industries for the introduction of coding into the curriculum from the age of eight. Is he giving that consideration?

**Mr O'Dowd:** The curriculum is broad-based. On occasion, there are demands for a variety of subjects or materials to be defined in the curriculum and to ensure that a certain time is allocated to the teaching of these subjects. I am reluctant to go down that road at this stage. I believe that the curriculum serves its purpose. It allows for flexibility in the system, although I am also conscious that, by 2016, the curriculum will be approximately 10 years old and will be subject to review. At that stage, it would be useful for the Minister, whoever that is, to conduct a review of the curriculum and make decisions on whether aspects of learning, including computer coding, should become compulsory.

**Mr Cree:** What action is the Minister taking to concentrate on non-academic skills, such as confidence, resilience, trustworthiness and other essential life skills?

**Mr O'Dowd:** That question relates to the first question that I was asked during Question Time: education is much broader than a simple analysis of the behaviour and performance of 10- and 11-year-old children.

The curriculum allows and is built around learning and skill-based education. It ensures that young people can avail themselves of a wide spread of topics and subjects. Indeed, when they progress through their learning in post-primary school to GCSE level, they now must have a choice of up to 24 subjects and, when moving towards A level, a minimum of 27 subjects. So the curriculum is built on a strong basis of academic, vocational and general subjects.

When I engage with employers — some are significant employers — they ask not only for young people who are academically well qualified but for young people who are well rounded, confident citizens who are able to be team players and team builders when they go into the workplace. The curriculum allows for that, and schools can and should be encouraged to continue down that pathway without distractions.

## GCSE: New Subjects

6. **Ms Maeve McLaughlin** asked the Minister of Education if he has any plans to introduce any new subjects at GCSE level. (AQO 7510/11-15)

**Mr O'Dowd:** A review of GCSE provision is being undertaken here and in England and Wales. Since we have, in the main, an open market for qualifications, that will mean that revised specifications will become available to schools over the next three years.

Responsibility for introducing new subjects at GCSE rests with an individual awarding organisation. Decisions by awarding organisations, including CCEA, on the nature and scope of their GCSE offer will reflect demand from schools. In response to the requirements of the entitlement framework, for example, CCEA has, in recent years, introduced new GCSE titles, including contemporary crafts and agriculture and land use. In addition, in responding to discussions with key stakeholders, including employers, CCEA has, as part of its GCSE provision, plans to provide a GCSE in software development for first teaching from September 2017.

In considering the development of new titles, all awarding organisations will need to take account of the accreditation criteria requirements for GCSE qualifications, which are set by the regulator here.

**Ms Maeve McLaughlin:** Go raibh míle maith agat. I thank the Minister for his answer thus far. Given that some schools want to opt for subjects such as politics at an earlier stage, is there room to do that and what options are available?

**Mr O'Dowd:** There are opportunities, particularly through Learning for Life and Work. This qualification provides an introduction to government and politics and reflects the curriculum requirements for local and global citizenship at Key Stages 3 and 4. From foundation stage to Key Stage 2, all pupils study personal development and mutual understanding, which encompasses two strands, one of which is mutual understanding in the local and wider community, which can have a broad interpretation for teachers in the classroom. As I said in responses to earlier questions, they can use whatever material and tools they choose. I welcome the fact that, on Mondays and Tuesdays, you will often see primary-school children in and around the Assembly, involved in and learning about how the Assembly works and engaging at a very early age. I do not know whether they are impressed, but I know that they are here.

2.30 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We will move on to topical questions.

## Malvern Primary School: Closure

T1. **Mr Humphrey** asked the Minister of Education what his view is of the recent sad decision made by the Belfast Education and Library Board to close Malvern Primary School in west Belfast, given that he has been very supportive of the children and young people zone for the greater Shankill. (AQT 2061/11-15)

**Mr O'Dowd:** My view on that development proposal will be based on the submissions that I receive during the consultation period, whether those be from elected

representatives, school pupils or the broader community. I have no view established yet in regard to the matter and will only make a decision when all the facts are before me.

**Mr Humphrey:** I thank the Minister for his answer. On Friday, the Member of Parliament for North Belfast, Nigel Dodds, and I met the principal of Glenwood Primary School. That school is due a new school and will be an educational hub for the mid-Shankill. When will the work begin on that development?

**Mr O'Dowd:** Two questions for the price of one. Apologies to the Member, but I do not have that information in front of me. I am more than happy to supply him with the information in due course.

## Teachers: Unionist Community

T2. **Mr Buchanan** asked the Minister of Education what action he is taking to free up the pathway for teachers from within the Unionist community to access employment in schools in the maintained sector. (AQT 2062/11-15)

**Mr O'Dowd:** I assume that the Member's question refers to the Catholic certificate for teaching purposes, which was raised during Question Time. The Member may be aware that the certificate is available to non-Catholic members of the community through distance learning courses at, I think, the University of Glasgow and perhaps also through Stranmillis, so there are a number of opportunities for non-Catholic teachers to achieve that certificate and teach in the maintained sector.

**Mr Buchanan:** Does the Minister not accept that it is a barrier, and that the barrier is discrimination against teachers from the Unionist community?

**Mr O'Dowd:** I accept that it is certainly a perceived barrier. My personal view is that it should be done away with. In the teaching of the sacraments, I believe that there are other ways of achieving that objective and goal for the Catholic sector rather than every teacher having a certificate. The Member will also be aware that any change to equality legislation is the responsibility of OFMDFM.

## Schools: Capital/Resource Funding

T3. **Mr Beggs** asked the Minister of Education for an update on the capital and resource funding that will be available to schools in the foreseeable future and to state how he is facilitating agreed amalgamations, such as the new school project for Islandmagee, which can improve educational outcomes and result in reduced running costs. (AQT 2063/11-15)

**Mr O'Dowd:** The education budget was being discussed as I entered the Chamber just before Question Time, and, as I said, while I welcome the fact that we have received £64 million as a result of the final Budget, there are still significant revenue pressures in regard to education. I will make further decisions in due course as to how we deal with those revenue pressures and if and where we can inject more revenue into front-line services.

There is a significant dip in the capital budget for education moving forward. I believe that all the major projects that I have announced will continue to move forward. However, there may be some delay in some of the school enhancement programmes, and there will be less money for minor works programmes moving forward as well.

I have no details in front of me on the specific school that the Member mentions, but I am more than happy to share any information on that or give an update to the Member in due course.

**Mr Beggs:** Will the Minister acknowledge that the pupils, the parents and, indeed, the community in Islandmagee feel that they are being discriminated against given that they agreed the amalgamation of Ballypriormore, Kilcoan and Mullaghduh primary schools over 10 years ago but, as yet, no school has been built? Yet the Minister has been able to find perhaps over £2 million for his own pet project school, an Irish language school, which will operate at a projected running cost —

**Mr Principal Deputy Speaker:** Can we have a question?

**Mr Beggs:** Local children in my community feel that they are being discriminated against. Will the Minister ensure that he deals with all members —

**Mr Principal Deputy Speaker:** Order.

**Mr Beggs:** — of the community equally?

**Mr O'Dowd:** One of the downsides of topical questions is that a Member can stand up and ask a constituency-specific question and I, as Minister, am supposed to have details on the 18 constituencies and all the projects.

It is simply impossible for me to have that. I am only in post four years, so whatever happened before I came into post I know nothing about. I have made announcements about capital projects moving forward. A number of them required development proposals, and I think that there may have been changes, sponsored by the board, around development proposals in the area that the Member referred to. Then there was a change of heart, and that caused delay as well. When I make an announcement about a new capital build, I make it on the basis of consultation with the sponsoring management body, whether it be CCMS or the education board. If there is a change after that, it will inevitably cause delay.

I assure you that there is no element of discrimination in regard to these matters. I have not directed any capital funding towards Coláiste Dhoire, and I will ensure that I continue to lobby for more money for capital and drive forward the capital building programme. I noted, as I came into the Chamber, that the Chair of the Education Committee was able to report that the Department of Education had spent all its capital funds over this last number of years, and I intend to make that the case this year as well.

## Social Media: Misuse in Schools

T4. **Mr Hilditch** asked the Minister of Education for details on the extent of misuse and problems with social media in schools. (AQT 2064/11-15)

**Mr O'Dowd:** Social media have a positive element, without doubt, and are used by pupils and teachers in schools in a positive way and to meet learning criteria. However, they are also used in bullying and the viewing and spreading of inappropriate information, whether it be about individuals or made-up information about individuals, referred to as cyberbullying. Currently, I have out to consultation an anti-bullying strategy. As part of that, we are looking at cyberbullying, and it will involve collaboration with

the Department of Health, which is taking the lead on a broader element in relation to cyberbullying.

**Mr Hilditch:** I thank the Minister for his answer. There are indeed pilot schemes and programmes about at the moment, and I know that Mr Simpson has been involved in one in your constituency. Have you had a chance to study any of those? Could they be used across the education sector?

**Mr O'Dowd:** I was recently in a primary school in Pomeroy, County Tyrone, which, along with an outside arts company, has produced a very informative film. It was put together by the young people of the school and involved them. In that, they set out their relationship with and reaction to social media. I thought that it was very informative and succinct in the messages that it sent out. The simple message was this: if you would not trust a stranger on the street, why would you trust one online? The young people put the message across very well. I am familiar with the projects being run by individual schools and communities in relation to cyberbullying and other such matters.

### Youth Centres: Budgetary Support

T5. **Mr Frew** asked the Minister of Education for an assurance that the youth centres will be sufficiently supported in budgetary terms in the coming year, given the restoration of some £2 million in the Budget to the education and library boards. (AQT 2065/11-15)

**Mr O'Dowd:** I have restored approximately £2 million to ELB youth. How that money is distributed across the youth sector is a matter for the education and library boards.

**Mr Frew:** Given the fact that the youth centres do a tremendous body of work with young people, acting as a diversion from involvement in crime and teaching young people other things socially outside the school setting, is the Minister supportive of enhanced funding for those youth centres?

**Mr O'Dowd:** There are different challenges and demands in education. It is worth reminding the Member that his party brought a motion to the House only a few weeks ago calling on me to protect front-line education as in "schools only". There was an amendment tabled by my party colleagues about youth work and other factors, but it was rejected by the House. You cannot have it both ways. You cannot call for funding one day and then reject a proposal for it on another. I fully support youth work. It is an integral part of our education system. Over my period in office, I have increased funding for it. I was keen to announce funding for the ELB youth sector at the same time as I announced funding for schools. I will do my best to enhance youth funding in what is a very difficult climate for the education budget.

**Mr Principal Deputy Speaker:** Mr Ross Hussey is not in his place. I therefore call Mr Sammy Wilson — Sorry, Mr Sammy Douglas. [Laughter.]

**Mr Douglas:** I thought the Principal Deputy Speaker was a good friend of mine.

### Dundonald High School: Progress

T7. **Mr Douglas** asked the Minister of Education whether he agrees that Dundonald High School is making very good progress following the stay of execution that he ordered last year. (AQT 2067/11-15)

**Mr O'Dowd:** I would go further: there are to be no changes to Dundonald High School. The decision has been made: it is staying open. It is an integral part of the education framework in that area. I take the opportunity to congratulate the pupils, the parents, the community, the teaching staff and senior management at the school for their excellent work since a decision was made on the future of the school.

**Mr Douglas:** I thank the Minister for his answers so far. He did not include politicians — the MLAs who lobbied him — in his congratulations. Would the Minister continue to encourage his officials and others to work with the school and parents to ensure success for this major school in east Belfast?

**Mr O'Dowd:** I have no difficulties with congratulating the local MLAs on that matter, despite the hard time you continually give me. You and your colleagues worked well with me and my Department, the community and the school to ensure sustainable education provision.

### Schools: Budget

T8. **Mr Poots** asked the Minister of Education, while declaring an interest as a school governor, when he will inform boards of governors about the readjusted budget, given the additional finance he has received in the Budget. (AQT 2068/11-15)

**Mr O'Dowd:** We are finalising preparations for letters to all schools, which will, hopefully, issue by the end of this month. The Member will appreciate that we have to run quite a complicated formula, taking into account any changes to the schools' pupil intake etc. Then we will notify schools of their exact budget for the coming financial year.

**Mr Poots:** Does the Minister recognise the stresses that school governors and management teams have been under? Given the significant rise that he received following approval by the Executive of the Department of Finance and Personnel's proposal, will he adjust school budgets significantly upwards from the original proposal?

**Mr O'Dowd:** The Member is aware that I announced £80 million for the aggregated schools budget — the global amount — which is an increase of about 0.2% in funding for the next financial year. However, each school's budget is based on a much more complicated formula that has to be run for 1,138 schools before they can all be informed in due course. I remind the Member and the House that the year ahead for education is still a very difficult one. Difficult decisions have yet to be made. It will prove to be a very difficult year for schools, the Education Authority and any other body attached to education. I welcome very much the decision by the Executive to increase funding to education, but all Departments are dealing with a uniquely difficult financial environment.

### Schools: Craigavon Development Proposals

T9. **Mr Moutray** asked the Minister of Education to outline the number and progress of development proposals submitted to his Department by schools in the Craigavon area. (AQT 2069/11-15)

**Mr O'Dowd:** I think we have four currently in the Craigavon area. We have one for St Mary's in Derrymore, out at Aghagallon — now, you have caught me. Just give me one second; I think we have an answer here on something



similar. There are two development proposals for schools in the upper Bann area: one for St Mary's Primary School in Derrymore and another for St Patrick's Primary School in Magheralin.

**Mr Moutray:** I thank the Minister for his answer. What does he intend to do for the pupils of Lurgan College, Portadown College and the Lurgan campus of Craigavon Senior High School, who for years have been in outdated accommodation that is not fit for purpose?

**Mr O'Dowd:** There is a difference between a development proposal relating to school enrolment or to a change of character of a school and one requiring capital investment, as in the second question asked by the Member. Both of them are, however, connected here. There needs to be a change of direction in education in that area that takes into account the needs of all the young people and not just two of the schools. If we get into a mindset where we are dealing with all the young people in the post-primary controlled sector in Craigavon, we can come forward with a proposal that will receive financial support and support from the Department of Education. At the minute, however, many people are focused on two schools rather than on them all.

2.45 pm

## Employment and Learning

### Homophobic Bullying

1. **Ms Ruane** asked the Minister for Employment and Learning to outline the action further and higher education colleges are taking to eradicate homophobic bullying. (AQO 7520/11-15)

**Dr Farry (The Minister for Employment and Learning):** Each further education (FE) college and higher education (HE) institution is required, as a public authority, to have in place an equality scheme and to report to the Equality Commission on steps taken to promote equality of opportunity for categories listed in section 75 of the Northern Ireland Act 1998.

During 2013, I asked my officials to conduct an audit of how our colleges and universities were taking forward policies to combat homophobia. The results of the audit confirmed that all our institutions engaged in a range of positive practices in that area. In the FE sector, all colleges have in place a range of pastoral care arrangements aimed at promoting the health and well-being of students by providing them with access to appropriate guidance and support, including personal safety and protection, anti-bullying, harassment, self-harm and suicide. Initiatives in place include running awareness and promotional events, training staff in combating bullying, providing support to lesbian, gay, bisexual and transgender (LGBT) groups in college campuses, engaging with the Rainbow Project and working with college student unions. In the higher education sector, institutions engage in a range of positive practices. All higher education institutions have anti-bullying policies and procedures in place that cover homophobic bullying. Those policies and procedures continue to be monitored, reviewed and updated when necessary.

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I acknowledge and welcome the measures, but students in colleges continue to experience homophobic, bi-phobic and transphobic bullying. Does the Minister agree that more needs to be done to ensure that LGBT students feel safe while they study? What further measures will the Department implement?

**Dr Farry:** Obviously, colleges and universities are taking measures forward, and those measures are constantly reviewed. Indeed, we seek updates from the colleges to that end. I am stunned — indeed, I am shocked — that the Member, given that she is a former Education Minister, is challenging what happens in the FE and HE sector, where good practice is in place. In the wider community, there have been demands for successive Education Ministers, including the Member, to ensure that we have proper effective measures in our school setting to deal with, specifically, homophobic bullying and not just bullying in general. That has been a major gap in provision over the past number of years. In that context, I am somewhat surprised that the Member is challenging the good practice that happens in the FE and HE sectors, compared with what has not happened in our schools.

**Mrs Overend:** I thank the Minister for his answer. Will he outline the steps he has taken with regard to sectarian intimidation in colleges? Some find that certain colleges are a cold house for unionists.

**Dr Farry:** Our colleges and universities are very mindful to ensure that we have a neutral environment where people can learn together. A neutral environment does not need to be a homogenised environment where expression of culture is removed from that situation. Clearly, where complaints are made in that regard, whether to student unions or the authorities, you need to take those comments extremely seriously.

**Mr Dallat:** I feel the need to pay tribute to the people in colleges of further and higher education who have tackled the problem. I ask the Minister whether there is anything that we can learn from their endeavours and successes that could be used in the wider battle against homophobia.

**Dr Farry:** I thank the Member for his comment. I join him in paying tribute to the leadership across the third-level education sector in ensuring that we have a welcoming environment.

My specific points in response to his question relate to how colleges can engage with the wider community through, for example, local policing and community safety structures and how they can engage with the community and voluntary sector, particularly the organisations that lobby, campaign and provide welfare in relation to different section 75 categories, including, for example, the LGBT sector.

Colleges should also look at how, in general, they can ensure that they have good, efficient practices in place that will robustly challenge in those situations where there is a clear breach of equality duties, including intimidation and bullying.

**Mr McCallister:** In his reply, the Minister quite rightly mentioned the importance of ensuring that through the main education system and into the FE sector. Will he comment on what measures are in place in colleges and

through his Department? What support is there for young people on government-supported work schemes to make sure that they too are protected from any form of bullying or harassment, including homophobic bullying?

**Dr Farry:** The Member makes a very valid point. To that end, as we have sought to design our different apprenticeship and youth training programmes looking to the future, as well as our provision under Pathways to Success for our NEETs strategy, we have been very mindful of ensuring that those involved in the provision of training are alert to the risks of bullying, including homophobic bullying, and on how to ensure that there is proper pastoral support. Indeed, one of the key design features of the new youth training system, the public consultation of which is closing, is a much stronger focus on pastoral care than has been the case up until now.

## Job Fairs

2. **Mr Easton** asked the Minister for Employment and Learning for his assessment of jobs fairs being held in local communities. (AQO 7521/11-15)

10. **Mr Campbell** asked the Minister for Employment and Learning what steps his Department will take to ensure significant numbers of jobseekers will attend future jobs fairs and advice forum events, such as the one scheduled for Limavady today. (AQO 7529/11-15)

**Dr Farry:** Mr Principal Deputy Speaker, with your permission, I wish to group questions 2 and 10 together and to request an additional minute for the answer.

Bringing job fairs and information days into the heart of local communities has proven to be a very successful way of helping people into employment. In 2014, job fairs were held in Belfast, Derry, Ballymoney and Newry, and one was recently held in Craigavon. I am pleased that feedback from employers, support organisations and local clients has been encouraging.

Those who attend can be interviewed for a job. Additional services are available on those days, including online job searches and participation in a job club workshop, where those who attend create their own CV. They also get tips and techniques about interviews.

The Department has also held a number of local community events where attendees have been offered full-time employment, while others progressed into a work placement opportunity. After the recent event in Kilcooley in Bangor, eight clients progressed into work, 45 were offered a work placement opportunity and three commenced the skills development programme.

Importantly, following on from those events, many employers have requested my Department's assistance with bespoke recruitment events, therefore providing further opportunities for local clients and communities.

Job fairs are promoted actively to unemployed clients visiting local jobs and benefits offices and job centres. They are also advertised through local media, press releases, social media sites, my Department's website, JobCentre Online and through sending leaflets to local community groups, libraries and colleges.

My officials also take local geographical considerations into account and organise a community bus facility for rural areas, if required, to afford clients in those areas

an opportunity to participate. In the lead-up to job fair events, my officials work with clients locally to remove any barriers to attendance and to ensure that every possible effort is made to allow clients to attend. That approach was successfully used during the recent job fair in Ballymoney, where community buses transported clients from Ballycastle and the surrounding areas to Ballymoney. The same practice was used for last week's job fair in Craigavon. That ensured that clients from Lurgan, Portadown and surrounding areas could participate.

I am pleased that there has been a steady rise in the attendance at job fairs due to the measures put in place.

**Mr Easton:** I thank the Minister for his answer. Does the Minister agree with me that, considering the bad weather, the Kilcooley event was very well attended, with over 100 young people going to it? Does he feel that the partnership approach not just between his Department and me for setting it up but with the local community organisations, particularly the Bangor chamber of trade, is the type of model that we want to roll out across Northern Ireland?

**Dr Farry:** First of all, for the benefit of the press release for this week's 'County Down Spectator': yes, the Member did a good job in helping to organise the event.

The partnership between the community and voluntary sector and the local business community is very important. Those work most effectively when they are from the bottom up and respond to local demand. Where we can see clear evidence that there is a critical mass of people in the community sector or in local businesses who wish to take the opportunity, as a Department, we are more than happy to facilitate that.

**Mr Campbell:** First, I congratulate all the Departments involved in a similar event this morning that I left about four hours ago in Limavady, County Londonderry. I will ask the Minister the same question that I asked some of the organisers of that event: what emphasis is put on the evaluation after the events? This morning's event seemed to be exceptionally successful from the numbers that I could see. What lessons are learned once the evaluations have been received from the event?

**Dr Farry:** The Member is right to stress the importance of evaluation and constant learning as we go. I am pleased to hear the very positive feedback received from Limavady. Some 1,700 people came through the doors at an event in Craigavon last Thursday; those are considerable numbers. We can evaluate success through a number of different outcomes, one of which is the number of those who progress into work or into further training places. However, we can also get feedback from those who attend events as to whether they found them useful and that they were being matched with potential employers according to their interests. Again, that feedback tends to be very positive.

**Mr Ramsey:** Like other Members, there is no doubting the value, the contribution and the success of these fairs. There was one in the Millennium Forum in Derry last year where hundreds of young people were queuing for jobs. It is a success story. Is there any way that you could look at incentivising small and medium-sized businesses to participate in and contribute to these fairs?

**Dr Farry:** The point is how we can look to do better in promotional work with SMEs to make them aware of the opportunities. It would be a much more efficient way, at

times, for people to see the potential talent in communities than maybe some of the more traditional recruitment techniques. It may be viewed in the short run as a barrier or an inconvenience for businesses, but we have a message to communicate that this is something that is very much in the interests of businesses of all sizes but in particular SMEs.

**Mr Lunn:** Will the Minister acknowledge the role played by the local business education partnerships in this area, particularly, if I may say so, the Lisburn one, which is very active and had a careers convention just last week that attracted over 1,000 young people?

**Dr Farry:** Very much so, and I welcome that engagement. I recently hosted a dinner for the incoming chief executives of the new super-councils and the chief executives of our local FE colleges. The FE colleges have a very important role in business support, particularly around matching skills with the emerging needs of the new council areas, which are taking on additional economic development powers. Between the informal structures that we have at present and what we can do more formally through the statutory agencies, there is a real desire to focus on local solutions for these problems, recognising that Northern Ireland does not necessarily suit a one-size-fits-all solution. I was particularly pleased that we had representatives from Lisburn City and Castlereagh District Council, who were very proactive in seeking out new opportunities.

## Employment Law Review

3. **Mr Ross** asked the Minister for Employment and Learning for an update on his review of employment law. (AQO 7522/11-15)

**Dr Farry:** In September 2014, I provided the Employment and Learning Committee with an overview of the key policy proposals that have emerged from my Department's consultation on a range of measures designed to improve the effectiveness of our current employment relations system. Following that engagement, I secured the Executive's agreement for the drafting of an employment Bill that will give effect to the agreed policy proposals.

These include a new process of early conciliation to be delivered by the Labour Relations Agency; the drafting of appropriate enabling provisions that would allow for a neutral assessment service to be established; the conversion from confirmatory to affirmative procedure of the Department's power to amend the qualifying period for the right to claim unfair dismissal; and adjustment from 90 days to 45 days of the period of consultation in collective redundancy situations involving 100 or more employees.

My Department has recently undertaken further policy reviews dealing with zero-hours contracts and the rules that govern the operation of employment tribunals. A paper on legislative proposals on regulating zero-hours contracts is being prepared for the Executive. It is intended that a consultation on tribunal rules will be launched in early March 2015. It is my intention to secure Executive agreement to formally introduce the employment Bill to the Assembly before the summer recess.

**Mr Ross:** The Minister will know that, in order to be a business-friendly environment, we want to have a highly skilled workforce if we can get the lower rate of corporation

tax and have flexible labour laws. Is he confident, given the fact that, in Great Britain, they have moved further on reforming employment law, particularly around the qualifying period for unfair dismissal, that after his employment law Bill goes through the House, we will not be at a disadvantage compared with other regions in the UK in being attractive to investors and job creators?

3.00 pm

**Dr Farry:** First, it is important that we approach employment law with a perspective of balance, ensuring that we meet the needs of business and give it sufficient flexibility. However, we must also ensure that we are giving protection to workers and that our law is keeping up to date in that regard. That is why we are looking at zero-hours contracts; not to rule them out but to ensure that there is adequate protection in an emerging area in how we are dealing with employees.

It is important that we recognise that employment law is devolved in Northern Ireland. We are the only part of the UK where that is the case. It is important that we are competitive, but there are different ways to ensure that. In particular, I highlight what we are trying to do about the routing of claims through the LRA and creating a much more holistic approach, based on the alternative dispute resolution techniques. Those things will put us at a considerable advantage compared with many of our neighbours. Unfair dismissal is a much more controversial issue, and the Member well knows that there is not an agreed approach on that issue within the structures of the Assembly.

**Mr Kinahan:** What does the Minister intend to do within law to make it easier for small and medium businesses to take on additional employees without putting their businesses at risk?

**Dr Farry:** We have a situation where businesses can take on employees. We are seeing, for example, a change to a much more casual approach to employment, which recognises how labour markets are evolving. In many respects, that is a natural progression, but it is important that, as government, we keep up to date with the changes in practice, that we ensure that our regulation is balanced and proportionate and that we are mindful of the interests of employees and ensure that their rights are appropriately balanced and protected.

**Mr Flanagan:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. Given his comments on the casualisation of labour and my concerns about the casualisation of workers' rights, what legislative proposals are contained within the Executive paper that the Minister is drafting on zero-hours contracts? Specifically, how does his paper intend to further enhance and protect the rights of working people?

**Dr Farry:** I welcome the Member back to the Chamber with formal speaking rights. He would have picked up from the previous answers that we touched on the issue of zero-hours contracts. We are finalising proposals in the Department to take to the Executive. Also, the Committee is set to get a briefing on the issue either this week or next week. We are seeking to introduce some regulation in respect of zero-hours contracts, particularly around exclusivity and the conditions under which people would

have the right to request or expect a different type of contractual situation.

The main issue around casualisation is the uncertainty around pay and the knock-on effects that that has for someone when it comes to planning family life, access to benefits or the ability to secure mortgages and other such financial instruments. So, there is a big debate there. The intention is, once we get Executive approval, which will hopefully be secured over the next few weeks, to go to the legislative draftspeople to get the clauses drafted. Those clauses will be included in the main employment Bill, which will hopefully be introduced to the Assembly before the summer recess.

## FE Colleges: Budget Impact

**4. Mr Elliott** asked the Minister for Employment and Learning to outline the impact of the Budget 2015-16 on employment levels in further education colleges. (AQO 7523/11-15)

**Dr Farry:** Although the final budget for my Department has somewhat improved since the draft Budget, with £20 million being restored from the initial cuts that were proposed, the Department still faces an unprecedented funding situation. That will impact across all areas of my Department's work, including further education. I have tried to protect front-line services, but there is no doubt that the cuts will have implications for staffing in the colleges and places in the colleges. Those are, however, matters for the colleges.

I met with the Employment and Learning Committee last week to apprise it of my thinking on the budget cuts, and I am in the process of finalising decisions. I am proposing a £12 million reduction for the further education sector, which may be partially mitigated by the proposed use of £6 million of end-year flexibility, subject to the agreement of the Executive. That is, in effect, the use of the reserves within the sector.

**Mr Elliott:** I thank the Minister for that update. I acknowledge what he says about it being up to the regional colleges how they decide their budget, but will he give us an example of the potential redundancies that that could create in, for example, the South West College? Will there be compulsory redundancies?

**Dr Farry:** With respect to the Member, I need to be very careful about speculating about places and jobs and what happens in individual colleges. Each will be in a different financial situation. The effects of the cuts will work out differently in each of those areas.

Without doubt, we still face a significant situation. It is worth noting that this is, perhaps, the first time in living memory that we are about to rationalise access to further education, which, hitherto, has always been open to the public across the board.

There is a coordinated approach in the sector to how the cuts can be managed. I am pleased that across Colleges NI, principals and chairs of boards, there is a common understanding of the different means by which the effect of the cuts may be mitigated in a manner that reduces the impact on the front line as best as possible.

**Mr Hilditch:** I thank the Minister for his answers. We learned at the Committee recently that there is a chance to

try to offset the college budgets by equalising fees. Given the differential, how could that work?

**Dr Farry:** Our higher education institutions are entitled to charge a fee just short of £3,800. Our further education colleges are also providers of higher education. Two of the six colleges charge fees in the region of £2,500; the remaining four charge in the region of £1,500. So, across the sector — building on the point that I made to Mr Elliott — there is a view that those fees should be standardised at in the region of £2,500, which is still significantly less than tuition fees for a higher education qualification at a university.

Higher education within further education will still be an attractive option, in particular as foundation degree courses are designed with the needs of employers and the wider economy in mind. They are an attractive and lucrative way of achieving third-level qualifications that will stand someone in very good stead in their career.

**Mr Byrne:** I thank the Minister for his answers. Does he agree that the cutbacks in courses in some further education colleges could have a damaging effect on the local economy, particularly the cuts in enterprise training, STEM subjects and practical vocational courses? What advice is the Department giving to governors of colleges to ensure that there is no shortfall in the provision that will affect employment?

**Dr Farry:** I cannot give any assurances when dealing with cuts. They will have real impacts on front-line provision, and we will seek to mitigate those as far as we can. Nonetheless, there will be an impact on the front line. The scale of cuts that we are making means that that cannot be avoided.

All of that will have an impact to some extent on the economy in different parts of Northern Ireland and in our society as a whole. We have asked for protection for some areas: for example, what we are doing on apprenticeships and the new youth training system will be protected. We have also asked the universities and colleges to protect investment in STEM subjects, given their particular importance to the economy.

A strategic and planned approach is being adopted to how we find the savings. Nonetheless, it is a challenging situation.

**Ms Lo:** I thank the Minister for coming to the Committee last week specifically to brief us on the budget. I know that he is trying his best to mitigate the cuts, but I understand that Belfast Metropolitan College is seeking to cut English for speakers of other languages (ESOL) teaching quite drastically to meet its budget. What impact will that have on the new immigrant population?

**Dr Farry:** We take ESOL and access to it very seriously. What is happening at Belfast Met is just the standardisation of the approach taken in the other five colleges. This will remain a feature of all our colleges. As we continue to attract skills and people from overseas to work and invest in our society, it is important that we continue to provide them with access to ESOL-type courses.



## JTI Gallaher: Redundancy Fund

5. **Mr McKay** asked the Minister for Employment and Learning for an update on the drawdown of funds to support workers facing redundancy at JTI Gallaher. (AQO 7524/11-15)

**Dr Farry:** Minister Foster and I have been working proactively with JTI Gallaher to discuss its plans and the needs of its workforce in an evolving situation. My officials are exploring the use of the European globalisation adjustment fund in these circumstances. This provides support to people losing their jobs as a result of major structural changes in world trade patterns due to globalisation — for example, when a large company shuts or production is moved outside the EU. The fund has strict eligibility criteria, and my officials are continuing to explore whether these would be met in this case. I plan to build on the work of my officials and to include this in discussions when I am in Brussels later this month for meetings with the European Commission.

The Department has a portfolio of services available to assist JTI Gallaher employees. The careers service and employment service offer advice and guidance. This includes the redundancy advice service, which, in partnership with other organisations, provides information and advice on available options and support. The Northern Regional College has liaised with JTI Gallaher on the help that it can provide. In addition to its ongoing programme, which is open to all, the college is offering a tailored approach of conducting skills audits of the workforce. This would help individuals to obtain relevant qualifications, either by accrediting their experience or providing the training necessary to gain relevant skills and qualifications.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answer. He referred to the globalisation fund. What is his assessment of the likelihood that we will qualify for the globalisation fund and that those funds will go to the workers?

**Dr Farry:** If the Member is asking me to be realistic, I would say that our prospects are narrow. Nonetheless, we will seek to explore all the options. It was interesting that, when the announcement of the redundancies was made last year, virtually every party, in some form or other, rushed to the media to say that the European globalisation fund will be the answer to our problems, without necessarily checking through the issues. We have to bear a few things in mind. One is that we have to ensure that the jobs actually qualify. If jobs in Ballymena are being relocated elsewhere within the European Union, those job losses will not count towards eligibility. It is jobs that are lost to outside the European Union that are eligible. On the other hand, we can also include the supply chain, so we may just make that threshold. We then have to ensure that any bid that we make is approved and processed by the Department for Work and Pensions in London. As the Member will appreciate, it has to be channelled through the national member state, which, in our case, is obviously the UK. To that end, the UK Government have not previously supported any application to the fund. We also have to ensure that what we put in place in Northern Ireland is additional to our existing provision. We will have to make sure that we match fund the European globalisation fund from local resources or the company itself.

**Mr Swann:** The Minister says that the opportunity is narrow. What additional work are he and the Enterprise, Trade and Investment Minister doing to make sure that it becomes a reality?

**Dr Farry:** We have had a number of discussions with the company and floated with it the potential of its making some contribution, in the event that a successful bid could be made. We have had discussions with the Commission about how best to make an application. I intend to take those forward further next week when I am in Brussels. We are not yet in the position whereby we would be expected to make any application. We have to wait until the job losses become a reality, which will not be until May 2016. However, if we feel that we have a reasonable prospect of a successful application, we will seek to proceed on a shadow basis and get a provisional indication of the likely success or otherwise of a bid so that we can process a bid very quickly when the timing allows us to make one, which is once the redundancies become a reality.

**Mr Frew:** If we put aside the discussions on a bid to the globalisation fund, what discussions has the Minister had with JTI Gallaher to ensure that it leaves a lasting legacy in north Antrim and Ballymena in particular? That would be cold consolation, but it would at least help the community and people there.

### 3.15 pm

**Dr Farry:** Speaking for Arlene Foster and myself, we have had full cooperation from the company. It has been accessible to us and is acutely aware of the impact of the loss of jobs on the lives of individual workers, their families and the wider community. The company is more than happy to facilitate the work that we do as a Department, and also that of other agencies and the Northern Regional College's skills audit and retraining. It is important that Members bear in mind the key issue of the timing around when this will take place, because production is continuing in the factory and, if anything, will increase as it works towards the change in directives, so it is important that we do not interrupt the company's natural flow of business. At the same time, though, we can move quickly to intervene at the appropriate time. We stand ready to go when the company deems it appropriate for us to do so.

**Mr Principal Deputy Speaker:** That ends listed questions. We move now to topical questions.

## St Mary's University College: Ministerial Crusade

T1. **Mr Ó hOisín** asked the Minister for Employment and Learning, given his continuing crusade against St Mary's University College, resulting in his cutting its premia, how he intends to protect its excellent work in promoting Irish-medium education. (AQT 2071/11-15)

**Dr Farry:** Let me be clear at the outset: there is no crusade against St Mary's University College, although, at times, if you listen to comments from the college and other political parties, there is perhaps a crusade against me in all of this. We have to recognise that the system we have at present is not working or delivering. It is very much an artificial system, where we subsidise our teacher training, whether through an artificial figure of teachers to be trained, the premia or the expansion into non-initial teacher

education (ITE) subjects. We are doing more and more to prop up a system that is not sustainable in its own right.

That is why it is important that we consider reform, in the context of which we can put in place a range of models that can ensure that we protect issues around ethos, including how we can train teachers for the Irish-medium sector. We have seen how reforms have taken place successfully in Glasgow, and more recently — from September — in Dublin. In the case of Dublin, we see a Catholic institution, with a history longer than St Mary's, and a Church of Ireland institution with a history longer than either, coming together with Dublin City University to create a new approach to teacher training in the city. That is happening with the support of the Catholic hierarchy, and issues around ethos can be accommodated within a shared and inclusive environment. That applies to both the Church of Ireland and Catholic Church ethos in teacher training in the Catholic maintained system. That begs this question: if something can be done successfully in Glasgow and Dublin, why is Northern Ireland insisting that it is so different?

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. I thank the Minister for his answer. Can he assure me that, contrary to what he has intimated, should the Executive decide to reinstate the premia for St Mary's and Stranmillis, he will stand over and implement such a decision?

**Dr Farry:** The Member knows well that, as a Minister, I am bound by the ministerial code and that, where a decision is taken by the Executive, that decision will be respected. However, that is not going to prevent me from ensuring that I continue to highlight the importance of prioritising skills in our economy. It is not going to stop me from talking about and continuing to promote the importance of a shared future.

The Member talks about the importance of protecting the Irish culture. I took the opportunity to invite some of the protestors who were at Parliament Buildings a couple of weeks ago to talk to me about teacher education and what was so important about it that they were trying to protect. I was quite shocked by some of the things that I heard. First, people said that they did not feel safe celebrating their Irish culture outside the context of St Mary's. In terms of what we hear, particularly from unionist Benches, over our universities and the perception — false in my view — about the Gaelic culture in universities, I found that an incredibly strange and narrow approach to take.

I also heard people say that they did not see the need to engage in sharing. They were quite happy, having gone to a Catholic primary school and a Catholic secondary school, to go to a Catholic-based third-level education system, because they would be going on to teach in a Catholic secondary school or Catholic primary school when they qualify, so why did they need to mix with anyone else in society? In the 21st century, when we are trying to build a shared future, I find those attitudes to be utterly shocking.

### NEETs: Budget Impact

T2. **Mr Hilditch** asked the Minister for Employment and Learning to detail any effect that the budgetary settlement will have on those in the NEETs category. (AQT 2072/11-15)

**Dr Farry:** Very clearly, there are some major challenges in relation to NEETs. We were lucky to have a very generous settlement from the Executive for our Pathways to Success strategy for the 2012-15 period. That funding package expires on 31 March. To be fair, that was always the understanding. Had the situation been different, I would have hoped that that funding package would be renewed. That has not been the case, so we have lost that money, in the same way that we have lost some of our jobs and economy initiative money. It then falls to us to see how we can best address those shortfalls.

We are looking at how we can continue the community family support programme, and I am optimistic that that will be the case. We are also trying to see how some existing good practice can be replicated in the forthcoming European social fund (ESF) round. Applications have gone in on the basis of how they can engage with young people who are disengaged from the labour market. Indeed, that is one key feature of the current ESF round, which is a bigger round than in previous years. It is a very challenging situation, but, nonetheless, the strategy stays in place, and we will continue to see how we can find alternative means to deliver for that important group of young people.

**Mr Hilditch:** I thank the Minister for his answer and acknowledge the challenges that he has ahead. There will be a knock-on effect from the loss of places at the higher education level, which will impact down through the colleges. Can we give any protection to the vulnerable in our communities, where the colleges do a lot of work and programmes?

**Dr Farry:** It is important that our colleges continue to outreach in the community. There are some good examples of students themselves, through community and voluntary work, working in disadvantaged communities on some of those issues. Indeed, students can get credit through the new higher education achievement report, which has been rolled out in our higher education sector for those non-curricular activities that are so important towards employability skills. It is a real benefit for students engaging in those types of activities. Without doubt, we are facing a potential loss of provision, and there is no plan B for how we can mop up. If we had additional resources, we would do what we would like to do in our existing plans.

### European Social Fund: Disallowed Applications

T3. **Mr Hazzard** asked the Minister for Employment and Learning why a substantial number of applicant organisations to the European social fund were disallowed on the basis that they did not provide management accounts, despite having supplied audited accounts, which has always been the case to date. (AQT 2073/11-15)

**Dr Farry:** It is important to bear in mind that we are currently going through a live process. Where groups wish to make an appeal, they can do so. At this stage, I should say that the guidance notes that were sent out in relation to the ESF round were very clear on the need for both audited accounts and management accounts. People were advised to ensure that they provided all the information requested. Nonetheless, where a group wishes to challenge or appeal any decision that has been taken, it is free to do so. A number of organisations are taking up that opportunity.

**Mr Hazzard:** I thank the Minister. I am not surprised that a number of organisations are taking up the opportunity to challenge that. It has been brought to my attention that at least two organisations were contacted behind the scenes by your Department and it was requested that they resubmit their financial documents. In an effort to redress that particular wrong, and maybe avoid court cases that will do nothing to address the financial crisis that many of those organisations now find themselves in, what steps will you be taking to redress the situation?

**Dr Farry:** Let me be very clear: organisations can appeal and we will listen to all the evidence that is provided. I am not part of that process. Equally, the Member needs to be aware, as does every other Member, that we have to ensure that we have an objective standard by which we allocate funds from the European social fund. Were we to find ourselves in a situation where the guidance notes and rules had not been followed, and if we were to bend those for particular organisations, that would have a knock-on effect for the integrity of the process. We would end up in a situation where a group that would otherwise be funded, and had followed the rules, would then have an even bigger potential claim against the Department.

### FE Colleges: Budgetary Deficit

T4. **Mr McNarry** asked the Minister for Employment and Learning to confirm how many regional further education colleges have been in budgetary deficit in the past three years. (AQT 2074/11-15)

**Mr McNarry:** I must say, I liked the Minister's response to the first topical question. We will see how we go from here on.

**Dr Farry:** I cannot give the Member the complete figures. I will write to him in that regard.

The situation in the FE sector has meant that the colleges have faced declining financial support from government over the past seven or eight years and have not had any meaningful increases. At the same time, we have asked them to do a lot more, so they have been doing extremely well to maintain their level of activity on what is, in effect, a declining resource basis.

As the sponsoring body for the colleges, my Department keeps a close eye on their accounts. While deficits may occur from time to time, none of the colleges are causing us any concern with their direct financial management. As the Member may know, some colleges have been in a very worrying situation in the recent past.

**Mr McNarry:** I accept that the Minister will forward the information to me. I look forward to receiving that and thank him for what he said. Does he accept that part of the solution will be the replacement of the big-college model with expensive big bureaucracy with small, lightly managed, responsive colleges with minimal bureaucracies?

**Dr Farry:** If anything, we are probably likely to go in the opposite direction, given the real pressures with resources. One of the initiatives that we are seeking to take forward is the promotion of shared services across the six colleges to try to find efficiencies in provision.

One thing that is not on our agenda is any rationalisation of the six colleges down to five, four, three etc. On the other side, we are not seeking to devolve things any further. We

have come from a position of having a larger number of colleges, and the decision to consolidate, quite rightly in my view, was taken about 10 years ago.

I also want to be clear that our colleges are incredibly responsive and have changed dramatically their engagement with their local businesses communities over the past number of years. They are increasingly seen as the first point of contact with businesses, particularly SMEs, that are looking for skills and, increasingly, for research and innovation solutions. Some of the things that we are doing to manage the current budget problems and address duplication between the Department and the colleges have been resolved in favour of the colleges. We are trying to give them more power at a local level to engage with their local business communities to create local economic solutions.

**Mr Principal Deputy Speaker:** Mrs Pam Cameron is not in her place.

### Emma Rogers: Update

T6. **Mr Nesbitt** asked the Minister for Employment and Learning for an update on the situation with regard to Emma Rogers who is working in Australia. (AQT 2076/11-15)

**Dr Farry:** I cannot give the Member a direct answer on that point, and it is probably not appropriate to discuss an individual case on the Floor of the Assembly. I am pretty certain that I cleared a response to the Member about that. Hopefully it has been received and a positive solution has been obtained.

**Mr Nesbitt:** I assure the Minister that Miss Rogers has no difficulty with the case being raised. She is a resident of Perth, Australia, although she is a native of Northern Ireland. She is working in a childcare centre and is under threat of losing her job because, although she is fully qualified — the Minister has the information to that effect — through no fault of her own, she does not have the certificate because of an error by City and Guilds. The Australian Children's Education and Care Quality Authority has said that she will have to leave her job if she does not get that certificate. What is the Minister doing to ensure that that person stays in employment?

**Dr Farry:** From recollection, I think that we cleared a response to the Member in that regard and the issue has been satisfactorily resolved. If the Member wishes to come back and feels that that is not the case, we are more than happy to entertain further representations. I think that the issue has been resolved. Hopefully the Member has received correspondence from the Department to that effect.

### Northern Regional College: New Build

T7. **Mr McQuillan** asked the Minister for Employment and Learning for an update on the Northern Regional College new build. (AQT 2077/11-15)

**Dr Farry:** Oh dear. Which campus?

**Mr McQuillan:** Coleraine.

**Dr Farry:** Let me be clear: the Northern Regional College will be a priority area of capital investment, albeit that our capital budgets are declining. We are looking for a new build in the northern part of the catchment area and a new build in the Ballymena area. We are still processing

the business case. One particular issue that we need to bottom out relates to curriculum design and ensuring that what we are putting in place meets the needs of the future curriculum. Once that is in place, we will clear the business case and look to secure the resources to progress what are, hopefully, going to be two new builds in the area.

**3.30 pm**

**Mr Principal Deputy Speaker:** Order. Time is now up. That concludes Question Time. I invite Members to take their ease while we change the top Table.

**Mr Moutray:** On a point of order, Mr Principal Deputy Speaker. Is it in order for a Member of the House, let alone a Deputy Speaker, to refer to Her Majesty The Queen as Mrs Windsor? Will you have that investigated, Mr Principal Deputy Speaker? My party and I find it grossly offensive.

**Mr Principal Deputy Speaker:** It is common courtesy to refer to any member mentioned on the Floor of the House by their official title. I ask that the Member reflects on that.

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

**Mr Allister:** On a point of order, Mr Deputy Speaker. Has the Deputy Speaker taken the advice of the Principal Deputy Speaker and reflected on the matter?

**Mr Deputy Speaker (Mr Dallat):** I believe that while I am in the Chair, I cannot offer political advice or thoughts, but I am sure that anyone who was listening to it might have had a sense of humour and I will go no further than that.

## Executive Committee Business

### Supply Resolution for the 2014-15 Spring Supplementary Estimates

*Debate resumed on amendment to motion:*

*That this Assembly approves that a total sum, not exceeding £15,646,075,000, be granted out of the Consolidated Fund for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2015 and that total resources, not exceeding £17,051,879,000, be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2015 as summarised for each Department or other public body in columns 3(c) and 2(c) of table 1 in the volume of the Northern Ireland Spring Supplementary Estimates 2014-15 that was laid before the Assembly on 2 February 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]*

*The following motions stood in the Order Paper:*

*That this Assembly approves that a sum, not exceeding £7,075,640,000, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,283,000, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in columns 4 and 6 of table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]*

*That this Assembly authorises resources, not exceeding £50,000, for use by the Department of Justice Northern Ireland Judicial Pensions Scheme for the year ending 31 March 2016, for the purposes specified in column 1 of the 2015-16 Main Estimate document that was laid before the Assembly on 2*



February 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]

Which amendment was:

Leave out all after "Assembly approves" and insert

*"that a sum, not exceeding £7,075,390,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,033,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in columns 4 and 6 of table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015." — [Mr Allister.]*

**Mr Hazzard:** I welcome the opportunity to speak on the Supply resolution and the Estimates and the need to deliver a more prosperous and fair economy in the North of Ireland.

I want to pick up initially on a point raised by Mike Nesbitt regarding the Programme for Government commitment that was the Maze/Long Kesh. Indeed, it was a commitment, and it was voted through and endorsed by the parties before it was reneged on. I think that it is important to put that on the record, and that Sinn Féin stuck to its commitments and wants to see those types of projects going forward.

Sinn Féin is very proud that health and education will account for 65% of all resource expenditure in the North next year. The health of our population and the education of our young people are two of the most important responsibilities. Indeed, given the rising health and education inequalities at the core of services in Britain at the minute, the fact that 65% of our resources are used for health and education is, indeed, the right choice.

It is essential that our overall investment in health must be used to build a health service that is fit for the 21st century. Lately, we have heard plenty of talk about Transforming Your Care and the Donaldson report, but we must bear in mind that this is the North of Ireland; it is not England. We need to see local leadership, and we need to see equality of access. It does not matter whether it is for young or old, for rural or urban or for men or women.

The key focus of our work in tackling inequality is to ensure that Ireland, North and South, is one of the best countries in the world for children to grow and learn. When our youngest children enter school, they should have access

to the best possible education. As a result of the wealth of consultation responses to the Executive's draft Budget, the engagement with the trade unions, the school community and the Education Minister, John O'Dowd, education has received an additional £64.6 million.

It is important to recognise the role that the Minister played in securing those additional funds. It is also important to recognise that, just a month ago, the House voted for a motion that called on the Minister to protect school classrooms alone, and that youth services and services such as Sure Start and free school meals were not as important as the classroom.

I am delighted that the Sinn Féin Minister was able to secure additional funds and that we will now see extra funds going into the Education budget. That sizeable additional allocation will permit much of the pressures facing classrooms across the North to be alleviated. The education of our children is the key to their future and to all of our futures, but too many of our young people have their life chances narrowed by circumstances that are out of their control. It will also help to protect anti-poverty measures that are vital in giving all of our children equal access to success.

Sinn Féin was also successful in negotiating £500 million over 10 years for the Education budget, to be spent on shared and integrated education capital projects as part of the Stormont House Agreement. As Mrs Cochrane touched on, that provides a unique opportunity to shape our schools estate going forward for the 21st century. Although the latest economic indicators are encouraging, we recognise that a strong economy is successful only if it is underpinned by a fair and equal society. To ensure that all our citizens have the opportunity to achieve their potential, we in Sinn Féin have stood firm in our objectives to protect vulnerable and disabled people, in direct contrast to the ideological war on welfare being waged by the Westminster elite.

We have ensured that vulnerable people, disadvantaged people and people with disabilities will not pay the costs of the economic crisis. We have agreed to provide over six years a package of almost £565 million to address the potential loss of benefits to individuals and families. That is complemented by anti-poverty measures and a supplementary payment fund that protects families with children, people with disabilities and those who are long-term sick. There are safeguards for those moving from disability living allowance (DLA) and for lone parents, and people will be comforted by the knowledge that the abhorrent bedroom tax will not be applicable here in the North. Those protections are unique to the North and are in sharp contrast to the cuts-driven onslaught in Britain, which has resulted in the most vulnerable and disadvantaged in Britain paying 80% of the cost of the crisis.

Whether delivered by neo-liberals in London, Dublin or Brussels, austerity is the wrong answer. Golden circles did not nationalise the wealth in the good times; they should not be allowed to nationalise the debt in the bad times. The key to economic growth is investment, not cuts. We need to stimulate equitable growth, not strangle hope and opportunity. Yet, as long as decisions regarding our economic future reside in Westminster, our local budgets will be slashed and burned. Westminster's relentless raiding of the block grant is stifling our capacity for economic growth. Collectively, we have had to make some

difficult decisions to live within our Budget, which has been cut by well over £1 billion since 2011.

Austerity has become the price of the union with Britain. That price is borne out by the people who we represent here in the North of Ireland. For every £100 million cut by the Tories, we lose £3.45 million from our local Budget. The only way that we can reverse Westminster cuts is to take control of our economic future and to collectively carve out a progressive future for our local economy, one in which those who can pay do pay so that we can build a just, fair and equitable economy for all our people. For Cameron and Osborne, cuts work because they do not affect people who matter to them, but it is their decisions and their cuts that are blighting the lives of the people who matter to us.

**Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development):** As Chairperson of the Committee for Agriculture and Rural Development, I will represent that Committee's views.

The Committee for Agriculture and Rural Development, like other Committees, takes regular briefings on financial and budgetary issues from the Department as part of its role to scrutinise it. The Committee, in its response to the Department of Finance and Personnel to the budget proposals, stated that any cuts and savings in the budget should have a minimal impact on the farmer and the wider rural community. The Committee is adamant that a reduced impact on front-line services to farmers and rural dwellers is given high priority and that those should not be affected to any great level, as that would be detrimental.

Bearing that in mind, the Committee was anxious to hear the budget proposals for the Department. Indeed, our most recent briefing was held on 27 January 2015, when the Minister and her officials briefed the Committee on the 2015-16 budget. The Minister outlined that savings of £29.9 million are required in one financial year, and taking that into consideration, she outlined her five key priorities. Those are the successful implementation of CAP reform; the implementation of the Going for Growth action plan; the HQ relocation programme; continued support for the tackling rural poverty and social isolation (TRPSI) programme; and continued investment in flood alleviation work.

The Committee noted that with CAP reform, there will be significant changes for farmers, some of which are causing anxiety and distress. Farmers are being encouraged to submit claims online, the intention of which is to process and pay out more efficiently and promptly. The Minister advised the Committee that, in recognition of the difficulties surrounding the payment process, she has allocated £6.3 million to support that work, in addition to £0.3 million capital investment in IT systems.

One of the concerns of the Committee is that, despite that investment in new IT systems, there may be a reduction in the number of staff available to process payments. Given that there are cuts proposed across the wider public sector and the impact that voluntary redundancies may have on staffing levels, the Committee seeks assurance that payments to farmers, which are a vital source of income for them in running their business, will not be affected by staffing issues. Indeed, the Committee will seek assurances that essential business across the Department as a whole will not be severely impacted. Given that staff who have a wealth of knowledge and years of experience

are the people most likely to apply for redundancies, the Committee is keen to hear how that will be managed by the Department.

The Committee heard that there will be an additional £1 million of funding available to support farmers in order to assist in the implementation of the farm business improvement scheme. The funding aims to support farmers in the decision-making process and to help them to develop a business plan. The Minister advised that her Department was keen to get the scheme up and running very soon. The Committee is due to receive a briefing on that very soon, and we look forward to hearing the finer details and the outworking of the scheme.

The Committee noted that the Minister had allocated a further £1 million of resource funding to the HQ relocation project, bringing the total resource and capital funding budgets to £5.4 million in 2015-16. The Committee is keen to see the business case for that project sooner rather than later. There is also concern about whether, with many of the DARD functions moving to other locations — for example, fisheries to Downpatrick and forestry to Fermanagh — a move to Ballykelly, with the costs associated with that, is the most prudent thing to do. Given the recent announcement of the Executive decision to reduce the number of Departments, we query how the relocation plan will stack up, given the additional pressures that will now be placed on Departments and the current financial position.

We were glad to hear that the Minister has maintained the £4.7 million funding for the tackling rural poverty and social isolation (TRPSI) programme. The programme has been subject to a Committee review recently, and we heard about the effective impact that it has in rural and farming communities. However, as a Committee, we have expressed concern about why there has been provision for £1.7 million towards capital. Again, the Committee will be interested to hear what the proposals for the capital spend will be, especially when it has to be spent within the very tight timescale of one year.

Given the range of cuts outlined across Departments, the Committee is concerned that Departments will not be able to commit to their actions in the rural White Paper. The Committee seeks assurance from the Department that everything possible is being done to ensure that any rural-proofing decisions subject to budget constraints are made without any disadvantage to the rural community.

The Committee is pleased that the Minister has considered flood alleviation as one of her priorities. Everyone is all too aware of the devastation that flooding can cause; therefore, an allocation of £8.5 million of capital funding is to be welcomed.

**Ms Lo (The Chairperson of the Committee for the Environment):** I welcome the opportunity to outline the Environment Committee's views on the motion.

DOE's budget is one of the smallest in comparison with other Departments, so the Committee realises how difficult it has been for the Department to manage the 4.4% cuts that were required during the 2014-15 financial year. The Department has indicated that those savings were made by ceasing to fill vacant posts and by phasing out the use of temporary or contract workers, as well as carrying out a review of general administrative expenses across all business areas. While the Committee did not oppose

those cost-saving measures during the 2014-15 year, members are apprehensive about how the proposed staff cuts can be realised over the forthcoming financial year. The closure of the DVA resulted in almost 300 job losses, and it appears that about 400 planning division staff are to move to local council offices as those powers transfer to local government. A further reduction of 500 staff — equivalent to one third of the current workforce — will be a severe blow to the Department. The Committee remains extremely concerned about how this could be managed without impacting significantly on service delivery.

### 3.45 pm

The Committee welcomed the increased funding provided during the year for the Environment Agency. The Committee very strongly supports the role of the NIEA in fighting environmental crime and dealing with illegal waste, particularly when it is on the scale of the incident at Mobuoy, where more than half a million tons of illegal waste has been dumped and appropriate remedial action is still ongoing.

The Committee also supports the additional allocation of resources to local government. Members are very aware of the widespread changes to be introduced over the next year as the new 11 councils deliver not only the existing functions of local councils but a range of new functions that will transfer to them from central government. Adequate resourcing will be vital to ensure the success of the new roles and structures. The Committee welcomes the Department's focus on capacity building in councils. Nevertheless, the Committee would urge the Minister that this level of support for local government should be maintained over the next few years so that neither ratepayers nor local communities are financially disadvantaged by the process.

The Committee also places great emphasis on the provision of road safety services and will be concerned to note that this area has had a cut in its resources. During each week in 2014, the death toll on our roads increased, and, as the Committee continues its scrutiny of the Road Traffic (Amendment) Bill, departmental officials have reiterated the grim statistics regarding young people killed or seriously injured. The Committee is very conscious of the vital importance of road safety education and the need to support this work on an ongoing basis. Members have urged the Minister to prioritise this funding as he considers his budget for 2015-16.

The Committee has largely been supportive of DOE's bids during the past year and, in considering the Vote on Account, stresses the importance of making sure that the necessary funds continue to be made available to DOE so that it can continue to deliver its programmes and conduct its functions effectively. On behalf of the Environment Committee, I support the motion.

I now wish to make some comments on behalf of the Alliance Party. The first is that the Alliance Party opposes Mr Allister's amendment. It is tantamount to a threat to an independent organisation when it does something that some Members disagree with. It is almost an abuse of power.

Over the past few months, I have been inundated with correspondence from constituents who are deeply concerned about the future of the arts in Northern Ireland.

The 10% proposed cut to DCAL's budget equates to a loss of £10 million. Within the draft settlement for DCAL, the arts budget has been even further reduced by 11·2%, a loss of almost £1·38 million. The proposed cut comes on the back of six successive cuts to the arts since 2011 and would set the arts budget back a decade to below the level last received in 2005-06. This reduces investment in the arts from 13p to just over 11p per person per week. To put the cut in context, the total annual spending of this arts budget would not sustain the health service for a day. It would sustain education for less than two and a half days.

I appreciate that the serious Budget constraints demand tough decisions, but it troubles me that the voluntary and community sector is always the first to be cut. I worry that too many MLAs have a tendency to view the arts as trivial and that not everyone recognises that visual arts, drama and music all enrich our quality of life. It is not just that: the arts sector grows and supports our local creative industries, which are worth £740 million a year. Those industries not only bring tourism, further investment and a sense of national pride but provide 40,000 people with jobs. There are financial benefits, too. The Tourist Board calculated that the top five arts events of the Derry/Londonderry City of Culture 2013 generated a 20:1 return on the investment and attracted a third of a million visitors. In all, the City of Culture boosted tourism to Derry/Londonderry by 50%. The 2012 Ulster Bank Belfast Festival at Queen's created nearly £580,000 in tourism revenue, and local businesses benefited by approximately £1·95 million. The CEO of the Arts Council recently queried the logic of making the cut to a sector that helps to turn 0·1% of public investment into 4% of GDP.

It is not just tourism and employment that benefit from the arts sector. Public spending on arts has a negligible impact on funding for other Departments and makes a very positive contribution to services such as health and education. Fifty-two per cent of the work undertaken by the Arts Council's regularly funded organisations takes place in hospitals, schools and communities. Given the collaborative nature of many arts groups, there is a real worry in the sector that, when one organisation goes, it will have a domino effect. You cannot just switch voluntary organisations on and off. When those organisations go, they are gone for good and to rebuild them will have significant costs.

A constituent sent me a letter asking:

*"Who wants to live in a place where all the culture is based on sectarianism and backwardness? Shared events like Culture Night, the festival of food" —*

**Mr Deputy Speaker (Mr Dallat):** The Member's time is up.

**Ms Lo:** — "the Derry Jazz Festival and many others allowed us to come together for the love of something that has nothing to do with our divided religious and cultural paths."

**Mr Wilson:** In a former life, I would have upbraided Members for raising issues during this debate that should not properly be raised. Having listened to a good part of the debate, I have found that 95% of it falls into that category and that many people are treating this as if it were a Budget debate. Let us be quite clear what we are dealing with, and I will then try to stay within the limits of the debate. In fact, I sometimes wonder why the debate

goes on for four hours, since it is a fairly simple matter of voting on the amount of money that the Minister will have to give to Departments to enable them to spend the money that was voted in the Budget a couple of weeks ago. That falls into two categories: the part in the Consolidated Fund and the part that is in the Consolidated Fund plus the receipts raised by Departments in Northern Ireland. This debate is not about — this is a very pertinent point, especially in relation to the amendment — discussing whether there is an adequate budget for one Department or another or whether more money should go into one Department's budget and less into another's. We have had that debate before.

That said, I will make two observations. First, if we look at the amount of money to be voted on to enable Departments to run budgets for the next six months, the £7,075 million is well above what would be raised by taxation in Northern Ireland. I will continue to repeat that in these types of debate. The Members opposite ought to remember that, when they talk about their green dream — I am not talking about the wee man in the corner either — of a republic and getting —

**Mr Deputy Speaker (Mr Dallat):** Order, please. I am not sure in what context the Member used the words the “wee man”, but I assume that it was not the Member.

**Mr Wilson:** He is not there at the minute, so I do not think that I have insulted him.

When they talk about their vision of a united Ireland and breaking free from the United Kingdom, let them remember that the money that we vote on today, which is available in the Consolidated Fund for Departments to draw on, is there partly because we are members of the United Kingdom, and the United Kingdom Government allocate more money to Northern Ireland than would be raised locally. There is the case, and the Supply resolution hammers home the case for the Union and why we should be part of the United Kingdom.

**Mr McCallister:** I am grateful to the Member for giving way, and, overall, I agree with the thrust of his point, which will be no surprise to him. I remember Michaela Boyle making a point in the Budget debate that austerity was somehow the price of being in the Union. I thought that it was an absolutely ridiculous point. However, I took issue with him when he was the Finance Minister, and I take issue with the current Minister, that the Assembly is somehow a low-tax Assembly. We are virtually a no-tax Assembly.

**Mr Wilson:** We would certainly be a higher-tax Assembly if that crowd over there had its way. The important thing is this: being part of the United Kingdom brings immense economic and fiscal benefits to this country, and we should never forget that.

My second point is that the draw on that sum would have been much higher. Tomorrow, hopefully, we will ensure that it is not much higher, because we will put through the welfare reform proposals. Some of that money would have been withdrawn to give back to Westminster unnecessarily.

I do not want to go into all the pet things that I would like more money or less money to be spent on. Some Members may do that out of ignorance. I would not do it out of ignorance but would do it deliberately. I would know

that I was overstepping the mark, although, Mr Deputy Speaker, you may argue that that does not stop me on occasions. However, it will stop me on this occasion, because I want to deal with the amendment.

I support the sentiments behind the amendment. Indeed, long before Mr Allister talked about reducing the Equality Commission's budget, I had said that publicly in the Assembly and had written about it in the ‘News Letter’. I believe that the Equality Commission is being used, as has been suggested by Members opposite, as a Trojan Horse to undermine many of the values that are dear to people whom Mr Allister and I represent. It is essential, therefore, that, when we see the Equality Commission squandering public money — Ashers bakery is a good example — we ought to try to find ways to reduce its ability to do so. I note that Mr Allister's press release states that what he wants to do through the amendment is:

*“to give tangible effect to denunciation of the Commission”*

that many people across Northern Ireland have made. I want to give tangible effect to the denunciations that members of my party, thousands of my constituents and I have made about the Equality Commission.

#### 4.00 pm

The amendment we have before us does not do that, for a number of reasons. First, this is not about the budget for individual Departments. Secondly, in law — I am sure that Mr Allister will make the point — the only amendments that can be made to this are by the Finance Minister. The Assembly cannot make amendments. Thirdly, as he knows, because of the route that he has taken, we now have a petition of concern against his amendment, so that it will not have any effect anyway. Some people may say, “That is just a message of despair. What can we do?” The question is not what can we do, but what have we done. Even if this amendment were to go through — if the petition of concern and legal impediment were not there, this was the time for reducing the available money and the amendment was not simply making a reduction in the money available to be drawn down generally — there is no guarantee where the axe would fall. It does not, therefore, have the effect it is designed to have, for all of the reasons which I have given. Indeed, had Mr Allister wanted some advice on this, I am sure that either the Finance Minister or I would have given him a quick tutorial on how to handle these particular issues.

The time to do it, of course, was when we were putting through the Budget, which, unfortunately, Mr Allister voted against. He may well say to me, “Well, why did you not do something about it at the Budget?” My answer is, “We did.” The Budget that went through, and which he, and, unfortunately, some others, voted against, contains a cut to the budget of the Equality Commission. It is a bigger cut than the £250,000 notional cut in this amendment. There is a real, effective cut that they will feel of £430,000 in the Budget. That was done by working and using negotiations to get a Budget agreed and to make sure that it was not stopped by petitions of concern or whatever. That is the way to give tangible effect to the anger of the public, but, as happens on so many occasions —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.



**Mr Wilson:** — the DUP was ahead of the game. We put a Budget through. The Equality Commission will have less resources next year, and I believe that thousands of my constituents will cheer when they hear that news.

**Mr Rogers:** I welcome the opportunity to speak on the spring Supplementary Estimates. Mr Speaker, I direct my thoughts to education. Directing funds to the education of our children is a direct investment in society and the economy. Our schools are already struggling financially, but the cuts proposed will have a detrimental impact on the education of all our children. Even at this late stage, with fewer than eight weeks until the next financial year, schools have no idea of their budget. Northern Ireland is in the midst of a skills deficit, hampering our economy. Failing to invest in education exacerbates this situation. The thousands of jobs promised by the devolution of corporation tax mean nothing if we are not properly educating our children. For young people to be fully prepared to enter into the workforce, or to progress into further or higher education, as much money and resources as possible must go to the classroom.

I am disappointed that the SDLP amendment, which would have allocated an additional £1 million to the Department for Employment and Learning to maintain the special funding premium for St Mary's University College and Stranmillis, was not accepted.

I have stood in the Assembly before and voiced my extreme concern that the Minister of Education did not guarantee that the majority of additional funding would be allocated to the classroom. I find it shocking that, in one sense, he says that he is protecting front-line services but that, in the next breath, he is cutting £87 million out of the aggregated schools budget and cutting the entitlement framework by 29%. When you translate that into the real situation in schools, it is teachers facing redundancy, young people with special educational needs who may not get the support they need, and the thousands of our young people who leave school without basic qualifications. Schools have been pushed to the brink. They have reached their limit; they cannot make any more cuts without our education system suffering massively.

I take on board what the Member who spoke previously said about this not being a Budget debate. However, we have to be really strategic in our planning. We need to be strategic in terms of the educational future of our children. As I said, we are close to a new financial year, but when your child in school makes a choice to do a GCSE or A-level subject, that is a two-year commitment. You could have situations where students made that decision last September but the schools do not know whether they can afford the teacher for the rest of the financial year, never mind the next year. That is what I mean about being more strategic.

Education not only enhances the life of the individual and the community; it is absolutely critical for our economy. We have no hope whatsoever of developing a sustainable and balanced economy if we have our young people leaving school without the basic numeracy and literacy qualifications. We are not meeting the skills deficit in areas like computer coding. We cannot meet the skills deficit there at the minute, never mind two, three or five years down the road. Investing in DETI in the hope of employment stimulation needs to be supported by proper investment in the education of our children. We need to

prepare them to develop the skills to progress to third-level education and take up employment, if we are going to have a strong and diverse workforce.

The education sector has spoken. Now is the time for a more strategic approach to spending, particularly in education. In the 21st century, we must provide the necessary foundation for a vibrant economy.

**Mr Swann:** I welcome the opportunity to outline the Committee for Employment and Learning's consideration and views on the Supply resolution and the Vote on Account 2015-16.

With regard to the spring Supplementary Estimates, the Committee received a number of briefings from officials from the Department for Employment and Learning on the in-year monitoring rounds in 2014-15. Over the past year, the Committee received briefings on the June, October and January monitoring rounds, and it discussed a range of issues with the officials. All three DEL monitoring rounds have been unremarkable for 2014-15, which caused the Committee members some concerns. During the briefings, given that there have been financial pressures on the Department due to an in-year cut of 4.4%, it was noted that it had not put in bids for any additional allocations over the year; it seemed that the Department just accepted its lot. Instead, the Department tried to manage the cuts by finding in-house efficiency savings. For instance, the Department reported to the Committee a number of pressures, such as £1.8 million for the youth employment scheme, which it was finding from other areas of the Department.

Over all three monitoring rounds, members asked a series of questions about the lack of bids. They listened to officials indicating that they were able to live within their means. Other Chairs referred to late papers being received from the Departments in regard to monitoring bids. We did not have that problem; we just had a lack of bids. The Committee has, however, been somewhat assured by the Minister that, in future, the bids process, and, in particular, the change fund, will feature more in the Department's thinking. The Minister outlined in his briefing on 3 February that he is receiving £13.2 million for the new change fund and that, in future, in-year bids will feature more.

I will now move on to the Vote on Account 2015-16 with regard to the Budget for 2015-16. The Committee for Employment and Learning consulted with the three Northern Ireland universities, Stranmillis University College, St Mary's University College, Colleges NI, the University and College Union (UCU) and the Northern Ireland Council for Voluntary Action (NICVA). On 4 November, during an informal meeting with the heads of the three universities, the vice chancellor of Ulster University and the vice chancellor of Queen's University Belfast advised that the proposed cut could lead to a loss of 1,100 university places between them, and that that would have a damaging knock-on effect on the skills base for promoting inward investment and developing home-grown talent.

The universities also warned of an impending brain drain if the proposed cuts were initiated.

On 5 November, during an informal meeting with representatives of UCU on the effect of the cuts, the union was of the opinion that whole subjects and areas of study

could be cut from both universities, which could result in the loss of student places and staff.

Minister Farry briefed the Committee on the budget on 26 November, 10 December and, again, on 3 February to provide details of the changing situation. From an unpromising starting position, the Committee was glad to see the additional money that came to the Department at the eleventh hour. However, the Committee realises and accepts that the budget cuts on the Department remain severe.

During his briefing on 3 February, the Minister informed the Committee that he has had to manage a £61.5 million cut, reduced from the original £82 million cut, thanks to the reallocation of £20 million to the Department from the Executive. The Committee is glad to see that the Executive have listened to its warnings about the short-sighted nature of cutting Employment and Learning spending. In addition, when the £13.2 million of change fund money is included, the Department's opening baseline budget cut is £48.3 million.

In dealing with the pressures on his Department, the Minister has outlined his way forward to the Committee. He has provided detail of the £33.2 million of reductions. They are made up of £18 million of cuts rolling forward from 2014-15, the removal of the £2.2 million premia to Stranmillis University College and St Mary's University College and £3.5 million of employment service efficiency savings.

The main issue exercising the minds of the Committee during those briefings with the Minister was the impact on student places in our universities and colleges and the knock-on impact on the Northern Ireland economy. In detailing what the impact will be, the Minister has outlined that, with the £20 million reallocation to the Department, a pressure of £30.1 million remains on his budget and that will be managed by a reduction to the universities of £14 million, a reduction to the further education colleges of £12 million and further departmental efficiencies of £4.1 million. The Minister also outlined how the institutions hoped to mitigate those cuts. He outlined that the colleges will use £6 million of reserves and are well placed to receive £7.5 million from the change fund. Between them, that will help them manage the cuts, although jobs and places will be impacted.

The Minister also indicated that it is less certain how the universities will manage the cuts but that they are looking to maximise efficiencies and cut core teaching and research provision. In addition, the Minister indicated that a change is being made to widening participation measures, and that will reduce to 10% the requirement for universities to spend a minimum of 20% of additional student fee income on widening participation. This could increase the universities' spending power by around £8 million, which could be used to mitigate the impact of cuts. Unfortunately, however, the Minister accepts that the remaining £6 million of savings to be found by the universities will most likely come from a cut in university places and jobs. The Minister also made the point that, even if there was no reduction in student places or jobs, in respect of education and training, a standstill is not a positive position.

The Minister also pointed out that there is a £1.8 million pressure on match funding for the European social fund and the community family support programme and outlined that if the Department is not able to attract the match funding, it will be unable to draw down the full programme

and fail to meet targets. The Minister admitted that this was a difficult position to be in and advised that he would begin bidding in in-year monitoring rounds to ensure that the funds are maximised and that money is not lost to the block grant.

The Committee for Employment and Learning will continue its scrutiny of the Employment and Learning budget, especially the Minister's efforts to mitigate the impact of the cuts.

**Mr Clarke (The Chairperson of the Committee for Regional Development):** Thank you Mr Deputy Speaker. I welcome the opportunity to contribute to this debate in my capacity as Chair of the Committee for Regional Development.

It is important that we take the time to consider the implications and impact of the Estimates and, later today, the Vote on Account. Table 1, column 2(b) shows a reduction of just under £20 million in the departmental resources. We have had the departmental officials appear before the Committee to explain where the Minister and his officials have sought to apply that reduction. It is important to stress that it is the Minister and his officials who identify the Department's priorities. I stress again that it is the Minister for Regional Development and his officials who decide on which areas within the portfolio will face reductions.

#### 4.15 pm

It is disturbing and stressful that the Minister and his officials deliberately chose to target the most vulnerable of our citizens when they made these reductions. These were not, and are not, as the Minister and his officials continue to chant at every opportunity, Executive cuts. They were, and will continue to be, the responsibility of the Minister, his officials and the Department.

Page 226 of the 'Northern Ireland Spring Supplementary Estimates 2014-2015' sets out the actions that the Department will spend its budget on. It says that its budget will be used for the maintenance of roads, footpaths, street lighting and rural transport. Have the Minister and his officials achieved this? Most definitely not.

They cut budgets for the maintenance of roads, footpaths and rural transport. They allowed over 20,000 street lights to sit darkened before the Executive stepped in and provided additional funding for repairing those lights as part of the Budget settlement that the Minister for Regional Development delights in saying that he voted against.

They supported concessionary fares, again provided for through a Budget settlement that the Minister voted against, and they purchased buses for a company that is sitting with over £56 million in the bank. They talk in the Estimates of supporting regional planning and visioning when the reality is that they sought to switch lights off across Northern Ireland and attack the isolated and most vulnerable in Northern Ireland.

The Committee, unfortunately, does not have the greatest confidence in how the Department controls its budgets. This is evidenced in the debacle over phase 2 of the Coleraine to Londonderry train line, which has doubled in cost because of what the Minister himself described as "guesstimates" of budgets. Although the Committee inquiry is ongoing, there is an evident belief that the Minister and his Department cannot dissolve or dilute their

responsibilities in this matter, both in accountability and in overall governance of the project.

They have failed to learn lessons from the past and have chosen to bury their heads in the sand when claiming that no additional money has been spent. Additional money has been spent on consultancy firms estimating a 25% increase in passenger numbers on the route when the reality is that they have increased by 185%. It has been spent on additional tendering processes and needs to be spent on an inflated project cost that has increased from £22 million to £40 million. The Minister has identified this as a priority, and the Committee is fully supportive of the rail track as a priority, but he needs to recognise his Department's failings in this process. He must recognise that actions need to be taken to ensure that budgets for major capital projects are on time and he needs to ensure that the appropriate governance and accountability processes are applied correctly in future.

I note that table 1, column 2(b), shows an allocation of £5 million with regard to high-quality water and this has to be welcomed. It is, however, worrying that the Department advised the Committee on 4 February that:

*"It is unlikely DRD will be able to provide sufficient funding to NI Water for PC15 operating costs and capital".*

Although it is probably more appropriate to discuss this in detail during the Budget debate next week, I would like to put on record our concern on this matter. The Department needs to ensure that it balances its decision to cut NI Water budgets with the increased potential and the very significant cost to the block of infraction proceedings in respect of the Ballycastle treatment plant and Belfast lough.

We have come through some very difficult times, not necessarily unscathed, and we are facing further difficult times ahead. It is imperative, therefore, that constrained budgets are utilised in the most efficient and effective way. The Department has been very successful in accessing European funding for a number of transport schemes, and the Committee continues to encourage this as an avenue for matching its limited budgets. Likewise, the Committee is very supportive of joined-up initiatives for cycling that can be used to offset costs to the wider Northern Ireland plc block through increased health and environmental savings, for example.

It is time for the Department to take the initiative within the confines of governance arrangements and use its budgets in new and innovative ways. I can assure the House that the Committee for Regional Development will continue to work with the Department to achieve the most effective and efficient use of its budgets. We will, however, continue to be effective in our scrutiny of the Department and its arm's-length bodies to ensure that the public purse is protected and that the objectives and actions listed in the Supplementary Estimates are achieved.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a LeasCheann Comhairle. There are a number of issues that I would like to raise on behalf of the Enterprise, Trade and Investment Committee. Since the draft Budget position, Invest NI's allocation has increased from £98 million to £132.5 million.

That includes £7.1 million from the change fund for a joint bid with DEL towards support for increases in the relevance and use of skills across all economic sectors. I will refer to that again, but where the voluntary exit scheme in particular and potential changes to corporation tax are concerned, that is especially relevant, as we will require the introduction of new, well-skilled people of whatever age. They may be people of experience, of little experience or of no experience, but they may be exiting the public sector to be reskilled for the new job creation that may arise as a consequence of a reduction in corporation tax rates.

During an oral briefing, DETI officials informed the Committee that the draft Budget's proposed Invest NI allocation would mean that the organisation would have to scale back its targets. That was considered a key concern for Invest NI and DETI, as around 93% of Invest NI's draft budget was already committed. That would have left little additional funding for attracting new investment. Again, if that pattern continued, it would be at the wrong time, in the wrong place and certainly out of sync with both those items that I mentioned — the voluntary exit scheme and the bids to lower corporation tax.

The Committee has been led to believe that there is a guarantee from the Executive — the industrial development guarantee — that no worthwhile proposal for eligible support for economic development or investment would be lost due to a lack of funding. Following a query from the Committee, the Department stated that the Minister of Enterprise, Trade and Investment is firmly of the view that that commitment remains in place. It is important that we get clarity and maybe have that commitment repeated today by the Minister of Finance. I especially ask that the Minister provides firm assurances that the Budget allocation is sufficient to ensure that, first, Invest NI will not have to scale back its targets and that, secondly, the industrial development guarantee remains in place.

Another issue that manifested itself, particularly in public last week in some parts of the media, is farm safety. The Health and Safety Executive's budget has increased by £200,000 from the draft Budget position to £5.9 million. Whilst that might seem an insubstantial amount, the Committee had considerable concerns after officials informed it that, under draft Budget proposals, the Health and Safety Executive would have to suspend all farm safety campaigns. That is being announced at a time when farmers are getting back into the fields to spread slurry and are exposed to the dangers associated with slurry mixing. The media profile within the last week or so has encouraged farmers to be exceptionally careful around their farms. We are all very well aware of the serious and sad instances of people losing their life on farms as a result of those issues. I think that it is important that that matter is emphasised now so that it can be established whether the farm safety campaigning budgets at the HSENI can be secured.

A key question for the Committee and, undoubtedly, for the Committee for Agriculture and Rural Development is this: what will the additional £200,000 allocation be used for? Will it be used to ensure that at least some, if not all, farm safety campaign activity can continue? That is very important.

There has been heavy emphasis in the Committee on R&D and innovation projects, which again ties in with

economic development in the North. A key element of that has been the drawdown of EU funding, especially Horizon 2020 funding, which the rest of the island has been very successful in drawing down. Therefore, it is important that I emphasise both the role of InterTradelreland and its budget in providing services and the need to make sure that it does not suffer disproportionately from separate reductions, North and South. InterTradelreland has been instrumental in supporting and helping a lot of businesses, and its role in supporting and helping those businesses in their drawdown of EU funds has been emphasised to us. A small cutback there could result in not insubstantial amounts of funding being drawn down.

It is important that we, as an economy that is looking forward and that will hopefully be investing in its research, innovation and development, see the bigger picture and invest moneys where they are most required to draw down that funding and to help build a new 21st century economy in the North. There is an issue around the reinstatement of the events fund. It is one of the areas that the Committee will wish to cover and, indeed, raise with the Minister tomorrow when she attends.

**Mr Lyttle:** I thank the Member for giving way. He raises a pertinent issue about the events fund. Is it the Member's understanding, as it is mine, that whilst we welcome the reinstatement of the events fund, it would appear to have been reduced from around £2.4 million to just £1 million, obviously a significant and disproportionate cut.

**Mr McGlone:** Any cut of that magnitude, which appears to be almost 50%, will have a significant import upon the activities carried out. It is an issue that I will undertake to raise tomorrow with the Minister and establish from her that if that funding is being cut back to that level, what substitute funding, streams of funding or other supports may be put in place to help with the events associated with and supported by the Events Company.

In conclusion, a LeasCheann Comhairle, thank you for your time, and I trust that those matters will be taken on board by the Minister. Go raibh maith agat.

**Mr Lyttle:** The Alliance Party opposed the Budget at the Executive and in the Assembly for what we believe is a lack of a long-term, strategic approach to serious social and economic challenges facing our society. We have made our concerns clear. I heed Mr Wilson's admonishment that this is no longer the Budget debate and that we have now to start accepting the democratic will of the Assembly in relation to the Budget.

I will, however, take this opportunity to continue to raise red-flag warnings in relation to aspects of the Budget that were brought to my attention as a member of the Committee for Regional Development.

The Minister of Finance says that the Budget is about tough choices, yet by deferring difficult decisions on many issues, for example our water services and other fair revenue raising and redistribution, the Executive are failing to adequately invest in our public services, including our water system and infrastructure, which is critical to the health, economic development and environmental well-being of the community.

It is time that the DUP Finance Minister, the Ulster Unionist Regional Development Minister, indeed all parties, were honest with the public on water. The DUP Finance Minister

accuses Alliance of shirking tough choices in relation to the Budget yet resorts to short-sighted, populist political campaigning rather than fair and responsible Budget management.

The Minister for Regional Development has said that at least £750 million will be required from 2015 to 2021 for a water system upgrade for the Belfast water and sewerage system alone; yet the draft DRD budgets allocate around £450 million for capital investment for that period. That is approximately £300 million short and the Executive already subsidise the cost of water services by £250 to £300 million per year.

That is £300 million lost to other important public expenditure, such as health, education and independent advice services to assist the most vulnerable with welfare reform, so there is under-investment in water and other public services, and that subsidy.

We also have the risk of European infraction. The European Commission commenced infraction proceedings against the UK Government for Ballycastle waste water treatment works. The Minister for Regional Development says that Belfast harbour is now at risk of failing to meet required water-quality standards.

The European Commission water framework directive also requires states to recover the costs of water services and by 2010 to have introduced water-pricing policies that incentivise efficient water use. The Minister has made it clear that, whilst Northern Ireland charges for non-domestic water use, the absence of domestic water charges is another European Commission infraction risk.

The Committee for Regional Development has been told that it is unlikely that the Department for Regional Development will be able to provide adequate funding for Northern Ireland Water for operating and capital costs. It is my understanding that the Northern Ireland Water budget is short by around £14.7 million for 2015-16. Add to that the potential £13 million overspend by the Department for Regional Development for this year. We have also been told that waste water infrastructure is insufficient to meet the future requirements expected of it, with the problem most acute in Belfast. The Finance Minister says that the 2015-16 Budget is about tough choices, yet he and other parties have completely avoided the difficult decisions around water and other fair revenue raising and redistribution. My party believes that we have to be open and honest about the need for serious consideration of the introduction of fair domestic water pricing based on the ability to pay if we are to meet the demands on this and other vital public services, which I have set out today.

#### 4.30 pm

It is my understanding that we have received no ministerial attendance at the Committee for the Office of the First Minister and deputy First Minister, of which I am a member, in relation to the Budget and a complete lack of detail around some key Budget allocations, for example, £10 million towards the Together: Building a United Community strategy. This is of particular concern given OFMDM's track record of gross underspend on other key areas of policy provision, such as the childcare budget and the social investment fund budget, dedicated to the tackling of deprivation in and the regeneration of our community.



On behalf of the Alliance Party, I oppose the disproportionate and targeted reduction of the Equality Commission for Northern Ireland proposed by Mr Allister. It is my understanding that the Equality Commission for Northern Ireland has already experienced a 10% reduction and staffing reductions over the last four years. It is there, as an independent body, to play a key role for equality in our community. It does essential work around the Fair Employment and Treatment Order, section 75 and disability discrimination, and it is a vital scrutiny body to ensure that equality and good relations are advanced in our community.

Those of us who support a shared and prosperous future for Northern Ireland clearly have our work cut out to ensure that the hard-earned public finances are spent in the best interests of everyone in this community.

**Mr Attwood:** I apologise to the House that I have not been in attendance for much of the debate. As the Minister will appreciate, it was my children's parental consultation this afternoon, so I am just back from their school. I will take an intervention on that matter if the Minister is minded to ask me any questions. If not, I will move on.

**Mr Hamilton (The Minister of Finance and Personnel):** If you hurry up, I will be able to make mine.

**Mr Attwood:** I will hurry up, but I will take 10 minutes.

There are four matters that I want to bring the Minister's attention to and ask him to deal with either in his response or subsequently. The Minister is aware that the SDLP tabled an amendment to adjust the top line Vote on Account by £1 million, which is in or around 45% of the premia that would otherwise go to Stranmillis University College and St Mary's University College, to take forward the intention and ambition of the Assembly, which it showed last week when it passed with an overwhelming number — and would have done even on a cross-community basis, even though it was not subject to that threshold — an amendment to put money into the Budget this week to rectify the issue of the premia at St Mary's. Mr Allister, like ourselves, was trying to do something innovative in the Assembly by amending the motion. Our amendment, unlike yours, Mr Allister, was not accepted, although it seems to me that the broad principles were the same. I accept the ruling of the Speaker in that regard.

As I indicated to the Minister of Education earlier, whilst purdah, which will kick in on perhaps 20 March, may not be applicable to the Assembly per se, the spirit of purdah may be applicable to the Assembly in that it should inform Ministers in the Executive about decisions that they might take that might otherwise have an impact on the forthcoming Westminster election.

Given that we have 40 days and nights until purdah or the spirit of purdah may kick in and that a paper on the matter is meant to go to the Executive this week, how does the Minister see that matter being resolved? It is a matter of resolving it now, given the ambition of last week's motion, the short time frame that we may be working within and the fact that the worst outcome would be for no decision to be taken before the spirit of purdah kicks in so that the two colleges had to face the music at the beginning of the next financial year. I ask the Minister to deal with that.

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

**Mr Attwood:** Yes.

**Mr Lyttle:** From where did the amendment propose taking the £1 million?

**Mr Attwood:** There was no proposal to take the money from anywhere. There was a proposal — unlike that of Mr Allister, who tries to create a reduction in the Budget line — whereby we sought to increase the Budget line by £1 million, which I believe is within the Minister of Finance's competence to recommend to the House. However, that matter is now past because the amendment was not accepted by the Speaker.

My second point is this: I have chosen not to speak on environment issues to any great degree in the House since leaving my position as Environment Minister, because there is a new Minister. The new Minister has to find his feet and show his authority, both of which he has done over the last 18 months. However, now is the time to speak about issues that impact on the Ministry that I once held, the first of which is that people should read the Vote on Account and they read the headline purpose of the Department of the Environment:

*"To protect, conserve and enhance the natural environment and built heritage and support ... sustainable development ... in a ... way which will contribute to a better environment and which is modern and responsive to the community ... to reduce road deaths and serious injuries and ... support a system of effective local government".*

That is the character and content of the Department of the Environment. I have to say to the Minister that the consequence of the Vote on Account is to, in multiple ways, run the severe risk of undermining all of that.

Let me give you some examples. The Minister, when he was a Back-Bencher, tabled a motion in the Chamber about heritage-led developments. So, here we are, 'Waiting for Godot', waiting for corporation tax perhaps to be amended and for the jobs that may be created on the far side of that. Meanwhile, report after report in other jurisdictions, including ours, shows that the potential for heritage-led development in Northern Ireland is immense. If it were to go anywhere near creating the number of jobs that it has in Dublin or Scotland, we would create many, many thousands of jobs. That was a motion that the Minister proposed in the House some time ago. The consequence of the Budget and the Vote on Account is to undermine heritage-led development. I ask the Minister to advise us how he reconciles the present situation with what he said when he, rightly, proposed that motion and recently allocated moneys under monitoring rounds to DOE for that purpose.

Secondly, the DOE's environmental crime unit has around 30 staff. Nobody disputes that, while it has been enhanced since before I was Minister, it still needs more resources. How will the environmental crime unit deal with the huge threat of environmental crime, given that it is a lead policing agency, in effect, on environmental crime? How is it, Minister, meant to deal with what we discovered in Derry — I see that there are not that many Members from Derry in the House — a couple of years ago, when £50 million was taken by organised crime from an illegal waste dump two miles from Derry? Yet nobody — not planning, the Department of the Environment, the police, the Organised Crime Task Force or the Serious Organised Crime Agency — knew about it. Nobody knew about the

biggest illegal waste dump ever found in these islands. The environmental crime unit is now tasked with going after those who are responsible for that immense and horrendous crime, whoever they are, and I have certain views on who they are. How can the environmental crime unit do all that when the consequence of the Vote on Account is that up to one third of DOE staff might lose their job, separate from the members of staff who are going to the councils?

We have a situation in which, as the Minister will recall, close to £50 million was given to councils, of which £30 million was negotiated to try to mitigate the consequences of government reorganisation, given that some parties imposed the model of 11 rather than 15 councils. How can it be that, on the one hand, we give to the councils to mitigate the costs of local government reform, yet, on the other hand, take away from them by not giving to those councils in areas of disadvantage all the rates support that they might otherwise have been entitled to? I ask the Minister this: given what is happening with budget lines on rates relief and general moneys going to the DOE for heritage-led development, how can that Department be expected to achieve the ambition of its mandate, which I read out earlier, when those are the consequences that it will have to live with next year?

**Mr Byrne:** Thanks for giving way. Does the Member accept that the whole reform of local government and the functions to be delegated are potentially severely impaired, given the cutbacks in the budgetary position?

**Mr Attwood:** In my view, the fact that we have 11 rather than 15 councils and that rates support is at risk in the way that it is and so on creates further difficulties for councils going forward; of that there is no doubt.

I have two final points for the Minister. The way in which you will deal with regional disadvantage should be tracked through the Vote on Account and the Budget. Look at what was said last week by one of our best entrepreneurs. He said that 35,000 jobs had been created in new industry and IT, but they have been created in Belfast. That situation will be compounded by corporation tax, unless it is done in a very discerning and regionally balanced way. How will we track through the Vote on Account and all the Budgets to come —

**Mr Deputy Speaker (Mr Dallat):** The Member's time is almost up.

**Mr Attwood:** — the issue of regional imbalance? The risk is that that imbalance will deepen on the far side of corporation tax being devolved.

**Mr B McCrea:** Part of the problem with the process is a lack of transparency. At the last meeting of the Committee for Culture, Arts and Leisure, we were presented with tabled papers from the Clerk of the Committee for Finance and Personnel setting out some attempt at reconciling the Main Estimates with the spring Supplementary Estimates. I asked for an explanation of some of the numbers, and we tried to rush something through. However, it proved quite difficult to do the reconciliation at the time. I have questions for the Minister of Finance and Personnel that refer to the document. I note that, originally, in the Main Estimates, the proposed capital expenditure for DCAL was some £90 million, but, as we transit through the year, we manage to lose £63 million of capital expenditure. I went off and had a look at it. Obviously, some of that

will be to do with the difficulties with Casement Park, but the response to the June monitoring round declares an easement for the stadiums amounting to £35 million, which is only half of the subsequent easement. The point that I am making is this: it seems difficult to hold an intelligent discussion on this when we cannot get proper information in a timely fashion.

I did not get a chance to talk about it in other debates, because time did not permit, but I will take the opportunity here as a member of the Committee for Culture, Arts and Leisure to say that, when we talk about looking forward for money on account, I do not think that we have had the proper argument about the value that culture, arts and leisure have for our society. The proposed reductions in budgets or in the monitoring rounds do not reflect that point.

#### 4.45 pm

I am also struck by some of the things that have come through as capital bids. Capital bids for something called "City of Culture legacy" come up repeatedly in the Committee, and I had to ask for details on it. I am fully supportive of the City of Culture and all the good work that has gone on up there, but what exactly was the capital expenditure for, and how did we manage to roll in £2·8 million? It turns out that that will include the provision for the tales of the North Coast Sports Village, a boxing programme worth £2·14 million and other projects in the north-west that amount to £675,000. In other words, things get lumped together under a "legacy for the City of Culture" that, frankly, might bear a bit more investigation. So much of what is in the figures makes it difficult to work out what is going on.

I want to move off the specific issue of DCAL and look at a reconciliation between the Main Estimates and the spring Supplementary Estimates. A number of figures jump out. Well, actually, they do not really jump out. You have to look at them to see what they mean, because a number here and there does not seem to make that much difference, but it is actually quite large. Why, for example, did we start off in the Minister's Department — DFP — with the Main Estimates proposing capital expenditure of £21 million and end up spending £55 million, an uplift of some £30 million? Presumably that is part of the value-for-money purchasing of properties or some sort of thing. The Minister will have the opportunity to deal with that issue, but one could be forgiven for thinking that you said, "What are we going to do with £30 million? I know: we'll go and buy something". I am not sure that we are getting real value for money on this. This is my opportunity to ask about the reconciliation, and that is one question that I put to you.

Equally, I heard in the Minister's opening speech about the need to give extra funding to the Department of Health in comparison with the Main Estimates. I look at this starting with the easier bit about capital. Capital actually fell from a projected spend of £233 million to £220 million, a loss of £13 million. It seems strange that Health is unable to spend the capital that has been allocated to it, given that we put such a priority on it. I have no detail on this, because I am not in the Department, but, against that, the resource expenditure has increased from £4,660 million to £4,754 million. That is a really significant uplift. Is that part of the baseline figures, is that sustainable and is it part of the money that has been obtained from the Westminster Government as part of the Stormont House talks? Is that

sustainable, or are we going to see draconian cuts in our health revenue budgets? There have been reports on this, and I wonder what it will mean for our baseline figures. We obviously have to do something with the reconciliation.

Whilst I am on the subject of figures that are circa £100 million here and £100 million there, as the saying goes, with £100 million here and £100 million there, when you add them up, pretty soon you are talking about real money. They are really significant sums of money. DRD has a capital reduction from £506 million to £401 million: that is draconian. I thought that DCAL had suffered a real shock when it lost £63 million, but it appears that DRD was able to better that.

The real issue is how we provide proper control if we are asked to reconcile those figures. Those are huge capital swings.

It may well be — the Minister will, no doubt, come back and tell me this — that all of this is taken care of in the Departments for which I am not on a scrutinising Committee and by the Committee for Finance and Personnel. Nevertheless, we seem, in this House, to focus on minutiae. The debate put forward about Ashers or the sums of money in that amendment actually pale into insignificance when you look at the amount of money that we are being asked to put aside. We do not, in this House, get into enough detail to really hold the Minister of Finance to account. I am not saying for one minute that he is not doing a good job; he set out in his opening statement how difficult the financial position has been and what he has had to do, but most of it has just passed us by, because it is far too easy to play the politics of optics. We want to go and fight on something that may be on 'The Stephen Nolan Show' or on the news or whatever. This is about reconciling the expenditure that we planned to make, not just one year ago, with where we have actually ended up. Frankly, the swings are really quite exceptional.

When it comes to having a look at this information, I do not know how many times we have had debates in the House, coming from the Committee for Finance and Personnel and from other Members here, saying that we need greater transparency, we need information in a timely fashion and we need to have a system where we can really understand what is going on, because, as the Minister said, the fiscal position is likely to tighten over the coming years, and one of the best predictors that we have about our future performance is how we performed in the past. Minister, on the basis of the information here, if we had had more time, I think that the questions would have been a lot harder. I really hope that you will treat my questions with respect and that you will try to answer them, because it will be to your advantage if we can explain to the electorate of Northern Ireland how we move money about for the betterment of all people.

**Mr McCallister:** I have been here for a good part of the debate. I listened to Mr Sammy Wilson's points, and it is important to remind Members and to remind the House that, if it were not for the subvention coming from Westminster, we would have real financial problems. The idea from Sinn Féin that somehow austerity is the price of being in the Union makes us all think what real austerity would have been like in the Republic of Ireland and what it has had to endure in the last number of years that we have been largely shielded from, at times when health spending has been protected and when, in UK terms, more money

has been given to education, and we have had Barnett consequentials out of that. That is a very different position to be in from that faced by our friends in the Republic of Ireland during the last seven or eight years.

Far from it being the price of being in the Union, it was a blessing to be in it and to have that tax base of £60 million, that population and that part in one of the largest economies in the world. I say to colleagues and to the Minister's party that, sometimes when they put pressure on and somehow think that more should be coming from Westminster or that with more money coming we should be spending more and then claiming that we are a low-tax Assembly, that that, somehow, is almost not being in the real world of recognising where the money is coming from.

Some of the points that I would like to raise in the debate are around how the Minister gets that collective response for the Executive and how they get that shared vision. We are effectively voting in money that will keep the wheels of government turning with no real Programme for Government or it being extended. What are our targets? Where are we going with any of this? We have money under the Stormont House Agreement coming for shared education with no great vision as to what exactly that will look like or be. We have a voluntary exit scheme, and the Minister will be aware that, at the last Budget debate, I proposed that the Minister should publish a plan on what he is going to do, and I would still like that. That would include what he is going to do if, in this Budget term, he does not achieve his target or does not draw down that entire £200 million in this period. There are all types of questions around this Budget and the direction and where we are going in collective Government.

I move to some of the other issues raised during the debate. Mr Lyttle talked extensively about almost a black hole in the Department for Regional Development with regard to water charging and how we might move forward. To be fair to the Alliance Party, the reality is that some of these issues, whether water, prescriptions or changes in tuition fees, should be on the table. I said at the last Budget debate that I would have no difficulty in considering issues like that but that I want to know and to have the confidence that this Administration has the ability to spend money wisely and has a coherent direction and purpose to use any additional money from taxes or charges on the ratepayers. There is one difficult decision that the Alliance Party has put off, and that is the decision on when to leave this Executive. It needs to face up to that, and only it can decide that for itself. I suspect that the Minister would happily help it to come to that decision, and others are in the same position.

I listened to Alex Attwood talk about the model of councils and the difficulty and pressures that that is putting on development. He explained why he disagrees with the model and why we should have gone for 15. Was he not the Minister when some of the legislation was starting to be brought in? Was it not his successor and party colleague who completed that task? Where is that collective responsibility? Until we get to some sort of united vision from this Executive, we will struggle to do any of the reforms that the Minister has talked about to make local government mean something and function. Two or three parties in the Executive are against this reform and that reform, and three parties are against the Budget. All of

those things keep on repeating and making this place look like a dysfunctional Executive and Assembly.

That is the core of our problem. It is why this Minister will struggle to deliver. I believe the Minister and that he is genuine and sincere when he says that he wants to see public sector reform. Sometimes, I take issue with him in that he is maybe only doing it because of pressure from the UK Government, but, setting that aside, I think that he is sincere in wanting to change the way that public services are delivered. He will struggle, because every time that any Minister goes to do something, there is a sectoral interest or a party interest that gets in the way. Whether it is the St Mary's and Stranmillis debate, the building of the A5 or whatever it happens to be, there is not a collective will from this Executive to deliver on anything.

That is where the struggle is and where he comes into difficulty. That is where the First Minister is right when he says that this is dysfunctional. That is why you have the Alliance criticising but putting off its difficult decision to leave the Executive. It is why the SDLP criticises and stays in the Executive. It is why the UUP criticises and stays in the Executive. Until they all decide that we have had enough of this or that we can have an alternative vision, we will struggle on with that.

**Mr Lyttle:** I thank the Member for giving way. I am listening respectfully to his contribution. In seven minutes of criticising everybody else, I think that I have yet to hear a single, solitary contribution on how he would do any of this differently. Will he use the next three minutes to make any such proposals?

**Mr McCallister:** I am happy to. I think that, on more than one occasion, he has heard me talking about this. I have said that you need to get to a collective Cabinet Government. You need a Cabinet and an Executive that actually stand for something and which have purpose, direction and meaning. Mr Lyttle is putting out suggestions. I have already accepted that I would agree with some of them, if the Executive could prove that they could use money wisely; but he is part of the problem as long as he sits in that Executive. He sits in it and votes against the Budget. You cannot do that. In trying to normalise democracy, you cannot take those two positions. You cannot ride two horses at once without getting a bad injury.

## 5.00 pm

On Mr Allister's amendment in relation to the Equality Commission, I would probably prefer to see us moving more like our colleagues across the water and have equality and human rights commissions merged into one entity. I know that junior Minister Bell may be bringing forward legislation about the good relations part of the Community Relations Council (CRC) moving into the Equality Commission. Although I disagree with the Equality Commission's decision on the Ashers bakery case, we start to move and change things like this at our peril or by acting on a whim. I remind Members that at times we have agreed. Others have agreed with the Equality Commission, perhaps on the wearing of the poppy, and certainly over the naming of the Raymond McCreesh park in Newry. The Equality Commission challenged that and forced the council to run a public consultation and vote on it again.

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

Those are the challenges that face the Minister and the Executive. No matter how well-intentioned, the challenge is to get a coherent purpose and direction to the Executive while it continues in being for the next 14 or 15 months.

**Mr Deputy Speaker (Mr Beggs):** Will the Member draw his remarks to a close?

**Mr Allister:** A number of things have struck me about the debate, but it was certainly a reminder that the Alliance Party does not do irony, because Ms Lo told us that the amendment was an abuse of power. If Ms Lo is looking for an abuse of power, I suggest that she looks at the most capricious, malevolent action taken by the Equality Commission against Ashers bakery. There, she will certainly find an abuse of power.

Then Mr McKay told us that the amendment was juvenile. There is nothing juvenile about speaking up against, and voting against, suppression of freedom of conscience.

Speaking of juvenile, what do I say of the contribution by Mr Gregory Campbell? I suggested in my intervention that his strange stance showed that he was smarting about something. The Member has a bit of conscience in there too. We had an outburst from him, largely, I think, against me personally. Indeed, he kept digging, to the point where he got down to the level of suggesting that he seemed to have an issue with me earning a living to raise my family. I cannot really help him on that, but I can say this: to talk about there being no point in doing it and how I always knew that there would be a petition of concern — *[Interruption.]* I thought the part-time Member had himself run away, but he has returned. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Allister:** I wonder has he told Mr Givan — *[Interruption.]* — that there is really no point in his conscience clause because there might be a petition of concern. If something is right and worth doing, you do it.

**Mr Campbell:** What about last year?

**Mr Deputy Speaker (Mr Beggs):** Order, Members.

**Mr Allister:** Of course, he tells us that this is not the time and not the place. What a short memory he has. He was one of those on the DUP Benches who, back in the early days of the Assembly, in budgetary matters, tabled an amendment to reduce the funding to the North/South bodies, knowing that section 64 meant that it could not succeed and had to have cross-community support — but it was the right thing to do.

It was tabled, and he voted for it, as did Mr Wilson. I think Mr Campbell's problem is this: who proposed this move and who thought about it? I think that if it had come from a different source, he might have had a different attitude. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order. I remind Members that all remarks should be made through the Chair. Mr Allister, continue.

**Mr Allister:** Then we had Mr Wilson, who, before the debate started, was able to indicate outside the House that he would vote for the amendment. That seems to have been before the thought police of his Benches got to him. He ended up making a cop-out speech, again about



the petition of concern and all that business. He then told us, "But we have already done the job. We have reduced the Equality Commission's budget". Good, but is the Minister going to tell the House that he reduced the budget because of Ashers? Of course not. It was part of a generic reduction across a number of bodies.

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

**Mr Allister:** I will give way when I have finished.

It was part of a generic reduction amongst a number of bodies. The truth is this: even with the reduction, it patently still has too much money, otherwise it would not be persecuting Ashers. I just do not understand the paper soldiers who are prepared to go round the country, quite properly, campaigning for a conscience clause but who are not prepared to walk through the Lobbies to attack the same Equality Commission.

**Mr Campbell:** I thank the Member for giving way. He alludes now, quite properly, to the reduction in the budget to various Departments, including the one that he intimated. Why did he not intimate that reduction in the press release at the weekend? Why was that accurate information about the reduction that the Minister already negotiated and agreed on not referred to in his original press release on Friday?

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

**Mr Allister:** I am grateful.

With all due respect, I will not be taking advice on press releases from Mr Campbell. *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Allister:** I think that his mention of the press release and that it made the front page of the 'News Letter' reveals what Mr Campbell's problem is. That is why he is smarting. The reason is that someone would dare to think of something that he belatedly wishes he had thought of and had taken action on. Now, with a churlish attitude to the matter, he will help Sinn Féin to ensure that this tangible effort against the Equality Commission fails.

**Mr Deputy Speaker (Mr Beggs):** Would the Member draw his remarks to a close?

**Mr Allister:** Well done, Sinn Féin. Well done, DUP.

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

**Mr Deputy Speaker (Mr Beggs):** Order. The Member's time is up.

**Mr Hamilton:** I thank all Members, and I mean that, for their contributions to the debate, particularly those who spoke on behalf of their Committee. As Mr Wilson said, I am not sure that everybody adhered to the strictures of the debate. I am not sure whether I will in my response either, I have to say. I will, though, attempt to respond as fully as possible to as many of the relevant issues as possible in the time that is allocated to me for my winding-up speech.

At this stage, I acknowledge the confirmation by the Chair of the Committee for Finance and Personnel, Mr McKay, that there has been appropriate consultation with the Committee on the spending plans that are reflected in these motions and that it is content that the Budget Bill, which I plan to introduce immediately after this debate,

may proceed by accelerated passage. I thank him and the Committee for all the work that they have done to scrutinise the progress of the Budget to date. I very much appreciate that assistance.

I will turn now, if I can, to issues that were raised. First of all, because it is fresh, I will address, if I can, the amendment that is tabled in the name of Mr Allister. I will begin by reiterating comments that Mr Campbell and, indeed, Mr Wilson made when they addressed Mr Allister's amendment. Those comments supported the general criticism that Mr Allister levelled in his remarks, whether they were made in the Chamber or, indeed, in press statements about the Equality Commission.

He will find no dispute from me or indeed any colleagues on this side of the House about the criticisms that he levels at the Equality Commission in respect of its size, the troubling community imbalance in its own employment or, indeed, the Ashers case. In fact, he will find common accord with many Members on this side of the House, elsewhere in the Chamber and outside in respect of those comments. It is interesting, though, as Mr Campbell said, that whilst many of those issues, particularly the size of the Equality Commission and its long-standing community employment imbalance, which Mr Campbell has highlighted continuously in the House down through the years, were the subject of Mr Allister's criticisms, they were never subject to the tactic that he deployed today, which is a tactic that he could have deployed in any previous debate.

In short, Mr Allister's amendment is the wrong amount, the wrong way at the wrong time. I will explain why. Mr Allister prides himself on his attention to detail. However, on this occasion, he is badly wrong. He proposes to reduce the budget of the Equality Commission — I will get to why he actually is not reducing the budget of the Equality Commission — by £250,000 and not by the £500,000 that he suggested in the aforementioned press statement.

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

**Mr Hamilton:** I will give way, yes.

**Mr Allister:** The Member should know that I tabled two amendments. The first was to the Supplementary Estimates at £500,000, which the Speaker, in his wisdom, saw fit not to accept; and the other amendment, which the Speaker saw fit to accept. It is no fault of mine that both amendments are not before the House.

**Mr Hamilton:** Let me read from the statement that you issued to the press and which was covered by the press. You said that you had:

*"tabled a proposal to remove £500,000".*

That is not what you are doing today and not what you are able to achieve. The Member is not reducing the budget by £500,000; the Member has got his sums wrong. What he proposes is the wrong way of doing it. I have received legal advice that questions the ability of the Assembly to accept the amendment as it is potentially in breach of section 63 of the 1998 Act. I intend to take that issue up with the Speaker as I do not think that it should happen again. Regardless of that, had the amendment been competent, it would not have reduced the Equality Commission's budget.

**Mr Allister:** On a point of order, Mr Deputy Speaker. Is it in order to suggest that an amendment is not competent

when it has been ruled competent by the Speaker? Is it possible to do that without challenging the authority of the Speaker?

**Mr Deputy Speaker (Mr Beggs):** I thank the Member for raising that point. His views have been recorded for the benefit of Hansard.

**Mr Hamilton:** I am quite happy to stand over the remarks that I made. I have great difficulty in taking lectures on questioning the Chair from Mr Allister. There are many things that I can be lectured on, but one of the lectures that I will not take in the House is being admonished by Mr Allister for questioning the Chair. How many times has he been silenced in the House?

**Mr Deputy Speaker (Mr Beggs):** Can I encourage the Minister to come back to the debate in question?

**Mr Hamilton:** You can, Deputy Speaker.

Let us reiterate the point: had the amendment been competent, in my view, it could not have reduced the Equality Commission's budget anyway, which was Mr Allister's intention. The Vote on Account is a small document; it is not as bad as the Estimates in terms of its volume. It has one spending line for the Office of the First Minister and deputy First Minister. The Member's amendment seeks to reduce its allocation to the Equality Commission; however, there are no specific allocations for OFMDFM, just as there are no specific allocations for any Department. The Vote on Account provides, in effect, a cash float for Departments to get through the early part of the financial year. It is about 45% of the spending that they will be permitted, but it does not have a specific Equality Commission line and so it would reduce the overall OFMDFM budget by £250,000. It does not specifically reduce the Budget —

**5.15 pm**

**Mr Allister:** Very good.

**Mr Hamilton:** The Member is saying, "good". He knows fine well that a substantial amount of the funding of the Office of the First Minister and deputy First Minister goes to victims and survivors' services. That sort of reduction could have affected negatively also victims and survivors' services. He is sitting there shouting "good" from a sedentary position about a Budget cut to a Department that funds victims and survivors' services. That is well noted.

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

**Mr Hamilton:** No, I am not going to give way. What the Member is doing, through the amendment that he has put forward, because of the £250,000 that would be taken off, is affecting our ability to draw down from the Consolidated Fund, which is, in effect, the bank account that we have that the block grant goes into. He would deprive the whole Executive of £250,000 as well. The Member is basically wanting to send £250,000 back to the Treasury, so he wants to deprive the people of Northern Ireland of money that they are owed.

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

**Mr Hamilton:** I will give way.

**Mr Allister:** Would the Minister say the same, then, of when his party tried to do exactly the same, some years

ago, in the days when it opposed the apparatus of the Belfast Agreement?

**Mr Hamilton:** That was long before my time, of course.

**Mr Campbell:** It was when he was away. He had walked away.

**Mr Hamilton:** Yes, that is right; he was still in the wilderness at that stage. He was on his hiatus.

**Mr Allister:** You were in a different party.

**Mr Hamilton:** Not at that stage; I was not in a different party. The Member was on his hiatus at that point in time. My understanding is that the attempt to reduce the Budget at that time was ruled out of order by the Speaker or the amendment was not taken.

**Mr Allister:** It was voted on.

**Mr Hamilton:** I am happy to go and look back at it.

The Member has also brought forward his amendment at the wrong time. That was a point made by Mr Campbell and Mr Wilson. If the Member had wished to do what he wanted to do — I am sure that there is a degree of sympathy, at least in terms of the intention of what he wishes to do — the time to have done it would have been a fortnight ago, when the Assembly was debating the Budget for next year. The 2015-16 Budget was before the House and amendments were put forward, for example, by the Ulster Unionist Party. I criticised those and voted against them, but at least an attempt was made to adjust the Budget in a particular way that that party wanted. I disagreed with that attempt, and the House disagreed with it, but at least an attempt was made by the Ulster Unionist Party, at the appropriate time, to adjust the Budget to withdraw expenditure, in that case, from the social investment fund and move it to a range of other areas, the likes of the Department for Regional Development and the Department of Culture, Arts and Leisure. At least it specified, in its amendment, which failed, and which I disagreed with, where the money was coming from and going to. Had that been passed, it would have adjusted the Budget for next year. It would have been successful, and would have achieved that party's aim. Mr Allister, of course, did not take the opportunity at that time, which would have been the right time to do it. Instead, what did he actually do a fortnight ago? He voted against that Budget.

**Mr Allister:** I voted against the squander.

**Mr Hamilton:** He voted against a Budget —

**Mr Deputy Speaker (Mr Beggs):** Order, Members. This is meant to be a debate; it is not a conversation. Could all remarks be made through the Chair, please?

**Mr Hamilton:** Whatever the Member thought he was voting against, he also actually voted against a 7% reduction in the budget of the Equality Commission. The 2015-16 Budget — significantly, agreed by the Executive, Sinn Féin, the DUP and subsequently agreed by this House — includes a 7% reduction, from the £427,000 in the expenditure for the Equality Commission. That is what the outworkings of that Budget are for the Equality Commission. So, Jim — Mr Allister — voted against a £427,000 reduction in the budget for the Equality Commission. He now comes forward and tries to reduce it by £250,000, after having voted to keep its budget increased by £427,000. Some of us are a bit confused as to why he would now wish to reduce its budget by only

£250,000, when an opportunity was presented to him a fortnight ago to reduce it by £427,000.

I would have thought that, given his rallying cry against the Equality Commission in his contribution at the beginning of the debate, he would have been more than happy to vote for a reduction of £427,000 to its budget, but he voted against it. If the Member wanted, as he said in his opening remarks, to rebuke the Equality Commission, there was ample opportunity to do so by voting for a reduction of 7% or £427,000 in its budget a fortnight ago. Instead, Mr Allister trooped through the Lobby to keep the Equality Commission's budget in place. He wanted to keep that money there instead of voting against it.

Everybody knows that Mr Allister's amendment today is a stunt that was doomed to fail. There was always going to be a petition of concern against it. He does not care about that, of course. That does not bother him. He just wants to sit there beating his chest and styling himself as the man who tried to reduce the Equality Commission's budget, when he had not a chance of doing so.

**Mr Allister:** You are the man who will not support it.

**Mr Hamilton:** Let me tell you what I am, Mr Allister, and what everybody on these Benches is: we are the people who have reduced the budget of the Equality Commission by £427,000. You are the man who sits there unable to do anything because your stunt has been exposed for what it is. There is a petition of concern, and you are unable, Mr Allister, to reduce the budget of the Equality Commission by a penny. Yet we have reduced it in the only way that we can —

**Mr Deputy Speaker (Mr Beggs):** I ask the Minister to make his remarks through the Chair, please

**Mr Hamilton:** — through the proper Budget process and by getting agreement with Sinn Féin. We have reduced its budget by £427,000.

**Mr Lyttle:** I thank the Minister for giving way. Notwithstanding the possibility that I might agree with some of his earlier criticisms of the Equality Commission, will he add some common sense to his exchange with Mr Allister by acknowledging the work that the Equality Commission does in the areas of fair employment and disability-related discrimination in this community, rather than just fighting with him over who can reduce its budget by the most?

**Mr Hamilton:** I do not discount all the work done by the Equality Commission as meaningless. I agree with the concerns expressed by Mr Campbell, Mr Wilson and, indeed, Mr Allister about its size, the community imbalance in its workforce and, particularly, its recent overreach in the Ashers' case. If Mr Allister's intention, however — I draw this point to a close — was to offer a rebuke by reducing the budget of the Equality Commission, he would have done better to come through the Lobby with Members on this side of the House a fortnight ago and vote for the only proposition that was able to do so. Mr Allister is completely unable to achieve his aim and was always going to be unable to do so. He has failed in his objective, and he should have voted with those of us who reduced the Equality Commission's budget by £427,000. Mr Allister has been unable to reduce the budget of the Equality Commission by a penny.

I move on to comments made by the Chairs of Committees. On behalf of the Justice Committee, Alastair Ross raised concerns about the ongoing legal aid pressure faced by the Department of Justice. I understand that next year's pressure is over £20 million, and I agree with the Minister that there is a need for further reform. The Minister of Justice has put forward a range of proposals and written to Executive colleagues. He knows that he has my support and that of some colleagues, and I hope that the Executive will be able to agree the reforms in the weeks ahead. Whilst I think that the House would agree that the policing budget is the most significant front-line pressure facing the Department — it received an uplift of £20 million specifically to address policing pressures — legal aid is a pressure nonetheless. I support the Minister in putting forward those reforms.

Dominic Bradley laboured local government reform during his comments and reiterated his point that the transfer of functions should be rates-neutral. I have left it for each Minister to decide the amount to transfer to local government. There are individual issues in different parts of the country. There are issues in the north-west with Derry and Strabane council, and I am meeting members of that council tomorrow. I understand that reductions have now been communicated to local government in respect of the rate support grant, and it is entirely a matter for the Minister of the Environment what he wants to do with the grant.

The fundamental point that I would make to Mr Bradley if he were here — I hope that he picks up the point via Hansard — is this: he seemed to be arguing to the House that local government should be a protected species at a time when the public sector faces significant spending pressures. The Minister of the Environment's budget is being cut by over 10%; my Department's budget is being cut by 10%; the Minister for Social Development's budget is being cut by close to 10%; DCAL's budget is being cut by around 8%; and there are many more. At a time when those Departments face those pressures, his argument that local government should somehow be exempt from any spending reductions at all is simply not something that I agree with. Worryingly, the SDLP seems to want to give local government every penny it asks for. The Executive have been exceptionally generous to local government during the reform process. It has been a challenging and difficult time for local government, but the Executive have set aside close to £15 million to ease reform for local government. Stormont coffers have supported local government in that reform even though the benefits of the savings in the longer term will accrue not to Stormont but to local government. We have been incredibly generous to councils, which will benefit from the savings in the longer term.

Finally in respect of Mr Bradley's comments, it is the age-old comment that I feel that I have to make to the SDLP in the House. They ask for more money for this, that and the other but never come forward with a single proposition as to where that money should come from. At least others come forward with ideas, which, in many cases, I do not agree with, but they do come forward with a way to make the sums add up. The SDLP just seems to want more money for everything, whatever anybody asks for, and offers no way at all for that to be paid for.

Judith Cochrane from the Alliance Party talked about how reform in Northern Ireland was not radical. She was critical of the lack of reform in education and health. In many

ways, what we have before us is the most ambitious and challenging set of reforms that we have had in the history of Northern Ireland. I do not want to labour too many of them, but look at the likes of the proposed reduction in corporation tax and the impact that that will have on and the reform that it will bring to the economy; the workforce restructuring that we are undergoing and our ambitious plans to reduce the size of the public sector and our dependency on it; and government reorganisation, such as a reduction from 12 Departments to nine, particularly creating a Department of the economy. For not just this place, where it is sometimes hard to agree radical reforms, but for any Administration, we have a set of —

**Mr Lyttle:** I thank the Minister for giving way. I take his point about reform. Will he support the proposed reforms by the Minister for Employment and Learning to teacher training? If not, why not?

**Mr Hamilton:** I accept that there are issues about teacher training and how it is done in Northern Ireland. It is an area of third-level education in which we produce many more graduates in a specialised field than we require as a Government. Our education system does not need that many, so there is certainly work to be done in that regard in reducing costs. That work needs to be done and reform is required, but I do not agree with the very blunt tool that the Minister seeks to use or the way in which he wishes to achieve it. I think that that is broadly the view around the House and outside. I am happy to work with the Minister for Employment and Learning on the issue, as I am in respect of the future funding of third-level education in Northern Ireland. I want to engage with the Minister on that in the longer term. However, you do not achieve the aims of properly reforming teacher training in Northern Ireland by using a blunt tool that, in effect, will put both colleges out of business in short order.

In closing that point, I think we have a set of radical reforms that we are taking forward. If you look at them collectively, you will see that they are ambitious and, indeed, challenging reforms that will transform positively our economy and our government into the future.

### 5.30 pm

Mr Ó Muilleoir, who has arrived back in the Chamber, talked about the possible impact on our economy and on the confidence in our economy and how, if cuts happen in public spending, they might impact on an economic recovery. Our economic recovery is still in its tentative, early stages. We have had over a year of growth in the economy. The unemployment claimant count has reduced for two years in a row and there are lots of positive signs in the economy, but I do not think anybody will be cheering just yet that it is embedded and secure. It is, in some parts, vulnerable. I appreciate fully that — particularly in an economy like ours, which is so dependent on public spending — when public spending is reduced or certain Departments see significant reductions, even if the total figure is not being reduced by that much, it can have an impact on confidence. That is why it is important that we set the right tone in everything that we say in this place or, indeed, outside this place. We need to be honest with people. We need to say to people very clearly that we have tough times now, next year and, indeed, in the years ahead but we are doing our best to ensure that the allocations that we make — I think that this is reflected in

the 2015-16 Budget — will support and protect key public services like health and education and that, by investing in the Department of Enterprise, Trade and Investment and significantly boosting the allocation to Employment and Learning, we are trying to underpin that economic growth. Even though there is less spending in some areas, the key areas that are there to drive our economy forward, to get people into work and to get investment flowing are being supported and protected by the Executive.

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

**Mr Hamilton:** Yes, very briefly.

**Mr B McCrea:** Will the Minister comment on the Ulster Bank survey that has just come out, which shows that there is pressure on a number of our industrial sectors, including manufacturing, construction and retail; that it is only in the service sector that are we showing any real growth; and that therefore we have to find ways to encourage the broad-based recovery of our economy?

**Mr Hamilton:** The Ulster Bank PMI is one of the indicators that had been viewed as a sign of how bad our economy was during the crisis, but about 18 months ago it started to move in the right direction. We have had about 18 months of good PMIs coming from the Ulster Bank survey. The last couple have shown some more worrying and troubling indications. It is interesting that the comments from the chief economist at the Ulster Bank are that this is more of a blip and the increase in activity across a range of sectors, indeed all sectors, had been so markedly upward that it was bound to go down a little bit at some stage. Clearly, if that develops in the wrong direction over a longer period, there will be more cause for concern. In some ways I am not surprised — maybe a little surprised that manufacturing has not done well this month or last month. As we know, construction and retail have been struggling throughout the crisis and still lag behind. Construction does so for obvious reasons around the property market and the availability of cheap or available finance. Retail has been affected both by the downturn and by changes in retail habits that, I think, are now probably having a bigger impact on retail than the crisis. It is certainly something worth monitoring, although I take some solace from the fact that Ulster Bank says that it does not see it as the beginning of a spiral downwards or anything like that.

In his capacity of Chair of the Culture Committee, Nelson McCausland talked about the reduced requirement in respect of regional stadia. Mr McCrea mentioned that as well. I will try my best to come to the specific points that he made. It is disappointing that that money was not able to be spent in-year. I have given the Minister an assurance that, should it be needed for the regional stadia programme, her Department will have the first call on capital in future monitoring rounds. Mr McCausland also mentioned the Ulster Orchestra. I am very, very pleased that we were able to make an allocation of £500,000 to the orchestra in the January monitoring round. That is reflected in the Estimates that are before us today. I appreciate and understand that, its immediate future having been secured, further work has to be done on securing the Ulster Orchestra's longer-term future. Work is ongoing between my Department's officials and, primarily, DCAL officials to do that.

Mr Fearghal McKinney talked, as he tends to do in these debates, rightly so, in respect of health spending.



It is spending close to half of our Budget, after all, and perhaps should be talked about a little bit more in these debates. Mr McKinney, not unusually, was not speaking glowingly about what the NHS in Northern Ireland is doing. In fact, he said that some £80 million that was additionally allocated to the Health Department in-year was not spent well.

I am not sure that I would share the conclusion that money spent on the NHS in Northern Ireland is not spent well. When I look at indicators suggesting that Northern Ireland has the best breast cancer survival rate in the whole of the UK, I come to the conclusion that that is money well spent. When I look at the respective reductions of 40% and 18% in MRSA and clostridium difficile infections, I think that that is money well spent. When I see the fall in the standardised death rate as a result of heart attacks down from 79 to 61 per 1,000, I think that that is money well spent. When I see the standardised death rate for people under the age of 75 suffering strokes falling from 14·4% to 12·6%, I think that that is money well spent. When I see employment of doctors up 20% and nurses up 4%, I tend to think that that is money well spent.

I would be the first person to say that not everything is perfect with our NHS in Northern Ireland. It is one of those areas that needs reform and change, but we should not come into this place and we certainly should not go on the airwaves and talk about money not being well spent on the NHS when we all have an understanding, either personally through our families, or our constituents, that there is money being well spent in the NHS in Northern Ireland. Does it get everything right? No, it does not, but it gets a lot right, and it is money well spent. The people who are working in our NHS are making a real difference in people's lives every single day in this country.

Michelle McIlveen, in her capacity as Chair of the Education Committee, raised several queries. The particular one that I can address is around pension revaluation. She is right that the revaluation in the education pension, and indeed other public service pensions, will last for four years. The first year cost in 2015-16 will be covered out of a centralised allocation that was covered in the Budget. She asked a question about future years. It is a matter for the Executive in the context of future Budgets as to how we want to deal with that. The decision will definitely be needed in the next Budget process, which will come post-CSR.

Chris Hazzard mentioned the fact that some 65% of our Budget was being spent on health and education. There are some people, and there may even be some in this place, who want to criticise just two Departments getting two thirds of the entire Budget, but I am not one of those people. It is right and proper that those two key public services, which people in Northern Ireland want their politicians to support, are being supported and are getting the lion's share of public spending in Northern Ireland at some 65%.

Mr Hazzard started well, and then it all went downhill from there. He talked about how austerity is the price of the Union. However, as Mr Wilson and Mr McCallister pointed out, when one looks at the complete collapse in the Southern economy since 2008-09 onwards — thankfully, it is recovering; we need it to recover because, as one of our biggest export markets, we need it to be doing well, and we are glad that it is — the experience over the last five

years in the Irish Republic showed us that, while Sinn Féin may wish to argue that austerity is the price of the Union, economic and social collapse in Northern Ireland would be the price of a united Ireland.

While there are people who will argue that there should be more here and more there and that it is not enough overall, Sammy Wilson is absolutely right to point out that what we are able to allocate through these Estimates today as an Executive is greatly inflated because we are part of the United Kingdom. The fiscal transfer that we receive from the rest of the UK allows us to spend £9·6 billion annually more than we raise in tax revenue ourselves. The nature of any state like that is that you have to take the rough with the smooth, and there is undoubtedly some rough to take. However, £9·6 billion of an annual subvention is not a bad deal for the people of Northern Ireland.

Seán Rogers, who has persevered and stayed with us through most of this afternoon, spoke at length about economic development and the link between economic development and education. He is absolutely right: we need a good, strong education system not just at primary and secondary level but, obviously, at third level as well if we are to ensure that our economy continues to grow.

He also called for more investment in education. It is a pity that Mr Rogers's plea for more investment in education did not make its way to his party's Minister, Mr Durkan, who, in the Executive, of course, voted against an allocation of an extra £63 million for education. Perhaps Mr Rogers, instead of coming in here and making good speeches in this Chamber, would do well to convince his party colleague Mr Durkan of the need to support additional allocations for the Department of Education in the Budget.

Mr McGlone, in his capacity as Chair of the Committee for Enterprise, Trade and Investment, raised many issues, obviously around the DETI budget. I want to point out to the House and to Mr McGlone that the Executive have shown their support for DETI, economic development, job creation and investment in our economy through increasing DETI's budget by 10·4% next year. That is to ensure that the good work in creating and promoting new jobs and attracting investment into Northern Ireland can continue.

At a time when our overall Budget is being reduced by 1·6% in real terms, the fact that we ensured that the DETI budget is up by over 10%, when there were competing concerns such as health, education and other public services looking for more money, shows our commitment to ensuring that that excellent track record continues.

The Estimates before us include a pertinent in-year example of that support. DETI's budget was protected from reductions. In fact, it was slightly increased in-year, again to ensure that Invest Northern Ireland and Arlene Foster are able to go around the world and attract those jobs to Northern Ireland. In fact, she was in Mr Bell's and my constituency just last week, announcing an investment in an agrifoods business to create 55 jobs, so it is not just foreign direct investment. Indigenous firms are growing as well, and that budget increase will help that to continue.

Mr McGlone asked about the industrial guarantee. There are no blank cheques, but I want that support to continue. No worthwhile proposal to create investment or jobs in Northern Ireland will be lost.

Most of Mr Lyttle's comments were about Northern Ireland Water. I am happy to take it up with him at a later stage, but he talked about, I think, projected capital investment in Northern Ireland Water and how it falls short in the run-up to 2021. There is no Budget in place up until 2021, so anything that is there is indicative or whatever it might be. In fact, there is nothing beyond 2016. The last Budget we have is for 2015-16. The CSR will dictate spend probably not even up to 2021.

Over the last four years, £660 million has been invested in our fresh and waste water infrastructure. I am sure we would all like to see that much higher, but the 2011-15 Budget was significant at its outset in hitting the capital budget. We have the flip side of that now, where our resource budget is under pressure. In fact, all projections would suggest that our capital position will improve.

I cannot guarantee that any of that, above and beyond what might be expected, will go to Northern Ireland Water, but in a situation where a marked improvement is projected by the Office for Budget Responsibility in capital investment, we would expect to see a significant volume of that investment go towards Northern Ireland Water.

I thank Mr Lyttle and welcome the fact that, once again, the Alliance Party is making it perfectly clear that it is in support of the introduction of water charges just as it is in support of significant increases in people's rates bills and doing away with free fares for pensioners. I thank the Member for once again putting on public record his party's support for higher water charges, higher rates and doing away with concessionary fares for pensioners.

I regret that Alex Attwood is not here, because he raised several points, and I wanted to respond to him directly. He is right: an amendment in the name of the SDLP was tabled but not accepted. The aforementioned section 63 means that a Budget cannot be amended without my approval. That works on the basis of the principle that only the Executive can ask the Assembly for more money.

#### 5.45 pm

I am not unsympathetic to the thrust of the amendment that was being put forward. Indeed, Mr Attwood did me the courtesy of phoning me last week to talk to me about it. As I said to him when we spoke, which I will put on the record now, it is not that I am unsympathetic to the point that he is making. I will come to how it might be resolved by different means. Section 63 is there, particularly in respect of Assembly Members approving increases in the Budget, for very good safeguarding reasons. Although, Mr Allister's amendment was at least trying to reduce the Budget, Mr Attwood's amendment was trying to increase the Budget. Whether for good causes or not, we cannot have Members coming to the House and proposing increases in expenditure and Budget lines that the Executive cannot afford to meet. That is why that piece of legislation is there.

As I said, I am not unsympathetic to the point he was making around the teacher training colleges, Stranmillis and St Mary's. The First Minister and deputy First Minister have called that issue into the Executive, and I hope that that will deal with the substance of it. If additional funding is required as a result of whatever resolution the Executive agree in respect of all of this matter, that will be dealt with in the in-year monitoring round process.

The Member seemed to have a particular concern around purdah kicking in. I have to say that, over recent elections, I have not seen any Minister respect purdah; perhaps this election will be slightly different. However, I have received no advice that purdah will be an issue in dealing with this matter. If it is dealt with by the Executive in the next number of days, purdah will not be an issue to concern us.

He asked a few questions of me, and I want to address a couple of those. One was around heritage-led development and how I could reconcile the Vote on Account with my support for heritage-led development. The first point is that the Vote on Account does not have a particular line for heritage-led development. That is a point that was misunderstood throughout today's debate, but there is nothing new there in respect of Estimates and Vote on Account debates. Any allocation for heritage-led development is a matter for the Minister of the Environment to take forward. What I can say, to back up my support for heritage-led development, is that I have supported it through the capital reallocation exercise. That is reflected in this Budget to the tune of several million pounds. I think that there is an allocation of £3 million to heritage-led development in this financial year. The 2015-16 Budget also includes an allocation of £0.5 million of financial transactions capital for heritage-led development.

I am happy to check Hansard to correct what I am saying, but Mr Attwood made the point that rates support promised by the Executive to local government is under threat. I want to put on record that that is not the case. The only rates support that the Executive have promised to local government is being delivered. That is the £30 million rates convergence scheme that is there to iron out issues with rates and spikes in rates that there might be as a result of two or three councils with different rate levels coming together; that is proceeding.

I turn to Mr Basil McCrea's comments. I want to make a general point at the end, but I will try to deal with a few of the specifics. He asked quite a few questions. He is a member of the Committee for Culture, Arts and Leisure, as he pointed out, and he asked a lot of detailed questions about expenditure, where it went, where it did not go, what this is for, and what that was for. As much as, in some moments, I might like to do the job of everybody in the Executive, at the risk of becoming a megalomaniac, I am not going to do that. Those are questions better directed to the Culture, Arts and Leisure Minister, particularly those around the City of Culture legacy. I agree with him that that is something that we should have been supporting. It was not sufficient, in my view or the Executive's view, that we invest all of that money in securing the bid and developing the infrastructure and then just let it wither on the vine without further nurturing it over future years. However, where expenditure should go specifically is not information that I am necessarily privy to. That is a matter for DCAL.

The DFP capital increase is as the Member predicted. As part of our asset management strategy, over £20 million additional was allocated to DFP in-year to purchase what was previously leased property. It probably seemed a bit odd to some at the start. I took some persuasion from Executive colleagues to do this and that it was wise investment of capital money, which we had a little bit of, to purchase leased property so that, in future years, we would save money by not having to pay rent. We do this with PFIs as well. That has been moving forward, and

we are in the process of purchasing several buildings before the year end that will realise significant savings and resource expenditure in future years.

He mentioned Health and its baseline next year.

Health is one of the Departments that is, I suppose, a winner in next year's Budget. It is up some £204 million on its 2014-15 baseline. The significant reduction that he pointed to in the DRD budget — I accept that he is right in saying that it is a significantly reduced requirement — flows primarily from the A5 and the inability to move that forward. We were able to reallocate that in year through the formal process, but the decisions about where that money would go were made in October 2013.

I accept that there are issues around the process, which is something that Mr Cree and I talk about regularly in this place. However, the general points in Mr McCrea's comments that I want to deal with are that he seemed to highlight and ask questions about the fact that we do not have the right process. It is out of date, and it needs to be changed. I hope that the reorganisation of Departments will necessitate some change in how we do our financial process. I also hope that that will be an opportunity to change and improve and to do what we have been trying to for the last number of years.

The general point is that Departments will always spend a bit less than you expected them to, even with the best of budget management. We have far better budget management now than we had in the past. Some will, therefore, get to spend a little bit more because some will spend a little bit less. That is all outlined in our monitoring rounds. In advance of the reform of our Budget process, I direct the Member to our monitoring rounds and particularly to the tables that are produced behind those monitoring rounds so that he can see where money is flowing from and going to. All that is explained there.

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

**Mr Hamilton:** Yes.

**Mr B McCrea:** I take his point about it being for the Committee to scrutinise and ask specific questions. However, the City of Culture legacy capital bid of £2.8 million, which in DCAL's spend was quite significant, was nearly going through on the nod. It was just brought through as, "Yes, we have allocated some money here. It is capital, and a good thing for the City of Culture legacy". Only when you drilled down were you able to find out that it was for the purchase of minibuses and various other things. It was a catch-all, and I implore the Minister — he referred to Mr Cree in this matter — to recognise that it is quite difficult to be of help to him if we do not get information in full detail and on time. It is a Committee's role to scrutinise — he cannot be expected to do it all — but we can do that only if we get the information in a timely manner. That has not been happening to date.

**Mr Hamilton:** I know that the timeliness of the information that Departments provide to their Committees is of concern right across the House. It is something that I have no particular sway over. I encourage all Ministers, including myself, I suppose, to ensure that we provide timely information to our Committees to let them do their job. However, it is very much up to Committees to push their Ministers and Departments to get the information to

them in a timely fashion so that they can do the job that we have tasked them to do.

The Member's broader points are best seen through the monitoring round process, which is what is regularised in the Estimates that are before us today. When he talked about getting more detailed information, if we were to put in every single line of expenditure, compared with this document, which shows quite a high level of detail, I shudder to think how many rooms the size of this place we would need. Perhaps he does not want us to go to that extreme.

In a very interesting contribution, Mr John McCallister made some points that I can do nothing other than agree with. In fact, based on some of his comments, I know that the Member has been listening to me. As we move forward, particularly as we are on the cusp of or are in the middle of very challenging times, we need more political consensus in this place on Northern Ireland's economic and social direction. There are many things in the House that we will disagree about, particularly on constitutional issues, but we agree on many economic and social policies, and the Programme for Government is a very good basis on which we can build.

We are facing a period of very challenging, ambitious reform that will change positively Northern Ireland for the good. Difficult decisions and tough choices will be required along the way, and that is going to require those of us who want to put our shoulder to the wheel to do so. Many in the House do not wish to put their shoulder to the wheel and make their contribution. That means that those of us who want to make a positive contribution must do so to reach a consensus. I believe that the Stormont House Agreement gives us a good kick-start and a good beginning for the organisation of government and the creation of an opposition.

In conclusion, as has been evident during the debate today, this has been a difficult and challenging year for our public finances. However, I am pleased that the Executive and Assembly have again delivered for the people of Northern Ireland. We have negotiated an excellent package of measures with our own Government to ensure sustained investment here: we have secured funding to restructure the public-sector workforce to deliver much needed reform of our public sector; additional funding has been made available to invest in shared schools infrastructure; we have taken steps to agree a way forward on welfare reform; only last month, I announced the Executive's 2015-16 Budget; we have also secured Her Majesty's Government's commitment to the devolution of corporation tax, which gives us control over that important fiscal lever to boost inward investment and to support economic growth.

Whilst there have been many positive developments during the year, no one should be in any doubt that the public expenditure environment is expected to remain challenging until the end of the decade. However, with progress on many fronts this year, I believe that we are now in a much better position to deal with difficult public expenditure decisions in the future.

To draw my remarks to a conclusion, Mr Deputy Speaker, I ask Members to support the three motions: on the 2014-15 spring Supplementary Estimates, the 2015-16 Vote on Account and the 2015-16 Main Estimate in relation to the new judiciary pension scheme.

**Mr Deputy Speaker (Mr Beggs):** Before we proceed to the Question, I remind everyone that the vote on the motion requires cross-community support.

*Question accordingly agreed to.*

*Resolved (with cross-community support):*

*That this Assembly approves that a total sum, not exceeding £15,646,075,000, be granted out of the Consolidated Fund for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2015 and that total resources, not exceeding £17,051,879,000, be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2015 as summarised for each Department or other public body in columns 3(c) and 2(c) of table 1 in the volume of the Northern Ireland Spring Supplementary Estimates 2014-15 that was laid before the Assembly on 2 February 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]*

**Mr Deputy Speaker (Mr Beggs):** Before we proceed to the Question, I remind Members that the vote on the motion, whether or not amended, requires cross-community support. As a valid petition of concern was presented on Friday 6 February in relation to the amendment, the vote on the amendment will also be on a cross-community basis.

*Question put, That the amendment be made.*

*The Assembly divided:*

Ayes 2; Noes 96.

## AYES

### Unionist

*Mr Allister, Mr McCallister.*

*Tellers for the Ayes: Mr Allister and Mr McCallister.*

## NOES

### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, 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 Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

### Unionist

*Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wilson.*

### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Noes: Mr McKay and Mr Ó Muilleoir.*

Total Votes	98	Total Ayes	2	[2.0%]
Nationalist Votes	39	Nationalist Ayes	0	[0.0%]
Unionist Votes	51	Unionist Ayes	2	[3.9%]
Other Votes	8	Other Ayes	0	[0.0%]

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

*Main Question put and agreed to.*

*Resolved (with cross-community support):*

*That this Assembly approves that a sum, not exceeding £7,075,640,000, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,283,000, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in columns 4 and 6 of table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]*

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That this Assembly authorises resources, not exceeding £50,000, for use by the Department of Justice Northern Ireland Judicial Pensions Scheme for the year ending 31 March 2016, for the purposes specified in column 1 of the 2015-16 Main Estimate document that was laid before the Assembly on 2 February 2015. — [Mr Hamilton (The Minister of Finance and Personnel).]*



## **Budget Bill: First Stage**

**Mr Hamilton (The Minister of Finance and Personnel):** I beg to introduce the Budget Bill, which is a Bill to authorise the issue out of the Consolidated Fund of certain sums for the service of the years ending 31 March 2015 and 2016; to appropriate those sums for specified purposes; to authorise the Department of Finance and Personnel to borrow on the credit of the appropriated sums; to authorise the use for the public service of certain resources for the years ending 31 March 2015 and 2016; and to revise the limits on the use of certain accruing resources in the year ending 31 March 2015.

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

**Mr Deputy Speaker (Mr Beggs):** The Speaker is satisfied that the Bill is within the legislative competence of the Assembly. I can inform Members that confirmation has been received from the Chairperson of the Committee for Finance and Personnel, in accordance with Standing Order 42(2), that the Committee is satisfied that there has been appropriate consultation with it on the public expenditure proposals contained in the Bill and that the Bill can therefore proceed under the accelerated passage procedure.

*Adjourned at 6.23 pm.*

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# Northern Ireland Assembly

Tuesday 10 February 2015

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

*Members observed two minutes' silence.*

## Assembly Business

### Ad Hoc Committee to consider a Statutory Rule laid by the Attorney General for Northern Ireland

**Mr Speaker:** The motion will be treated as a business motion and therefore there will be no debate.

*Resolved:*

*That as provided for in Standing Order 53(1), this Assembly appoints an Ad Hoc Committee to consider the Statutory Rule: The Justice (Northern Ireland) Act 2004 (Amendment of section 8(4)) Order (Northern Ireland) 2015; and to submit a report to the Assembly by 18 March 2015.*

*Composition:* DUP 2  
Sinn Féin 2  
UUP 1  
SDLP 1  
Alliance 1

*Quorum:* The quorum shall be five Members

*Procedure:* The procedures of the Committee shall be such as the Committee shall determine. — [Mr Weir.]

## Committee Business

### Standing Orders 20A(4)/4/6: Amendments

**Mr Speaker:** As the next three motions relate to amendments to Standing Orders, I propose to conduct the debate as follows. I propose to group the three motions as detailed on the Order Paper and conduct a single debate. I will ask the Clerk to read the first motion in the group and then call the Chairperson of the Committee on Procedures to move it. Debate will then take place on all three motions in the group. When all who wish to speak have done so, I will put the Question on the motion relating to Standing Order 20A(4). I will then ask the Chairperson to move formally the motions relating to Standing Order 4 and Standing Order 6, and I will put the Question on each of those motions without further debate. I remind the House that cross-community support will be required. If that is clear, I shall proceed.

**Mr G Kelly (The Chairperson of the Committee on Procedures):** Go raibh maith agat, a Cheann Comhairle. I beg to move

*Leave out Standing Order 20A(4) and insert –*

*‘The Speaker shall determine, by means of a random selection, the order in which questions are taken. However, the first question may not be from a member of the same party as the Minister to whom it is addressed, unless all the Topical Questions are from members of that party.’*

*The following motions stood in the Order Paper:*

*In the title to Standing Order 4 at the end add “: New Assembly”*

*After Standing Order 4 insert –*

*“4A. Election of Speaker: Assembly term*

*(1) Where the Speaker gives notice in writing to the Clerk of his intention to resign from the Office of Speaker during an Assembly term, the Speaker shall continue to hold office until a new Speaker has been elected.*

*(2) A new Speaker shall be elected in the manner provided for by Standing*

*Order 4.*

*(3) If the Speaker cannot take the chair for the proceedings to elect a new Speaker, the chair shall be taken by an Acting Speaker, who shall be the oldest member present at the meeting who is not seeking election as Speaker.”*

*Leave out Standing Order 6 and insert –*

*“6. Procedure when Office of Speaker becomes vacant*

*(1) Where a vacancy in the Office of Speaker of the Assembly occurs during an Assembly term, a Deputy Speaker shall report the vacancy to the Assembly at the opening of its next meeting and the Assembly shall, as soon as may be, proceed to elect a Speaker in the manner provided by Standing Order 4.*

*(2) For the purposes of that election, the chair shall be taken by an Acting Speaker, who shall be the oldest member present at the meeting who is not seeking election as Speaker.*

*(3) Where there is no agreement on the election of a Speaker, meetings of the Assembly shall be chaired by the Deputy Speakers in weekly rotation in the order in which they were elected in so far as this is possible.”.*

On behalf of the Committee on Procedures, I am pleased to bring these motions to amend Standing Orders to the House today. The first relates to topical questions; the other two relate to the election of a Speaker during a mandate. This may seem a strange combination, but it is purely for the sake of expediency, rather than any link between them.

The first motion relates to Standing Order 20A(4). On 9 December 2014, the Assembly approved the Committee's report on the review of topical questions. One of the recommendations in the report was that, as for listed oral questions, the first topical question may not be from a Member of the same party as the Minister. Today's motion will give effect to that recommendation by amending Standing Orders accordingly.

The other two motions relate to the election of a Speaker during a mandate. Standing Order 4 currently sets out the procedure for the election of a Speaker at a meeting of a new Assembly but is silent on the procedure to be followed if a Speaker indicates his intention to resign during an Assembly term. The proposed amendment will insert a new Standing Order 4A to address this, by describing how the Speaker resigns and clarifying the procedures for the election of a new Speaker during an Assembly term. The proposed amendment also commits the outgoing Speaker to take the Chair for the proceedings to elect a successor.

The final motion relates to Standing Order 6, which already sets out the procedure to be followed if the office of Speaker becomes vacant during an Assembly term, but does not specify who would take the Chair for the purposes of that election. The proposed amendment will insert additional text into Standing Order 6 to make it clear that an Acting Speaker takes the Chair in these circumstances. The amendments to Standing Orders 4 and 6 will address the gaps in Standing Orders and clarify the procedures for the election of a Speaker during a mandate.

In closing, a Cheann Comhairle, Mr Speaker, the three motions before the House are straightforward — famous last words — and on behalf of the Committee on Procedures, I commend them to the House.

**Mr Clarke (The Deputy Chairperson of the Committee on Procedures):** Given that there have been no other contributors, I see no need to wind on the debate.

**Mr Speaker:** Before we proceed to the Question, I remind Members that the motions require cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*Leave out Standing Order 20A(4) and insert –*

*‘The Speaker shall determine, by means of a random selection, the order in which questions are taken. However, the first question may not be from a member of the same party as the Minister to whom it is addressed, unless all the Topical Questions are from members of that party.’*

*Resolved (with cross-community support):*

*In the title to Standing Order 4 at the end add ‘: New Assembly’*

*After Standing Order 4 insert –*

*‘4A. Election of Speaker: Assembly term*

*(1) Where the Speaker gives notice in writing to the Clerk of his intention to resign from the Office of Speaker during an Assembly term, the Speaker shall continue to hold office until a new Speaker has been elected.*

*(2) A new Speaker shall be elected in the manner provided for by Standing*

*Order 4.*

*(3) If the Speaker cannot take the chair for the proceedings to elect a new Speaker, the chair shall be taken by an Acting Speaker, who shall be the oldest member present at the meeting who is not seeking election as Speaker.’*

*Resolved (with cross-community support):*

*Leave out Standing Order 6 and insert –*

*‘6. Procedure when Office of Speaker becomes vacant*

*(1) Where a vacancy in the Office of Speaker of the Assembly occurs during an Assembly term, a Deputy Speaker shall report the vacancy to the Assembly at the opening of its next meeting and the Assembly shall, as soon as may be, proceed to elect a Speaker in the manner provided by Standing Order 4.*

*(2) For the purposes of that election, the chair shall be taken by an Acting Speaker, who shall be the oldest member present at the meeting who is not seeking election as Speaker.*

*(3) Where there is no agreement on the election of a Speaker, meetings of the Assembly shall be chaired by the Deputy Speakers in weekly rotation in the order in which they were elected in so far as this is possible.’*

## Regeneration Bill: Extension of Committee Stage

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 May 2015, in relation to the Committee Stage of the Regeneration Bill (NIA Bill 43/11-16).*

The Committee Stage of the Regeneration Bill began on 24 January 2015 and is due to conclude on 3 March. The Committee issued a call for evidence on 23 January, and this is due to end on 16 February. The Committee received a pre-legislative briefing from the Department on 8 January, and issues were raised at an early stage. The Committee must give those issues closer scrutiny with the Department and the stakeholders. The Committee will endeavour, of course, to complete the Bill in as short a time frame as possible. However, an extension will allow for the possibility of any delays due to conflicting Committee business, such as the Pensions Bill and other ongoing work. The Committee expects a greater response to the call for evidence for the Bill, given the nature of the content. Building in some extra time would ensure that it can give due consideration to any evidence received. As the House will know, it is, of course, vital that the Committee scrutinise the Bill effectively to a standard that the House would consider adequate and the public would expect.

There is no way of knowing how many responses from stakeholders will be received before 16 February or how many sessions will be required to hear oral evidence from witnesses on the basis of that. With all that in mind, the Committee agreed that it was important to build in sufficient time to address those various unknowns. The Committee, therefore, agreed to ask the Assembly for an extension to the Committee Stage until 28 May 2015. On behalf of the Committee, I ask the House to support the motion. However, the Committee makes it clear to the House that we will endeavour to complete our work before that date. Go raibh maith agat.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 May 2015, in relation to the Committee Stage of the Regeneration Bill (NIA Bill 43/11-16).*

**Mr Speaker:** Members should briefly take their ease while we get the Bill's folder organised.

## Executive Committee Business

### Welfare Reform Bill: Consideration Stage

**Mr Speaker:** I call the Minister for Social Development, Mr Mervyn Storey, to move the Consideration Stage of the Welfare Reform Bill.

*Moved. — [Mr Storey (The Minister for Social Development).]*

**Mr Speaker:** Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There are five groups of amendments, and we will debate the amendments in each group in turn.

The first debate will be on group 1, which contains 23 amendments and oppositions to two clauses stand part. The group deals with duties on the Department, administration and assessments. The second debate will be on group 2, which contains 14 amendments and oppositions to nine clauses stand part. The group deals with entitlements. The third debate will be on group 3, which contains seven amendments and oppositions to six clauses stand part. The group deals with sanctions. The fourth debate will be on group 4, which contains eight amendments. The group deals with reports, reviews, pilot schemes and information sharing. The fifth debate will be on group 5, which contains 26 amendments. The group deals with Assembly control, commencement and technical issues.

Valid petitions of concern have been tabled in relation to amendment Nos 1 to 13, 15 to 22, 24, 26 to 29, 36 to 45, 48 to 50, 53 to 57 and 73 to 75. Each will, therefore, require a cross-community vote. I remind Members intending to speak that, during the debates on the five groups of amendments, they should address all the amendments in each group on which they wish to comment. 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 Questions 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.

No amendments have been tabled to clauses 1 to 3. I propose, by leave of the Assembly, to group these clauses for the Question on stand part.

*Clauses 1 to 3 ordered to stand part of the Bill.*

**10.45 am**

#### **Clause 4 (Basic conditions)**

**Mr Speaker:** We now come to the first group of amendments for debate, which contains 23 amendments and opposition to two clauses. These amendments deal with duties on the Department, administration and assessments, and include amendments on matters such as the claimant commitment, frequency of payment and the taking account of relevant medical evidence.

Members will note that amendment No 1 is mutually exclusive with amendment No 3. Amendment No 13 is consequential to amendment No 12. Amendment Nos 18 and 19 are mutually exclusive. Amendment Nos 35 and 36 are also mutually exclusive. Amendment No 39 is



consequential to amendment No 38. Amendment No 57 is consequential to amendment No 10 and amendment No 37.

Members will note that valid petitions of concern have been received in relation to amendment Nos 1, 3 and 4, 8 to 13, 17 to 19, 36 to 39, 43 to 45, 53, 57 and 74. Therefore, they will require cross-community support.

I call Mr Roy Beggs to move amendment No 1 and to address the other amendments in the group.

**Mr Beggs:** I beg to move amendment No 1: In page 3, line 5, at end insert

*“(8) Regulations shall provide, in circumstances where one member of a couple does not accept a claimant commitment within a prescribed period, that the claim may be considered as a claim by the other member of the couple as a single person.”.*

The following amendments stood on the Marshalled List:

No 3: After clause 6 insert

**“Joint claims where one party does not accept claimant commitment**

*6A. In a claim by members of a couple jointly, where one party does not accept a claimant commitment the claim shall proceed as if the party who has signed a claimant commitment had made a single person claim and payment shall be made to that party.”— [Mrs D Kelly.]*

No 4: After clause 6 insert

**“Provision of Claimant Documentation**

*6B. Regulations must provide, if a claimant is unable to provide documentation required to process a claim, for the information to be provided by prescribed third parties to enable the claim to be processed.”— [Mrs D Kelly.]*

No 8: After clause 12 insert

**“Frequency of payment**

**Frequency of payment**

*12A. Universal credit shall be paid twice monthly unless a single claimant or the members of a couple jointly opt, in making a claim, to be paid on a monthly basis.”— [Mr Beggs.]*

No 9: In clause 14, page 6, line 32, at end insert

*“(a) in preparing, reviewing and updating a claimant commitment under subsection (2) the Department shall have due regard for the claimant’s skills, experience, caring responsibilities and physical and mental ill health.”— [Mrs D Kelly.]*

No 10: In clause 16, page 7, line 35, leave out “approved by the Department” and insert

*“employed by a HSC Trust or who is a general practitioner.”— [Mr Agnew.]*

No 11: In clause 16, page 7, line 41, at end insert

*“(c) any decision taken under subsection (5) shall take account of relevant medical evidence including evidence of mental ill health.”— [Mrs D Kelly.]*

No 12: In clause 24, page 12, line 3, leave out “—” and insert

*“or an incident motivated by hate—”.— [Mrs D Kelly.]*

No 13: In clause 24, page 12, line 15, at end insert

*“(9) For the purposes of subsection (7)—*

*(a) an ‘incident motivated by hate’ has such meaning as may be prescribed;*

*(b) a ‘victim of an incident motivated by hate’ means a person on or against whom an incident motivated by hate is inflicted or threatened (and regulations under subsection (7) may prescribe circumstances in which a person is to be treated as being or not being a victim of a serious incident motivated by hate);*

*(c) a person has recently been a victim of an incident motivated by hate if a prescribed period has not expired since the incident was inflicted or threatened.”— [Mrs D Kelly.]*

No 17: After clause 37 insert

**“The Independent Living Fund**

*37A. The Department shall bring forward within 18 months of commencement of this Act a fund to replace the Independent Living Fund, following consultation with the Department for Employment and Learning and the Department of Health, Social Services and Public Safety.”— [Mrs D Kelly.]*

No 18: In clause 38, page 17, line 29, at end insert

*“and any such assessment must take account of relevant medical evidence.”— [Mr Beggs.]*

No 19: In clause 38, page 17, line 29, at end insert

*“and any such assessment shall take account of relevant medical evidence including evidence of mental ill health.”— [Mrs D Kelly.]*

No 35: In clause 79, page 60, line 27, at end insert

*“(2A) Any person determining a question mentioned in subsection (1) or (2) shall take account of relevant medical evidence.”— [Mr Beggs.]*

No 36: In clause 79, page 60, line 27, at end insert

*“(2A) Any person determining a question mentioned in subsection (1) or (2) must take account of relevant medical evidence including evidence of mental ill health.”— [Mrs D Kelly.]*

No 37: In clause 79, page 60, line 31, at end insert

*“( ) must provide that a person carrying out an assessment under paragraph (a) or determining a question under subsection (1) or (2) shall be a health care professional employed by a HSC Trust or a general practitioner.”— [Mr Agnew.]*

No 38: In clause 80, page 61, line 19, leave out “9 months” and insert “6 months”.— [Mr Agnew.]

No 39: In clause 80, page 61, line 33, leave out “the next 9 months’ means the 9 months” and insert “the next 6 months’ means the 6 months”.— [Mr Agnew.]

No 43: After clause 100 insert

**“Payment of awards in cash**

**100A.** *The Department shall ensure that a claimant under this Act who has no access to a bank account shall have access to any relevant award in cash.*—  
[Mr Agnew.]

No 44: After clause 101 insert

**“Payments pending appeal**

**101A.** *In Section 5(1) of the Social Security Administration Act (NI) 1992 (regulations about claims and payments) after paragraph (r) insert—*

*“(s) for the making of a payment pending appeal”.—*  
[Mr Agnew.]

No 45: In clause 103, page 71, line 30, at end insert

*“(8) Subsection (1) does not apply unless it is determined that, whether fraudulently or otherwise, the claimant has misrepresented, or failed to disclose, any material fact.”—* [Mr Agnew.]

No 53: After clause 130 insert

**“Impact of Regulations on Victims and Survivors**

**130C.** *The Department must ensure that regulations under this Act are prepared with due regard for the impact on victims and survivors of the past in consultation with the Northern Ireland Commission for Victims and Survivors.*— [Mrs D Kelly.]

No 57: In clause 132, page 94, line 28, at end insert

*““general practitioner” means a medical practitioner providing primary medical services;*

*“HSC Trust” means a Health and Social Care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991 (NI 1);”—* [Mr Agnew.]

No 74: In schedule 1, page 98, line 32, leave out paragraph 6.— [Mr Agnew.]

**Mr Beggs:** I welcome this long overdue opportunity to open the debate on this next stage of the Welfare Reform Bill. It has been the most contentious and drawn out yet probably the most important legislation that this Assembly has ever considered. To date, we have had about £100 million of fines imposed upon us in reductions in the block grant. That has meant £100 million of reductions in public services. There have been clawbacks during this financial year, mid-year. Indeed, I suspect that has contributed to the lack of funding that would have been available to health.

In 2015, £114 million would have been set aside in potential fines, again from the block grant. However, you would not think that today is as important as it really is by observing the shameful actions of the DUP last night in tabling multiple copies of their pre-prepared petitions of concern against every single amendment that has been put forward, other than by their Minister. They have effectively killed off discussion and the decision-making process in this Assembly. Disgraceful. They are attempting to steamroller the Bill through as they would wish it to be. They are attempting to prevent this Assembly from having its say. They have single-handedly potentially blocked almost 50 amendments, including well over 20 in this group alone.

**Mr Storey (The Minister for Social Development):** Will the Member give way?

**Mr Beggs:** I wish to continue; I may give way later on. There is nothing that can be argued about what I just said. It is very factual. They have displayed the undemocratic nature of their attitudes as MLAs and as a party, which, of course, has the word “democratic” in its name. The other country that springs to mind that has the word “democratic” in its name was the Democratic Republic of East Germany, as it was at one time. Of course, that was a totalitarian state. It would appear that the DUP are much more akin with that attitude than that of normal Western society. That, unfortunately, sums up how they approach the whole issue of welfare reform. It is embarrassing enough how they tried to bring a copy and paste of the GB Bill across to Northern Ireland. They now, apparently, have no shame in preventing what limited amendments could have been made to the Bill by this Assembly. Their mechanism is making it virtually impossible for amendments to succeed. I look forward to hearing a shameful explanation from DUP Members who, presumably, all signed it and all have a responsibility in how they have, effectively, removed the democratic and more normal working of this Assembly.

Why should we not have the ability to debate the Bill, its individual clauses, and make amendments?

It appears to be their way or no way.

After two years of sitting in an abyss, after months of detailed Committee scrutiny of the proposals and after a huge level of engagement by organisations that deal with welfare issues on a day-to-day basis, the DUP has decided that it knows best. It appears to have its ears closed, certainly to other Assembly Members here and to this debate. No amendment is seemingly good enough for it, as it thinks it has the right to step in and determine what can and cannot be changed in the Bill.

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

**Mr Beggs:** I wish to proceed.

**Mr P Robinson:** Is the Member afraid to give way?

**Mr Beggs:** I will give way later on.

**Mr P Robinson:** Is the Member so sure he is accurate in what he is saying that he will not give way?

**Mr Beggs:** Of course. However, I have to ask whether this petition — [Interruption.] I obviously have touched a raw nerve — [Interruption.]

**Mr Speaker:** Order. All remarks should be addressed through the Speaker. If the Member wishes not to take interventions, that should be accepted by other Members because there are no restrictions on the debate at all. Everyone will have their opportunity to make a contribution.

**Mr P Robinson:** On a point of order, Mr Speaker. Can we have some assistance from the Chair? When a person who is speaking in this House also has the title of being a Deputy Speaker, is it right that he shows such inane inability to understand the rules of this House that he would seek to mislead the House into believing that they do not have the right to put down amendments and to vote on those amendments and that anyone who puts down a petition of concern can decide which way they vote on any amendment?

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

**Mr Speaker:** I have a point of order to respond to. The point that I made in my earlier intervention should provide the guidance. There is no restriction on debate, nor is there any restriction on people's ability to contribute to the debate. There were opportunities, quite clearly, for all parties and all Members to put down amendments if they so wished. Reference was made in some of the opening remarks about discussions on clauses being prevented. I make it clear that there are no such restrictions. If Members are prepared, they can wait their turn and they will be called if they so indicate. Let us have a measured debate. There is no point in starting cross-chatting; the election is not for several months, so let us deal with this very important piece of legislation.

I will take the second point of order.

**Mr Nesbitt:** Thank you, Mr Speaker. If I heard the Member for East Belfast correctly, there was an accusation that Mr Beggs was misleading the House. Will you review that, please?

**Mr Speaker:** My advice is this: let us not get into words. I could have challenged some of the earlier comments but decided not to. If someone is a Deputy Speaker they are still entitled to be a Member, to act like a Member and to contribute on behalf of themselves and their party, and that is exactly what is happening. Mr Roy Beggs will be a contributor to this debate and he will not preside over any aspect of it. Your point about the language that was used, I would give as a general health warning to every contributor, but some of the opening remarks could have had the effect of saying, perhaps completely unintended, that some aspects of the Bill are not up for discussion at all. Every aspect of it is, and every Member will have an equal opportunity if they so wish. If they decide not to, that is their decision. It will not be the Speaker who will prevent that level of contribution or discussion. Let us resume the debate.

**Mr Beggs:** Thank you, Mr Speaker. I obviously touched a very raw nerve there. I would have thought that what is happening is that rather than, perhaps, the normal warfare across the Benches there is a tag team happening. I would put that for others to consider. Is this tag team working in unison? Some put the petition of concern down and both will vote their separate ways, knowing the net result that will occur and knowing that some will be able to express their opinion and yet prevent the amendments going through. I simply ask Members to watch the rest of the debate, listen carefully to what everybody says, watch how people vote and watch the net effect of the petitions of concern which, I understand, have been signed by every member of the DUP Assembly party.

Given the amendments that have been presented in this group I am more surprised, perhaps, by the amendments that are not there. One would have thought that others who were very vocal in their comments some time ago might have put something down.

**Mr Speaker:** I have given you a considerable amount of laxity to set the context. You should not attempt to go back over the process. We are where we are; there is an Order Paper in front of us, and there is a Bill folder that we have all had access to. I am waiting on you to start to address the amendments that are down, not the ones that are not. Thank you.

**Mr Beggs:** Thank you, Mr Speaker. I was coming to that in the next section of my comments.

The Ulster Unionist Party tabled its initial set of amendments almost two years ago. This is not something that we have thought about lightly or suddenly determined that we will take action on. We saw difficulties in what was being proposed by the Minister some years ago, and in this particular group, we have tabled amendment Nos 1, 8, 18 and 35. Some of the initial points that we made two years ago remain to be addressed. Members will probably not be surprised to see us raising the issues in our amendments in this group, as we have been highlighting them for months and years as being of concern.

I will deal firstly with amendment No 1, which is on joint claims. The coalition Government's policy is that couples living in the same household will make a joint claim for their benefit. I accept the rationale of a claimant commitment. We agree that, in order to receive universal credit, a person should have to sign a pledge that lays out exactly what is expected of them and, in return, what benefits and support will be provided. However, it was a mistake in the draft policy to allow a situation where, if one member of a household failed, for whatever reason, to sign their commitment, the rest of the household would be penalised. Potentially, no benefits would go into a household as a result of a failure by one individual.

Why should a family, perhaps with a number of dependent children, be left without support just because one of the parents failed to meet their commitments? Unfortunately, there are households where that could happen. An adult, a parent or a partner who fails may put their own needs ahead of the needs of others, but surely their partner and children should not suffer. We must protect the most vulnerable from debt and the possibility of homelessness. Those are issues that would automatically follow if there was a complete end to the support and benefits available to a whole household. Debt would gather and housing costs would mount, with the possibility of landlords effecting eviction at some point in the future.

**Mr Wilson:** I thank the Member for giving way. Does he accept that, as the law stands, which the Bill supports, where someone is incapable of making that commitment, provision is made for them? Does he recognise that the difficulty with his amendment is that it opens the door for those who choose to not make any commitment to seek a job? Under the shelter of his amendment, they may hide behind their family or their family's vulnerability so that they do not have to live up to the requirements that anyone would expect of someone who is claiming benefits?

**Mr Beggs:** I thank the Member for his intervention. I do not want vulnerable children to suffer because of an irresponsible parent or guardian. There is the potential for that individual to suffer by removing benefits that are going to him until he meets his requirements under the agreement. So, there still is the potential under what we are proposing for that individual to suffer, but his family, his partner and his children would not suffer. Society would be much fairer if it was done on that basis.

Were families to be ultimately made homeless by this, it would probably result in significant additional costs to the public through emergency housing, because vulnerable children would need to be looked after. So, not ensuring that there is adequate protection for the family of the irresponsible parent, adds huge misery to those who should not face it and huge cost to the public purse from emergency housing.

**11.00 am**

It was because of the iniquitous implications of what was being proposed that the Ulster Unionist Party decided that that would be one of the areas that we wanted to change. Let us be clear: when you change an aspect of welfare reform, there are financial implications, and there will be costs to the block grant, but it is responsible that we discuss the issues and weigh up the costs and the benefits. There are areas in which costs may not be excessive but the benefits to members of our society may be considerable. Therefore, we should be open to amendments.

The Department had indicated that, in cases in which one claimant refused to sign a commitment and left the household, that person would be excluded from the claim and the household would have to submit a new claim. There are other issues around that. Will the benefit then start from the date of issue of the new claim? Will that leave a period in which no housing benefit will be paid into that household? There are grey areas that need clarifying.

The Bill also fails to address the fundamental problem of what happens if the stubborn party does not leave the household. There are complications on which I want to hear certainty that vulnerable members of our community will not face difficulties. Social security offices and independent advice centres up and down the country will agree that, although that may sound improbable, it does happen.

**Mr Wilson:** Will the Member give way on that point?

**Mr Beggs:** Certainly.

**Mr Wilson:** Is the Member not arguing against the point that he made earlier? He indicated that, if one partner was not prepared to give a commitment, the answer was to remove the benefit and punish that person rather than the rest of the family. Now he is telling us that the potential is for the non-committing partner to stay in the house and still benefit from the housing benefit that will be paid to keep a roof over the family's heads, so, according to the Member's logic, there is no punishment.

**Mr Beggs:** There will be punishment, because there will be a lack of funds to the household. The individual will face a degree of pressure.

The Member needs to reflect on whether he wants that individual's partner and vulnerable children out on the street. Is that the punishment that he wishes for? There needs to be balance and careful thought in all that we do. Whilst the numbers affected in that type of scenario may be relatively small, there will potentially be a huge impact on vulnerable individuals. Therefore, there is merit in what is being proposed in our amendment.

It is a sensible alternative. We are instructing the Department to allow certain cases to be considered carefully. In other words, assessors will have the flexibility to allow a claim to go ahead if it is for the benefit of the remaining members of the household, rather than it being rejected outright by another automated system or a computer. As it stands, staff do not have an ability to be flexible. They will be ticking boxes, and the system will tell them what is to happen, and, as a result, children will potentially be put out on the street.

Under our amendment, people refusing to sign the commitment will, of course, still not be entitled to support. Importantly, it means that their selfish, pig-headed approach will no longer prevent the rest of the household from receiving support. That line of thought complements what is already in paragraph 1 of schedule 1 to the Bill, but it makes it more explicit and clear, and removes any uncertainty that there may be.

The Department accepted my party's request for that in the Stormont House talks, so the amendment is simply reflecting that. I will listen carefully to what the Minister and others say. Can he assure me publicly in the House that he will honour, through guidance, what our amendment proposes? If he is able to do that, we will have to reflect further. It is important that this issue is aired and addressed, and it is for that reason that I moved the amendment. I remind him and the Department that my party has shown good faith by slightly revising the amendment from what was originally tabled to try to ensure the existence of something that is practicable and deliverable. I hope that he and his colleagues will not knock it out with one of their petitions of concern or allow anyone else to knock it out. Everyone in the House should be able to support this reasonable amendment.

I turn now to amendment No 8. The frequency of payments is another major touchstone issue that dominated the earlier Assembly discussion on welfare reform. I welcome the SDLP's decision to sign our amendment. As the Minister will be fully aware, his predecessor asked a number of voluntary organisations to investigate the proposal to move to monthly payments. They found that such a default system would have the potential to cause major difficulties for claimants, especially in being able to budget appropriately for their outgoings. Individuals already come to my office occasionally looking for emergency support and perhaps have to be referred to food banks.

There are good things happening in the community and voluntary sector. However, if we were to move to monthly payments flat out and with no variation, there would be a huge danger that the community and voluntary sector, given the good work that it is doing in assisting vulnerable people, would be absolutely swamped because many do not yet have the skills to budget beyond a relatively short period. We have to ensure that there is support to try to increase those skills. I particularly welcome the engagement in my area of Christians Against Poverty, which works with some of the food banks to try to empower people to live within their budget and avoid the necessity to seek emergency aid.

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

**Mr Beggs:** Yes, I will.

**Mr Dickson:** I am interested in his engagement with members of the community. Would Mr Beggs also tell them that his party's 2010 manifesto, which is identical to that of the Tories, is the unmitigated Bill that is presented to the House today and that it is the mitigations that are being presented to the House today that will actually deal with the issues that he is talking about?

**Mr Beggs:** I believe that the Member's sister party also had a hand in the origin of this Bill, so I find his comments very strange. Let me make it very clear that this is a



devolved Assembly. We are Assembly Members, and we are accountable for our actions. I hoped — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Beggs:** — that we would not have petitions of concern, in order that the Assembly can make its decisions in a responsible manner.

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

**Mr Beggs:** I wish to proceed.

Fortunately, Ministers, both past and present, appear now to have accepted the proposal for twice-monthly payments as the default position. I welcome that, but I want the Minister to give clarity on the issue. It is important that we avoid using a criterion-based approach. That would undoubtedly save on administration costs in the short and long term, but, as I said, there are dangers in just ticking boxes and someone potentially not seeing a common-sense approach. Importantly, I understand that some households may prefer monthly payments, which is why my party wants to allow that to be an option. Opting out of twice-monthly payments and moving to a single payment, if that is what individuals wish, would minimise administration costs.

In recent days, my party has received some assurances that we previously sought on this. In part, we welcome the offering of choice to claimants of how regularly they wish to receive payments. I simply ask the Minister to, in place of our putting the question, reaffirm his commitment to default to twice-monthly payments. Not only that, I expect him to show the Social Development Committee the respect that it is due as soon as possible as regards any future proposed policy changes, so that its views can be taken on board.

I turn now to amendment No 18, on medical evidence for work-related activity. As Members are only too well aware, at present there are major problems with the system of assessing those who have limited work capability and, therefore, their entitlement to employment and support allowance. I will go further and say that the system is not fit for purpose. I accept that assessing claims based on whether health conditions or disability restricts the applicant's ability to work is an enormous task for the Department and its agency. However, it is a system that unquestionably needs to be improved. The transition from incapacity benefit to employment and support allowance (ESA) was chaotic and simply did not work. Many problems arose.

I have heard the Department boast that 67% of all appeals heard on ESA decisions were upheld, but that misses the point, which is that a third of its decisions were wrong. I came from the world of industry, where you should try to get it right first time. The concept of being happy with making a third of decisions wrong is not what most normal businesses would operate under, and it clearly needs to be improved.

Of course, when incorrect decisions are made, additional costs are associated with appeals, and we also have to pay for those. We all have experiences, through our offices, of what looks like a rather rational claim being rejected. The problem is that a person can present a different image during a so-called medical assessment rather than the reality that we know from having spent time

talking to and observing them, perhaps more time than is available in the assessment.

There are few more difficult cases to assess on the day than those involving claimants who present with mental health difficulties. The Northern Ireland epidemic of mental health problems is connected to the legacy of our Troubles, so there is a real issue in our community of presenting on this. Is it any wonder that we have the world's highest rate of post-traumatic stress disorder? Such facts, however, are not reflected in ESA assessments. The Ulster Unionist Party's concern is that that will continually fail to be reflected in future limited-capability assessments for universal credit.

The absence of medical records will inevitably lead to wrong decisions being made and too many appeals going against the Department. Why can medical evidence not be reviewed before the formal appeal? I believe that, were that medical evidence available earlier, the need for the applicant to present at the formal appeal process would be abated. Remember that an appeal does not benefit genuine claimants or the Department. The delay in receiving benefits and the huge administration costs involved with appeals can cause problems for both parties. I do not doubt that, on the day, the Department does its best to make a fully informed decision that accurately reflects a customer's circumstances. However, without crucial documents, such as psychology reports, it is well-nigh impossible to make accurate assessments.

There is a real problem in fresh evidence supporting an appeal being becoming available only on the day of appeal. The Department states that, in four out of five appeals that were upheld in favour of the customer, new supporting evidence is produced by the customer that was not available to inform the Department's original decision. It makes far more sense to have that evidence, usually medical reports, available at an earlier stage during an earlier assessment.

#### 11.15 am

Our amendment No 18 would ensure that any assessment of a person's capability for work or work-related activity would take relevant medical evidence into account. Whilst the issue of medical evidence has been settled for personal independence payment (PIP), no such understanding has been found for the transition to universal credit. I accept that the financial implications of our amendment may be significant and, given the costs encountered with the rest of the mitigation measures in the Assembly, we need to reflect on whether we should pass those additional costs to the Department. As the Minister has been made aware, the amendment was designed so that we can have that debate.

I am sure that every other party has concerns with the current arrangements, so it is clearly something that needs to be addressed. I and my colleagues will listen carefully to the Minister's response. I hope that he accepts the problems attached to work capability assessments and that he will lay out exactly what we are likely to see in the future with the universal credit proposals.

Our amendment should be fairly self-explanatory, yet it is hugely important. I trust that it will be accepted. Not only does it make perfect sense to have the right medical reports but it also appears that it is an idea that each of

the main parties have suggested they would support. I welcome that. The transition from disability living allowance (DLA) to PIP will be an enormous task, so I welcome the decision to set up a fund that will, hopefully, allow for the required medical reports without imposing huge additional costs on those with vulnerabilities who may have difficulties paying for them.

I also have concerns about the wider issue of having to pay several million pounds to GPs for what many people believe they should already be doing. When you think that the average GP is on £94,000, it would not be an unreasonable task for them to take part of that responsibility on board. I fully appreciate the issues that our GPs face at the moment and that they are under pressure. However, I ask the Minister to provide an update on the preliminary discussions between his Department and the Department of Health, Social Services and Public Safety about the shaping of GP contracts in future to include medical reports. Of course, that would apply equally to work capability assessments and personal independent payments.

I now move on to a few of the other amendments that have been tabled. Amendment No 3 deals with joint claims and was tabled by the SDLP. I think that it is unnecessary given what we have proposed. There is a subtle but important difference between their amendment and ours. The Ulster Unionist Party amendment proposes to allow the Department to show some flexibility to assess those types of cases on an individual basis, whereas the SDLP's amendment is much wider. It was agreed by all parties, including the SDLP, that flexibility through guidance was the preferred way forward. I ask Members from all parties, irrespective of the petition of concern, to support the general intent of what is proposed in amendment No 1, which stands in the names of Robin Swann and me.

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

**Mr Beggs:** Yes, I will.

**Mr P Robinson:** Why did you not give way to me?

**Mr Campbell:** I do not know.

The Member is going through a series of amendments, not just his party's amendments but the SDLP's. Has he given any thought to the cost of the amendments if they were carried? Will he elaborate on those costs at some point in his speech?

**Mr Beggs:** I will listen very careful to the Minister. We have carefully calculated some areas as best we can, but, ultimately, the Minister and the Department will have much more accurate information. That is why we have built a degree of flexibility into our amendment. That will allow the Minister to use the information that he and others do not have to make adjustments and try to address real need without the need for potentially bureaucratic costs to be loaded in.

It is right that we consider how we can improve, and, as I said some time ago, it is also important that we have an understanding of any costs that may flow from amendments. Some of us will decide that some amendments are worth paying that money for; others may take a different approach, and that is their right. Certainly, it should be the decision, ultimately, of a vote in the Assembly to determine what goes on.

I wish to move on to amendment No 4 in relation to the documents through third parties. Again, we will listen with interest to how the Minister responds to the proposal.

Our opinion is that charities, social workers and housing associations would be in a trustworthy position to provide required documentation. I am, however, aware that the Department has already confirmed that guidance will cover the acceptance of documents from third parties, something that I believe is already accepted practice. Again, I look forward to hearing what the Minister will say on that issue.

In regard to amendment No 9, it makes sense on a practical level, so much so that I would be surprised if the Department did not already propose having due regard for them.

Mr Agnew's amendments, Nos 10, 37 and 57, are, no doubt, well intentioned, but, unfortunately, I believe they also undermine themselves. There has long been concern about the work-focused, health-related assessments and those coming down the line for the personal independence payments (PIP). In our amendment Nos 18 and 35, we are opening up the debate on medical evidence. However, I wonder whether we want to go down the road of having to direct so many of our already overstretched GPs or experienced nurses to carry out those tests. I am not opposed to health-care professionals approved by the Department carrying out assessments as long as they take into account available medical records and they are suitably qualified to make medical judgements. Making sure that we have the right competence of assessors should be an absolute priority right now; not necessarily who their employer is. Nevertheless, I will listen to what the Member has to say on that issue, not least in regard to how he believes his amendments would be delivered within the existing pressures facing our GPs and trust staff.

**Mr Agnew:** I thank the Member for giving way. In the past, such assessments were carried out by in-house medical professionals. One way or another, we have to pay for those professionals, and, one way or another, we have to train them through our universities. It is simply a question of oversight and accountability. The record of Atos in England suggests to me that that oversight and accountability was not sufficient.

**Mr Beggs:** I agree that they have to be paid, but why do they have to be employed by the trust? They could be employed by the Department or by an agent of the Department. The Member has been very prescriptive in what he proposes.

At face value, the Ulster Unionist Party agrees with amendment Nos 12 and 13. People subjected to domestic violence have rightly been given additional protection in the Bill, and now we are being asked to expand that to incidents motivated by hate. Of course, Northern Ireland is only too well versed, sadly, in such incidents, in terms of religion, sectarianism and race, so, yes, we are open for them to be included in the Bill. However, and it is a big however, as the Members who will later propose the amendment will likely be already aware, there is currently no formal definition of hate incidents; some will be easily understood, but very many others may not just be as clear. I suspect that that is why the Members have passed the responsibility for categorising such incidents to the Department under clause 24(9)(b) of their amendment. Our concern is that, without the definition, we are potentially opening up a can of worms that the Department will face constant challenge on; perhaps, again, legal costs and

delays. I trust that the Minister has sought the advice of suitably qualified legal minds in this regard, so I look forward to hearing what he has to say on this issue.

On amendment No 17, I first ask for clarification from Mr Ramsey, perhaps later on, who I thought had been previously assured by the Health Minister that the independent living fund in Northern Ireland was going to be retained in some form after June 2015. If that is the case, I welcome it as it would allow some 600 disabled people here who are receiving support from it to continue to lead their own independent lives in the community. However, given the almost inevitable ending of the scheme across the water later this year, I understand that ours, even if it was retained, would probably undergo some reform. If we decide that it should be for the Social Development Minister supported by DEL and the Department of Health, Social Services and Public Safety, it is better to give them the 18-month time frame, as stated in the amendment. If, however, this amendment has been tabled without the knowledge of the Health Department, the Department for Social Development or DEL, I have to question whether it really was the most appropriate time to make the proposal, not least because I suspect that its more natural home would be in the Health Department. Again, I will listen to the contribution of others on this issue.

Amendment Nos 19 and 36 from the SDLP are fairly similar to those that we tabled previously and which also appear on today's Marshalled List. Even the most objective observer would struggle to see what the difference really is between them. I fully expect mental ill health to be covered by the reference to medical evidence that we make. They each propose doing exactly the same thing; the important thing is to make sure that the issue is addressed.

I turn to amendment Nos 38 and 39 from Mr Agnew, who moved the debate into something new. He is proposing changing the prospective test and the length of time for which the personal independence payment claims are likely to continue in the future to meet disability conditions from nine months to six months. We must be conscious that it would be a fairly fundamental breach of parity if we were to accept this, and there is grave uncertainty about what the cost would be. Again, this would be raising an issue of unfairness across the UK.

In some cases, no doubt, it is very difficult to predict whether a claimant's condition is likely to improve within nine months, so maybe six months would lead to more accurate assessments, but I do have to ask this: what will be the additional costs in administration? The Assembly is likely to bear those additional costs. Again, I look forward to what the Minister may have to say on the issue so that we may all come to a judgement on it. I go back to what I said early in my contribution: we have the responsibility to assess the need and the benefit that will come from change but also what the cost will be and whether that cost is proportionate to the issue? Regardless of the amendment, I welcome the fact that terminally ill claimants will be exempt from this test.

I turn to amendment No 43, which proposes ensuring that the Department will issue entitlements in cash in cases where the claimant has no access to a bank account. I have concerns about this, as I believe that, in such cases, the priority of the Department and the advice agencies should continue to be to encourage the claimant to open an account, whether that is through a Post Office

card or, indeed, a bank account. Without one, how are they realistically expected to budget and manage their outgoings from one month to the other? There are also benefits in not having people being over-reliant on carrying all their earthly belongings, potentially, in their back pocket. It is much safer if people have an account and are able to draw off as they need.

Having a bank account, a building society account or a credit union account does provide some level of security. I am also aware that, at present, when claimants do not have any of those accounts, arrangements are made for them to be paid using a Post Office card account. If that is not possible, payments can be issued through the simple payment service, so there are mechanisms to deal with very difficult situations when immediate payment may be necessary. I will listen to Mr Agnew to hear his rationale for amendment No 43, but, at this stage, the Ulster Unionist Party is inclined to oppose it for some of the reasons that I have just mentioned.

### 11.30 am

We will oppose amendment No 44, which proposes to allow for payments in cases that are pending appeal. Were the amendment to go through, it would set quite a dangerous precedent and would also entail cost to the Executive. I have not heard any explanation as to why that additional cost should be borne. Many will be entitled to other benefits. Our intention is to oppose the amendment.

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

**Mr Beggs:** Certainly.

**Mr Agnew:** On a couple of occasions, the Member referred to cost — rightly so — and of course we have to take it into consideration. There is a top-up payment in the budget. My argument is that we should decide as an Assembly where those top-up payments should be in the legislation rather than relying on what comes from the Executive to decide how that money is spent. My proposal is that a top-up payment is budgeted for. I am putting forward amendments, some of which cost money, but the top-up payment should be used to cover them.

**Mr Beggs:** I look forward to hearing the Member's contribution, and I hope that he will also explain where the money to fund all his amendments will come from. Other public services will be cut to finance them. There are real choices that could impact the health of some of the same individuals whom the Member might be trying to assist. There are choices and difficult decisions. That is what politics and government should be about. I look forward to hearing the Member's contribution and the Minister outlining what the costs may be. *[Interruption.]* I wish to proceed.

We will oppose amendment No 45. I understand that the proposer is coming at it from the angle of a claimant who has been at the receiving end of a departmental error. While fraud is deliberate, error is not. Unfortunately, it is probably inevitable that, given the scale of our welfare system, mistakes are sometimes made, maybe still too often. Yes, that is the case, but that is the reality.

It is useful to remember that there is quite a difference between customer fraud, customer error and official error. Customer fraud makes up 0.5%, customer error makes up 0.2%, and staff error makes up 0.4%. I assume that Mr Agnew's amendment seeks to address the 0.4% of staff

error and maybe some of the 0.2% of customer error. Given that our welfare system costs almost as much as our health service, even though that is a very small percentage, it may end up as a very significant number, perhaps north of £15 million. Again, where is the money coming from? Is Mr Agnew seriously suggesting that we simply forget about the amount of money each and every year? If we do not withdraw it from our block grant, we can be sure that fines or costs will be imposed. Again, what will be the cost to other public services like health and education?

In drawing back overpayment, it is important that the Department is very sensitive, takes individual household circumstances into consideration and does so over a lengthy period so that undue hardship is not caused by that departmental error, but, nevertheless, potentially significant amounts may have been given to a household that was not entitled to it. I ask the Minister to address that issue. Regardless of whose fault it may be, it is public money, and I would expect nothing but the utmost caution and due regard to be shown by the Department. However, if a mistake has been made, it should be rectified, or other public services will suffer.

I believe that there is generally a strong emphasis on accuracy. However, in cases where there is not and people receive more money than they are entitled to, they should reasonably expect to pay it back.

If someone who is working receives an overpayment, you can be sure that, in subsequent weeks, their employer will point out the mistake and draw the money back. Equally, if someone in receipt of benefits receives an overpayment, discussions should occur and it should be paid back. Again, I urge the Department to not go immediately to legal action in the first instance. A range of options is open, not least that to draw back any overpayment through a deduction in future benefits.

I note the Minister's opposition to clause 129. I believe that last year's National Insurance Contributions Act has already restored what was being proposed. So, we, too, believe that the clause is unnecessary.

Amendment No 53 from the SDLP is sensible, and the Ulster Unionist Party will be happy to support it. That issue has always been one of our concerns, not least since the end of 2012 when the then Minister shamefully tried to steamroller the GB Bill through the Assembly. Thankfully, his attempts at scaremongering were ignored, and we now have the potential of a much improved Bill that, to a greater extent, acknowledges and mitigates some of the worst aspects for the victims and survivors of the Troubles. However, we will just add some caution to the amendment. If, as we hope, it is made, we will request that the Department works as quickly and helpfully as possible with the Northern Ireland commission for victims.

Many of the regulations will be technical and often difficult to assess at first hand. Assessing every regulation, as the amendment suggests, will put major strain on the commission for victims. We trust that the Department will act constructively with the body and its staff, especially now as it continues to operate without a commissioner.

**Mr A Maginness:** I thank the Member for giving way. I am sorry if I have interrupted his train of thought —

**Mr Campbell:** You did not.

**Mr A Maginness:** He is doing very well and making very valid points, and I hope that Members will listen to them. I believe that amendment No 53 is very important. It puts victims of the Troubles and people who have suffered grievously, through either physical or mental problems as a result of the Troubles, at the very centre of the welfare system. Does the Member agree with the general thrust of the amendment? Does he agree with me that it would be a terrible shame for the House to reject the amendment, particularly through a petition of concern? That would do a grave disservice to all those who have suffered as a result of the Troubles.

**Mr Beggs:** I agree with the Member. I am also very mindful that, when dealing with individuals in my constituency office, those victims who have been traumatised in the Troubles frequently feel that they almost have to relive some of their incidents and retell the horrors that they experienced to expose the damage that has been done physically and mentally to them so that they can receive the benefits that they are entitled to. That can set individuals back each time they relive that. We have been suggesting that there needs to be early engagement with the Northern Ireland commission for victims as soon as possible so that, where there is very clear documented evidence, the whole approach can be looked at to try to mitigate and minimise the impact on victims of the Troubles in the assessment process, which they may be required to participate in to gain their benefits.

Finally, the last amendment in the group is amendment No 74, again from Mr Agnew. It proposes removing the power from the Department to issue payment in the form of vouchers. I have to say that vouchers may play a role, as they could assist someone who has an addiction. At this stage, we have not heard any compelling argument either politically or in public which makes us believe that this clause deserves to be taken out. Surely that option should remain. If it is enacted and used in regulations, it is an area that needs to be carefully monitored and reviewed. At this stage, we are minded to oppose the amendment from the Member because we recognise that potentially this may have merits.

Again, I go back to the situation of vulnerable children in households where someone has an addiction. A voucher system could actually be beneficial to that family, ensuring that vulnerable individuals are not put excessively at risk. It is very complicated for social services to look at every case, to be there all the time and to try to look out for those in need. I certainly believe that vouchers ought to be considered as a tool. That may be reviewed with experience as time goes along, but I certainly think that it would be wrong to rule it out at this stage.

**Mr Agnew:** I thank the Member for giving way. I understand his argument. I have worked with people with addictions, so I know the problems. The problem is when we license supermarkets to sell alcohol. You give people food vouchers, but they can still use them on premises that sell alcohol.

**Mr Beggs:** The Member has highlighted a problem. That is a problem which, in turn, passes to the Minister and the Department to get round. It is not a reason why vouchers should be excluded. You are talking about addiction to alcohol in particular — there are many supermarkets and mini-markets that do not sell alcohol. There are ways and means. Again, I say that it is wrong to exclude this as an



option at this stage. I would much prefer that this be held to be considered as a tool in the departmental arsenal.

Ultimately, it needs to be scrutinised and its outworkings followed, but I would much prefer that that option would remain to be considered by the Department and officials as a useful tool in dealing with some of the most vulnerable members of the community in order that some of the rest of their households, and maybe even they themselves, may be helped. I have certainly come across some constituents who have alcoholism and, I would say, are not making the best use of the support that is available to them and perhaps contributing to their addictions. I think that this should be left as an option for the Department to determine and for ourselves to scrutinise further down the line.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle.

The Assembly will be aware that the Committee for Social Development produced a report on the Welfare Reform Bill two years ago in February 2013. The Committee held 22 meetings to consider the Bill. We received written submissions from 55 organisations and individuals and took oral evidence from 31 of those organisations. The Committee therefore gave the Bill extensive consideration and made a number of recommendations on foot of the evidence that it received. In doing so, it also opposed a number of clauses, one of which, clause 99, is in this group. I will come to that in just a moment.

It is fair to say that during the Committee Stage, the Committee was unanimous in its views regarding the potential impact of the Bill. It is important to restate that obviously these concerns about the impact were shared across the political spectrum. There was deep concern across the parties in the Committee for Social Development at the time. That concern, which was shared by the wide range of stakeholders who gave evidence to the Committee, was that this radical reform of the welfare system, if left unchecked, could seriously impact on the most vulnerable groups in society: children, the sick, lone parents, persons with a disability and so on. The Committee was also very sympathetic to the arguments that were made around access by claimants to independent advice.

Indeed, Members may recall that the Committee was sufficiently concerned that it agreed a motion under Standing Order 35 to refer the Bill to an Ad Hoc Committee on conformity with human rights and equality requirements. However, the Committee was also acutely aware of the potential cost implications of making changes to the Bill, although it must be said that Committee members were never truly convinced that they had received definitive figures from the Department. It is important to note that the Committee adopted a flexible position, if you like, on the best approach to address the financial cost of possible mitigation measures.

#### 11.45 am

The Committee recognised the fact that the Department for Social Development could not fund those measures from its own budget. The Committee therefore agreed that any recommendations that had costs associated with them would have to be discussed and agreed by the Executive and all the parties represented on it. Therefore,

where the Committee made recommendations that had associated costs, members agreed to oppose those related clauses, without prejudice to the outcome of the Minister's discussions and individual positions that may be taken by members at a later stage of the Bill process. The Committee felt that that allowed the Minister the flexibility to engage with his Executive colleagues on the potential to fund its recommendations and, therefore, offered the best possibility for adoption of a range of mitigation measures to address the Committee's concerns and those of stakeholders.

I do not think that any of us would have guessed that those discussions would only be finalised two years after the Committee published its report, but I believe that the outcome of the Stormont House negotiations has in many ways superseded the concerns highlighted by the Committee in its report. Indeed, the Committee met yesterday and was briefed by the Department on the Minister's amendments. The Committee noted those. The Committee agreed yesterday that, given the time that has elapsed since the publication of its report and, more importantly, the fact that we have the five-party Stormont House Agreement, which has addressed many of the concerns relating to welfare reform, the Committee is content that it is for individual members to consider their position in relation to the Committee's opposition to clauses, referred to in the Marshalled List of amendments.

I highlight to the House that the Committee opposed 10 clauses in total. In this group of amendments, the Committee opposes clause 99, which deals with payments to joint claimants. There will, obviously, be more detailed discussion of all those matters in the course of the debate. The Committee's concern at the time related to the flexibility that could be applied to payments in terms of the regularity of payments and the splitting of payments. It favoured an approach where the payment would be made twice a month, with an option for a payment to be split between claimants in a household, rather than a single payment per household. In that latter instance, the Committee shared the concerns of stakeholders that having to nominate a member of the household to receive the payment could have a negative impact on the financial independence of women in particular and, therefore, a potentially negative impact on children, given that, in our society, it is still largely the case that women tend to be the main carer and/or the second earner in the family. However, there has undoubtedly been significant progress on this matter and others relating to the Committee's opposition to clauses, which I will come to as the debate develops.

Therefore, as I noted, I leave Committee members to decide for themselves regarding the current position vis à vis that taken by the Committee two years ago. In other words, and very simply, given the fact that the Committee expressed opposition to a number of the Bill's clauses, it took the view that, in the light of the Stormont House Agreement, most — if not all — of those concerns have been addressed in one way or another. Whatever about the precise arguments around the legislation, either by way of legislation and amendments tabled by the Minister and/or the mitigation measures, most of the concerns of members have been met. On that basis, the Committee has mandated me, as Chair, to record to the House that it will not be formally recording opposition to any of the clauses during today's debate.

Let me place on record my thanks to the Committee for the very extensive deliberation it gave to the Bill at that time. An exhaustive amount of work was carried out to make sure that all aspects of the Bill were considered and appropriate recommendations made to the Minister on the basis of those discussions. I thank in particular all the stakeholders who came and gave evidence. I remind Members that that included people from the church and faith-based organisations, the community and voluntary sector, the advice sector, ethnic minority organisations, the Human Rights Commission, the Equality Commission and trade unions. A whole range of organisations made considered submissions, written and oral, to the Committee. It is important to record that the members unanimously agreed a report, which I have addressed in the last few minutes. Therefore, I thank all the people who participated and, in my view, helped to shape the debate from that time. Even though two years have elapsed, all of us will be very pleased to acknowledge that there has been considerable progress made against all the concerns expressed by the stakeholders and the Committee. There is no doubt that much work yet needs to be done.

The Committee and others will remain vigilant as to the effects of welfare reform as it progresses through the Assembly in the time ahead, after the Bill is dealt with and disposed of.

Mr Speaker, with your indulgence, I would also like to make a few remarks as an individual MLA on behalf of my party. Go raibh maith agat for that. I will be brief. I want to make a couple of points in relation to the remarks made by Mr Roy Beggs of the Ulster Unionist Party, who was the first to speak on this group. The remarks of the Member in the House this morning beggar belief. He is a Member representing a party that was joined at the hip with the Tory Government in London as UCUNF (Ulster Conservatives and Unionists - New Force), which promoted the policy and the pledge that has had the effect of imposing swingeing cuts, not only in terms of welfare but to public services, that people right across our community have had to endure. I am delighted to be able to say that other parties, standing against Ulster Unionist commitments at that time, addressed a lot of those concerns.

I want to place something on the record because it is important that the public are aware of all this. During the Committee deliberations on the matter, I conducted a number of bilaterals with all the parties represented in the House, including the Ulster Unionist Party. During those bilaterals, the Ulster Unionist Party never made one single commitment to address any of those issues. I personally had to go to Mr Mike Nesbitt and ask him to give support to his party colleague Michael Copeland, the Member on the Social Development Committee, who told us in the Committee that he was not allowed by the party to make any commitment in relation to the Welfare Reform Bill.

I stand and accuse the Ulster Unionist leader and his party of an absolute abject failure of integrity on that matter. That party stood on a pledge to slash public funding and slash welfare benefits to the most vulnerable people out there and was not prepared to make one single commitment to address it. In fact, only in the last number of weeks, the leader of the Ulster Unionist Party was telling everybody, "We could not get any more money. There was nothing more that we could do. We had a good deal as it was".

Unfortunately for the Ulster Unionist Party, which, in grandstanding —

**Mr Beggs:** On a point of order, Mr Speaker. The Member is factually incorrect in what he is saying. I ask the Speaker to judge whether or not it is appropriate to say that the Ulster Unionist Party did nothing when, almost two years ago, amendments to the Bill were placed.

**Mr Speaker:** It is a question of the cut and thrust of debate. The Member may well, in his remarks, simply be reflecting frustration at the lack of progress at particular times. That is his entitlement, as you were quite forthright in some of your commentary. It is cut and thrust. This is meant to be a debate. I think that we should try to avoid the practice of naming Members across the Floor because it is not conducive to good temper and moderate discussion.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I concur with your remarks. I had wanted to come here this morning in a position to welcome the fact that an agreement was reached by all the parties, in the days before Christmas, that represents a far better deal for the people who we collectively, as parties, represent. That deal allows an awful lot more money to be retained by the people who we represent, and that would not otherwise have been available except for the hard work that was carried out. I would have much preferred to have been coming into the Chamber this morning to give a very clear, positive and constructive message to the wider public that we collectively represent that we have managed to broker a deal that is far above anything anywhere else on these islands and that I am glad that we have been a very important part of that. Unfortunately, because others want to grandstand and, rather than look after the most vulnerable, want to promote themselves, I have departed from what I had wanted to do. As I say, all Members will have the opportunity to address all the issues today. I wanted to place on record the behaviour, attitude of and role that was played by the Ulster Unionist Party, which is leading the debate on this group this morning.

**Ms P Bradley:** I, too, welcome the opportunity to speak on the group 1 amendments at Consideration Stage. I join the Chair in thanking the Committee staff, departmental officials and all those who gave written responses and oral evidence.

Throughout the many hours of the Committee scrutiny of the Welfare Reform Bill, there was, as the Chair said, a consensus across all parties that the Bill required certain changes to meet the needs of our constituents in Northern Ireland. I also recall the many events and panel debates I attended, some of which I would like to forget, usually alongside those sitting opposite. At those debates we heard genuine concerns, not only from voluntary and community groups, but from individuals and the public across Northern Ireland.

Mr Speaker, in this group we address the duties of the Department, administration and assessments. Having studied the fairly lengthy list of amendments, I am drawn to the conclusion that many are either not required or will be dealt with in the regulations. Indeed, Mr Speaker, if some proposers of the amendments had been members of the Committee for Social Development when we were scrutinising the Bill, they would have known that much of the detail will be dealt with in regulations rather than through amendments to the Bill. You will be glad to hear

that I do not intend to speak on all the amendments — and I will keep the rest of my speech brief — but I want to address two of them.

First, I draw your attention to amendment No 4, tabled by members of the SDLP, which sets out a new clause where a claimant is unable to provide the documentation required to progress a claim. This was a concern raised in the Committee during initial scrutiny, particularly how it might affect the vulnerable and claimants who were homeless or living in temporary accommodation. As most of us know, from dealing with benefit claimants through our constituency offices, third-party verification is accepted under current claims and payment regulations. As we also know, this is being transferred over to universal credit claims and payment regulations, and it will allow for third-party verification to continue as it is at present. Mr Speaker, this is just one example of an amendment in group 1 that is not required.

I now turn to amendment No 8. This is another new clause, put forward this time by the Ulster Unionist Party, and relates to the frequency of payment of universal credit. Again, this was an issue about which there was great concern in the Committee and in both written and oral responses. There was grave concern that under the proposed monthly payments claimants would face financial hardship, which would ultimately be borne by the children in those families. It was also well-documented in the written submissions that, instead of having enforced frequency of payment, claimants should have the freedom to choose. Notably, Advice NI commented that the frequency of payment, whether weekly, fortnightly or monthly, should be geared towards meeting the needs of the person and not the system.

As most of us should be aware — and I do find it rather strange that the Ulster Unionist Party is not aware of this — payment frequency was agreed as one of the package of measures by the previous Minister, Nelson McCausland, with the Department for Work and Pensions some time ago. The current Minister went one step further last October by proposing that the default position be twice-monthly.

This is just one of the many amendments that should be dealt with in regulations rather than through amendments to the Bill. As we know, regulations will allow for greater flexibility and, therefore, the right place for much of what is listed in these amendments is in the regulations. Mr Speaker, these are just two examples —

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

**Ms P Bradley:** Yes.

**Mr Beggs:** Will the Member explain why flexibility over payment is needed? Why not put it in the Bill that the default position is twice-monthly? Why would you want to have flexibility to amend this at some point? Why would you not wish the option to go for the monthly basis to be nailed down in the Bill? Will the Member explain?

**Ms P Bradley:** I thank the Member for his intervention. Flexibility allows us to make changes, as we all know and as you have also stated. For some people, two-weekly payments may not be what is required: we may want to change that, but we cannot do so if it is under primary legislation. It is therefore better to deal with it in regulations in case we need to make changes.

Mr Speaker, I look forward to hearing the rationale for the tabled amendments from all the proposers and, of course, how they propose to pay for some of the changes.

I am happy to support amendment No 35 and the opposition to clause 129 standing part, but I will not be supporting any other amendments in group 1.

## 12.00 noon

**Mrs D Kelly:** I am pleased to speak on behalf of the SDLP in relation to the amendments that our party has tabled. Members are, quite rightly, outraged at the petitions of concern against all the amendments. It is an attack on democracy; it is an attack on the House's opportunity to scrutinise fully the implications of the Bill. It is certainly not the reason for which petitions of concern were intended. We all know that petitions of concern were to be deployed only if it was felt that one community would suffer an adverse impact over another.

We all know that the sufferers under welfare reform as proposed by the Tories will be the poorest and most vulnerable in our society. In that regard, one part of our community is going to suffer more of an adverse impact than those who are relatively well off, but, of course, they will be right across the community. It appears that there are now more Tories in the DUP ranks than ever before. I know that a number of them were previously card-carrying members of the Tory party. I deplore the use of petitions of concern in relation to this matter. One might make the reasonable assumption that the late notice of petitions of concern was to save the blushes of the party to my right, which claims that it was stalling on welfare reform in order to get more money from the British Treasury. That money did not come; it is going to come from the other public sectors.

It is ironic that, on the day that we are discussing the Welfare Reform Bill, the media are full of stories about the tax avoidance used by the world's wealthiest companies and individuals in GB society. Last night, we saw the sorry spectacle of many of the wealthiest people tripping into one of the big Tory dinner dances. The Tories have looked after their interests, but they have failed to look after the interests of the poorest. Only four or five weeks ago Oxfam, in preparing for a summit of world leaders, made the case that over 50% of the world's wealth is now held by 1% of the world's population. Many commentators, including, more recently, Pope Francis, have stated that growing wealth inequality is bad for economic development and bad for good governance and is surely morally wrong.

With that backdrop, the SDLP has not been shy about the necessity of welfare reform and improvements to how the system operates; we have put forward amendments in the various groups with the intent of improving the lot of the people who require help through the welfare system. There is no shame in that; it is our responsibility. It has always been our stated intention in relation to the Welfare Reform Bill.

I also note that some Members' remarks and contributions referred to the Stormont House Agreement. The Stormont House Agreement contains no more than six lines on welfare reform, the introduction of the legislation and the flexibilities. At yesterday's Committee meeting, when officials explained the Minister's amendments, we learnt that agreement on how some of the mitigating measures

are to be introduced has not yet been reached by the Executive, so we are operating in somewhat of a vacuum in relation to the Bill. It would have been much more useful, and we probably would not have been so sceptical, if we had the two in tandem before the House today. We could have spoken with greater information before us.

We are going to listen carefully to the Minister's commitments in relation to some of the amendments that we have tabled. We will see whether or not he will commit to bring forward regulations that will allay some of our concerns in relation to the new clauses that we are tabling today.

I will address our party's proposed clauses. Mr Beggs quite rightly said, in relation to amendment No 1 to clause 4, that the SDLP had a similar amendment. We are happy to support that amendment, which will help when there is a breakdown in a family relationship or a lack of cooperation so that one family member will not suffer.

I will move to amendment No 3, which proposes a new clause after clause 6. It is similar to the amendment that Roy Beggs proposed. We just felt that ours was in a different place in the Bill; it is more just a question of where it is positioned rather than any of the policy intention.

Amendment No 4 proposes a new clause that would allow third parties to obtain documents necessary for a claim where claimants cannot obtain it themselves. I think that is fairly self-explanatory. I note that there is also a petition of concern on that; you would have to ask why that is, other than that regulations might deal with it. We will wait to hear what the Minister has to say. Amendment No 4 inserts a new clause on the provision of claimant documentation when making a claim for universal credit. It provides that, where a person cannot provide all the required documentation to make a claim, there is provision made for third-party verification in lieu of required documentation, including identity documents, so that the claim can be made. As Ms Bradley said, this was something that the Committee had similar concerns about when it, some two years ago, scrutinised the Bill. Again, we will wait to hear how the Minister is going to deal with that issue.

We think that it is important to table amendments so that we can hear from the Minister and get commitments on the Floor of the House in relation to how we move forward.

Amendment No 9 relates to preparing claimant commitments and states that the Department must have due regard for the claimant's skills, experience, caring responsibilities and physical and mental ill health. This is important because we all, across our constituency offices, have concerns in relation to the types of jobs that people are being expected to undertake, where the skills and experience do not match the work that people are being asked to take up. I do not think that there are many people who would not express some difficulty and require retraining. We are seeing this against a backdrop of savage cuts to the DEL budget and to employment and training. Of course, given the number of redundancies that some people are experiencing, not least in north Antrim, where 800 people are set to lose their jobs, there is an obvious need to spend money on retraining. We have concerns that opportunities are not going to be there for people. We also have concerns about zero-hours contracts, which are on the increase. I think that they are totally immoral. We see an increase in temporary, part-time, low-paid jobs.

I think that the vast majority of people who find themselves unemployed want to get back into the workplace but for some who are in their 40s or 50s, it is difficult. I believe that there should be greater opportunities and that cognisance should be given to their life experience and job experience. The Government and Departments should be in a position to help people to retrain and prepare themselves for a different workplace.

I just want to make one other general point. We do not yet have a robust childcare strategy in place. Over recent weeks, we have heard about the soaring costs of childcare. It is all right for people who have never experienced unemployment to make assumptions about people being work-shy, but that is not so in the vast majority of cases. The majority of people want to get out to work because they think that it is better for their self-esteem and self-confidence, and it provides a better role model for their family. If family income is reduced to such a level that there are increasing levels of poverty and more children in the North of Ireland living in poverty, I can understand why people have to make the choice about whether or not they take up a job and how that impacts on their family.

The Tories' agenda of making work pay has not been accompanied by more robust measures for tackling some of the loopholes that employers use in the provision of terms and conditions for such employment. It is a matter of regret that the Executive have not yet got their head around providing good, affordable childcare to enable people to go back into the workplace.

I will now turn my attention to amendment No 8, which introduces the default position of an award of universal credit being paid twice monthly unless a claimant or joint claimants opt to be paid monthly. I heard what Ms Bradley said, and I hope that the Minister will address this. We will listen carefully to that and make a judgement later in the day as the debate continues.

Amendment No 9 is about the Department's regard for a claimant's skills when completing a claimant commitment. We need to be assured that people have the right help at the right time, because we all know how complicated many of these forms are. In our constituency offices, we can hardly keep up because of the changing nature of such forms. It is true to say that, while a lot of welfare reform has to be agreed by the House, it is also the case that other welfare reform comes from Westminster. Some childcare and tax vouchers, for example, are non-devolved matters, so there is already a very changed landscape, and it is difficult for professionals to keep up, never mind people who find themselves being in circumstances in which they first have to enter that system and have never been unemployed before.

In amendment No 11, we ask the Department to:

*"take account of relevant medical evidence including evidence of mental ill health".*

I heard what others said about how that is currently the case, but, given the track record of Atos in particular, it is very clear to me in my constituency work and representational role that quite a bit of evidence is set aside. There are different interpretations by a number of health-care professionals who have medical evidence before them but disregard it.



I will give you one particular example as to why I am concerned. I represent a lady who has an arthritic condition called ankylosing spondylitis, which is a degenerative chronic condition. It means that she was not able to continue in her job as a home help, as it used to be known. The health-care professional who made the assessment was a qualified nurse, but she turned the lady down and gave her nil points for that disability. When I represented the lady at appeal, the GP on the panel was disgusted and absolutely shocked and could not believe that this level of medical evidence and knowledge was set aside. It would seem that some of the very energetic members of Atos, in their attempts to refuse people —

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

**Mrs D Kelly:** I will, yes.

**Mr F McCann:** I understand what you are saying, but I find it rather strange, given that it was your Minister who introduced the legislation that brought Atos into power. When it was appointed, there was the privatisation of medical support services, and, in the first year, from June 2011 to 2012, 13,740 claimants were removed by Atos. It was your Minister who brought it in, yet you are standing here today crying crocodile tears over it.

**12.15 pm**

**Mrs D Kelly:** I do not see any crocodile tears in evidence. I am merely stating fact. I do not think that my colleague sent out a job description that asked all those healthcare professionals who would disregard the evidence and turn people down to apply. We certainly acknowledge that a job of work is required to be done, and we expect the highest professional standards in carrying it out.

The SDLP has not, in any shape or form, defended Atos's track record. I believe that the contract has now been awarded to Capita. Mr McCann's blushes will be saved somewhat later today by the DUP's petition of concern when he goes through whatever Lobby he chooses. So, I think that you have more questions to ask of your party colleagues.

The system has always been that people put forward medical evidence. We are asking that there is acknowledgement of evidence of mental ill health. I have represented people at appeal who have chronic and enduring mental health conditions for which there is no cure. Those people have management regimes that usually involve medication. I believe that there should be greater cognisance of that and that a greater onus of responsibility should be placed on the assessors. Some of them behave as though they are the red coats who run around doing parking tickets as though there is some sort of reward voucher scheme for turning people down.

I think that over 40% of appeals have been won. People are talking about the cost, but if we get it right and put the right people in to do the right assessments to get the right outcomes, costs can be reduced for appeals. More importantly, the people who are at the other end of those appeals will not have to suffer the stress and anxiety that goes with them. The number of people who I have had to take aside so that they can dry their tears before they even go in to the appeal is very humbling. Those are not occasions that anyone looks forward to, and we should not be robbing people of their basic human dignity. We should be there to support them. That is what the welfare state

was created for. It was created to give human dignity to people and to put people at the centre of a society where they are treated more fairly and equally. It was not created to reduce them to snivelling wrecks as they go to an appeal to get what they are rightly due. That is why we are looking for tighter regulations, but if the Minister has something to say, we will listen carefully.

Amendment No 12 looks at, as Mr Beggs referred to, victims of hate incidents and at allowing some leeway in observing claimant commitment. We looked particularly at domestic violence in that context. Only yesterday, I had a victim of domestic violence having to go for repeat ESA interviews. I advised them that, as I understand, there is a commitment from Minister Storey's predecessor to victims of domestic violence. Given the huge rise in the number of domestic violence incidents that are coming to our police service's attention, the House should address and take seriously that vulnerable group's needs. I ask Members to think carefully about that.

I also ask that this amendment not be subject to a petition of concern. I think that that would be a very good statement from the House about our commitment to those people who suffer from such attacks. I remind Members that a person who comes forward to the police for help or to make a complaint will usually have suffered a minimum of 35 incidents of attack or assault. So, we are talking about people who are in crisis and at a very vulnerable time in their life. I ask Members to reflect carefully on that.

Amendment No 13 deals with similar issues.

In amendment No 17, we are asking the Department to bring in a replacement to the independent living fund within 18 months of the Bill's commencement. I note Mr Beggs's comments about commitments that my colleague Mr Ramsey got. Mr Ramsey will address that amendment later. I think that he had some discussions with the Health Minister about that. We will check that out, and Mr Ramsey will hopefully inform the House of where that commitment is and of how satisfied he was by what the Minister said.

Amendment No 19 deals with evidence of mental ill health. In a society coming out of conflict, there has to be recognition that instances of mental ill health are on the rise. People are suffering. A lot of workplace absenteeism is now noted as being as a result of stress and anxiety, so mental ill health is a cause for concern to me and, hopefully, to the House.

I have touched on victims in another amendment. A difficulty for some families who were victims of the conflict and who I have represented is having to relive and open their wounds again as they have to tell another person why they should get support. It really is opening up that emotive, raw state for them. That is one of the reasons why we want sensitivity in the Department in relation to these amendments. As a former occupational therapist who worked in a psychiatric unit about 14 years ago, I recall vividly a senior psychiatrist remarking on the numbers who were presenting at that time with mental ill health as a consequence of the Troubles, so we are only starting to see that pattern emerging. Her words were prophetic, and I think that has been on the increase.

You have to look to young people in particular and the level of suicides, so we have to take proper recognition of mental ill health. It is not something that someone glibly puts down who wants to be pigeonholed. I hope that the

Department takes greater awareness and cognisance of any medical evidence in relation to mental ill health.

Amendment No 36 is similar and deals with the same subject as amendment No 19. We will listen carefully to what Mr Agnew says about amendment Nos 37, 38 and 39 in relation to the assessments and why he believes they should be carried out by a trust or GP. Some Members said that they already will be and that it might be some sort of agreement with the various trusts in relation to the release of health-care professionals. After speaking to Mr Agnew yesterday, I believe that some of the intent of the amendments was around accountability. I look forward to hearing further from him during the course of today's debate.

I met Mr Agnew also in relation to amendment Nos 43 and 44. Amendment No 43 is "cash" in its broadest terms. It is around the bank Giro cheque and the Post Office account. We all know that there has been a crackdown by the banks on people opening accounts and moving money about. They have to give greater explanation to their bank, and a minimum requirement is two utility bills. For people who find themselves homeless or in sheltered or hostel-type accommodation, that proves to be an onerous task. I believe that Mr Agnew will refer further to that. It is an amendment that we are minded to support in relation to the difficulties that people find themselves in when opening bank accounts. Again, we will listen carefully to Mr Agnew's contribution on amendment Nos 44 and 45 and the policy intent behind them.

Amendment No 53 is the one that I referred to a few moments ago in relation to taking account of victims and survivors. We have, over many years, given various commitments as a society to the victims of the conflict. Sadly, not very many of them have materialised. This would be an important statement by the House that special recognition is given by the Assembly to people who continue to suffer the trauma of the past. I ask the DUP not to deploy the petition of concern on this clause. I ask it not to deploy a petition of concern against any of the clauses, but, in particular, I ask for some recognition to be given to the sensitivities of this clause.

Amendment Nos 57 and 74 are from Mr Agnew, and we, as a party, give a commitment to hear him on the matter.

That ends my contribution on the first group of amendments. We, as a party, have shown responsibility and concern for the most vulnerable. We have done what we said we would do in the tabling of these amendments.

**Mr Dickson:** I will just take some time to welcome the long-awaited return of the Welfare Reform Bill to the House, two long years after its original introduction. In that intervening period, we have had nothing but crisis and deep anxiety across the community over this key piece of legislation: crisis from an Executive seemingly failing to reach agreement and putting the power-sharing institutions at risk of collapse, at not insubstantial cost to the community and certainly in excess of £100 million; and, as a result of scaremongering, a pervasive and unwarranted anxiety amongst the people who we represent, many of whom are the most vulnerable in our society.

It is for those two reasons that I commend the agreement reached at Stormont Castle and Stormont House to move this key piece of legislation forward. It is time to end the crisis and anxiety and to implement welfare reform alongside the concessions and the mitigation measures

that were won and agreed. Those are agreed mitigation measures, yet, listening to some of the debate today, one would wonder whether anybody was ever at the game when the agreement was being made.

These concessions will protect the most vulnerable from the most unjust and harshest measures passed by a Conservative-led Westminster Government. For the record and for Mr Nesbitt, I am not, nor have I ever been, a member of the Liberal Democrat party. I am a proud member of the Alliance Party. Those are the two feet that I am standing on in the Chamber. I also wish to state for the record that our Member of Parliament sits in opposition to that Conservative Government at Westminster. She voted in opposition to that legislation.

The Alliance Party considers that the Stormont House Agreement was a reasonable and honourable attempt to reach compromise. It was a five-party agreement, unless I hear disagreement in the Chamber today. We expect to see the whole agreement put in place. It is an entire process, and it is important that it is put back on track. I accept and understand that some of the agreement was made behind closed doors. The exceptional nature of the problems that are faced required exceptional responses. However, I have to call out the cynical attempts today of those using this legislation to do nothing but electioneer. Some who nodded this compromise through when the agreement was made have now decided to play politics in order to gain what they see as an electoral advantage or perhaps a chance to launch personal political ambitions; maybe there are a few leadership bids under way in the Chamber.

I wish to place on record my and my party's dislike of the unilateral use of petitions of concern, particularly by the DUP. Use of a petition of concern as a negotiating tactic is not what they were intended for, and I consider it unacceptable. Such actions could ultimately unravel the agreement and the hard-won concessions that neither Scotland or Wales have been able to secure. Nevertheless, I recognise the contribution of others in the debate and those who were not party to the Stormont Castle or Stormont House agreements. I have some sympathy for the proposals made by Mr Agnew, and I will listen to what he has to say. I think that a great many of the amendments proposed today can and will be dealt with by the Minister in his response to the House, but it is important that every one of them is costed.

#### 12.30 pm

On the amendments, the Alliance Party will honour the Stormont House Agreement. We made an agreement. We are an honourable party and will stick to our agreements. We can and will today support those amendments that are agreed, because to do otherwise would be to undermine an agreement that all party leaders accepted and signed up to. We also point out that many of the amendments relate to making regulatory powers for things that are already done or will soon be done. We are sympathetic to many of those amendments, but we expect the Minister to allow all-party input to them through regulations that will come to the Committee. We will listen to what he has to say. For Alliance, implementing this legislation in a way that protects the vulnerable, without stopping the legislation, will be done when the regulations are produced.

I turn to the group 1 amendments, specifically, the proposed amendments pertaining to the Department, the administration and assessments. During the Committee Stage of the Bill, the frequency of payments was often cited by those in the social sector as a serious cause of concern. It was stated that the proposed monthly payment arrangements, as implemented in the rest of the UK, would likely cause undue budgeting pressures on society's most vulnerable. The Department has taken that on board, and will apply a default fortnightly payment schedule for welfare recipients. A requirement, therefore, is not a necessary part of the Bill and contradicts the mechanisms agreed by the Executive parties. I am satisfied that progress has been made on this issue.

With regard to amendment No 12, the Alliance Party has been one of the stronger proponents of the more comprehensive support for people affected by hate crime. Sadly, hate crime is on the rise in Northern Ireland and has a serious and pervasive effect on the lives and families of those affected, many of whom require rehousing and a period of recovery. Therefore, not only are measures in our welfare system to accommodate hate-crime victims appropriate and just, it is important that we avoid inflicting further trauma as a result of welfare sanctions. The Department has indicated that such mechanisms will exist through good cause, a clause contained in the Bill. I am content to support this; however, it is only appropriate that we keep the operation of this under close scrutiny to ensure that it functions as intended and supports victims through their period of recovery.

Another issue that was highlighted repeatedly in welfare reform in the rest of the UK is the need for a solid medical basis on which to make assessments. We will therefore support the amendment No 35 proposed by the Ulster Unionists in that regard. This will ensure that the relevant medical evidence is taken into account when assessing a person's ability to carry out daily living or mobility activities. However, that raises the question of how the medical evidence is obtained, at what cost and how qualified is the assessor in interpreting the medical documentation. I believe that these questions are yet to be fully answered, but I think those matters will be dealt with through regulation.

To ensure a system that is fit for purpose, I call upon the Minister and the Committee to investigate these issues in depth and establish that appropriate and fair measures are put in place. In concluding on this section, it is vital that I highlight the mitigating measures in regard to such issues that have been agreed with Treasury. Anything else that is uncostered is not likely to proceed in the House today and would cause a further burden on an already over-stressed and stretched Budget. Furthermore, the terms of agreement are much more favourable than those presented in the rest of the United Kingdom. We must support the structures as agreed or face losing these concessions and returning to the crises, anxiety and inaction of the previous two years.

**Mr Speaker:** The Business Committee has arranged to immediately after the lunchtime suspension. I propose, 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 12.34 pm.*

*On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

### Enterprise, Trade and Investment

**Mr Deputy Speaker (Mr Dallat):** We will start with listed questions.

#### Air Carriers: Incentives

1. **Mr Ó Muilleoir** asked the Minister of Enterprise, Trade and Investment how her Department intends to incentivise transatlantic carriers to introduce new routes to Belfast International Airport. (AQO 7534/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** My Department works closely with Belfast International Airport to encourage new transatlantic routes with business and inbound tourism potential. That support is provided in a number of ways. For example, Tourism Ireland cooperative marketing support is available for transatlantic services. We also provide practical support for Belfast International Airport and our other airports by taking a stand at the annual World Routes conference. Another important factor in encouraging transatlantic connectivity has been the decisive action by the Executive to eliminate air passenger duty (APD) on direct long-haul flights.

**Mr Ó Muilleoir:** Go raibh maith agat a Aire. Thank you, Minister. I recently spoke to the chief executive of Belfast International Airport. I also met the owners of the airport in Toronto and I met Massport, which owns Logan Airport in Boston. There is definitely interest in a transatlantic flight, but we are falling down at the minute because there are none out of Belfast.

Does the Minister agree that now is the time for a concerted and united push by the new owners of the airport, Tourism Ireland, Belfast International Airport and our many ambassadors to try to bring in the number of transatlantic visitors that we would like? That is especially the case given the success of Dublin Airport. As the Minister knows, the road is a big help, but it goes both ways.

**Mrs Foster:** I thank the Member for his question. In his supplementary question, he acknowledged the importance of connectivity for us in Northern Ireland and the fact that we need more international flights. We are pleased that the Newark flight continues to be a success, although we were disappointed last year, when the flight was dropped to 10 months a year from 12.

I acknowledge that much work needs to be done, and I hope to meet representatives of some Canadian airlines again later this year. However, we are in direct competition with Dublin Airport. It now has four direct flights to Canada, and that is causing us difficulties in trying to achieve more connectivity, particularly with North America.

I welcome the increased connectivity with Europe and, if things go according to plan, that will increase again this year. I am very pleased about that, but we need to increase the connectivity with North America, in particular,

and I would welcome any offers of help that would help us try to achieve that.

**Mr Kinahan:** When will the Minister, or will she, use her influence in the Executive to help create the enterprise zone at the international airport, with the tax incentives and infrastructure, and help make that airport not just the lead airport in Northern Ireland but possibly, one day, the lead airport in the whole of Ireland?

**Mrs Foster:** I thank the Member for his question. Of course, he is referring to the new chief executive's ambitious plans, which I welcome, for the land in and around the international airport. He has talked about creating an enterprise zone, but, as yet, only one area here has been designated by Her Majesty's Treasury as an enterprise zone and that, of course, is in Coleraine. No other areas have been designated as enterprise zones yet. We are very happy to work with Graham and his team at the international airport to market the opportunities for having such close proximity to an international airport, and we will continue to do that.

We will also continue to work with Graham and the other airports to look at the opportunities that have been presented by the Department for Transport fund that has been made available for regional connectivity throughout Europe. The House will know that there have been quite stringent guidelines in relation to helping airports develop their routes. This has been slightly relaxed, and we are looking forward to encouraging the airports and airlines to bid into that Department for Transport fund and try to bring some of that money to Northern Ireland.

**Mr D McIlveen:** I thank the Minister for her answers so far. She will, of course, not be surprised that I entirely support the Member of South Belfast's sentiments and his call for greater transatlantic connectivity. However, we would perhaps struggle to encourage direct connectivity to areas like China, India and Russia that we are seeking to do business with. Would the Minister support the proposed expansion of Heathrow Airport, and would she see it as having a long-term benefit to Northern Ireland's economy, as well as to the south-east of England?

**Mrs Foster:** I do think that the expansion of Heathrow will bring greater benefits for Northern Ireland because it is the hub for us in the UK; it is important for us. I welcome the fact that the British Airways flight from Belfast goes into terminal 5, because that allows easier connectivity for travellers. Indeed, I flew into terminal 5 for the first time last week since the changeover, and it was very smooth and easy, even if it was a point-to-point access to London. I have written to the airport's commission. Sir Howard Davies came over and met the Minister for Regional Development and me in 2013. I have written to him again to stress the importance of Northern Ireland's connectivity into that UK hub, because, of course, he is absolutely right to stress that we will not have a direct link into those onward international travel destinations, so we need to be able to access those in as easy a way as possible.

**Dr McDonnell:** I thank the Minister for her comments so far. I, too, recognise the importance of transatlantic flights. What recent discussions has she had, if any, with the British Government in London on reducing APD rates on short-haul flights? While long-haul flights are important, short-haul flights are doubly so, as a lot more people use

them, and the cost of those flights is prohibitive in some cases.

**Mrs Foster:** I thank the Member for his question. He will, of course, know that the Executive were successful in devolving APD for long-haul flights. We have a zero rate for long-haul flights, so the flight to America does not attract any air passenger duty. I have had meetings with two airlines in the past two days, and each of them raised the issue of APD and the fact that it is a barrier to growth in UK markets. I say to them, as I say to you, that I absolutely support them in their campaign to have air passenger duty abolished across the United Kingdom, because it is having a disproportionate impact on regional airports outside London. London will always have the throughput of traffic, regardless of air passenger duty. However, it presents a problem for those of us in regional airports, and, therefore, we need to continue to push. I welcome the Member's support to continue to push against air passenger duty, and I will certainly raise it with the Government in future.

## Corporation Tax: Block Grant Cost

2. **Mr McGlone** asked the Minister of Enterprise, Trade and Investment to outline any recent discussions she has had with her Executive colleagues and others on the cost to the block grant of reducing the rate of corporation tax in Northern Ireland to 10%. (AQO 7535/11-15)

**Mrs Foster:** Ultimately, it will be for the Northern Ireland Executive to agree on what any new rate should be set at. The push for the devolution of corporation tax powers has tended to be viewed with a perceived move to a rate of 12.5%. As a result, discussions on the block grant adjustment for a reduced rate have also tended to focus on the public finance consequences of moving to a 12.5% rate. An even lower rate of corporation tax would require a bigger adjustment to public finances but would also be more attractive to investors.

**Mr McGlone:** Mo bhuíochas leis an Aire chomh maith. My thanks to the Minister as well. Given that the Minister had introduced the notion of the reduction to 10%, what costing was made around that as to what the further reduction might cost in monetary terms and its potential impact on the block grant as a consequence?

**Mrs Foster:** I am very pleased to hear that the Member thinks that I introduced the concept of a 10% rate. It was not me; I would like to take the credit for that, but it was not me who introduced it. That has been DUP party policy on the rate of corporation tax for quite some time, because we believe that we should undercut our nearest competitor instead of going to the same level as it. However, I am a realist, and I understand that the Executive take the decision on corporate tax. If you were to ask me where I think it will settle, I understand that it will settle in and around 12.5%. The lower rate, of course, would bring us more potential for jobs, but it would cost more to the public finances; there is no point in saying otherwise. That has to be taken into consideration as well. I believe that we will settle in and around 12.5%, but, of course, that is a matter for the Executive.

**Mr Dunne:** I think that it is right that we welcome the Minister back from her travels, where she was selling Northern Ireland to Dubai. I think that we all recognise the excellent work that she does and the energy and commitment that she puts into it. As there is no doubt



that the rate of corporation tax will be an added incentive to attract new companies into Northern Ireland, does the Minister believe that companies will be attracted in advance of the rate being reduced?

**Mrs Foster:** Some of the work that has been carried out by the Northern Ireland Centre for Economic Policy points to the fact that we will see a benefit, albeit a small benefit, before the rate is reduced. That is because, once the rate has been settled by the Northern Ireland Executive and the date for implementation has been settled, Invest Northern Ireland will start competing for those new types of jobs. It may be the case that some of those companies might like to relocate or set up a new business in Northern Ireland before the rate kicks in. That is because business plans and investments are normally set two to three years in advance. We should have a clear view on which companies will come in that first year if we get out and start selling the rate and the date in the near future.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí go dtí seo. Is the Minister advocating a proposition similar to that of the Smith commission in Scotland, which talks about the local retention of any increased tax take as a result of a change in local policy on corporation tax?

**Mrs Foster:** Of course we are going to gain from the corporate tax take because we are paying for it through our block grant. We will gain the benefit from whatever increase in corporation tax we get. Obviously, there will be a cost initially, and that will not come all in one year. That cost will be tapered up to 2020. That is why we need to get out and start getting the benefits of a lower rate of corporation tax as soon as possible.

**Mrs Overend:** Does the Minister recognise that the issue is not just about matching or undercutting the Republic's rate? Rather, does the Minister agree that there is a need to ensure that Northern Ireland has a full basket of measures to accompany the lower rate of corporation tax, including a super-skilled workforce and a major expansion of A-grade office accommodation?

**Mrs Foster:** I thank the Member for her question. I have never indicated that it is corporate tax alone that will bring a more sustainable economy and give us the growth of 10% to 12% that we will believe will happen if we have a lower rate of corporation tax. That will only happen if we have the correct infrastructure in place, be that telecoms, hard infrastructure — road infrastructure, in other words — or the softer infrastructure that we need, by which I mean skills. We also need to have the appropriate messaging going out as well because we want to send out a very positive message about Northern Ireland as a place to invest in and to do business in. Whilst we have always had a very talented workforce here in Northern Ireland, as I said on many occasions, we now have the tax proposition as well, so we have tax and talent. We must concentrate on that messaging and get it out across the world.

### Corporation Tax: FDI Impact

3. **Mr Attwood** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact on foreign direct investment of reducing the rate of corporation tax in Northern Ireland to 10%. (AQO 7536/11-15)

**Mrs Foster:** Ultimately, it will be for the Northern Ireland Executive to agree on what any new rate should be set at. Research to date has focused on moving to a reduced rate of 12.5% and demonstrates the significant economic benefits that this can bring, not just in encouraging foreign investment but investment from local firms. An even lower rate of corporation tax would likely be more attractive to investors but would also require a bigger adjustment to the public finances.

**Mr Attwood:** In answer to the previous question, you rightly referred to the talent of our people in terms of their skills. That point was recognised last week by one of our entrepreneurs, who acknowledged that, because of the skills in Belfast, it has now become a digital capital. Does the Minister recognise that, on the far side of any reduction in corporation tax, there is a risk that regional imbalance will be compounded as businesses are attracted to Belfast because of the cluster of talent in Belfast, which may not exist in other parts of Northern Ireland? Do you recognise that as a risk that is proven by international experience, and will you outline how that risk might be mitigated?

### 2.15 pm

**Mrs Foster:** I thank the Member for raising that issue. He will know that capital cities are always different to the regions. That is recognised in the Republic of Ireland and in the rest of the United Kingdom as well. He mentioned the risks about skills, which is why we must have strong further and higher education colleges across Northern Ireland and for them to be aware of their skills base, what they need to grow their skills base and how they can develop a unique selling point for their regional area.

I do not think that every regional area should go after the same types of job, because it will then become a race to the bottom. It is important, therefore, that everybody identifies their unique selling point. We are starting to have that discussion in the Executive subcommittee on regional opportunities, which has met for the first time. Since that meeting, I have had a very good engagement with Londonderry Chamber of Commerce and many other players in the north-west to try to find out what they feel their unique selling point is. I hope that that will be replicated around Northern Ireland so that we can have differences across Northern Ireland but strongly send out a message of talent and tax.

**Mr G Robinson:** I thank the Minister for her answers so far. Does she believe that we have sufficient skills in the Northern Ireland workforce, especially in my East Londonderry constituency, to attract more foreign direct investment into Northern Ireland?

**Mrs Foster:** Skills are vital to attracting high-value foreign direct investment. Our workforce is a key part of that and is what makes us a very successful story for foreign direct investment in the United Kingdom. Now that we have, or will have, corporation tax as a tool in our box, we need to further implement that tax and talent message. That will happen not just in East Londonderry but right across Northern Ireland.

It is a collaborative effort that needs to be taken on not just by Invest Northern Ireland but by other members of the Executive to look at the whole picture of what a constituency has to offer and to work with the super-councils. Invest Northern Ireland is now working more

proactively with the new chief executives of the super-councils. It is certainly down to the fact that, for example, regional support initiatives are being devolved to the councils, so there will also be more economic powers for the councils. It is a collaborative effort, and I look forward to working with councils across Northern Ireland.

**Ms Sugden:** I did not intend to quote the Minister's response, but here goes. Does she agree that, along with corporation tax, Project Kelvin and the imminent enterprise zone will create a global unique selling point for Northern Ireland, which happens to be in my constituency in Coleraine?

**Mrs Foster:** Yes, and I hope that the lower rate of corporation tax will make local areas look at what they have to offer, how they can package that together and market it, and how they can make it better. The Member is right to mention Project Kelvin, because it is an absolutely fabulous story to tell, particularly to our American counterparts, so that they know that information can leave Northern Ireland and get to the east coast of America more quickly than it can go from the east coast to the west coast of America. That is a fabulous story, so I hope that that is the sort of collaborative thinking that will go on across Northern Ireland.

## Jobs: North Antrim

4. **Mr McKay** asked the Minister of Enterprise, Trade and Investment for an update on her efforts to secure additional jobs in North Antrim. (AQO 7537/11-15)

**Mrs Foster:** Invest Northern Ireland continues to support job creation, business growth and investment in North Antrim. Between 1 April 2011 and 30 March 2013, it made 661 offers of support to companies in North Antrim, offering £14 million of assistance, which contributed to total investment in the constituency of over £70 million. That has led to the promotion of 848 new jobs in the area. Invest collaborates with local stakeholders to review the features and benefits of North Antrim to maximise opportunities to secure additional jobs.

**Mr McKay:** I thank the Minister for her answer. Does she agree that Invest NI could do a lot better for North Antrim, especially in comparison with constituencies around Belfast? Will she also agree that, to arrest the decline, North Antrim and, indeed, Ballymena should be prioritised, given the jobs that have gone at the Patton Group and the jobs that will go at Gallaher. Does she agree that North Antrim needs to be a priority area for investment?

**Mrs Foster:** I hope that every area is a priority area for Invest Northern Ireland. Indeed, when the Member and other colleagues look at the figures for economic activity in their area, I implore them to look not just at the jobs created through foreign direct investment but at those created through local indigenous companies and, indeed, at start-ups in their own area. North Antrim has had a huge number of start-ups — 1,554 — over time. That is 178 indigenous start-ups per 10,000 of the population. That shows a very entrepreneurial spirit in North Antrim. The unemployment rate is one of the lower rates in Northern Ireland, sitting at 3.6%, as opposed to the Northern Ireland rate of 5.7%. So, I am sure that the Member will want to be positive about his constituency and what it has to offer.

**Mr Allister:** Can I quote the Minister some other figures that came from her in answer to Assembly questions? In the last five years, North Antrim has had eight foreign direct investment visits. In the latest figures, which are for 2014, North Antrim had one of the lowest levels of Invest NI contribution, at 1.9% of the whole of what was invested in Northern Ireland. In the last three years, North Antrim has had —

**Mr Deputy Speaker (Mr Dallat):** Sorry, can the Member please come to a question?

**Mr Allister:** — 574 new jobs compared with 1,310 in the Minister's constituency. Why is she not playing fair by North Antrim?

**Mrs Foster:** Again, I say to you, Mr Deputy Speaker, that Members need to look at the whole picture when they are looking at their own areas and should not pick out statistics that suit their negative agenda. It is disappointing that Members do not want to be positive about their own area, because when foreign direct investors look at an area, they look at what its representatives are saying about it. That is true not just for North Antrim but, indeed, for other areas in Northern Ireland. So, if a negativity is coming out of that particular area, they will know that the people are not pro-business, that they do not want to move ahead and that they are looking at the negative points in their constituency. The Member needs to look at all the statistics on North Antrim, not just some.

**Mr Allister:** Eight visits.

**Mr Deputy Speaker (Mr Dallat):** Order, please. I remind Members on both sides and at the back of the House not to make remarks from a sedentary position.

**Mr Frew:** Whilst other representatives of North Antrim play the area down, I most certainly will play the area up. We have some great indigenous companies in North Antrim and throughout County Antrim, which benefits all our constituents. What is the Minister doing to help those companies to grow and to find new export markets?

**Mrs Foster:** I think that the emphasis should be on looking to those new export markets for our indigenous companies. That is why we spend a lot of our time looking for new markets and bringing companies through to new markets. Just today, SDC Trailers announced that it was doing significant business in Saudi Arabia. Whilst that is not a company from County Antrim, it is from not too far away. That is a very good pointer to other firms that they need to get out and to sell into those markets, because that brings jobs to the local area. I have seen that happen with Wrightbus, obviously, which is a stellar company in the Member's constituency. I have also seen it with Randox next door in South Antrim, which recently announced 540 new jobs for the area. That is not just for the town of Antrim, of course, although it will very much welcome it; it is for the wider area as well. So, there is some very good news about indigenous companies in Northern Ireland.

## Tourism: Visitor Numbers

5. **Mr Campbell** asked the Minister of Enterprise, Trade and Investment, following the staging of several high-profile international events, to outline how Tourism Northern Ireland plans to build on visitor numbers. (AQO 7538/11-15)

**Mrs Foster:** International events such as the Irish Open and Giro d'Italia attract large numbers of visitors, showcase Northern Ireland on a global stage and give us the opportunity to drive further visitor numbers through the positive perception that they create. Tourism Northern Ireland has successfully used major events to profile Northern Ireland as a visitor destination through award-winning marketing campaigns.

However, marketing and promotion is just one aspect. To grow visitor numbers and, more importantly, visitor spend, we need to ensure that we invest in the product offering, develop visitor-inspired experiences and increase the capacity and competitiveness of our tourism industry. These are key work streams for Tourism Northern Ireland, which will continue to successfully use global iconic events as a catalyst for tourism development and growth.

**Mr Campbell:** There is nothing like being prepared. The Minister will be aware that the Open is due to come to Royal Portrush in the next few years. Hopefully it will be a very successful event for all of Northern Ireland. Will she plan not just for the preparation for the Open, which I know is well under way, but for the success that would follow such a magnificent event?

**Mrs Foster:** Yes, absolutely. It is appropriate, when the Member asks me a question, that I mark today the passing of one of tourism's great ambassadors in Northern Ireland, Martin McCrossan. Let me pass on my deepest sympathy to Martin's wife Sharon and his family. He was a great ambassador in the Member's city and brought many tours around the city's walls. We will miss him dreadfully from tourism in Northern Ireland.

Work has already begun on the infrastructure for the Open. Indeed, some money is set aside in the budget this year for infrastructure works. That will continue, and then we will look to build on that. I hope that it is not a one-off, Mr Campbell. I hope that it is the start of our being on the rota for a good number of years. I have every confidence that Royal Portrush will be able to deliver that.

**Mrs McKevitt:** As the Minister well knows, when you are trying on an all-island basis to attract the likes of sporting tourism etc into areas, particularly around south Down, where a fine example will happen now in May, the lack of available bed space to attract major events is a huge problem. What will Invest NI do to try to open up investment to those who are looking to bring extra bed space to the likes of south Down in particular?

**Mrs Foster:** As the Member knows, Invest Northern Ireland deals with tourist accommodation grants. Of course, it is ready and willing to work with any private sector company that comes forward with a tourist accommodation programme. Unfortunately, there have not been any to date. I did notice that my ministerial colleague has been doing some work in and around Portrush on tourist accommodation. I have not had the opportunity to speak to him on whether he intends to look elsewhere as well. Maybe that is something that the Member would like to follow up with him.

## G8: Economic Legacy

6. **Mr Elliott** asked the Minister of Enterprise, Trade and Investment for her assessment of the economic legacy of hosting the G8 summit held on 17-18 June 2013 at the Lough Erne Resort, County Fermanagh. (AQO 7539/11-15)

**Mrs Foster:** The G8 summit provided Northern Ireland with the opportunity to reach a new and diverse global audience with an entirely new message about Northern Ireland and its people, landscape and economy. The benefits associated with an event such as the G8 summit are focused on the increased investment, tourism and trade opportunities that the global exposure might present.

Northern Ireland immediately capitalised on the exposure generated by the G8 summit by hosting a very successful investment conference in October 2013. I was also encouraged to note in the final evaluation report that 71% of the Northern Ireland tourism industry believe that the G8 will impact positively on the future growth of tourism in Northern Ireland.

**Mr Elliott:** I thank the Minister for that update. Prior to the G8's coming to Fermanagh, was the Minister given any assurances about improvements to mobile telecommunications? If so, was that borne out after the G8 was over?

**Mrs Foster:** We were given the assurance during the event that there would be the appropriate telecoms in place to deal with such a major event, because one thing that we wanted to ensure was that people did not leave the event feeling that they were in a backwater and were not able to use the telecoms there. That worked very well indeed, through BT and other providers. I have been somewhat disappointed by the level of infrastructure that was left after the G8 summit. I am hoping that the mobile infrastructure project, which of course is a national project, will enhance that coverage again. We will keep a very close eye on that project to ensure that it delivers for us.

**Mr Deputy Speaker (Mr Dallat):** That ends the period for listed questions. We will now move on to topical questions.

## Broadband: Northern Ireland Roll-out

T1. **Mr Craig** asked the Minister of Enterprise, Trade and Investment for an update on the increased roll-out of high-speed broadband in Northern Ireland, which makes rural businesses competitive on the national and international stage, meaning that the Minister should be congratulated on the broadband roll-out in Lagan Valley, where 400 homes have received the service in Annahilt, with a further 200 homes benefitting in the Temple area and, more importantly, 20 businesses now able to compete internationally. (AQT 2081/11-15)

2.30 pm

**Mrs Foster:** I thank the Member for his question and for letting me know that he wanted to address this issue. It is important that I give the House an update on the broadband improvement project. The project is being delivered in eight phases with the objective of providing basic fixed-line broadband services of at least 2 megabits per second, in areas that previously have had no service, and improvements in the availability of superfast fixed-line broadband as well. By 31 December 2014, over 17,500 premises had benefited from the improvements being

delivered. The project is on track to deliver benefits for 30,000 premises by 31 March this year, and we anticipate that in excess of 45,000 premises will have benefited by the completion, as of 31 December 2015. It has been a good intervention to try to help those people who have not, to date, been able to access the appropriate level of broadband support.

**Mr Craig:** I thank the Minister very much for that answer. The project has been very successful. I can testify that I have had a 148 fourfold increase in my own internet speed, so thank you Minister.

What impact does the Minister believe that this will have on rural businesses in particular?

**Mr Wilson:** We still use pigeons in east Antrim. *[Laughter.]*

**Mr Craig:** I am aware of five businesses in my locality that are now doing international business because of that connection. Do you feel that this will have a benefit for other businesses in other rural localities?

**Mrs Foster:** Such as east Antrim? Yes. Obviously, we pride ourselves on being able to do business across the world, but to be able to do that we have to have a presence online. I have been to many small businesses that are growing at a very fast rate and that is down to their telecoms infrastructure. When I talk about infrastructure and the need for good infrastructure across Northern Ireland, I do not just talk about roads infrastructure, although that is of course critical; I talk also about telecoms infrastructure, because it is important that we communicate with the rest of the world, and we are hoping that this will enable many businesses to do so.

### Creative Industries: Congratulations

T2. **Mr Spratt** asked the Minister of Enterprise, Trade and Investment to move from pigeons to the creative industries and join him in congratulating the creative industries in Northern Ireland, particularly those that have had major success in recent days. (AQT 2082/11-15)

**Mrs Foster:** Let me send my congratulations, first of all, to those behind 'Boogaloo and Graham'. From what I have seen of the two chickens, I very much want to see the rest of the film, which had such success at the BAFTA awards for best short film on Sunday. It was a tremendous endorsement of the creative industries here in Northern Ireland, and I understand that the short film has also been nominated for an Oscar at the Academy awards. Just today, we learn that Sixteen South, which is a Belfast-based animation company, has won a television award as well for its preschool children's series, 'Lily's Driftwood Bay'. It took the best preschool programme category in the American broadcast awards this week. So there has been a tremendous international endorsement of our creative industries in Northern Ireland.

**Mr Spratt:** I thank the Minister for that answer. Will you continue to work with the industry to make sure that there is continued success in that area?

**Mrs Foster:** Absolutely, because, of course, 'Boogaloo and Graham' was funded by Northern Ireland Screen. Invest Northern Ireland is the single largest funder of Northern Ireland Screen. The Member is probably aware of the fact that, last March, we launched the Opening Doors strategy for Northern Ireland Screen, and, through

that, we intend to continue to grow our creative industries, for the sector itself and also for the tourism benefits that we receive from the creative sector. I will, of course, mention the impact of 'Game of Thrones' on the tourism sector. That continues to grow month on month, and I very much welcome that.

### Broadband: BT Funding

T3. **Mr Wilson** asked the Minister of Enterprise, Trade and Investment what money her Department has made available to BT to improve broadband and fibre-optic cables across Northern Ireland, given that, unlike in Lagan Valley, which was praised by Mr Craig, in parts of East Antrim, broadband is unheard of to the extent that, rather than using broadband, people would be better sending messages by shooting them using an elastic band. (AQT 2083/11-15)

**Mrs Foster:** I am sorry to tell the Member that I do not have the total amount here, but I will, of course, write to him with the total amount that we have funded because, over my time, we have made a number of interventions in the telecoms infrastructure and the broadband infrastructure. I know that he is frustrated about some of the areas in East Antrim, but the Northern Ireland broadband infrastructure project will roll out across East Antrim as well. It may not be in the early stages of the project, but, as I indicated, there are eight phases to the project and, therefore, his area may be in a later stage.

**Mr Wilson:** When she is looking at how the programme will roll out in the future, will the Minister be cognisant that there are eight industrial areas in Northern Ireland — enterprise estates etc — that do not have access to fibre-optic broadband and, indeed, many rural industries and firms that do not have access and that that prevents their expansion? Will she ensure that BT gives some priority to those kinds of areas and activities?

**Mrs Foster:** I cannot force BT to acknowledge that because it is a commercial organisation, but, in the contract under which it operates for government funding, yes, we can certainly encourage it to look at those areas. The Member is right to mention the industrial parks, because we need to look at our industrial parks to make sure that we have the correct telecoms and roads infrastructure. Electricity infrastructure in our industrial parks is another area that I think we very much need to look at because — this is a big issue — if an area does not have the appropriate level of electricity supply, that can very much put somebody off investing in that area. We need to look at that, and I have been talking to Invest Northern Ireland about how we can bring all those issues together and try to address them.

### Broadband: Customer Satisfaction

T4. **Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment how customer satisfaction with the supply of rural broadband is measured, albeit that she hates to labour the issue of rural broadband but it is a big issue in her area, part of which — Aghalee — is shared with the Member for Lagan Valley who will be well aware that, in Aghalee, Aghagallon, the Birches, Maghera and many other rural areas, broadband continues to be very poor. (AQT 2084/11-15)



**Mrs Foster:** Often through Members addressing me in the House in relation to their constituents reflecting that they do not have the appropriate level. We have come a long way with broadband in Northern Ireland. We are often held out as an exemplar region in the UK for how broadband has been rolled out. As we reach those harder-to-reach areas, it will become more and more difficult to provide the service that those people want. I had an instance in my constituency where a business was located very close to the motorway but, because it was attached to a different cabinet than the cabinet just up the road, it was not getting the appropriate speed. A re-engineering solution is often needed, specifically to ask BT which cabinet the customer is connected to. Again, I am happy to have any conversations or receive any representations in respect of that.

**Mrs D Kelly:** I welcome the Minister's commitment to hearing our concerns. Could she outline how the contract is monitored and whether or not any penalties are to be incurred by the successful contractor, which I believe is BT?

**Mrs Foster:** It has to provide the appropriate level of Internet speed to a certain number of houses. It is a black-and-white issue. It has to supply Internet speeds at that level. That is why I talked about figures in my answer to Mr Craig and outlined the number of houses and businesses that will be connected. That is how it is monitored. I can accept that the Member is frustrated about pockets in her constituency, but, as I say, I am happy to discuss those with her.

### Hotels: Belfast Area

T5. **Mr Newton** asked the Minister of Enterprise, Trade and Investment whether she believes that there is still room for additional hotel space in the Belfast area, given that the number and quality of hotels in Northern Ireland has seen a significant increase in what is offered to tourists and the business community. (AQT 2085/11-15)

**Mrs Foster:** I believe that there is still room, as does the market. A number of developers are looking at hotel opportunities in the Belfast area. There are currently 29 hotels in the Belfast City Council area — there are probably more in greater Belfast — providing over 6,500 rooms. We would like to encourage more hotel space. Obviously, we have benefited from not having the over-provision that there was in the Republic of Ireland. That is good, because, now that we are in a more stable environment, we can have sustainable growth. I certainly hope that that is what is happening.

**Mr Newton:** Will the Minister confirm whether there is still general interest in the iconic building in which the Titanic was designed, known as the Harland and Wolff drawing offices, and whether there is potential to convert it into a hotel?

**Mrs Foster:** I understand that there is still potential and that an application has been made to the Heritage Lottery Fund for £5 million towards the restoration of the historic building and its conversion into a boutique hotel. Negotiations are under way with the private sector regarding the remainder of the money. That would really open up the building, because, unfortunately, it is accessible at the moment only as part of a walking tour or organised event. It would be marvellous to see that building opened up to the public so that we could benefit from the fabulous heritage and, indeed, architecture.

### Derry: Corporate Plan

T6. **Mr McCartney** asked the Minister of Enterprise, Trade and Investment how she believes subregional business development and job creation will inform the corporate plan, about which the chief executive of INI had a very constructive meeting in Derry last Friday, which included a wide-ranging discussion about the corporate plan going forward. (AQT 2086/11-15)

**Mrs Foster:** The chief executive was following up on a very successful visit that I made to the city a couple of weeks beforehand, when I met with business leaders. I was very impressed with their very positive approach to developing the region. They, of course, welcomed the fact that we had set up an Executive subcommittee to look at regional opportunities. It is going to be a good vehicle, not just for Invest Northern Ireland and my Department but for a number of other Departments, particularly when it comes to infrastructure and skills.

**Mr McCartney:** Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer. We all recognise the importance of the ministerial subgroup. Does she believe that a subregional approach is the best way in which to tackle regional disparity?

**Mrs Foster:** The super-councils will provide us with an opportunity to look at the 11 parts of Northern Ireland and their plans. Obviously, how they wish to see their area develop economically will be part of their new community plans, and, because of that, there will be more collaboration with Invest Northern Ireland. I plead again with Members to work proactively with their council and Invest Northern Ireland to find a unique selling point for their area, which we can then sell across the world and use to bring in inward investors.

### Trade Mission: Middle East

T7. **Mr Ross** asked the Minister of Enterprise, Trade and Investment for an update on her recent trade mission to the Middle East. (AQT 2087/11-15)

**Mrs Foster:** The trade mission was a hugely successful one. We had a number of companies out with us for Arab Health, which is a very large trade promotion from the health industry. We were also with Queen's University when it signed an important contract with Dubai Healthcare City that allows Queen's to develop the Dubai Healthcare City campus. That is going to be really fundamental for that area. We also took the opportunity to work with some other sectors, such as food and, as I already indicated, manufacturing, through SDC Trailers. It was a hugely successful trip, and I was very pleased with the number of people on it.

**Mr Deputy Speaker (Mr Dallat):** I am afraid that time is up. We must now move on to questions to the Minister of the Environment.

2.45 pm

### Environment

**Mr Deputy Speaker (Mr Dallat):** Questions 4, 10 and 15 have been withdrawn.

## Water Quality: East Belfast

1. **Mr Douglas** asked the Minister of the Environment, following the work being undertaken through the Connswater Community Greenway project in East Belfast, how he plans to assist the efforts of local communities to achieve good water quality outcomes for the Connswater, Knock and Loop rivers. (AQO 7548/11-15)

**Mr Durkan (The Minister of the Environment):** In December 2009, DOE published the 2009-15 'North Eastern River Basin Management Plan', which identifies where the water environment needs to be protected or improved, the time frame to make those improvements and how that can be achieved. As the first 2009-15 cycle is drawing to a close, a second cycle management plan will be published in December this year, and the draft is available on the DOE website.

The plan is implemented at a local level through a Lagan local management area action plan, which covers the Connswater, Knock and Loop rivers. Those rivers are contained in the Connswater river water body, which has been modified due to extensive flood-risk management. The water quality is classified as poor, and the objective is to improve it to moderate by 2021.

The Belfast and Lagan catchment stakeholder group provides a public forum for stakeholders, such as the East Belfast Partnership, to discuss water management issues and work in partnership with government agencies to address them. My officials have been involved with the partnership, Rivers Agency and Belfast City Council on improvements in the Victoria and Orangefield parks and on the Knock river, such as the realignment of the river channel, introducing natural meanders, bank projection and marginal planting to help to improve water quality. My Department is also working with Rivers Agency to help to ensure that the Connswater Community Greenway flood-alleviation scheme delivers maximum benefits to water quality.

I am pleased that, through my Department's challenge fund and support, the Connswater Community Greenway team and the Field Studies Council have been able to develop outdoor classroom materials for schools and community groups to access.

**Mr Douglas:** I thank the Minister for his answer and extend to him an invitation to visit the Connswater Community Greenway. I know that he tried to get there before, but there was bad weather. Does the Minister have any other measures planned to improve the water quality of the three rivers that he outlined?

**Mr Durkan:** I thank Mr Douglas for his question and supplementary. He is quite right: I intended to visit Mrs Wendy Langham, the programme manager of the East Belfast Partnership, last month, but the visit was cancelled due to snow. However, I will endeavour to get back out there as soon as it warms up a bit.

As for other measures that we have planned to improve water quality, my officials will continue to support the local communities by following up on and investigating pollution problems in the area. My officials will continue to liaise with the East Belfast Partnership to include the pollution hotline number on interpretive signage in the area. River catchment investigations will continue to be carried out by my officials to monitor the impact of agricultural practices and industrial discharges. Information leaflets have been

distributed at events in East Belfast to help householders to improve the water quality in their area.

## Solar Farms: Planning

2. **Mr Allister** asked the Minister of the Environment how current planning provision allows for the evaluation of large-scale solar farm applications. (AQO 7549/11-15)

**Mr Durkan:** My Department determines planning applications for all renewable energy developments on a case-by-case basis against the provisions of planning policy statement 18 on renewable energy, its supplementary best practice guidance and all other material considerations. PPS 18 provides for the evaluation of all development that seeks to harness energy from renewables, including energy derived from solar. It aims to facilitate the siting of renewable energy generating facilities in appropriate locations in the built and natural environment.

The best practice guidance for PPS 18 also provides background information and guidance on active and thermal solar technology. I am aware of the benefits of solar energy. The sun is a natural energy source; it does not require the burning of fossil fuels and the associated air emissions. The energy produced from the sun does not deplete any natural resources. Therefore, it is considered to be environmentally friendly. Active solar photovoltaic technology can generate electricity from daylight. It can be freestanding, roof-mounted or used as a building material in its own right. My Department's policy and guidance ensures that, while the wider environmental, economic and social benefits of renewable energy developments will be given significant weight in determining whether planning permission should be granted, the environmental, landscape, visual and amenity impacts associated with such developments also need to be assessed.

I am aware that large-scale solar energy development is a matter of growing concern and it is my intention to ensure that the final strategic planning policy statement (SPPS) provides an appropriate level of strategic direction in relation to solar energy development.

I have also recently instructed officials to prepare practice notes for planning staff in relation to the handling of renewable energy proposals, including wind and solar developments. That will greatly assist in dealing with these proposals.

**Mr Allister:** Does the Minister, therefore, accept that PPS 18 is not fit for purpose when it comes to dealing with large-scale solar farm applications such as the intended 250-acre application at Kells? In light of that, and the fact that he speaks of the need for further guidance, would it not be appropriate now to impose a moratorium on considering such applications until an adequate policy is in place?

**Mr Durkan:** I thank the Member for the question and the supplementary. The application to which he refers is, to my knowledge, not yet an application. We have, however, received indications of a forthcoming application. When or if it arrives, it will be assessed by my Department using PPS 18 or its successor in the SPPS. My Department is currently finalising the strategic planning policy statement for Northern Ireland, which seeks to shape clear and concise planning policy, setting out the purpose of

planning and core principles for the new two-tier reformed planning system.

As I said in my initial answer, large-scale solar energy development is a matter of growing concern, and I intend to provide an appropriate level of strategic direction for solar energy in the final SPPS. Hopefully, that will be published within the next six weeks. It remains my intention to finalise the SPPS, as I said, in the very near future. As I have also previously indicated, I have instructed officials to prepare practice notes for planning staff in relation to the handling of solar energy proposals.

**Mr McGlone:** Go raibh math agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire chomh maith as a fhreagraí go dtí seo. Can the Minister give us any indication as to the time frame for the Minister's review and the production of the SPPS? Can he also tell us if measures are going to be built into it around renewables and the context of how policy may apply in protected areas or areas of outstanding natural beauty?

**Mr Durkan:** As I already outlined, it is my intention to finalise the SPPS prior to the transfer of functions in April. We have most of the work done. There are still bits of it that need tweaked — in my opinion, improved — and one of those areas is around PPS 18. Of course, the issues that the Member raises around sensitive and special landscapes are taken very seriously by my Department. That will be reflected in the final SPPS in how we deal with current applications on renewable energy and how councils will be expected to deal with renewable energy applications in the future.

**Ms Lo:** As the Minister knows, most renewable energy comes from wind turbines. What measures is he taking to encourage alternative sources so that there is a mix of different renewable energy potentials?

**Mr Durkan:** I thank the Chair of the Committee for her question. She is quite right to identify that the majority of our renewable energy comes from wind. Currently, of the energy produced in Northern Ireland, 19.6% comes from renewable sources, and the vast majority of that is from wind. As for what I am doing as Minister of the Environment to encourage alternative sources, I believe that I can do that through planning policy and guidance. While we encourage, and we all should embrace, renewable technology, it is vital that, in planning policy statements and guidance issued by my officials and me, we protect the natural environment as well as recognising the wider environmental and economic benefits of renewable energy.

Incentives are offered by another Department for various renewable energy initiatives, and questions as to exactly how that is done would probably be better directed towards Minister Foster.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I speak as a supporter of solar energy; however, there is a remarkable lack of regulation for these applications. There are applications in the system for Rasharkin, and there is a forthcoming application for Kells as well. Can the Minister give an assurance that they will not be considered under PPS 18 alone, and will the views of the residents in those areas be fed into the publications that you will put out in the next six weeks?

**Mr Durkan:** I would like to think that the views of residents, objectors and stakeholders across the North have already been factored into the SPPS; it was subject to extensive consultation and attracted over 700 responses. Of the applications to which the Member refers, one has been made, and the other is yet to arrive. I know that the Member had sought a meeting with me on that project, which I was not able to grant, given that there is no existing application. However, if an application comes in I will be more than happy to meet the Member and, indeed, the local people whose concerns he believes should be taken on board. As well as visual amenity impacts and landscape issues, the views of objectors and supporters are all material considerations when dealing with any planning application. Planning applications for renewable energy are no different in that regard.

**Mr Frew:** As one who sees the potential of solar farms, particularly on an industrial scale, I want to know whether the Minister is assured that there is expertise in his Department and the Planning Service to deal with these applications. Can he tell the House that there will be specific measures in the new SPPS on proximity to homes and a measurement for that? In addition, has he done any calculations on what large-scale solar farms will mean for the bills that industry has to pay?

**Mr Durkan:** I thank the Member for his questions and welcome his support for solar energy. The issues that he raises, such as separation distances and so forth will, obviously, be incorporated as they are currently for wind energy. People in the Chamber and outside it have different views on whether the separation distances enshrined in that policy are sufficient. However, the SPPS has given us an opportunity to review those matters, and we will have to wait and see what the outcome of those deliberations is in the next six weeks. I am hopeful that my answers on this subject have shed some light on the issue, and I look forward to discussing it further upon the publication of the SPPS. The issues raised by Members today will be taken on board in the finalisation of that document.

## Councillors: Training

3. **Ms Boyle** asked the Minister of the Environment how councillors in the shadow councils are being trained ahead of assuming greater planning responsibilities. (AQO 7550/11-15)

**Mr Durkan:** A series of training events was rolled out across councils from early September 2014 to late January 2015. The sessions covered an overview of planning for councillors; development plans and working with the community; practical planning and propriety; and outcomes for the code of conduct. The training was facilitated and delivered by senior planning staff, staff from other Departments and outside bodies, including the Northern Ireland Housing Executive, and representatives from other jurisdictions with knowledge and experience of similar planning systems. The training programme was developed to help to prepare those attending to understand the new planning system, the processes involved in making planning decisions, and the need to comply with ethical standards.

At a local level, the Department continues to work closely with the new councils to provide training and guidance through, for example, working with the shadow planning

committees or facilitating mock planning committee meetings, which planning staff and councillors have attended.

### 3.00 pm

The area planning managers are also taking responsibility for preparing, training and educating their staff for the change. Ongoing training for planners on the new two-tier planning system will continue to be delivered over the coming months to ensure that all involved in the new system have the necessary skills and competence to ensure the system is delivered effectively from day 1. Locally, each new council has developed a training plan and has been allocated £100,000 to meet the needs identified in that plan. That will provide training to cover new councillor induction and governance arrangements as well as organisational design.

As well as the training given by councils and planning headquarters, regional training continues, covering areas such as community planning, via a contract with Community Places, and the new councillor code of conduct. Funding has also supported community planning workshops for all stakeholders involved in the process. Added to that, funding has been made available for developing a communications strategy in preparation for the transfer.

**Ms Boyle:** Go raibh maith agat. I thank the Minister for his answer. Can he outline how councillors are being trained and skilled to specifically address issues of flexibility that may or will affect rural councillors and will apply to rural councils when adjudicating on applications from non-farming dwellers?

**Mr Durkan:** I thank the Member for the question and the supplementary. Obviously, there will be different needs in different council areas and for different councillors. Until now, the training has focused on the core ethics of planning and the basic knowledge that councillors, particularly those on the planning committees, will require to discharge their new responsibilities.

I am very aware of the issue that Ms Boyle raised. I notice that Mr McElduff is sat beside her; he probably gave her a kick to ask about non-farming dwellers. Flexibility will be afforded to councils in the formation and formulation of their new local development plans so that they can reflect very specific local needs in those final plans.

**Mr Campbell:** How confident is the Minister that a level of maturity exists within the local councils to reach planning decisions that will affect the entire community? I ask that, given the level of immaturity that has been displayed in some councils in trying to arrive at the name of the council. I am particularly thinking of the nationalist councillors who seem to 100% oppose unionism in Londonderry and Strabane, and in one or two other councils.

**Mr Durkan:** I very much welcome a question on immaturity from an expert on it. *[Laughter.]* I am confident that, through the guidance issued by my Department, the ongoing training — training that I am sure councils will be willing to continue after the transfer of functions — and through the establishment of and adherence to the code of conduct, the councillors will adhere to that and make their planning judgements based on planning policy and planning guidance. Should they not, they will be leaving themselves open to legal challenge.

I do not anticipate the transition being easy. As someone who has recently enough made the transition from lobbying on planning issues to making planning decisions, I recognise that a huge degree of growing up is required.

**Mr Kinahan:** I thank the Minister for his answers so far. I imagine that he is not satisfied with how all the training is going, because in the comments we are getting from councillors, particularly about DETI and DSD, there is concern that little powers are being transferred because there is little contact between those Departments and the councillors. Will the Minister work with his Executive colleagues to make sure that more training happens and that it is all up to scratch?

**Mr Durkan:** I thank the Member for the question, which is very pertinent. A lot of focus has been on planning as a transferring function, but there are other functions that are transferring. Last week, I chaired the second meeting of the partnership panel, which allows for political discussion between elected members of the 11 new councils and Ministers.

They had and will continue to have a lot of questions on other transferring functions, one of which is the transfer of off-street car parking. In a lot of instances, the councils are not overly enamoured with the funding that comes with that function. From a DOE perspective, however, I have ring-fenced the planning budget to transfer with that function, so it has not been subject to the cuts imposed throughout the year in monitoring rounds and budgetary cuts and has actually had a detrimental effect on the rest of my departmental spend.

DRD is transferring. DETI is transferring an important function in local economic development and tourism, and I believe that councillors also require further training in that field. However, the best training that anyone can get for any job is to do it. I have every confidence that what councillors do not know on 1 April, they will not be long finding out.

### Rates: DFP Discussions

5. **Mr Elliott** asked the Minister of the Environment what discussions he has held with the Minister of Finance and Personnel in relation to ratepayers who are facing increased rate bills because of the amalgamation of council areas and the redrawing of local government boundaries. (AQO 7552/11-15)

**Mr Durkan:** As Members will be aware, my predecessor secured a commitment from the Executive of £30 million for a rates convergence scheme specifically to alleviate the impact on ratepayers who would have experienced a sudden increase in their rates as a result of the formation of the 11 new councils. In addition, my officials have been working closely with colleagues in DFP and local government to ensure that the immediate impact on ratepayers as a result of reform will be minimised. Last November, the Minister of Finance and Personnel announced the details of the scheme, which will provide direct support to domestic and non-domestic ratepayers who would otherwise have faced sudden and excessive increases in their rates bills because of the current differences between the rates set by the existing councils. It will be phased in over the next four-year term of the councils, with an 80% reduction in the increased portion of the next year's bills, followed by subsidies of 60%,



40% and 20% in the remaining years of the scheme. Upwards of 200,000 ratepayers will benefit, with discounts automatically applied.

**Mr Elliott:** I thank the Minister for that update. Has he any recent information or has he received an update on the difference between Fermanagh and Omagh councils? If so, does he have any idea how much finance will go into that area out of the £30 million this year?

**Mr Durkan:** I wonder did the Member wonder whether I had any further information since he asked me that during my last Question Time.

The rates convergence scheme will address only the increases in rates bills that are a direct result of the creation of the new, larger councils. Over the years, differences have built up in the district rates chargeable by Fermanagh District Council and Omagh District Council. The district rates chargeable by Omagh District Council have, as the Member is well aware, been higher than for Fermanagh District Council.

By the use of the funding increments that I outlined of 80%, 60%, 40% and 20% over the next four financial years, the rates convergence scheme is expected to benefit 30,000 Fermanagh ratepayers whose bills may experience a slight increase as a result of merging with Omagh council. In real terms, that will translate into a discount of £40 or £50 off their rates bills.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answers. Will he indicate when ratepayers in Fermanagh will know their final rates bill, given that the district rate has not yet been set and the Executive have not set their regional rate, so ratepayers will have to wait for the convergence fund to be rolled out? Does he have any indicative time when people will know exactly how much they will pay?

**Mr Durkan:** I thank the Member for that question. I am not sure when the councils intend to strike their rate. However, I have furnished them with any information that I can to allow them to do so before the 15 February deadline that is statutorily imposed on and expected from all councils. I have, therefore, told them what they will get from my Department by way of the rates support grant. It is regrettable that that has had to be cut by 15.1% this year. Again, that is an issue that quite a few council representatives on the partnership panel raised.

The striking of the regional rate is clearly an issue for the Minister of Finance and Personnel, but it is vital that we move quickly so that people can have that certainty as early as possible.

**Mr A Maginness:** Will the Minister indicate the impact of rates convergence and reductions in rates support for Derry City and Strabane District Council, given the brutal reduction in the Department of the Environment's funding?

**Mr Durkan:** I thank the Member for that question. I recently met and, indeed, regularly meet representatives of that immaturely named council. At my most recent meeting with them, they raised the impact of the revaluation of non-domestic properties, as well as rates convergence and the rates support grant that will be payable to Derry and Strabane in the next financial year. Subsequently, at my request, the council sent me a detailed case study setting out the specific details. There is a real anomaly in

that area due to the rates revaluation that has seen a huge hike in Strabane's non-residential rates. That matter was also raised with the Finance Minister at the partnership panel meeting last week, and I believe that he is meeting a deputation from that council this afternoon.

As the revaluation of non-domestic properties and rates convergence are rating policy issues, I have written to the Finance Minister asking him to consider the details that the council has raised. I indicated to him that I would be receptive to any constructive proposals that he may have to resolve the matter.

Given the financial pressures that my Department faces — I know that, as a member of the Environment Committee, the Member is well aware of them — including a pressure of an estimated £3 million in payment of the de-rating grant, it has not been possible to protect the rates support grant from cuts. Therefore, the budget for rates support has been reduced to £15.5 million this year. That means that Derry and Strabane will be getting just over £3 million in real terms, but that is a reduction of over half a million pounds from what they were getting last year.

## Motorcyclists: Safety

6. **Mrs Cochrane** asked the Minister of the Environment what measures he is taking to improve road safety for motorcyclists. (AQO 7553/11-15)

**Mr Durkan:** My Department has lead responsibility, working with our road safety partners, including the Department for Regional Development and the PSNI, for Northern Ireland's road safety strategy to 2020. Action measures in the strategy for motorcyclist safety include establishing a motorcycle safety forum comprising representatives of relevant public-sector organisations and groups representing motorcyclists; researching the conspicuity and visibility of motorcyclists; improvements to training and awareness techniques; and consideration of technology to help improve safety.

I can report that my Department has convened the motorcycle safety forum, which is now working on the development of a motorcycling safety strategy. I am confident that, working with other statutory agencies and the motorcycling groups, we can make significant progress to address this important road safety issue. Action measures relevant to motorcycle safety that have already been implemented include compulsory basic training for new riders. Staged testing for new motorcycle riders dependent on their age was also implemented as part of the third EU directive on driver licences.

My Department is acutely aware of the rise in motorcyclist fatalities in recent years. There were four motorcyclist deaths in 2012, which is the lowest figure on record. Since then, there has been an increase, with 10 motorcyclists killed in 2013, rising to 13 riders and one pillion passenger last year. In the light of that increase, I commissioned a statistical review to determine early areas of intervention to address casualty levels. In addition, my Department commissioned research to support decisions on early interventions to improve motorcyclist safety. A range of possible interventions was explored. The outcome of the research was that campaign advertising, as an early intervention, was the best way to address the issue. I have therefore commissioned a new motorcyclists' safety campaign.

3.15 pm

**Mr Deputy Speaker (Mr Dallat):** I am afraid, Mrs Cochrane, that we do not have time for a supplementary. We need to move on to topical questions.

### Beaches: South Down

T1. **Mr Hazzard** asked the Minister of the Environment why all the beaches on the north Down coastline have been granted EU bathing status, while only one beach from the dozens of beaches on the Lecale coastline in south Down has been granted such a status. (AQT 2091/11-15)

**Mr Durkan:** I thank the Member for his question. We are blessed across the North to have so many beautiful beaches, and it is incumbent on us all to do what we can to keep them beautiful and, in many cases, make them more beautiful. Regarding the designation to which the Member referred, I am not sure why that is the case. I am personally familiar with the beautiful beaches of the Member's constituency, and I will establish the rationale behind those designations and why more awards have not been made in south Down. I am happy to meet the Member at a later date — or a sooner date — to discuss that with relevant officials.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response. Of course, one reason why bathing status has not been granted is the unacceptable situation that raw sewage is still being pumped into some of the waters, especially around Ballyhornan. It is an indictment of the Department of the Environment that, in 2015, in a tourism-heavy area such as south Down, only one beach out of dozens on the Lecale coastline has that EU status. I would like to see a project of work from the Department of the Environment to bring this subject forward. Will the Minister be willing to do that?

**Mr Durkan:** I thank the Member for that supplementary. I am certainly prepared to do anything, as I said, to improve the standard of beaches and bathing water, not only in south Down but across the North. I am, indeed, aware of the issues regarding water quality to which the Member referred. My Department has been working on the issue. We have been working with many other partners, not least DRD and Northern Ireland Water, which have quite a bit to answer for regarding water quality or lack thereof in some of the areas to which the Member referred.

### Social Housing: West Belfast

T2. **Mr F McCann** asked the Minister of the Environment to outline the extent of any discussions between his Department and the Department for Social Development on the need to zone additional land in west Belfast for social housing. (AQT 2092/11-15)

**Mr Durkan:** I thank the Member for his question. Having sat on the Social Development Committee with the Member for a couple of years, I am sure that he will be aware that I share his passion for social housing provision. The planning system, as the Member is aware, does not deliver social housing, which is largely a matter for DSD, the Housing Executive, the various housing associations and others. However, the planning system can assist by allocating land for social housing and development plans and by taking decisions on planning applications having

regard to existing planning policy, such as Planning Policy Statement 12, 'Housing in Settlements'.

The Member has raised before the fact that he would like to have seen in, for example, the Belfast metropolitan area plan (BMAP), more land zoned for social housing. At that time, I referred to the fact that just because land is not specifically zoned for social housing but is zoned for general housing does not mean that it cannot or will not be used, ultimately, for social housing. If an application for social housing were to come forward on any of those zoned areas, it would be treated just the same as an application for general housing on those areas. It is our belief that, in BMAP, there is sufficient zoning for social housing, albeit that I am well aware of the demand for social housing, not least in the Member's constituency. It is a demand that is shared by my constituency.

**Mr F McCann:** I thank the Minister for his response. He will know that my constituency has the worst housing waiting list: over 3,000 people are waiting for housing. Hostels in and around the general Belfast area are packed with people from that constituency. It has the highest number of pensioners and young people waiting for houses, but it is continually squeezed by the lack of land.

It is a matter of urgency that the Minister and the Minister for Social Development sit down and look at ways —

**Mr Deputy Speaker (Mr Dallat):** Will the Member come to a question?

**Mr F McCann:** — of bringing more land into use in that constituency. The Matthew stopline that was drawn up 30 years ago has been moved and no longer exists. I ask the Minister to consider that and move towards doing something about it.

**Mr Durkan:** I thank the Member for the supplementary question. I am well aware of the demand for social housing and the needs of those who require it. The Member referred to the need for more land to be zoned to address the problem. However, given that, in the Department's opinion, sufficient land is zoned, we would very much welcome and love to see further housing applications for the land that is already zoned.

Given the huge demand and need in the Member's area, I am sure that he will be pleased to know that, this morning, I issued an approval for a social housing scheme on the Glen Road in west Belfast. That scheme had been held up due to technical difficulties in the planning system.

### Listed Places of Worship: Roof Repair Fund

T3. **Mr Moutray** asked the Minister of the Environment to outline what efforts his Department has made to promote the listed places of worship: roof repair fund, which is a grant scheme administered by the National Heritage Memorial Fund on behalf of the Department of Culture, Media and Sport at Westminster. (AQT 2093/11-15)

**Mr Durkan:** I thank the Member for that question. I was delighted to be made aware of that fund, which is being run through the Heritage Lottery Fund (HLF). I directed that a press release go out from me, as Environment Minister, to encourage people to take it up and at least to make them aware that the fund existed, particularly given the constraints on my budget and the fact that, in the last few months, I have been able to do so little on built heritage

and its preservation, protection and promotion. I very much value all our built heritage, and we are blessed, if you pardon the terminology, to have so many places of worship that tick those heritage boxes. If the Member feels that we could or should do more to promote the scheme and encourage more applicants, I would be happy to hear his suggestions for how we should do that.

**Mr Moutray:** I thank the Minister for his response and appreciate that he has sent out a press release to encourage places of worship to avail themselves of the fund. Through his Department, will he look at ways of being more proactive so that churches can avail themselves of the fund, especially as many churches do not want to take money directly from the lottery fund?

**Mr Durkan:** I will certainly explore the options that are open to me and my Department to maximise the drawdown from the fund. I have alluded to the constraints on my budget and what we can do on built heritage, so I very much see that grant as an opportunity to supplement what we are doing, what we are trying to do and what we want to do. If the Member has any specific churches in mind, I would be happy to meet them to see what we can facilitate, even if that means the funding going through my Department to the church or churches in question.

### Narrow Water Keep/Dundrum Castle

**T4. Mrs McKevitt** asked the Minister of the Environment to outline how his Department will work to maintain and develop the heritage tourism potential of the Narrow Water Keep and Dundrum Castle, in light of budget constraints. (AQT 2094/11-15)

**Mr Durkan:** Narrow Water Keep and, indeed, Dundrum Castle are two of over 190 monuments in state care that are managed by the Northern Ireland Environment Agency (NIEA) on behalf of my Department. My Department has spent over £45,000 on the maintenance of the historic fabric of Narrow Water Keep since 2012, and I am committed to improving the presentation of the structure for its many visitors. That will not be easy as that particular building suffers from water ingress, possibly as the result of bomb damage in the past. My officials are investigating that issue and have been trialling solutions. The NIEA craft workforce plans to undertake a comprehensive grouting regime to the core of the walls, should the trials prove that that is required.

It will be a challenge to retain the opening of both those buildings and, indeed, other sites in the area, as it is challenging at present. NIEA officers met local councillors and council officials from Newry and Mourne District Council in December to discuss the opening of Narrow Water Keep in particular. The meeting considered the potential for working in partnership to open the site. My officials are continuing that positive dialogue with the aim of a proactive arrangement for opening and improved access in 2015 and beyond.

**Mrs McKevitt:** Will the Minister give his commitment to engage with the local stakeholders and the council on this?

**Mr Durkan:** I believe that local engagement is vital. To that effect, I have instructed my officials to explore new and different ways to develop increased access opportunities at all of our heritage sites. As I said, I believe that local engagement is the key to the partnerships that we require

for the future at sites like Narrow Water Keep, Dundrum Castle and so many others across the North. Officials are keen to work with local stakeholders and community groups and to enlist support from local authorities in particular. Current partnerships with other local authorities, such as Derry, Fermanagh and Cookstown, exemplify how positive and beneficial for the local heritage that can be. I have asked the agency to progress with urgency the positive steps that it has begun with Newry and Mourne to deliver a secure and sustainable future for Narrow Water Keep and other sites in the area to increase its contribution to the area's heritage tourism potential.

### Road Safety: Budget Impact

**T5. Mr Ramsey** asked the Minister of the Environment to outline what effect the Budget will have on his Department's ability to send out the road safety message; to acknowledge that the TV adverts, which can be most traumatic, are the most effective mechanism in to ensure that we send out a good road safety message; and to state what other creative ways there are to get that road safety message out. (AQT 2095/11-15)

**Mr Durkan:** I thank the Member for his question. I am aware of the Member's keen interest in road safety. I know that we will be debating his private Member's Bill next week on 20 mph speed limits in residential areas.

The Member quite rightly identifies the effectiveness of television advertising in promoting road safety and driving down the number of collisions that result in fatalities and serious injuries on our roads. However, it is with great regret that, due to budgetary constraints, the amount that we will be able to spend on that will be dramatically reduced this year.

Last year, £1.8 million was spent on television advertising. All the evidence is there to show that television advertising has proved to be very effective and has a huge impact on the viewer. However, this year, my discretionary spend across the Department is somewhere in the region of £1.5 million, which is less than we actually spent on road safety advertising last year. Therefore, it is imperative that we look at more creative ways of spending that money. I certainly will not be forgoing the television route altogether, but it is important that we are more creative in how we use that money and we continue to support television advertising with enhanced education programmes, better use of social media and enhanced work with our road safety partners, both in other statutory agencies and in the PSNI, and also in the voluntary and community sector, where we have very good working relationships with the likes of the GAA and the Ulster Farmers' Union.

**Mr Deputy Speaker (Mr Dallat):** I call Mr Ramsey for a very quick supplementary question.

**Mr Ramsey:** Given that there has been a low level of deaths on our roads this year, what other efforts is your Department making to try to reduce speed in residential areas and city centres where there are fatalities and serious injuries?

**Mr Durkan:** Last year actually saw an increase in road deaths. Fortunately, although it is very early this year, the awful start that we had to last year has not been mirrored. However, from the fatalities last year, we can see that speed remains the biggest single causation factor of

fatalities on our roads, and, therefore, it is often at the centre of our advertising and information campaigns reminding people of the need to kill their speed before they kill someone.

3.30 pm

**Dr McDonnell:** On a point of order, Mr Deputy Speaker. Is it in order for me to make a profound apology for my absence last week when I had a question down? I got tied up in an earlier meeting. I was not attentive enough to the clock and did not realise. I offer my profound apologies to you and the rest of the House.

**Mr Deputy Speaker (Mr Dallat):** The Member's apology is noted, and I thank him for it.

**Mrs Cameron:** Further to that point of order, Mr Deputy Speaker, it must be the time for apologies. May I apologise through you for missing my question yesterday to the Minister for Employment and Learning? I had taken ill yesterday afternoon.

**Mr Deputy Speaker (Mr Dallat):** Again, The Member's apology is on the record and is very much appreciated. Members will take their ease while we change the Table.

(Mr Speaker in the Chair)

## Executive Committee Business

### Welfare Reform Bill: Consideration Stage

#### Clause 4 (Basic conditions)

*Debate resumed on amendment Nos 1, 3, 4, 8 to 13, 17 to 19, 35 to 39, 43 to 45, 53, 57 and 74, which amendments were:*

No 1: In page 3, line 5, at end insert

*"(8) Regulations shall provide, in circumstances where one member of a couple does not accept a claimant commitment within a prescribed period, that the claim may be considered as a claim by the other member of the couple as a single person."— [Mr Beggs.]*

No 3: After clause 6 insert

***"Joint claims where one party does not accept claimant commitment***

*6A. In a claim by members of a couple jointly, where one party does not accept a claimant commitment the claim shall proceed as if the party who has signed a claimant commitment had made a single person claim and payment shall be made to that party."— [Mrs D Kelly.]*

No 4: After clause 6 insert

***"Provision of Claimant Documentation***

*6B. Regulations must provide, if a claimant is unable to provide documentation required to process a claim, for the information to be provided by prescribed third parties to enable the claim to be processed."— [Mrs D Kelly.]*

No 8: After clause 12 insert

***"Frequency of payment***

***Frequency of payment***

*12A. Universal credit shall be paid twice monthly unless a single claimant or the members of a couple jointly opt, in making a claim, to be paid on a monthly basis."— [Mr Beggs.]*

No 9: In clause 14, page 6, line 32, at end insert "(a) in preparing, reviewing and updating a claimant commitment under subsection (2) the Department shall have due regard for the claimant's skills, experience, caring responsibilities and physical and mental ill health."— [Mrs D Kelly.]

No 10: In clause 16, page 7, line 35, leave out "approved by the Department" and insert

*"employed by a HSC Trust or who is a general practitioner"— [Mr Agnew.]*

No 11: In clause 16, page 7, line 41, at end insert "(c) any decision taken under subsection (5) shall take account of relevant medical evidence including evidence of mental ill health."— [Mrs D Kelly.]

No 12: In clause 24, page 12, line 3, leave out "—" and insert

*"or an incident motivated by hate"— [Mrs D Kelly.]*

No 13: In clause 24, page 12, line 15, at end insert



*“(9) For the purposes of subsection (7)—*

*(a) an ‘incident motivated by hate’ has such meaning as may be prescribed;*

*(b) a ‘victim of an incident motivated by hate’ means a person on or against whom an incident motivated by hate is inflicted or threatened (and regulations under subsection (7) may prescribe circumstances in which a person is to be treated as being or not being a victim of a serious incident motivated by hate);*

*(c) a person has recently been a victim of an incident motivated by hate if a prescribed period has not expired since the incident was inflicted or threatened.”— [Mrs D Kelly.]*

No 17: After clause 37 insert

***“The Independent Living Fund***

**37A.** *The Department shall bring forward within 18 months of commencement of this Act a fund to replace the Independent Living Fund, following consultation with the Department for Employment and Learning and the Department of Health, Social Services and Public Safety.”— [Mrs D Kelly.]*

No 18: In clause 38, page 17, line 29, at end insert

*“and any such assessment must take account of relevant medical evidence.”— [Mr Beggs.]*

No 19: In clause 38, page 17, line 29, at end insert

*“and any such assessment shall take account of relevant medical evidence including evidence of mental ill health.”— [Mrs D Kelly.]*

No 35: In clause 79, page 60, line 27, at end insert

*“(2A) Any person determining a question mentioned in subsection (1) or (2) shall take account of relevant medical evidence.”— [Mr Beggs.]*

No 36: In clause 79, page 60, line 27, at end insert

*“(2A) Any person determining a question mentioned in subsection (1) or (2) must take account of relevant medical evidence including evidence of mental ill health.”— [Mrs D Kelly.]*

No 37: In clause 79, page 60, line 31, at end insert“( ) must provide that a person carrying out an assessment under paragraph (a) or determining a question under subsection (1) or (2) shall be a health care professional employed by a HSC Trust or a general practitioner.”— [Mr Agnew.]

No 38: In clause 80, page 61, line 19, leave out “9 months” and insert “6 months”.— [Mr Agnew.]

No 39: In clause 80, page 61, line 33, leave out “‘the next 9 months’ means the 9 months” and insert “‘the next 6 months’ means the 6 months”.— [Mr Agnew.]

No 43: After clause 100 insert

***“Payment of awards in cash***

**100A.** *The Department shall ensure that a claimant under this Act who has no access to a bank account shall have access to any relevant award in cash.”— [Mr Agnew.]*

No 44: After clause 101 insert

***“Payments pending appeal***

**101A.** *In Section 5(1) of the Social Security Administration Act (NI) 1992 (regulations about claims and payments) after paragraph (r) insert—*

*“(s) for the making of a payment pending appeal”.*— [Mr Agnew.]

No 45: In clause 103, page 71, line 30, at end insert

*“(8) Subsection (1) does not apply unless it is determined that, whether fraudulently or otherwise, the claimant has misrepresented, or failed to disclose, any material fact.”— [Mr Agnew.]*

No 53: After clause 130 insert

***“Impact of Regulations on Victims and Survivors***

**130C.** *The Department must ensure that regulations under this Act are prepared with due regard for the impact on victims and survivors of the past in consultation with the Northern Ireland Commission for Victims and Survivors.”— [Mrs D Kelly.]*

No 57: In clause 132, page 94, line 28, at end insert

*““general practitioner” means a medical practitioner providing primary medical services;*

*“HSC Trust” means a Health and Social Care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991 (NI 1);”— [Mr Agnew.]*

No 74: In schedule 1, page 98, line 32, leave out paragraph 6.— [Mr Agnew.]

**Mr P Robinson:** At the beginning, I should point out that I speak as leader of the party, as opposed to speaking in my capacity as First Minister. My colleague and good friend the Minister for Social Development will deal with all the Executive's issues relating to the Bill.

It is important at this stage to register the fact that the Assembly has much to be thankful for, in that we have reached the point at which this Bill can be brought before Members, hopefully for approval. Since the Ulster Unionist Party and the Conservative Party went forward in the 2010 election on a policy of cutting expenditure in Northern Ireland as elsewhere, and as they jointly went forward with a manifesto commitment that they would take an axe to welfare in the United Kingdom as a whole, it left those of us in government here and those of us in the Assembly with a conundrum: the desire to ensure that we did the very best that we could for those who are in need and genuinely require support on welfare issues and, at the same time, being able to provide the public services that are necessary in the context of the Budget that was constrained by the Ulster Unionist Party and Tory commitment to cut public spending.

That was the conundrum that we faced, and it was recognised, I think at an early stage, that, if we were to go off and set up our own welfare system, that would be massively costly and would take money away from areas in which it really could be beneficial. I do not want to go into what happened over that two-year period, although, if I were to do so, it would be much to the praise of my colleagues on how they handled the matter. It is sufficient to say that, when we got to the tail end of last year, some serious negotiations took place on how we would take this matter forward. In that context, it is worth pointing out that, at the end of last year, there were two agreements.

There is the one that is publicly known and that people can go back to and find if they google it, and that is the Stormont House Agreement. However, there was a second agreement, and that agreement was the Stormont Castle agreement. That was an agreement reached by the five Executive parties, dealing with a wide range of financial issues, including a commitment to agree a Budget and issues relating to the reduction in the size of the public-service payroll. It dealt with matters such as corporation tax and, importantly, issues relating to welfare reform.

All five parties signed up to that. Not only did they sign up to the Stormont Castle agreement but the party leaders went down to meet the Secretary of State for Northern Ireland and sold it to her as the way forward. That included, incidentally, a pitch for further funds and more flexibility.

After the Stormont House Agreement, some parties reserved their position in some way, but there was no reserving of position on the Stormont Castle agreement amongst the five Executive parties. All agreed to the specifics of welfare reform. We did that after very detailed discussions about how each element of change would be made and how much it would cost.

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

**Mr P Robinson:** I will, yes, happily.

**Mr Allister:** Will the Member clarify something? He refers to the Stormont Castle agreement. How does that compare on welfare with the agreement that the First Minister told us several months ago that he had previously reached with the deputy First Minister? Will he shed some light on that? Will he also shed some light on the claim from Sinn Féin that the agreement now reached amounts to £565 million over six years? Is that correct?

**Mr P Robinson:** Uncharacteristically, the Member is being mischievous. I am not in the business of rubbing anybody's nose in it or scoring party points on those issues. The architecture is exactly the same: it is the GB system plus enhancements. That is what we proposed 18 months to two years ago, and that is the outcome of the agreement that we now have. In the agreement that we offered 18 months to two years ago, we had a sum of money in addition to removing bedroom tax that we were prepared to look at in terms of how we could have enhancements. The Stormont Castle agreement defined how that money should be spent and looked at the individual areas where improvements could be made.

I do not have the paper with the overall figure in front of me, but there is no particular secrecy about the amounts, although anybody looking at the figures should be cautious, in that, unlike many other areas of government spending, welfare payments depend on those who apply. It is a demand-led cost, and, therefore, you can never be too accurate about what the cost may be.

DSD previously indicated that the cost would go up from £13 million to £87 million to £114 million in the next financial year. It then moved to £250 million and to over £370 million in the following year. Those would have been our penalties for moving away from the GB system. We have what roughly comes out as an average cost of £90 million a year over that six-year period, but many of us are hopeful that that will be reduced to an average of £70 million because, in my view, the bedroom tax issue will have to be resolved

at a UK level, and there would be a saving of over £20 million to Northern Ireland if that came about.

I offer those figures only for openness. They do not particularly relate to the issue that I want to address, which arises out of the comments made by Mr Beggs. Regrettably, the Member obviously thought that he was on such weak ground that he was not prepared to give way. There are conventions, which are generally recognised in debating Chambers, that a Member should give way to someone on the Front Bench, but he chose not to because he recognised that he would have difficulty responding to any point made to him. It was noticeable that, when my friend, the Member for East Antrim Mr Wilson, asked him to give way on a different issue later, he was happy to do so, but he was not willing to give way on this issue because he recognised the weakness of his case.

It is particularly disturbing that someone who has responsibility as a Deputy Speaker in the House clearly does not understand — that is the best interpretation that I can put on it — the rules of the House on petitions of concern. I will come to that in a moment, but I think it is perhaps important, in the context of this group of amendments, that we understand the nature of the issues discussed yesterday at the implementation leaders group about the outcome of today's debate.

When we agreed at Stormont Castle a range of issues in relation to welfare and the cost that would be imposed, the Finance Minister, quite rightly, went off and prepared his Budget based on that. It was a Budget that was accepted by the Executive and which is now going through its various processes in the House. So, we have now set in stone, as it were, what the expenditure will be on each area of government.

For welfare issues, the cost for us in the next financial year is already set up in the Budget. Therefore, any changes that any Member brings forward by way of an amendment that have a cost attached to them will either not be fully implemented because of the lack of funds to do so or they will take money away from welfare payments elsewhere — or maybe somebody wants to take money out of the health service, the education service or elsewhere.

If Members stand up and put forward an amendment that costs money, as some of these amendments in this set do, they have a duty to tell us how much it is going to cost, because, presumably, nobody would be so rash as to bring forward an amendment on an issue like this without having it costed. I am sure that they have gone to officials in the Department and said, "Look, here is the amendment that we want to push. What will the cost be if that were to be implemented and how would it be paid for?" I hope that someone from the Ulster Unionist Benches or the SDLP Benches —

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

**Mr P Robinson:** I will give way; just let me finish this sentence. I hope that someone from the Ulster Unionist Benches or the SDLP Benches who have put down these amendments will be able to tell us, at a later stage, precisely how much their amendments are going to cost and how they are going to be paid for.

**Mr Agnew:** I thank the Member for giving way. The Member outlined that the Stormont Castle agreement detailed how the top-up payments would be spent and

what areas of welfare they would cover. To the best of my knowledge, that has not been made public. When Members come forward with amendments, we may well come forward with the top-ups proposed in the Stormont Castle agreement, but without sight of them, we cannot make that judgement. Will the Stormont Castle agreement be published?

**Mr P Robinson:** I completely forgive the Member. I do not expect him to be held by any of the agreements reached by five parties around the table that he was not a party to. He and other Members who were not party to that agreement will want to put forward amendments and improve the agreement.

I am not simply saying that we did an agreement at the end of last year and that, therefore, nothing but that agreement can go through this House. If there were improvements to be made, it was up to each of the parties to bring whatever improvements they thought could be made to the implementation body that was set up with all the leaders present in it and see whether they could get agreement from the other leaders around the table.

That was done, and, surprisingly, it was done by the Ulster Unionist Party. It had six amendments that it wanted to make to the Bill. Regarding the remarks made by the Member for East Antrim Mr Beggs, I will give him the benefit of the doubt and say that perhaps somebody wrote his speech. I noticed that he was reading, so I suspect that somebody wrote his speech and that he was reading out the research of somebody else. If he had actually read what he was going to say beforehand, he would know that it was inaccurate. I am sure that he, as a Deputy Speaker, read the petition of concern that went into the Speaker's Office, and I am sure that he saw that the two Ulster Unionist amendments — amendment Nos 34 and 35 — were not included in the petition of concern, yet he told the House that we had a petition of concern to block all amendments, which was not the case. We had agreed at the —

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

**Mr P Robinson:** I will give the Member a bit more to answer to and then I will give way to him.

The leader of his party came forward with six amendments that were agreed during yesterday's meeting of the implementation group, in the full spirit of what I would have expected from him and from the Ulster Unionist Party that they would have the two amendments brought forward, which the rest of the group — the other four parties — agreed with and agreed that we would go through the Lobbies in support of, if it is necessary to do so if they are not agreed on a voice call, and that we would support those two amendments.

### 3.45 pm

He considered the other four amendments that they had put down to be probing amendments, and I think that he is right. It is a strategy that is often used in other debating chambers where Members want to pin the Minister down to putting something in Hansard on how an issue will be handled. These were probing amendments on which the Minister was quite happy to give a satisfactory explanation, and he made that clear at yesterday's meeting. On that basis, the leader of the Ulster Unionist Party indicated

that the party would withdraw or not move its amendment depending on where it was situated in a group.

All the issues raised by the Ulster Unionist Party were dealt with. I just cannot understand how a petition of concern affects that in any way, because a petition of concern that included an amendment that was going to be withdrawn or not moved would have no impact. If you do not have a vote on it, the petition of concern is not relevant. The two issues on which there was five-party agreement on the change are not included in the petition of concern, and therefore the comments that he made were totally inaccurate. I will give way to the honourable Member.

**Mr Beggs:** The Member seems to be making it a big issue that instead of making 50 petitions of concern and blocking them into the Business Office, he actually made only 48. The point that I was making was that it is a ridiculous number of petitions of concern, which is preventing the House from coming to a decision and a conclusion. Had he been in and been listening to what I was saying, he would know that I always balanced that there is a cost and a benefit and pointed out that we cannot deliver everything that some people would wish. Does the Member not accept that?

**Mr P Robinson:** No: I would not accept that that is what the Member was doing. I was here listening to the Member berate these Benches for being undemocratic and putting down a petition of concern against all the amendments. If the Member reads Hansard, he will see it.

Let us explore his argument that somehow each Member should be free to decide for himself what the outcome of any amendment should be. If we carried that to its logical conclusion, we would not have an agreement. My colleagues are asked to go through the Lobbies on things that, in short, they would prefer not to go through the Lobbies on — not on this Bill so much, but on other aspects of the Stormont House Agreement. The whole thing about an agreement is that you agree to give a bit in one area to take a lot in another. That is what agreement is about. If you put forward a proposition that somehow you have a Stormont House Agreement and then you have a free-for-all in the Assembly, you will not have an agreement. Who told us that best of all? Who was the one who spelled that out for us all? It was none other than the leader of his party.

He will remember — if he does not remember, I will remind him — that his leader berated Sinn Féin, the SDLP and everybody else and said that this is not a case of renegotiating these matters: if you try to renegotiate, it will unravel. Does the Member remember what his leader said? That is exactly what would happen if we put the agreement out for a free-for-all in the Assembly. What we are here to do is to honour the agreement that we reached with the other parties at Stormont Castle and later endorsed at Stormont House. I trust that the Member will be man enough to admit that his remarks were inaccurate and that it was nonsensical of him to put forward the free-for-all argument because you simply would not have an agreement.

I remind him that the consequences of not having this agreement are twofold. Number one is that it was tied in directly to the devolution of corporation tax. We had to get the Budget and welfare reform resolved. If one were to listen to the Member and some of his party on television,

one would hear them claim to be in the vanguard and the promoters of corporation tax. Mind you, I can recall the leader of their party telling us that we had to move on to plan B and that corporation tax power was not coming to the devolved institution. That is what we were told. Here, very clearly, anybody who would vote against the Budget or welfare reform is voting against the introduction of corporation tax-setting powers for Northern Ireland.

The second impact that it would have is this: if Members cast their mind back to the period before the Stormont House negotiations, they will recall that this Assembly was going down. Make no mistake about it: the disagreements were such that they could not be resolved, and the financial cost of welfare would have been at such a level that we could not have sustained an Executive because such a significant sum of money would be being taken away from key front-line services.

Some Members might want to sit back — I perhaps direct this more at the SDLP than I do at others — and, *à la carte*, go through the Stormont House Agreement, saying, “We will have a bit of that, not so much of that and maybe a bit more of that would be nice”. However, that is not the way that you honourably implement an agreement. Of course, if you are a smaller party and your votes are not required to get a majority from both sections of our community in the Lobbies, you can have that luxury of pretending to be in opposition when you know that nothing will come from your words. The truth of it is this: if people genuinely want to move forward in Northern Ireland, it is important that this legislation goes through; that parties uphold the agreements that all of us reached at Stormont Castle; and that we move forward on that basis, because, if I ever have to sit down to negotiate again, I will look at the people I am negotiating with on the basis of whether they delivered on the last occasion and whether they were prepared to implement the last agreement that we reached. I trust that Members take that seriously, even if they have their fling today by putting forward amendments. I hope that, when the final votes are taken, we will have all Members going through the Lobbies in support of this legislation and, hopefully, therefore, bolstering the position that we have with this Assembly.

I say to the SDLP that, for this set of amendments, I think that the Minister made a very powerful argument yesterday that, in terms of data protection and the flexibility that departmental guidance gives, it is a much better to go forward rather than the Minister having to work around rigid legislation. It does not obviate the need for them to stand up, argue their case and press the Minister as to whether he is going to deal with various issues.

I say to the Member who is now talking to his colleague that I have no difficulty in supporting that kind of Committee, though it is not a matter for this legislation. You do not set up an Assembly Committee through DSD legislation. I have no difficulty in having continual monitoring and observation of how the welfare reform proposals are working out, and that will inform any future decisions that we have to take. However, that is a matter for the Assembly, not one for this debate or legislation.

I hope that, when my colleague indicates, as he no doubt will, that the various amendments that are down in this category can be better dealt with in a different manner, Members will accept that, keep to the agreements that

they reached, be honourable Members of the Assembly and stick to the deal that they have done.

**Mr Attwood:** I will start by touching on the last point of the DUP leader’s contribution; it will be the first point in mine. We have had this conversation with the Minister, and it remains our approach that, based upon some of that conversation, and subject to him saying what I think he is minded to say in respect of some of the amendments, it may be that my party will not move some of them. There may be a second category of amendments that — if the Minister shows some better authority over the next number of hours, either to accept our amendments or indicate what might come forward at Further Consideration Stage or otherwise — we might not move.

However, there will be a third category of amendments, Mr Speaker. In passing, I congratulate you on your elevation. I am probably the last Member in the House to do so. However, I congratulate you, despite my concerns about how all that happened. Putting that aside, I think that, thus far, you have demonstrated good authority in your role and in your commitment to upholding the standards of the previous Speaker.

There will be a third category of amendments that I anticipate that we will not agree on, regardless of the Minister’s words or reassurances, if any are forthcoming. We will adopt that approach, and we will do so because we are paid and elected to be Members of a legislative Assembly. That was denied to many generations of democrats in this part of Ireland over many’s a long year, and we are all the worse because of the fact that a democratic Chamber did not exist here to answer the needs of our people.

Today, we are Members of a legislative Assembly. We are not Members of a limp Assembly, and that difference has to inform the debate. We are MLAs, and I hope that all of us in the Chamber live up to that standard today. We need to guard it jealously because what we secured in the institutions of the Good Friday Agreement and other agreements were won through hard democratic struggle and negotiation. We should value them at all times, not least given the circumstances around welfare and the ambitions of this Tory Government and the next Tory Government, if they are re-elected. We have to send out a message today to our people that this is not a theatre, a talking shop or a limp Assembly; it is a legislative Assembly, and nobody has the right to usurp the authority of any party or any Member.

Mr Speaker, when I heard that the DUP had tabled the petitions of concerns, I wondered whether it was Northern Ireland’s GUBU moment. You and other Members will remember that acronym from politics elsewhere on this island. I concluded that it was not a GUBU moment but that what the DUP had chosen to do was just unbelievable and unprecedented. Whilst the First Minister — the DUP leader — is correct to say that not every amendment was petitioned, virtually every amendment was petitioned. It is unprecedented in the life of the Assembly for that sort of weapon to be deployed against that scale and volume of amendments.

**A Member:** Thanks for giving it to us.

**Mr Attwood:** From the Back Benches and from a sedentary position, the Member says, “Thanks for giving it to us.” That is how they view the legislative authority of



the Assembly. They think, "Thanks for giving Back-Bench DUP Members the power to block not just one or two amendments but to block virtually all the amendments". What state is Northern Ireland regional democracy in when a party thinks, "Thanks for giving it to us" about the power to ride a coach and horses through amendment after amendment? That is why it is unprecedented, although I note what the DUP leader said in his last remarks about where the debate might yet go and, as a consequence, I travel with a little bit more hope. Never before in the life of the Chamber has there been such a swingeing attempt through petitions of concern to shut down what might be good law for the people of this part of the world.

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

**Mr Attwood:** I will.

**Mr Agnew:** Does the Member agree that the measure of a party is not the power that it has but how it uses it?

**4.00 pm**

**Mr Attwood:** Even if the likes of us are reduced, First Minister and DUP leader, to what you indicated was — how did you refer to it? — a free-for-all or something of that nature, we are at least trying to live up to the democratic authority that the people gave to the Assembly when it was endorsed in the Good Friday Agreement, rather than deploying a weapon relentlessly against amendment after amendment after amendment.

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

**Mr Attwood:** Yes.

**Mr McKinney:** Given the DUP's propensity for dotting i's and crossing t's, will the Member care to speculate what would have happened had the shoe been on the other foot?

**Mr Attwood:** I would like to think that it would have been different.

**Some Members:** Driving licences.

**Mr Attwood:** Let me confirm, because it seems to have been missed, that the decision on the driving licence was mine. I know that you have visited all that misery on my successor, but it was my decision. I did not believe that, in the context we were in at that time in this part of the world, a flag that size on a UK named driving licence was a proportionate response in the difficult politics that we would have expected.

Putting that aside, the unbelievable part of what the DUP has done in respect of the petitions of concern is that we have spent two years — all Members are right about this — getting to this point, and we owe it to those who have made representations to us, lobbied us, argued for mitigation and travelled this long journey with us. I think that it is unbelievable to them that petitions of concern would be deployed in this swingeing way. I normally do not play the man; I normally try to play the ball. I see that the DUP leader's speech was very much about playing the man, but, if I were to make a comment in that regard, it would be that, around 6.00 pm or 7.00 pm last night, Peter Robinson threw his toys out of the pram and did not even keep hold of his rattle. Let me make this absolutely clear. Although he might not agree with this, it seems to me that, even in his comments, the DUP leader is beginning to

pull back from some of the contentions that he has made heretofore. He said:

*"After the Stormont House Agreement, some parties reserved their position in some way".*

I think he is right. Let me make this absolutely clear on behalf of the SDLP: the notion that the only amendments that can be moved on this Floor are those agreed as part of the Stormont negotiations in Room 106 in a corner of the Building is ludicrous and unacceptable. We will not live by that principle — I am coming to the Bill.

**Mr Speaker:** I am sure you are. I recognise and you will recognise that I have given you some latitude. You were responding to previous comments, which is fair enough. Today in the Assembly, we have certain agreed procedures. That may change in the future, but every petition of concern and every amendment was legitimate. They were compatible and in compliance with the arrangements that we have agreed at this time. It is time that we discussed the detail of the Bill, and that, for me, is about the present and the future. Possibly enough has been said about the past.

**Mr Attwood:** Can I just make this closing remark on that contribution? It is on the past. Members will know that one of our many points of dispute with the outcomes of the Stormont negotiations was the proposals on the past. The most acute of those was the proposal on how we should deal with themes, policies and practices of the past. We do not agree with the Stormont House Agreement on that. In our view, the vested interests in terror organisations and state organisations prevailed at Stormont House, ensuring that very little will happen on a proper interrogation of themes, policies and practices from the past, which are part of the narrative of the present and the future. That is our view.

The notion is that we can say to victims and survivors, individually or organisationally, that, if we cannot get a group of four people up in that room to agree to amendments in respect of that issue before it comes to the Chamber, we will just have to swallow it. We will not say that to victims and survivors, individually or organisationally.

**Mr Humphrey:** I am grateful to the Member for giving way. Having listened intently to what the leader of my party said and to what he has just said — his leader is sitting behind him — I ask the Member whether he is in the business of implementing the Stormont House Agreement. Does he distance himself from what my leader said about what his leader agreed to in relation to the Stormont Castle proposals?

**Mr Attwood:** The answer to that is the answer that we have given every time: we will implement, as fully and faithfully as we can, that which is strong in the Stormont negotiations. We will try to correct and rectify that which is less strong.

**Mr Speaker:** On that basis, can we return, please, to the Consideration Stage of the Welfare Reform Bill?

**Mr Attwood:** Somebody once demanded the right to dissent because there was much to dissent from. It seems that that maxim has been forgotten in our politics, even though generations who served this community well

demanded the right to dissent because there was much to dissent from and were far the better for it.

In response to the comments made by the representative of the Alliance Party — this takes us back to the amendments, Mr Speaker —

**Mr Speaker:** I have already invited you twice to move on. I do not want to have to do it for a third time.

**Mr Attwood:** I am coming back to the core of the amendments. It is probably best to explain to the House that our amendments try to develop thinking and practice around three themes, some of which were touched on by the leader of the DUP in his concluding remarks. People in the welfare world — I concur with many of them — believe that, if the Tories are re-elected, universal credit will fall flat on its face. George Osborne, as Chancellor, will say, “Why have we spent all this time and money on failed IT in order to deliver a universal credit system that doesn’t do what it’s meant to do?”. For the Tories and the high Tories in government in London, it is meant to reduce welfare baselines and increase penalties. That informs our amendments. They are about trying to protect the claimant on their journey through the system so that they are maxed out in terms of their benefit entitlement and so that, when it comes to penalties, they are minimised in that journey and all that is subject to appropriate oversight. Those are the themes that run through all of this.

We should caution ourselves when it comes to the amendments in group 1 and thereafter — this is where I am now going to talk directly to those amendments. Mr Dickson’s opening remarks were that this was all scaremongering — he referred to much of this as scaremongering. I recommend that Mr Dickson and anybody else who has the time spends a little time reviewing the evidence that has emerged in respect of the roll-out of universal credit over not the last two years, 18 months or 12 months but the last five weeks. A Select Committee of the House of Commons has been taking evidence in respect of what is happening with welfare reform. Anybody who reads any of that would have to conclude that those who say to the House, to welfare claimants and to welfare organisations that this is scaremongering should hang their head in shame. They should read the Hansard record of what is happening at the Select Committee in London.

Matthew Oakley is the independent reviewer for sanctions appointed by DWP; he is DWP’s man. He said to the Select Committee in the opening week of January this year that it would be wise for the Government to undertake a general stocktake of the system in view of the extent to which it has changed over the past two Parliaments. Their own insider is telling people, “Would you go off and have another look at it?”. The weight of evidence is coming from people working in welfare offices, who are beginning to talk about how pressure is being applied to them to reach targets in order to impose penalties. Consider the fallout in terms of people who are disappearing out of the welfare system because the journey is too difficult for them and the penalties are too harsh, to the point that no one knows where they are going and so on. That is not scaremongering; that, Mr Dickson, is evidence to the House of Commons Select Committee, not just from individuals within the welfare system or from an insider who is employed by DWP to give best advice but even

from those who are managing people in work programmes. They are all saying it.

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

**Mr Attwood:** I will in a second, Mr Wilson.

The point is that, if that is what a Select Committee has been hearing at Westminster every week over the last number of weeks, should we not take time this week to apply our minds to anticipate the harshness of what will follow if the Tories are re-elected in further penalties, further punitive measures, further collapse of the benefit cap and so on?

**Mr Wilson:** Will the Member also accept that the other side of that evidence is that 50% of people who had languished on long-term unemployment, with all the consequences that that has for their income, families and everything else, are now being placed in work? That is the positive side of the changes.

**Mr Attwood:** I do not dispute that. I was implicitly criticised by one of the Sinn Féin Members this morning for being the Minister who brought in some welfare reform.

**Mr F McCann:** Sanctions.

**Mr Attwood:** Yes, that is right. I went off and read the debate over lunchtime. I urge you to read that debate as well and see everything that I put down in my commentary both on that welfare Bill in June 2010 and in the statement that I made to the House in November 2010 in respect — *[Interruption.]* Let me deal with it. We do not dispute, Mr Wilson, that there is a need to simplify the welfare system and to intensify working with claimants in order to maximise their skills and job opportunities. You do not get any dispute on that, but do not pretend to me that that is what London is doing.

Six years on, the reputation of universal credit is in tatters. The integration of the six working-age benefits into universal credit is far behind schedule, with tens of millions of pounds of IT investment already written off and much more to come. The National Audit Office verdict has been damning, describing:

*“weak management, ineffective control and poor governance.”*

Ministers and civil servants have come in for severe criticism. External experts, many of whom supported the principles behind universal credit, are unsure whether the system can ever be made to work, even several years later. That is one commentary from an expert in welfare reform. I could read out — I will not — multiple ones, because you want me to get back to the Bill. The question is this: if that is the narrative and if this is a crash that the Tories fail to recognise — except, I think, the Chancellor — do we not owe it to everybody to take time today to get some more of this right? If we do not, we will repent at leisure as we see the full scale of what London intends to propose.

I turn to the amendments. I do not intend to make many comments about them, except to highlight a number of themes. I say to the Minister — I have had the conversation with him already — and to Mr Robinson that, if it had been left to me, you would not have known the scale of amendments that we would have had on the Table this morning and this afternoon. We were actually

quite measured in that we recognised that there were cost consequences of amendments from us and other people to the point that, if you actually look at our amendments, you will see that very few of them have significant cost consequences. That is our view.

We tried to craft them in a different way, based on maximising support for the claimant, minimising penalties and maximising oversight on the far side of the claimant journey.

#### 4.15 pm

If we could just go to that point, that is why —

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

**Mr Attwood:** I will give way in a second. That is why we have put in a reference to the Department having:

*“due regard for the claimant’s skills, experience, caring responsibilities and physical and mental ill health.”*

The issue of mental ill health is a theme that is tracked through three or four of our amendments. We would say to the Minister that if he accepts that the profile of mental health in the North is as acute as it is — one in 10 of our people are on disability benefit and it is one in five in Britain — and if you are going to protect those people and those in the welfare system who are conducting the interviews and making the assessments, then one way of protecting everybody is to say to them, “You have a statutory responsibility to look at the issues of skills, experience, caring responsibilities and physical and mental ill health” and to say it to your own staff and for Mr O’Reilly to say it to his staff.

I know a lot of those staff. I apologise; I should not have mentioned an official, although I mentioned him positively. I apologise and withdraw that name. I was in the Minister’s seat once, although only for a year. When I heard about people beating up on Social Security Agency (SSA) staff because they were off sick with stress, I remember what I said to some of the people who came out with that claim at that time. These people were on the front line with people in need, some of whom were going to be belligerent, and they needed our protection. They need to be protected, and if DWP starts looking over here to set targets and impose penalties and punishments on claimants, we need to protect our staff from the heavy hand from London.

If you want evidence to corroborate that argument, who would have thought a number of years ago that, when it came to welfare reform, London would suddenly decide that it was going to impose all these penalties to the point that Theresa Villiers was unable to answer the question as to why the penalties were £87 million at that time? If you want corroboration, look at the questions that Mark Durkan MP offered last week in London to a Treasury Minister at the Committee that is dealing with the Corporation Tax Bill. The Minister would not commit himself to say that he would not use the heavy hand of London again in order to ensure that, in the context of the devolution of corporation tax, we had a balanced Budget and a sustainable basis for the Budget. Go and read what a London Treasury Minister said or did not say to Mark Durkan MP in a House Committee just a week ago.

Let us not be naive. If London can, London will try to impose its will on our system. The best way of ensuring

that it does not is to put into our law the protections for our staff and for our claimants that, in our view, would arise from having due regard for the claimant’s skills, experience, caring responsibilities and physical and mental ill health.

It seems a long time ago now, but when we were negotiating the issue of the Police Ombudsman and trying to convince Maurice Hayes to go for a maximum position in relation to that post, Seamus Mallon made the point — it was not me, I was just in the margins — at a meeting in Cambridge, in September of whatever year it was, at the British-Irish Association conference, that a good system of police complaints was a sword against those who were on the wrong side of good practice and a shield for those who were on the right side of good practice. It is the exact same now. We can protect our claimants and our staff in the event that London should come seeking —

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

**Mr Attwood:** I will in a second.

Over and above all that, in the roll-out of universal credit, when it comes to assessments, including those of mental health, without giving any increased priority to due regard of mental health, there should be recognition of it as an issue that affects a lot of our claimants, in order to ensure that our staff in the SSA do all that they can when it comes to the assessments to make sure that that matter is taken into account.

**Mr P Robinson:** I am grateful to the Member for giving way. Will he explain to the House the narrative that us placing something in legislation puts some onus, responsibility or obligation on the United Kingdom Government not to touch us? It is a nonsense. If we put something in legislation, the only people who will be under an obligation will be those on the Executive here in Northern Ireland. Nobody else.

**Mr Attwood:** How do you send, Mr Robinson, a message to London that says, “Hands off our welfare system”?

**Mr P Robinson:** Pick up the telephone.

**Mr Attwood:** Oh, right. I was in the Social Security Agency — sorry, DSD — and one of my observations from my one year there was that, too often, DSD was more an outreach for DWP than it was the Department for Social Development of the Northern Ireland Executive. Let us not be naive about this: DWP is the shadow over all of DSD and the SSA. Although I have immense respect for our staff, the leadership and the management, including in children’s services, where there are some extremely committed people, let us be very clear: we know to our cost how London tries to impose its will and will not face up to the particular circumstances in Northern Ireland. Is that not what the penalties are about? Is that not what London’s failure to enter into negotiations in Stormont was about? The message was, “You will stand and deliver”, and on the far side of the election there will be more “stand and deliver” if the Tories get re-elected. Why do we build maximum protections into our law? We do so because we need to legislate to ensure that we do it right here and to send a message to London that we are not going to do it in the way that it might choose.

If you accept the logic of Mr Robinson’s argument, we should just put everything in guidance. Any advice that we are giving to the Social Security Agency, the child

support sector and all the rest should just be put in guidance by that logic. We put it in the place of maximum protection, which is in primary law, not the primary law in the regulations. If the Minister can reassure on some of that later, we may be minded to not move some of our amendments.

I also want to deal with the thinking behind amendment No 13, which tries to broaden the provisions for domestic violence and incidents motivated by hate. The issue of incidents motivated by hate has an immense public profile, and it has had it over the past number of days. Look at the disgraceful attack on the Kingsmill memorial and other incidents. It has been a narrative over the past period. I say this without trying to open up another debate, but if you speak to people from the Rainbow Project, they will say that, because of recent publicity around certain issues of discrimination or alleged discrimination, there has been increased instances of attacks on people from the LGBT community.

Hate in our society is something that we need to try to broaden our thinking on, and that is the purpose of the amendment. We tried to draft a form of words, and I know that, at one stage, Sinn Féin tried to draft a form of words for how that provision might work, and it is very difficult. That is why we asked the Minister to put forward regulations to capture more than domestic violence and to be informed by the police and prosecuting authorities on what is the right shape in regulations for the issue of hate and how that is managed through the welfare system.

I move on to deal with amendment No 53. This is a moment in our history when we can send out messages of deep authority to sectors of our community that, for various reasons, are vulnerable. That is true of the provision that we proposed on hate and the provisions in new clause 130C, "Impact of Regulations on Victims and Survivors". This is another clause that we struggled to define in the best possible way because this is a contentious issue, and there are matters of dispute with definition. That is why we left it in the way that it is drafted so that, in consultation with the Victims' Commission, provisions could be put forward.

I believe that there is no dispute in the Chamber on the requirement to try to legislate or provide for victims and survivors in the best possible way. Let us take the opportunity to do that in the Bill and in that way send out a message to all sectors that, for whatever reasons, feel or are vulnerable, we will provide welfare protections.

I understand that Mr Ramsey will speak on amendment No 17, which is about bringing forward an independent living fund structure. The Minister will know that Scotland has an equivalent fund. On a cross-departmental basis, Scotland gathered £5.5 million of its devolved moneys, in addition to any moneys from London, to try to shape and work up an equivalent of an independent living fund. I ask the Minister to confirm whether the current provisions run out in 18 months. If so, what will happen, on the far side of that, to the independent living fund?

**Mr Allister:** This debate, particularly the spectrum that it has taken since 2012-13 to get to this point, is commentary in itself on the dysfunctional arrangements of this place. That a matter such as this, costing us money in the meantime, should and could have been dragged out in all those ways surprises even me.

Then we come to today's debate. From the First Minister's intervention, we discover that the House is being asked to debate at Consideration Stage a Bill that is far from the whole story. There are other, secret aspects, it seems, yet to be revealed. How and when? Further Consideration Stage? Regulations further down the road? Who knows?

#### 4.30 pm

The one thing that we now know — and others may well have known it more fully than me — is that there was the Stormont Castle agreement. Mr Agnew asked the First Minister if he would now publish the Stormont Castle agreement. He did not get an answer. Here we are debating the minutiae of the Welfare Reform Bill —

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

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

**Mr Allister:** Certainly.

**Mr P Robinson:** The only reason that the Member did not get an answer is that, if you have an agreement that is a five-party agreement, no one party can decide for itself that it is going to publish it. I am very happy that it is published, but you need the agreement of all five parties.

**Mr Allister:** The import of that is that it was a secret agreement between the parties that they were going to keep secret and that, to break the secrecy, we now have to get the consent of all the participants to the secret pact. There is the challenge to each of the five parties. I will give way to each one of them in turn if they wish to say on the public record to the First Minister that they have no objection to the publication of the secret Stormont Castle deal. I wait. I am inferring — perhaps I infer too much — that the First Minister was giving his consent to the publication.

**Mr P Robinson:** Yes.

**Mr Allister:** Right, so there is one. Four —

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

**Mr Allister:** Yes.

**Mr Beggs:** I am all for open and transparent government.

**Mr Allister:** That is two. I am listening. I would like this on the record if it were possible.

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

**Mr Allister:** Yes.

**Mr Dickson:** The Alliance Party is delighted to do so. We are fully supportive of open and transparent government.

**Mr Allister:** Three. We are doing very well.

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

**Mr Allister:** Yes, I will certainly give way.

**Mr Dickson:** Will the Member give way before Mrs Kelly intervenes?

**Mr Allister:** Yes.

**Mr Principal Deputy Speaker:** I remind Members to address their remarks through the Chair.

**Mr Dickson:** While I appreciate the point that is being made, which was helpfully led off by the First Minister,



we are tempting to run into a farce here again. This is a serious Bill that requires a serious debate.

**Mr Allister:** I agree entirely. I started on this point: how can we have serious debate if there is secrecy around some overarching deal that impacts on the Bill itself? I think that Mrs Kelly wanted to come in.

**Mrs D Kelly:** Our party has no difficulty. We are struggling to understand what was the secret deal. One secret deal that we are interested in, Mr Allister, is the one between Sinn Féin and the DUP, which has led to the departure of several senior members of Sinn Féin.

**Mr Allister:** Perhaps we will come to that. I must say that I am pleased that we have got to the point of four of the secret conspirators in the Stormont Castle deal agreeing to lift the veil of secrecy. It is noticeable that all that I am getting from the Sinn Féin Benches are blank stares. It seems that there is a reticence about taking off the wrappers from the secret deal. I wait, and I think that the silence is compelling.

**Mr O'Dowd:** There it is.

**Mr Allister:** I will give way to Mr O'Dowd if that is his request.

**Mr O'Dowd:** Mr Allister is looking for secret documents. Here it is here; there it is there. Read it, discuss it, debate it. That is your secret deal there.

**Mr Allister:** I think that what Mr O'Dowd was holding up was the Bill. Is he saying that the Welfare Reform Bill is the secret deal? Is this not the Welfare Reform Bill that was published two-and-a-half years ago? How could it be the secret deal to which the First Minister was referring? Perhaps the First Minister needs to explain to the House something more about the secret deal, or is Mr O'Dowd simply trying to avoid the issue? He certainly cannot say that the Bill is the secret deal.

If the Bill is what he calls the secret deal, there was no deal, because it predates the so-called Stormont Castle agreement by years. What is one to make of this? What is the public to make of it? What are we, as MLAs, to make of it? Four parties say that there was a secret deal that they are happy now to make unsecret, and one party says that there was not even a deal. Is that the truth, is there the hope and expectation, but, really, in truth, welfare reform is not sorted at all? Is that why it is cloaked in such mystery? Is that why it is information tomorrow, down the road in regulation? Is that because, in truth, there is not a deal? Is that why the First Minister was not really able to deal with the question of whether or not Sinn Féin is right when it says that the cheque that will have to be written out of the block grant is £565 million over six years? Is that why the First Minister was not able to be explicit and say whether that is right or not? Is it because this deal has not, even yet, been pulled together? It really is very discomfiting to find the First Minister, supported by three other parties, agreeing that there was a deal called the Stormont Castle agreement, while one of the supposedly participating parties apparently denies that.

Where do we stand on the Bill? Why is the House being asked to legislate in the dark? Are those unreasonable questions? I would have thought not. Is that the reason why we had the petitions of concern? I read amendment No 1 again this morning, which states:

*"Regulations shall provide, in circumstances where one member of a couple does not accept a claimant commitment within a prescribed period, that the claim may be considered as a claim by the other member of the couple as a single person."*

I must say that I had the mischievous thought that maybe the petition of concern was all about one member of a couple giving cover to the other because they could not quite agree. The more this debate has unfolded, the more startling it appears to be in that regard.

There are then multiple issues on which any light has yet be shed. We have been told by some in the media about this £565 million. We have been told that no cap is to be applied to large numbers of people on benefits, and we know that 6,600 people get in excess of £26,000 a year in benefits. We know that that is a bill of £203.5 million: these are the Minister's figures. We know that the average received by families in excess of a cap is £30,500, which equates to a working person earning something like £40,000/£45,000. Yet 6,600 families in Northern Ireland receive, on average, benefits of that magnitude.

One of the motivations of welfare reform, regardless of what one thinks about it — whether good, bad or indifferent — was to encourage people into work, and one has to ask, if we are in a society and a situation where we are paying thousands of families in excess of an average of more than £30,000 a year in benefits, how do we ever hope to rebalance our economy? Yet, it seems that there are those in the House whose primary goal is to sustain that, to keep those people at the level to which they have become accustomed, and to do it out of the block grant. That is the really concerning part of where this welfare reform is going.

**Mr Wilson:** Will you give way?

**Mr Allister:** When I finish this point. Apparently, out of the money for schools, health and all that, we will sustain something that Sinn Féin boasts will be £565 million over the next few years. They seem to be saying that we will do that in perpetuity and for new claimants as well as old claimants. Yet, time and again, we are told that the Executive has an economically driven vision to rebalance the economy. There is a collision course there that has not been reconciled. I will give way.

**Mr Wilson:** Does the Member accept that, even in the GB legislation, there are exemptions from the cap; for example, for those who have severe disabilities etc. So, the idea that, somehow or other, people in Northern Ireland should be beyond the cap is not a defect in the Bill. It partly reflects what is happening in the legislation for the United Kingdom as a whole.

**Mr Allister:** I accept that entirely. In GB, not everyone will be capped at £26,000, because there are component benefits that do not count towards the cap. However, while there are 6,600 families in Northern Ireland who are above the present cap — there will be 12,000 if it drops to £23,000 — we have yet to hear the detail of the number of those families who will and will not be subject to a cap. One thing that is certain is that — it is not in the Bill; the cap is in the Bill — it appears that the agreement is that a number of those people will be exempted from the cap. That must be coming in regulations, but the House is not being told about that. Will the Minister tell us that the cap

will apply per se in Northern Ireland? I do not think that he will.

**Mr Wilson:** Will you give way again?

**Mr Allister:** Yes.

**Mr Wilson:** As he always does, the Member is trying to build a case that there is something wrong with everything that goes through the House. Would he accept that, on most occasions, primary legislation goes through the House and regulations follow? That is the normal process of legislation here or, indeed, at Westminster.

**Mr Allister:** The difference is that we are at Consideration Stage and no light has been shed upon what the regulations will contain. I sit on the Committee for Social Development, and the officials were before us no later than yesterday. They told us that none of it had yet been agreed and that it has all still to be thrashed out and agreed at Executive level. We are going into a Consideration Stage and the officials nor no one else, least of all the MLAs, have any notion of what the regulations will contain.

Yes, it is a natural process to have subordinate legislation under primary legislation, but I suggest that it is unnatural that, when you are legislating through the primary legislation, there is such a blank canvas about what will be in the regulations. It takes one back to the question and the burning issue of just what is being put upon the Northern Ireland taxpayer and the Northern Ireland that is dependent on the block grant, and how much of the block grant will be soaked up in meeting what were the demands of Sinn Féin.

It is not so very long ago that the First Minister and other Ministers told us that there was no more money and that they had done the best that they could. It now seems that there is an unspecified amount of money in the future, and the only thing that we know about it is where it will come from. It will come from where it can least afford to come from: the block grant. That is what is frightening about those unspecified welfare reform arrangements.

In that context, it is interesting to debate all the amendments, but we are doing so largely in the dark. I think that the House is owed a more straightforward approach.

I trust that, when the Minister comes to speak, he will do that. I suspect that he will not because he cannot, given that, in truth, nothing has been agreed with Sinn Féin, who say that there is not even a Stormont Castle agreement.

#### 4.45 pm

**Mr O'Dowd:** Thank you, Mr Principal Deputy Speaker, for the opportunity to speak on the Welfare Reform Bill. When the Assembly was reconstituted in May 2007, I doubt whether many could have forecast that, with all the pressures that may have been bearing down on the political agreement at that time from various forces, including armed forces on the outside of the agreement and political division within certain political elements, inside and outside the Assembly, the one matter that would bring the Assembly to the verge of collapse would be welfare reform. I doubt whether any Member or political observer at the time would have forecast that, but that is the case. Coupled with British Government economic policy, the matter that brought the Executive and the Assembly closest to collapse was welfare reform. That

is the context in which this debate is taking place: the Stormont House Agreement that led to today's debate and to the continuation of the elected institutions.

Members should not forget that the agreement that was reached in Stormont House and the political agreement that flowed from it covers a number of areas, but the most important element is this: after two years of a breakdown of political relationships across the Chamber, across the Executive table and, indeed, in society, trust was reformed among the political parties. Political parties reached a position whereby, through word and deed, they were going to ensure that the matters of concern to them and to society would be dealt with in a mature political fashion through agreement, legislation and a commitment to work more closely together than they had previously. It is quite clear that the reputation of the Assembly pre-Christmas 2014 was in tatters in our ability to work together, to bring forward legislation and, most importantly of all, to deliver on the ground and to make positive changes in people's lives, which is the primary reason why this institution was established. That is why, therefore, it is vital that the political parties that signed up to the five-party agreement honour that agreement. They need to reflect on why they entered into those negotiations and why they were necessary in the first place. Today, we are debating the Bill's Consideration Stage, and the first group of amendments, which I am speaking to, all flow from that. You cannot draw the curtain on your mind on 23 December and say, "The negotiations that led up to the agreement are all history and have nothing to do with the implementation of the agreement".

**Ms Ruane:** I thank the Member for taking my intervention. I will deal with the issue raised by Mr Allister. Our party is quite happy for the five-party agreement made on 19 December to be made public. Furthermore, the agreement that was signed by four parties, which did not include Sinn Féin, was deficient in a number of areas, and we also believe that it should be published.

**Mr O'Dowd:** I thank the Member for that intervention, and I —

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

**Mr O'Dowd:** Yes.

**Mr Allister:** I welcome the clearance from wherever it came. I notice that Ms Ruane pulled rank on Mr O'Dowd, but one welcomes that. One now looks forward to the agreement that, a few minutes ago, was supposed to be this, which it patently was not, and seeing what it actually is.

**Mr O'Dowd:** I do not mind rank being pulled on me at all.

**Ms Ruane:** We believe in equality.

**Mr O'Dowd:** Yes. Towards the end of my contribution, I will return to your comments. Nothing that Ms Ruane has said contradicts what I have said, and I will elaborate on that towards the end of my contribution.

I return to where I am in my contribution. There are three stages of an agreement. There is the negotiation, the agreement and the implementation of the agreement, all of which are vital for success. We are now at the implementation stage of the agreement, and, as part of the implementation stage of the agreement, it was agreed among all political parties to work together to bring forward a Welfare Reform Bill that was built on the

Stormont House/Stormont Castle agreement, Mr Allister. It was agreed to work together through the party leaders meetings and to bring amendments to that agreement. What the 2012 draft Bill will be built upon and the final Act will be built upon will be that agreement, so it is somewhat disingenuous for political parties to circumvent that process —

**Mr Principal Deputy Speaker:** I have afforded some latitude to the Member, but I ask him to address the amendments.

**Mr O'Dowd:** I will, Principal Deputy Speaker, address the amendments. I am principally talking around a number of the SDLP amendments and, indeed, the UUP amendments, particularly those that would have been clarified through the group leaders meetings. For instance, I refer to amendment No 4 and also to amendment No 17, which I will talk to in more detail as we go forward.

To the parties that have tabled the amendments, I ask this: is the intent of the amendments, whether it is amendment No 4, amendment No 17, amendment No 8 or whichever it may be, to improve the Bill and the final Act? Or, is the intention of the amendments to take part in grandstanding and raise expectations or attempt to get political capital on political opponents? As Ms Ruane said, during the negotiations, political parties, particularly those that have tabled amendments today, signed up to a lesser Bill than that which we have before us.

There were a number of secret agreements during the Stormont House and Stormont Castle discussions, and I particularly refer to the agreement that was signed up to by four of the parties on 17 December, because, when I read through that agreement, I see that none of amendment No 17, amendment No 12, amendment No 13, amendment No 11, amendment No 9 or amendment No 4 are reflected in the four-party agreement that was signed up to. None of those amendments are reflected in that agreement, and none of those amendments appear to have been of such importance that, when the four parties signed up to that agreement and insisted that that was the final deal, any of them were there. I am left asking this question: why are those amendments of such vital importance to the sponsoring parties? I have to say that some of them carry significant merit, but, when political parties enter into an agreement on the way forward for this Assembly, the Executive and our society, I have to expect them to live up to it. We have to ensure that the Assembly delivers for the most vulnerable in our society. We have to ensure that the final Welfare Act and the regulations that flow from that Act and the regulations and the Act that will give body to the Stormont House/Stormont Castle agreement will all be there. When parties divert from that, I think that there is a significant danger in a lack of trust flowing forward.

I will refer to some of the comments made during earlier parts of the debate. One of the comments that Mr Attwood made stuck with me. He was talking about the relationship between the Executive, the Westminster Government and future welfare reform legislation. He stated, "You will be asked to stand and deliver". Surely that is the purpose of ensuring that the regulations that are coming from the Minister for Social Development are scrutinised. I note the comments of the Chair of the Social Development Committee, who stated during his contribution that the Committee stands ready to continue its scrutiny of this entire matter. This is not the final act in

this saga. It is not the final part of the play. The curtain is not about to fall once this piece of legislation is passed. There is a further role for the Assembly, for the Social Development Committee and for the Executive. Many of the amendments, particularly in group 1, which may be commendable, do not require to be placed in legislation. Primary legislation is not the answer to all ailments in society. We can deal with any of those matters through regulations.

Indeed, some of the amendments, if passed, would actually make it more difficult to make changes in the future. I refer to placing bimonthly payments in legislation. In principle, they are a very good thing, but if you place them in legislation and then you want to move to weekly payments, you have to bring legislation back to the House to get it changed. That is just one example of where the intent may be good but the outworkings of it actually make it more difficult for the Department for Social Development and those delivering welfare to the most vulnerable to make the changes required.

I said that I would return to amendment No 17, because that is where the leaders' working group comes into play. That is where the agreement and the agreement on the implementation of the agreement were vital. Amendment No 17 again refers to a worthy issue. It states:

*"within 18 months of commencement of this Act a fund to replace the Independent Living Fund, following consultation with the Department for Employment and Learning and the Department of Health, Social Services and Public Safety."*

will come into play.

It appeared to me, during contributions from Mr Beggs and interjections from Mrs Kelly, that there has been no discussion with either DSD or the Department of Health in relation to that matter, whereas, if the amendment had been brought to the group leaders' meeting for agreement, that would have been the ideal place for such discussions to take place and for the various elements to bring forward an amendment that actually delivers positive outcomes for people on the ground rather than an amendment that may be well intentioned but, I suspect, also has a political intention. People are seen to go further than others were prepared to go. The fact of the matter is that, if the proper mechanisms, which were agreed as part of the Stormont House Agreement, had been used, that issue could have been resolved, in my opinion, not to satisfy the need for amendments but to satisfy the need to ensure that people in need receive the benefits that they deserve.

In conclusion — well, I do not want Mr Allister thinking that he has got one over on me. I would not sleep easy tonight with that thought in my mind. Mr Allister said that we are making legislation in the dark. The only legislation before the House today is the Bill and amendments that have either been brought forward by private Members or are sponsored by the Minister, so we are not making anything in the dark. The regulations that will flow from this matter, which will also be scrutinised by the Assembly and its bodies, will not be made in the dark.

What we have agreed to in a five-party agreement, which we have all been open about, is that we have ensured that the most vulnerable in our society will be protected. What we have agreed to is that we have a different welfare Bill from

that passed at Westminster two or three years ago. As I said in my opening comments, the Stormont House Agreement was about political parties agreeing to work with each other in deed and word. I think that some of the amendments brought forward today break that deed and word.

In conclusion, Dolores Kelly said at the end of her speech that the SDLP have done what they said they would do. They have not. They have done the exact opposite of what they said they would do. They have failed to live up to the five-party agreement. They have failed to faithfully implement the Stormont House Agreement, and I think that, by doing so, they have ignored the facts that brought us to those negotiations. Party politics have their place, but, when it comes to destabilising the institutions, you have gone too far.

#### 5.00 pm

**Mr Ramsey:** I support amendment No 17. I hope that the Minister can give us some clarity on the independent living fund at some stage. I will go into a bit of detail, but, before I do, I want to declare that I chair the all-party group on learning disability and the all-party group on disability.

This is an issue that has been affecting so many families and carers in Northern Ireland for some time now. We know that, in Britain, the UK Government have brought to a closure the independent living fund and devolved it to some of the regional councils. As Alex Attwood said, the Scottish Parliament last year agreed to work on a new autonomy for the independent living fund to ensure that more people have access to it. I make the point that we tabled amendment No 17, because, later this year, the independent living fund as we know it will come to a close.

Many hundreds of people, families and carers in Northern Ireland have disabled children, many of whom have complex and profound disabilities, and, because of the independent living fund and direct payments, those children have a choice to remain at home and a lifestyle to be able to do so. That is fundamental in going forward. The independent living fund gives that sense of independence, as it says on the tin, to enable people to employ a personal assistant, for example. It enables people to employ carers in cases in which clearly more profound needs are involved, and it enables parents or carers to employ people to take the disabled person to their home, thus giving those parents or carers some respite. Therefore, we need to know.

We had a number of events highlighting and promoting the independent living fund. The Health Minister, Jim Wells, is not here, but I met him a number of weeks ago along with a number of parents and carers, and it was a very good meeting. We wish Jim and his wife, Grace, very well. I know that she is on the road to recovery, and we hope that that continues. Unfortunately, at the same time, a gentleman from our own city, Martin McCrossan, died very suddenly, and I was at his funeral this morning. He had been on the same ward as Grace. We extend our sympathies to Sharon and her daughters Charlene and Christina at such a traumatic time. Martin was the epitome of a decent person and what every person could be in the city. He provided tours in the city with positivity and cheer. I just wanted to use the occasion when it was there to say that.

We want to see progress made, and we want to hear what the Minister for Social Development is going to tell us

today about access to direct payments to enable those families. At present, just over 660 families and carers receive money from the independent living fund, and that enables them to have some type of lifestyle to bring in carers. The reason that we are bringing the amendment forward, and I say this directly to the Minister, is that we want to know what is happening. We want to know whether there is going to be direct contact with the Department of Health. I know that the transfer of powers from DSD will take place to ensure that DHSSPS will use those powers, but many hundreds of others across Northern Ireland cannot access those moneys, because they do not have the capacity or skills to deal with direct payments. They do not have the skills to employ people, while others are using accountancy firms to help them process payments, National Insurance and tax, That is crucial for families across Northern Ireland.

Amendment No 17 is a very important amendment, because it reflects what is happening across Northern Ireland. It is the duty of the Office of the First Minister and deputy First Minister to monitor the inclusion of disabled people across Northern Ireland. I am sorry that the First Minister is not here now, but that is a key principle in order to give a bit of peace of mind, comfort and reassurance to families. I will tell you what would happen if we did not do it: if those families were not receiving the payments, they would put their children or family members into care, a residential home or hospital, and the health budget would reach crisis point. You can imagine the cost to hospitals if we did not provide that level of support to families who are in crisis at the best of times. There but for the grace of God.

We talk about our families and bringing them up. In some families, a number of people in the household have disabilities or learning disabilities — they depend on this. I have talked to people who are absolutely stressed out, worrying about what is happening and the outcome of the independent living fund. They know that it will place them under so much pressure that they might have no alternative but to consider the option of placing their loved one in a care home or residential home.

Reflecting on all of that, I say to the Minister that we have come a long way from a period when disabled people had to live, segregated, in institutions. That is important. We are modernising and doing things much better. We cannot go back to that situation by not having clear plans and definitive time frames for the independent living fund.

I met Jim Wells. I have to say that, as Health Minister, he was very encouraging to the families whom we met. He hopes to make some determination on the four available options that were subject to consultation. One option must be to enable an increase in those who can access these moneys. Some Members are shaking their heads. They are probably dealing with many such people in their communities and constituencies and realise that they are struggling to come to terms with the multitude of problems. The impact on family life and the disabled person is immense.

Earlier, somebody used the word “shame”. We would be shameless if we did not, under this legislation, look at, explore and take the opportunity to try to devise a method to ensure that, as a result of the discussion over the next few days, Minister Storey will say to me, “Pat, you are absolutely right, and these are the actions that we will take”. If those actions are definitive and clear, there will be no need for us to press the issue at all.



**Mr Storey (Minister for Social Development):** I thank the Member for giving way. I deliberately wanted to intervene at this stage, given what the Member has said. I could have done so on many other occasions, but I think that it is better to wait until I respond at the end of the debate. Many, if not all, of the issues that the Member brings to the House, he brings with a sense of conviction and understanding of what the issues are.

We concur with the Member's comments and pass on our best wishes to Minister Wells and his good wife, Grace. We are glad of the progress that she has made. We also send our sympathy to the McCrossan family on the very sad and tragic death. I know that it is a loss felt by many across the city.

I will give a commitment in the House. The public consultation ended on 30 November, and the Health Minister, I understand, is to announce his way forward early in 2015. Following today's debate, I will undertake to have urgent discussions with the Health Minister. I will convey the concerns relayed by the Member. I give an assurance on record to the House that I will make that a priority.

**Mr Ramsey:** I thank the Minister for his intervention. He and other Members will now appreciate why we tabled this amendment: to get clarity and definitive commitments, as the Minister, very kindly, has given. I make the point again that I am reflecting only the opinions, concerns, worries, fears and trepidation of many parents and carers across Northern Ireland. With a sense of relief, I hope that Minister Storey and Minister Wells can, within a very short time frame, give some clarity on the options available. If one option is to set up another trust fund with fewer overhead costs to administer the money, that is fine. That is what disabled families want as well. They do not want a heavy burden of secretarial administration costs. They want the money available to go directly to those people who need it.

So, I am content at present with the Minister's response. We have to look after the people in our community who are less well off — the marginalised, the most vulnerable — and if we cannot do that, we should forget about entering politics. We are about trying to change and improve the quality of life, and give peace of mind to many carers and parents across Northern Ireland.

**Mr Agnew:** The Democratic People's Republic of Korea, otherwise known as North Korea; the Democratic Republic of Congo; the Democratic Unionist Party. Why is it that those who are least democratic feel the need to shout their democratic principles most loudly? Forty-nine petitions of concern are binding the hands and feet of the Assembly today on this Bill. The Assembly is the body charged with legislating in Northern Ireland, and the Members democratically elected to it have been bound by those petitions of concern and, indeed, bound by the Stormont House Agreement which was made behind closed doors and without public scrutiny.

I am an MLA, a Member of the Legislative Assembly. This is the body that should be legislating for welfare reform in Northern Ireland, in full public view and with democratic accountability.

I have to question the Stormont House Agreement. We have seen some detail of it, but have we seen the full agreement? Do we know what was agreed behind closed doors? For example, is it a coincidence that, on

the day that Sinn Féin signed up to the Tory welfare cuts, it launched the Irish language consultation? Is that a coincidence, or is it part of the Stormont House Agreement? Only time will tell on that front.

In his contribution, John O'Dowd said that this is not the final act, not the final curtain — I thought he was going to sing 'My Way'. Thankfully, for us all, he did not, and he could not, because this is not his way: it is not the way of Sinn Féin. This is the Tory way. This is the Tory welfare Bill translated into Northern Ireland legislation. It is the mirror image of that legislation and of the principles of the Tory Party, which set out at the beginning of its term in government to make £18 billion worth of welfare cuts. That is what we are proposing to translate into legislation today, if we do not amend it. As we know, the vast majority of amendments brought forward by Members have been subjected to petitions of concern. There are no amendments from the DUP, Sinn Féin or Alliance, which suggests to me that those parties are happy to implement the welfare cuts as laid out by the British Government.

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

**Mr Agnew:** I will.

**Mr Campbell:** Just now, the Member said that the other parties which have not tabled amendments seem content to implement the welfare cuts as rolled out by the Conservative/Lib Dem Government. That is essentially what he said. Does he then dismiss all the concessions and flexibilities that my honourable friend the former Minister negotiated over the course of the past two-and-a-half years?

**Mr Agnew:** I am talking about the Bill that is before us. I have read the agreements in the press. I have been assured, and heard assurances from the Minister's predecessor, who is now referred to. I have been told that, in the Stormont House Agreement, one of the agreements is that no one in Northern Ireland will be worse off but, at the same time, I hear parties saying: "We will implement the cap on benefits." You cannot have it both ways. Either 6,600 people will be worse off or they will not; but I am being told both by different parties to the Stormont House Agreement. What I am being asked to do is trust the parties that are signatories to the Stormont House Agreement that either there will be a cap on benefits or that no one will be worse off.

I am not sure who I am supposed to trust in that scenario. All that I can really make a decision on and table amendments to, as I have sought to do today, is the Welfare Reform Bill that has been brought to the Northern Ireland Assembly.

## 5.15 pm

**Mr Maskey:** I thank the Member for giving way. Does he recall that, when he held bilaterals with my party during the Social Development Committee's deliberations on the Bill, he was prepared to sign the petition of concern against the bedroom tax but was not prepared to agree to any other mitigating measure? In fact, since that time, which is two years ago, you have not brought forward a single amendment. It seems to be a bit of a contradiction. Has it taken you two years to get a conscience on some of these matters?

**Mr Agnew:** I thank the Member for his intervention. There is a certain amount of revisionism, but that should not

be surprising. Yes, I would be willing to sign a petition of concern to block something that will harm the most vulnerable in our society. What has happened since those conversations was that we were told that the Welfare Reform Bill was not coming back to the Assembly, so I did not, when I had so many other issues as leader and sole Member of my party, spend time on a Welfare Reform Bill that, I was told by Sinn Féin, would never see the light of day because it would not implement Tory cuts. Maybe I should not have trusted them, but I took them at their word. Then the Stormont House Agreement happened, and the Welfare Reform Bill was to be back on the table virtually immediately. Yes, I had prepared amendments. I have 26 amendments tabled today, and I have been genuine in seeking to amend the Welfare Reform Bill to make it better than the current draft.

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

**Mr Agnew:** Yes.

**Mrs D Kelly:** Is the Member surprised to learn that, at Sinn Féin's ard fheis in 2013, Martin McGuinness said:

*"Let me be clear, Sinn Féin will resist this onslaught on the most vulnerable. We will not tolerate the introduction of a 'bedroom tax'. We will deploy a petition of concern on this clause if it is brought to the floor of the assembly."*

Therefore, are you surprised to learn that Sinn Féin has not signed the petition of concern that we have tabled and that you signed last night?

**Mr Agnew:** I thank the Member for her intervention. I will trust her on this occasion that that is indeed a quote from the Sinn Féin ard fheis. I thank her for reading it into the record.

Today, we have introduced the Stormont Castle agreement to the public. I put it to the leader of the DUP that there should be full public scrutiny of how the welfare reform proposals will be topped up and what they would look like. I am pleased that we have been given that commitment by various parties. I think that each of the five parties has now given a commitment to publish that, and I look forward to seeing the detail because I am left in a situation again where I face contradictions but am being asked to trust.

The top-up in the Budget was £70 million. In various estimates of what the welfare cuts would mean for Northern Ireland, each figure has been above that. NICVA's estimate was that welfare reform cuts would result in a £250 million loss of benefits to the people of Northern Ireland. Some people did not accept that figure. I believe that the last Minister told me that it would be £115 million a year, which is still some way above £70 million. The First Minister, when he was speaking as First Minister and not as DUP leader, said that, eventually, the cost of not implementing welfare reform — in other words, the additional benefit that we would have to pay out — would come to £1 billion a year. Today, as DUP leader, he said that the average would be £70 million a year and that that is exactly what we have budgeted for so nobody need worry. I have heard so many different figures. I look forward to seeing the detail of the Stormont Castle agreement on what figures have been used, how they have been calculated and how this top-up system will work.

I come back to what I said earlier: these things should go through the Assembly. Whether we are being asked to trust the Minister for Social Development and his officials to get it right through legislation or to trust the parties who are party to the Stormont Castle agreement, this is too big an issue of public importance for it not to be put through the democratic processes of the Assembly.

With that in mind, I come to the amendments that I tabled today, every one of which has been subject to a petition of concern. I assume the intent of the DUP is to block them. For the benefit of those who observe the Chamber, and want to see what their MLAs are proposing, I will go through why I have tabled each of the amendments.

Through amendment Nos 10, 37 and 57, I propose that work capability assessments should be provided by GPs or those employed by the health and social care trusts. This is about learning from the mistakes of others. We have seen this outsourced in GB with disastrous results. Atos has relinquished the contract due to its poor record. It had to pay compensation to the Government after it was accused of failures in quality. Indeed, of 600,000 appeals at a cost of £600 million a year, 40% were successful. That was 40% of people put through the added trauma of appealing their assessment relating to benefits to which they were later deemed entitled. If my son in school gets four out of 10 of his questions wrong, I am disappointed. When it is a company paid such exorbitant sums of money to administer work capability assessments, I am more than disappointed; I am horrified at the trauma that people have been put through due to the failures of this company.

Previously, the assessments were undertaken by internal departmental medical staff, and, as I said when, I think, Mr Beggs raised the question of cost, one way or another we pay for those medical experts, if that term can be used. Whether they are employed by public agencies or privately, we, the taxpayers, bear the cost. We have seen the record of outsourcing in GB. With outsourcing, you lose control and accountability. The public have already lost trust in the processes. We need to take action to restore that trust.

Amendment No 44 is about payments pending appeal. I just outlined the number of successful appeals and, therefore, the number of initial decisions that were wrong. My argument is that we should not make people, in some cases, destitute or, certainly, struggle financially while awaiting an appeal, especially when we know that in many cases they will be entitled to the benefits when their appeals succeed. I will read out the details of one case study of somebody whose benefits were stopped pending appeal after such an assessment. Jessica is a 23-year-old woman with mental health problems who was 22 weeks pregnant.

*"Jessica, who had walked two miles to the food bank, reported that since her benefits were stopped she had not eaten 'a proper cooked meal' for two weeks and was reliant on 'her sister's children's leftovers'."*

That is what we condemn people to if we do not give them the benefit of the doubt during the appeal process rather than giving the system the benefit of the doubt. It is certainly my contention that, when people apply for benefits, the vast majority do so genuinely. We know that 40% of assessments are wrong, and we should not punish the people on the end of those mistakes.

I do not propose to move amendment No 45. It may require some thought in advance of Further Consideration Stage. Amendment Nos 38 and 39 —

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

**Mr Agnew:** Certainly.

**Mr Givan:** On amendment No 45, I am interested to know why the Member needs to give it further thought. I am interested in exploring it, but I appreciate that he does not plan to move it.

**Mr Agnew:** That is fair. I cannot recall who outlined it earlier — it may have been Mr Beggs — but the intent is to prevent a blunt clawback when there is an overpayment, with the Department simply extracting money from people who are on a very low income after an overpayment that was the fault of the system rather than the individual and when it is clearly not a fraudulent claim but an overpayment by the Social Security Agency. I have come across circumstances — I go back to my time working with the homeless — where mistakes were made and the clawback was quite excessive and led to significant financial difficulties for those on the receiving end. People should not be punished for the mistakes of the Social Security Agency, but, equally, I accept the point that was made earlier: should a significant overpayment be made, it is unreasonable that the public purse be out of money.

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

**Mr Agnew:** Sure.

**Mr Givan:** I appreciate the Member elaborating on that point. It is more about the principle. People can have sympathy when an overpayment has been made and it is not the fault of the individual, but, if you are not entitled to a benefit, you should not receive it. If you were to apply that principle to the payment of income tax or corporation tax, would the argument still prevail that, because you did not take enough income tax off an individual, they should be given a bye ball? That is when we need to be careful about compromising on the principle of the issue.

**Mr Agnew:** I suspect that we are in agreement. It is not so much the principle of whether the money should be paid back but how it should be paid back. I would be concerned if the Department had the power simply to withdraw money from people's accounts. It is about how rather than whether money should be paid back, but, as I said, the amendment may need further thought.

Amendment Nos 38 and 39 very much concern disability. They are about how long someone's disability should persist before a payment is made. The principle of personal independence payments or disability allowance is about providing support for the extra costs of living with a disability. The proposal in the Bill is for 12 months: three months prior to a claim and nine months afterwards. My proposal is to reduce the nine months to six months, which is the current situation.

I do not understand the rationale for increasing that timeline. The extra costs of disability are virtually immediate, so why would we ask someone to shoulder the burden of those costs without support from the state for a full year? Why would we ask them to demonstrate beyond a year that they are disabled before they get any support? I fail to understand that, and I think that retention of the current system would be preferable in that regard.

### 5.30 pm

Amendment No 43 deals with payments in cash. Again, with a petition of concern not tabled and the Assembly minded to support it, this amendment may need some further definition. This goes back to my time working with the homeless. I will give the example of someone on benefits receiving their payment. It has become increasingly onerous to get a bank account because of the burden of proof of address and identity. There may be good reasons for that, but for someone who does not have a driver's licence or a passport, and certainly for someone who lives in a homeless hostel and does not have utility bills, it can be quite difficult. Mr Beggs made a point about why it is preferable to have a bank account, and I completely agree with him, but for some people that is very difficult. Despite, in the circumstances I referred to, letters from the hostel or the organisation that I worked for or letters from social workers, many of our residents were unable to get a bank account. Their situation was one where they got their cheque — in some cases that was an amount of £45 a week paid in a single £90 payment — and then went to "Cash a Cheque" or something of that nature, where they paid a premium to receive their money. The intention of the amendment is to ensure that no one should be paying to receive their benefits. No one who is on the lowest incomes in our society should have to pay a premium to receive that money. We each get our pay paid into our bank account, I am sure, and there is no charge for that. There should not be a charge for those on such low incomes to receive their benefit payment. The figures I have suggest that 5% of people on the lowest incomes have no access to a bank account. It is a real problem; it does exist, and we need a solution to it.

Amendment No 74 is about opposition to payment in vouchers. I understand that the wording is that payment "may" be made in vouchers. Again, Mr Beggs laid out some of the reasons why it might be preferable to make payment in vouchers, and the Minister may come back on this in his contribution, but without any assurances as to how and when that would be used, I would be very concerned about that proposal. For example, if you are a parent with children in school, you cannot use vouchers to pay for school trips. There is the potential that the very narrow view of what people need their benefits for, which is that it is needed for food and clothing and that is all, fails to reflect the realities of the lives and financial pressures of people on benefits. Without assurances as to how it would be used, I fear that vouchers are used almost as a penalty and a restriction of freedom on those who are on benefits. I do not believe that people should be punished for being unemployed or disabled or for the many other reasons for having mental ill health. For that reason, I oppose payment in vouchers.

**Mr Wilson:** Can I, first of all, just make a couple of general points about the importance of the Bill? This issue has disabled this Assembly for quite some time because of the financial constraints it put on it and the concerns that there then were around the budgetary implications. It is important that we now have the Bill on the Floor of the House, and, hopefully, we will get it through this evening, though I notice that it is still being used to score political points and make bogus points against other parties by those who, in the past, complained about the impasse in the Assembly. That is despite the fact that, when you

examine their role in these issues, you will see that it hardly stands a great deal of scrutiny.

I noticed the pseudo-anger that we had from the SDLP on this issue. For example, they upbraided Sinn Féin on their refusal to sign a petition of concern on the spare-room subsidy, ignoring the fact that the spare-room subsidy was introduced into Northern Ireland by the SDLP. Indeed, it was introduced for those tenants in the most expensive housing sector, namely the private sector. There were no concerns then, of course; no petitions of concern; no amendments being put down. Their Minister simply introduced it. Now, they try to score political points. It is this cheap political point-scoring that makes the public cynical about the approach that parties have to certain issues.

They talked about sanctions. Sanctions were introduced by an SDLP Minister. We had the pseudo-rage from Mrs Kelly about Atos and the independent bodies that make assessments. Indeed, when she was moving her amendment, she talked about it, despite the fact that that privatisation of the assessments, if you want to call it that, was introduced by an SDLP Minister.

When we listen to the criticisms that the SDLP level and direct mostly in that direction — and I am not here to defend Sinn Féin, by the way, just in case anyone thinks that I am — one has to bear in mind their own record on this, and then ask how sincere are they really about the things that they said about it.

Of course, we had Mr Beggs who, in the other direction, I suppose, tried to poke at the DUP, as if, somehow or other, the Ulster Unionist Party was totally divorced from all this stuff about welfare reform, despite the fact, as was pointed out to him ad nauseam by Members, that his own party stood in the last election under the banner of the party that has introduced it. Indeed, his own party leader stood as a candidate in that election.

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

**Mr Wilson:** I will give way, certainly.

**Mr Nesbitt:** Yes, I did stand as a candidate, and I did not get elected, and Mr Wilson did get elected. When was the last time he had coffee or a diet Coke with the Prime Minister?

**Mr Wilson:** I have never had coffee or a diet Coke with the Prime Minister. Do I look like the kind of person who drinks diet Coke, for a start? All I am saying is that we actually support a lot of the welfare reform proposals anyway. We are supporting this Bill because we support a lot of the elements in welfare reform.

When it counted and when there were things that we disagreed with, first of all we went to Westminster and voted against those parts of the Bill. When that did not succeed, our Minister here in Northern Ireland sought to get changes made in the Bill, some of which are reflected and some of which reflect the concerns that have been expressed by parties all around here.

Our record on the Bill is consistent. Where there are good aspects to it, we have supported them. Where there are aspects that we believe are disadvantageous, we have opposed them. Where we have had the ability to do something about it, we have done something about it. That is as good a record as anyone can have on the issue.

On applying standards, Mr Beggs, when he was talking about amendment No 1, which would mean significant costs to the Executive, he would not or could not give us the costings. Indeed, his argument was that it is up to the Minister and the Department to give us some of the costings. However, when challenged by Mr Agnew to support some of his amendments, he said that he could not do it unless the Member could give him costings. It is another example of parties wanting to have it both ways. Where there are costs applied to their amendments, they say that somebody else should tell you what the costs are. However, they will not support other people's amendments unless they can be told what the costs are, saying that the obligation to give the cost is on the person moving the amendment.

**Mr Beggs:** I thank the Member for giving way. Will the Member not acknowledge that this is an important area and that there will be occasions on which vulnerable individuals could be caught out if there is not such a flexibility built in? Furthermore, has there not been some flexibility built in through split universal credit payments? Therefore, what we are asking for, which we asked for before it was granted, has been built into the proposals. Will he not acknowledge that? We would like to have it in the Bill. What is wrong with that?

**Mr Wilson:** I will come to putting that kind of issue in the Bill. Yes, there are financial consequences attached to some of the changes that have been made. Where we have already had them costed, we have not sought to make them secret, despite what Mr Allister said. In fact, we have been quite open about the costs. Some will require changes in regulations, and we know the areas that those lie in. I suspect that the regulations may even be drafted with a mind to the amount of money that is available. That will show the kind of flexibility that you can then attach to those regulations. The idea that, somehow or other, you simply put forward amendments willy-nilly without attaching costs to them is totally irresponsible.

That brings me to the issue of the petitions of concern. Somehow or other, Members have tried to portray the use of the petition of concern as undemocratic and seeking to railroad things through, and so on. First, we are having a debate on the Bill. The public will be able to hear the arguments that people are putting forward for their amendments. There is transparency there. A petition of concern does not stop there being a vote on the Bill, so the public will know who voted for it and who did not vote for it.

Use of a petition of concern is especially relevant in cases such as this, in which there are significant costs attached to some of the amendments that are being proposed, and where some of those amendments are being proposed because parties can behave irresponsibly when they are in the position that they are in. They might be able to behave irresponsibly individually, but, if they were to behave irresponsibly collectively to score the points that they wish to score, there would be implications. A petition of concern is used in a situation like that to safeguard against the kind of irresponsibility that, unfortunately, we have heard even today. Some of the parties that signed up to an agreement at Stormont House now seem prepared to ignore what they signed up to by putting down some of the amendments that they have — amendments that they never raised with the other party leaders. I suppose that they thought that it



was a good way of poking their opponents by putting them down now.

#### 5.45 pm

The petition of concern is a perfectly relevant means to use, and I will tell you one thing: it is far more relevant in a situation such as this than in the situations in which the SDLP used it in recent weeks: to protect the postman from sanctions for letters to get murderers off the consequences of their crime; to ensure that money is irresponsibly spent on an Irish-medium school in Dungiven; or to ensure that there cannot be a Union flag placed on the driving licence of people in this part of the United Kingdom. If you are looking for frivolous uses of the petition of concern, look in that direction, not this direction. At least we have some rationale behind it, and it does not stop —

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

**Mr Wilson:** I will, yes.

**Mr Beggs:** Will the Member explain the language used in amendment No 1, which states:

*“the claim may be considered as a claim by the other member of the couple as a single person.”*

The word used is “may”, so flexibility is built in. Why is there a need for a petition of concern? This is an area that has been of concern to Ulster Unionists for some time, and we tabled an amendment on it. It was not particularly new, so why does he use a petition of concern in an area that we have shown an interest in for some time and into which we have built the flexibility to enable something practicable to be delivered to meet people’s needs?

**Mr Wilson:** Mr Principal Deputy Speaker, you have been a bit tolerant with me anyway. I had tried to keep, at least loosely, to the amendments before us. Let me come to those now. I will not speak on all of them, by the way, but I want to take up some of them.

Amendment No 1 is a very good example of where there is a cost attached, and I suspect that a great deal of thought did not go into the amendment. The consequences, of course, of allowing one individual in a family to decide that they do not want to make a commitment, therefore allowing the other member of the family to make a commitment, can, I think — in fact I know — have significant cost and lead to irresponsible behaviour. That is because the claims have always been joint. It has been done that way for one simple reason, which is that when someone makes a claim, there is also a necessity with income-based benefit to look at the total income of the family.

If we were to run with the amendment, we could find that one of the two people in a family, because of their savings or other income, could simply say that they do not want to make a commitment. Under the amendment, the other person could then make the claim. So, people who abide by the rules are excluded from benefit and disadvantaged by an amendment such as this, which allows those who want to use the system and the amendment that the Member has put forward to have the best of both worlds: one partner drops out; the other person gets the benefit. That is an additional cost. Indeed, were that to be widespread across Northern Ireland — if people cottoned on, why would they not do it? — the cost would be quite significant.

Had the Member thought a wee bit about his amendment, he might have seen its implications. He pulled at the heartstrings, of course, asking, “What about irresponsible partners who decide that they do not want to make a commitment, which, in turn, affects the benefit that is available and means that children suffer as a result?” However, there is a provision there: the cooling-off period. There are seven days for all of the implications to be explained. During that period, there may or may not be a change of mind, but at least there is an opportunity to steer people towards the right decision. Anyhow, the irresponsible person who does not want to make the commitment and allows the benefit to go to their partner would still receive housing benefit, would keep a roof over their head and everything else, and would be encouraged in their irresponsibility. The whole point of welfare reform was to try to make people be more responsible. Is he really saying that he wants to introduce easements that pander to those who are either workers of the system or want to abuse the system?

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

**Mr Wilson:** I will, yes.

**Mr Beggs:** I go back to the wording in the amendment. It states that the claim “may be considered”. There will be an opportunity for regulations to stipulate when it may be considered. The Member is painting a very black and white picture, when the wording of the amendment is “may”.

**Mr Wilson:** While he has used the term “may”, I would love to hear from the Member — and I did not hear it during the debate — the circumstances he would stipulate in regulations under which you could not do it. How can you make a judgement about a person’s motivation? Do not forget: it is one thing to say “may” when you can measure where the problem lies. It is another in a case like this, in which, I suspect, it is what the person’s motivation happens to be. In the way in which it is dealt with at present, there is a chance for people to understand the implications of what they will do, what will happen to their benefits and what impact that will have. This will give them a chance. With the cooling-off period, they have that chance.

A number of other amendments were tabled by the Ulster Unionist Party. I will maybe deal with them later as they overlap with some of the amendments tabled by the SDLP.

When Mr Attwood was speaking, there was a sense that the SDLP wants to be the champion of the poor and that anybody who supports the Bill wants to trample the poor into the ground. That was the implication, despite the work that has gone into trying to make the changes more palatable. At one point, I thought he was going to break into what he would describe as a sectarian tune. He spoke about hand on heart. He got so passionate that I thought he was going to talk about guarding old Derry’s walls as well. He said that the purpose of the SDLP amendments is to protect the claimant on their journey through the new welfare changes.

Let us look at some of the amendments. It is as if the SDLP are the only ones who want to protect people. Some of the amendments certainly do not show that. Take amendment No 8, for example, which deals with the frequency of payments. The frequency of payment has already been established. As a result of listening, and our concerns about people on low incomes being paid once

a month — where the difficulty would have been that they would have spent it all by the end of the month because they were under such great pressure — it is now down to every two weeks. Indeed, it has been left open.

Mr O'Dowd made a very important point when he said that if we put the frequency into the Bill we would have cut out the opportunity for further flexibility. For example, for some people in certain circumstances, a weekly payment might be necessary. To say that that is an amendment to ease people's journey through the changes is incorrect. If anything, it probably makes it more difficult to have flexibility, and that flexibility has already been considered.

Another amendment, amendment No 9, dealt with the claimant commitment. That amendment states:

*"in preparing, reviewing and updating a claimant commitment...the Department shall have...regard for the claimant's skills, experience, caring responsibilities and physical ".*

It is as if that was something new that was invented by the SDLP. The truth of the matter is that when somebody goes for a work-focused interview, the things they look at are what kind of work you have done in the past, what skills you have, what caring responsibilities you have and what training you need. This is nothing new, yet it has been presented by the SDLP as, "This is our amendment, because we are more concerned about the people who might be affected by welfare reform." That is already there.

I could go through some of the other amendments. Amendment No 11 on mental health says that mental health reports should be considered. That already happens not only with reports but the assessment of capability that is based on those reports. A lot of the amendments really do not add anything to the Bill. Indeed, I asked myself, as I was listening to the SDLP's case, what those amendments add. If the purpose and the objective are to make it easier for people, what amendments have I heard from the SDLP that actually improve the lot of people who will be affected by welfare reform? The answer is that they do not add anything, because a lot of what the SDLP is proposing is already there. The changes are already made, and therefore the working that has been done by the parties and Ministers etc has been dealt with.

I was not too sure whether Mr Allister supported the Bill or opposed it; he just always likes to take a swipe at the dysfunctionality of this place. It actually might be more functional if we could get a constructive attitude from him on some of these things, but, of course, the problem is that we do not. We have had "secret deals" and "secret agreements", and "we do not know what has been done." We now have the "conspiracy" of the Stormont House Agreement. I do now know what people were conspiring to do in the Stormont House Agreement other than to find a way forward with a Bill whose absence had crippled this Assembly, to find additional money, to alleviate some of the impacts of it, and to look for the longer term at how that money might be spent.

Some might argue — I suspect that they will — that there is not enough money in it. However, the important thing is that we have tried to deal with it. Not all of it is secret, because the Minister, over time, has already revealed where some of it is going anyway. Some of it will be spent on avoiding, until we get our housing balance and our

housing stock right, the impact of the spare-room subsidy or bedroom tax.

*(Mr Speaker in the Chair)*

Some of it will be spent on the very thing that Members have raised here today: what happens when people go for their assessments as to whether they can work or not. Six million pounds will go towards helping people to get medical reports that they will be able to use at those assessments. Some of it will be used to replace the social fund, and sums have already been attached to that. As the First Minister pointed out, some of it has not been allocated yet because, until we know the exact form of the regulations, we will not know what the additional costs might be. It is not unusual, despite what the Member said, for regulations to follow a Bill rather than be published before a Bill goes through. We examine those quite frequently in the Committee.

Lastly, then, I come to some of Mr Agnew's comments. I know that we will have even more of this when we come to the second round of amendments. We know, because we have recently seen its manifesto, that the Green Party lives in cloud cuckoo land.

It says things like, "No bacon on a Monday", or, "No advertising for holidays in the sun" and, "Be able to join a terrorist organisation without it being illegal". So it goes on. I suppose some of his amendments reflect that sense of being out of touch with the real world and reality.

#### 6.00 pm

In fact, I will ask him for a loan, because if this is the way that he operates publicly, I would love to know what he does privately. Do not forget that we are talking about people who do not have a great deal of money and who have more of a chance of having their appeal turned down than approved, but I think that it is amendment No 44 that says that, where an appeal is pending, we should continue to pay those people as though they had won the appeal. Presumably, at the end of the period, if they have lost the appeal, we have to get the money back off them. I am sure that the business of recouping that money will be extremely easy. Maybe the Member for North Down is flush, so I can imagine somebody coming up to him and saying, "I think my auntie is going to die in about a year's time. I may have a legacy from her, so you wouldn't lend me 20 grand on the strength of it?" He would not do it, yet I suppose because it is populist, he expects that we should behave that way with state money.

A lot of the Member's other amendments are the same, including the one on vouchers. It is made quite clear that vouchers are used in a case where someone is dysfunctional and is not spending their money where they should. His argument was that, if you give people vouchers, they cannot pay for their children to go on a school trip. If they were paying for their children to go on a school trip, they would not need vouchers in the first place. The vouchers are provided if there is maybe an alcohol or a gambling problem or whatever; they are not even meant for providing for the person's family.

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

**Mr Wilson:** Yes, I will.

**Mr Agnew:** The Member is talking about living in the real world, so will he show me where in the Bill those assurances are made? Will he show me where that is laid out in the Bill and the parts that say that that can happen only in those specific circumstances? Will he provide me with that information? He is asserting it with certainty, but it is not in the Bill.

**Mr Wilson:** Again, this is where the Member strains on these points. The default position is that people get their benefits paid in cash, by cheque or into their bank accounts. However, neither the default position nor the normal position is that people get paid in vouchers. If that was the case, benefits would generally be paid in vouchers. Throughout the rest of the welfare system, payments are made in cash or into bank accounts, but the very fact that this is regarded as an additional way of making payments is indicative of the fact that vouchers are for exceptional circumstances. We know the kind of exceptional circumstances in which they would apply.

I accept that the voucher system will not be immune to abuse. You may find that people will be prepared to buy vouchers at a discount from somebody who has an alcohol problem. The Member mentioned that those people might go to Tesco to get their messages, and when they go in, they buy alcohol. That is probably easy to deal with: you simply make the voucher not redeemable for alcohol. I accept that there are other ways in which that system can be abused, but I think that it is irresponsible to say that, in circumstances like that, people should be paid in cash.

I am not going to deal with a lot of the Member's other amendments. I have tried to go through some of the amendments, and if you look at them, Mr Speaker, you will see that their purpose is quite clear. Their purpose is not to improve the situation, because some refer to what is already the practice or in the Bill. The purpose is to be able to say, "We put an amendment down; we are good. You lot did not put an amendment down; you are bad". That kind of cheap point-scoring does not do anybody any good. It confirms, in my eyes anyway, why we can have a debate and a vote, but sometimes you have to have a petition of concern because you will still have people who are totally irresponsible on the issue.

**Mr McCallister:** Most of us could sign up to the broad principles of welfare reform, which are that work should always pay. No family or couple should be disadvantaged by going into the employment market and back into work only to find that they are worse off. On that basis, I welcome the fact that, after almost two years, the Bill is now back, and we are debating the amendments today. It is, however, unfortunate that, while we are debating the amendments, there is not much chance of a different outcome for the Bill. We can engage and be well intentioned in tabling the amendments and debating them, but the petition of concern has effectively killed off any prospect of any change. It points to something important for the Executive.

I said before in the Chamber that people who signed up for things at Stormont House, whether it is an agreement on the Budget or on welfare reform at the castle, and then go round to Stormont House to present a united front as the Government of Northern Ireland, suddenly find themselves in the new year, and the shine has gone off it, and they think that maybe they should not have signed up for that and should have held out for a better deal. That is not how

the Executive should work, because that does not provide for good or stable government.

We have an Executive without a Programme for Government or any meaningful policy ideas beyond corporation tax. They have no sense of direction, and that is deeply regrettable. So many amendments in this group have petitions of concern. Just when I thought that the Assembly or the Executive could not get any worse than the debate on the Education Bill when we had 10 petitions of concern, or when we had some 50 petitions of concerns from unionism, if you like, from 1998, we now have almost 50 in the one day. That is outdoing even yourselves.

To cap it all off, we have Mr Wilson telling us, effectively, that he has done us all a great favour; he has saved the Executive and the Assembly from the arduous task of sorting out what they might want to do: "We will save you all that bother; we will do the petitions of concern on your behalf". What it points to is the dysfunctionality of the Executive. The First Minister is absolutely right, and every day the Assembly proves just how right he is: an Executive and an Assembly that are dysfunctional. That is why they need to change.

No meaningful ideas are coming through here, apart from what Westminster are making the Executive do. They are making them do welfare reform, which they would not do without Westminster pushing them into it. They would not do public-sector reform in any guise without Westminster pushing them down that road. I have no idea what the Executive would do, what they stand for or what direction they will take, so they are not fit for purpose. You have an Executive in which two parties now agree on welfare reform, but the other three parties are out there voting against the Budget. I will say this to the Alliance Party today: well done on acting like part of the Government for today. I am not sure how long it will last, but well done today on acting as part of the Government. To the other parties that are in the Government, I say this: why are you still there? Why are you tabling amendments? Why are you voting against something?

Why are there so many petitions of concern if the DUP has the confidence of its other Executive partners, particularly Sinn Féin? You have the numbers. You have the majority in the House. Therefore, in all of these amendments, you do not need a petition of concern. We had a petition of concern from Sinn Féin and the SDLP yesterday against Mr Allister's amendment when the amendment was voted down by something like 96 to two. Why oh why are we using petitions of concern in this instance? With the Education Bill, we had 10 of them against even Mr Agnew when the Assembly naturally found its place after debate. There is no need to go about our business in that way. Even if you were to table petitions of concern on these amendments against your other government colleagues, why, when the Government of Northern Ireland has an in-built majority of 102, do you necessarily pick on Steven Agnew, one lowly independent Member, and his amendments? Mr Wilson gave us a brief glimpse of the Green Party manifesto, but I suspect that the Speaker would rule me out of order if I were to listen to too much of Mr Wilson.

This makes our Executive look like a pinball machine, with nobody quite sure what direction it is going in or what direction it is going to fire off into next. That is why we cannot allow this to continue. Using the petition of concern

is an anti-democratic measure. It was built in to give protection while we built up a process and moved from conflict to consensus, and it is a clear abuse of that and the workings of this Assembly. It reflects badly not only on the Executive but on each and every one of us in here.

I want to speak about some of the issues around the amendments. If we were to believe the rhetoric of Sinn Féin, we would say that we are going to spend some £565 million over the next five to six years. Of course, that is a huge financial burden that we are looking at taking on. We listened in the Budget debate to the Finance Minister, who constantly warns us that we are entering a very difficult budgetary period. Not only this year but right the way down the line up to at least 2020, we will be in difficult times. We are now taking this on with some debate on how it will be paid for, where it is coming from, where it is going to be targeted and how it will be used. Will it mean less money for health services, for education, for employment and learning and all the Departments that were working tirelessly to provide the services to try to get people off welfare and into work? Are we diverging away from the GB model? Can we afford to do this? Where will this end after five or six years, and where will that leave people? Will it leave people more trapped in our benefits system than in other parts of the UK?

We also have to look at this. The amendments to this Bill tie in to what is an agreed Executive policy on corporation tax. The Executive aim to get control of corporation tax and to move to cut it to maybe 12.5%, which is the same as the rate in the Republic of Ireland, or, indeed, maybe below that, as in the DUP manifesto. The cost to the Executive could be some £325 million a year. Where does the £325 million for corporation tax and the £565 million for welfare reform fit in with an ever-tightening budgetary position? That will cause real strain on the Executive and how they manage that. We have been told about the costs of not doing welfare reform. We have looked at the fines and penalties that could have been imposed by the Treasury, and, quite rightly, we are doing welfare reform because the reality of us not moving to do it is a nonsense.

To continue down the road of fines, penalties or whatever you want to call them would just be madness. You cannot continue to do that.

The figures used were that, if we put welfare reform through, we would have one third of people better off, one third of people the same and one third marginally worse off. Those are very rough figures, and I suppose it depends where everybody falls and where you are fighting through.

#### 6.15 pm

I will turn to some of the amendments. While I will not speak to them all — it is probably slightly pointless, given the number of petitions of concern — I think that amendment No 1, standing in Roy Beggs's name, seems relatively sensible. Amendment No 2 from Mrs Kelly and Mr Attwood seems similar to the UUP amendment. Amendment No 8 seems sensible enough, although it gives rise to the question of what the administrative costs associated with it would be. I understood that the Executive had won some provision about fortnightly payments anyway when Mr McCausland was Minister. I wonder whether Mr Agnew's amendment No 10 would place an unnecessary burden on the health service

by making sure that that person has to be from the Department of Health.

There are many amendments that we could have accepted the principles of and worked around. It would have been fair to debate and look at why we would want to develop those ideas and that thinking. The Chamber, at its best, would debate, listen to and work through amendments and vote accordingly when the arguments were won. Again, you come to the point of why so many are subject to petitions of concern. It does not seem a sensible move forward. Amendment No 19, an SDLP amendment, seems quite sensible. There are many amendments that it seems sensible and worthwhile to have a genuine debate about without, effectively, the axe of a petition of concern hanging over us.

Mr Wilson talked about the bedroom tax. I know that Minister Storey will be aware of this. I also have questions, not only around the bedroom tax issue but even around the lifetime tenure of people in social housing. If we are doing anything about the principles of welfare reform, it is about making sure that people are not trapped either in welfare or in social housing and even that our housing stock is not being inappropriately used. That is something that Mr Wilson touched on in his contribution, and it is something that we ought to look at.

My other comments on the amendments are about the rhetoric, mainly of the SDLP and Sinn Féin. The SDLP was largely founded on the principles of social democracy, social mobility and helping people to better themselves. I do not always see that in some of the opposition or some of the changes that you want to make to the Welfare Reform Bill. If anything, the basics of welfare reform are about not trapping people in poverty, worklessness or social housing. It is about social mobility, and I just think that some colleagues, mainly to the right of me, have lost their way on social mobility.

I have to say to colleagues in Sinn Féin that, if you look at some of the areas that they have represented for many years now, you can see that they are probably some of the least socially mobile constituencies in the UK. That is something that we need to change. I find it bizarre, when you set it in the context of supporting corporation tax devolution and then welfare reform, because you come to the point at which that is effectively supporting trickle-down economics, and it is a long way to trickle down. Corporation tax has a long way to trickle down to reach the very poorest and those most distant from the labour market. That is the basis of what welfare reform is and should be about. It is about protecting the vulnerable, but I do not think that, from the point of view of Sinn Féin and the SDLP, the two policies sit together.

**Mr McGlone:** I thank the Member for giving way. Will the Member accept the difference, which is that there are people who will never be able to enter the workforce because of their disabilities? That is why the SDLP is proposing amendments and why the SDLP and others, including Mr Agnew, are advocating and championing their cause. The link between corporation tax and those who are disabled, some of whom are so severely disabled as never to be able to enter the workforce, is an erroneous one.

**Mr McCallister:** I am grateful to Mr McGlone. The links between reforming welfare and economic policy are well



established. The work that the Conservative and Liberal Democrat coalition Government have done is about making work pay and driving a private sector that can create jobs to take people off welfare and get them into work. I entirely accept Mr McGlone's point that there are people who will never be able to work; there will be people with disabilities so profound that they will not be able to work. The liberating fact of getting people into a job and getting paid and off dependency is something that we as an Assembly and an Executive should encourage. Those are the more positive points about welfare reform. We do not want to trap people. We want social mobility —

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

**Mr McCallister:** I will in a second. We want people who have some of the most difficult starts in life not to be trapped in welfare and worklessness for generations, with the cyclical effect that that brings.

**Mr F McCann:** I understand your politics in all of this. Having listened to your debates and arguments, I know you have always argued in and around support for welfare reform, regardless of the consequences.

I have also listened to the SDLP talk about the amendments. It is a party that entered into an agreement and then walked away from it when it got out the door. People talk about work capability assessments, but it is the party that initiated those and has been responsible for tens of thousands of people with physical and mental disabilities being taken off benefits, yet it stands here today saying that it is championing their cause.

**Mr McCallister:** I am grateful to Mr McCann as well. On his initial point about supporting welfare reform, I think that most people support the broad principles that we cannot or should not trap people. I want to see people from his constituency of West Belfast, which is one of the most deprived constituencies in the United Kingdom, being socially mobile and being able to get a good education and a good, well-paid job. The point is about linking it with an economic strategy. Some people in his constituency will be a long way off benefiting from a cut in corporation tax. That is where the trickle-down economics comes in. It is a long way for it to trickle down to get to the very poorest in his constituency.

I have to say that I agree entirely with his point about agreeing to something before Christmas and then walking away from it. If you are going to do that, at least leave the Executive. I know that, if Mrs Kelly had her way, the SDLP may well have been out of the Executive by this stage, but that is — *[Interruption.]* She may be getting to her feet now. That is the reason why we need to reform the way in which we do our business here.

We cannot have an Executive who function like this. They agree a Budget, then three parties vote against it. They agree welfare reform, then two parties vote against it. You need either to agree —

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

**Mr McCallister:** I will give way to Mrs Kelly first.

**Mrs D Kelly:** I thank the Member for giving way. I want to clarify something for Members who do not appear to have read the Stormont House Agreement and are trying to throw in a number of red herrings about what was or was not agreed. There are six lines in the agreement, as

I said earlier, on welfare reform and the Bill. If I may be permitted, they state:

*“Legislation will be brought before the Assembly in January 2015 to give effect to welfare changes alongside further work to develop and implement flexibilities and top-ups from the block grant as part of a package of measures to address local need. Implementation of these welfare changes will begin to take place in the financial year 2015-16 and implementation will be complete by 2016-17.”*

It appears that the Executive have already failed to implement the Stormont House Agreement, because this is the month of February. I do not see where there has been any walking away from the agreement. We are debating the Bill here. We did not give a veto to the dictatorship that runs in Sinn Féin and the DUP. I know that those two parties clamp down on dissidents and speakers who have a different view from the party leadership, but the House has a duty to scrutinise the Assembly, and it is the right of the legislative Assembly to scrutinise legislation. We are not giving up that right.

**Mr McCallister:** I welcome the right to champion that right to scrutinise, but you should be doing that from a position outside the Executive. That is what all three smaller parties should be doing: opposing, scrutinising and tabling amendments from outside the Executive.

Of course, I was not at the Stormont House Agreement discussions —

**Mr Speaker:** The longer you go on, the more tenuous your connection with the amendments. Will you please return to the subject matter?

**Mr McCallister:** I will. Thank you, Mr Speaker. I think that Mr Givan wanted to bring me straight back to the amendments, if he still wants in.

**Mr Givan:** If the Executive have handled this so badly, and the SDLP and Ulster Unionists are so vociferously opposed — whether they are happy to be subjected to a “dictatorship”, as Dolores Kelly said, is a matter for those parties to deal with — can Mr McCallister impart to us how the Executive could be more functional, if he believes that that needs to be the case? Maybe, if there is best practice from his experience of NI21, that could be shared with us to try to make us more functional.

**Mr Speaker:** I invite you not to follow that line of inquiry — *[Laughter.]* — and come back to the subject matter.

**Mr McCallister:** Mr Speaker, I am grateful for your guidance on that. I am sure that there is an amendment that I could try to link it to.

The issue of these amendments and their functionality does not reflect well on tabling amendments from various sides of government. My views on how we make this place better are very well known. In fact, the Member could come out and support my Bill on reforming the Assembly and Executive. That would make a huge difference to it.

One last point: at least when I was in something as dysfunctional as NI21, I knew to resign. *[Laughter.]*

**Mr Speaker:** I call the very patient Minister for Social Development, Mr Mervyn Storey.

**Mr Storey:** Thank you, Mr Speaker. After listening to all that since 10.50 am today, I wonder where to start, but I will try to make my way through this. Had I known on 24 September 2014 what awaited me, it might have coloured my answer to the question put to me by the First Minister about taking up this post. However, we are where we are, and we will endeavour now to work through the very important issues raised.

I want to say a word of thanks to all who worked on the Bill. In particular, I thank the Committee for the work that it carried out when focusing on the matters pertaining to it. Its sterling work on the consultation with organisations should be acknowledged.

### 6.30 pm

I also want to acknowledge the work of my colleague and friend, Nelson McCausland the previous Minister for Social Development, who did a huge amount of work. I do not think that we will underestimate the work that he did to bring the measures that he negotiated to the fore. I want to place that on record and say a word of thanks to him. I also thank my staff who have worked tirelessly over the last number of months and continue to work in relation to this. I want to pay tribute to them as well.

A comment was made earlier; I think it was by Mrs Kelly. It was a quote or summary of what it was that we should be about. It was about meeting the needs of people. As I listen to the contributions, I think that sometimes we lose sight of the reason why we are here. It is to ensure that we do what we were mandated to do for the people who sent us to this House. I have listened to cheap political points and nonsense spoken by Members who, I honestly believe, if they had the convictions they claim to have, would walk out of the Executive and the Assembly and would tell the people of Northern Ireland: "I do not want to be part of this dysfunctional process, this Assembly cannot make a decision."

It seems that when we do not make a decision it is a problem, and when we get an agreement, it is a problem and there are difficulties and issues. Clearly, I think that there are some people and parties in the Chamber for whom it is make-your-mind-up time. Surely, if you have the convictions that you claim you have, and if you are politically posturing in relation to these things, as we think you are, you will have an opportunity in a few months' time to put that to the test. Surely, that is the ultimate test that we all subject ourselves to.

However, I do not have that privilege or luxury. I have been given a task to do, one that is underscored in legislation: to ensure that I continue to deliver a safe and secure welfare system for the people of Northern Ireland. I can assure you that I will not deflect from that purpose or responsibility, even though it will be difficult and challenging. That is the purpose and goal that I have been set.

**Mr Nesbitt:** I am very grateful to the Minister for giving way. I acknowledge his opening remarks. I have just a couple of questions to put to him, if I may. Has he heard anything from the Ulster Unionists today that he did not hear in a three-hour meeting in this Building yesterday? Will he confirm what I believe I heard yesterday from the other parties that signed up to the Stormont House Agreement, that we were supposed to go forward as five parties agreeing together? Can he understand the shock

of the Ulster Unionist Party to discover that the petitions of concern, which were not mentioned once in the three hours yesterday, were issued within minutes of the end of that meeting?

**Mr Storey:** I thank the Member for his intervention.

I have to say that we find ourselves in a position where we must get progress. Mrs Kelly made reference to the timeline and that already we are in default. Our party is a party to the Executive, their processes and the work that they do. I find it difficult, when we bring papers to the Executive and inform them of what we are doing, that that is taken and used against us, as though we are defaulting and not implementing what we agreed. I can understand the issues that the Member has raised but he, equally, has to understand the frustration that I have in trying to ensure that the issue of penalties is dealt with. Remember, that issue has not gone away. There is a requirement on us to make progress in relation to that, and I am trying to keep the focus in relation to that issue. I have given commitments to ensure that we will work our way through this process.

Let me make this point before I start into the comments that I want to make on the amendments: a lot of this was not about the Bill when it all started; it was about the regulations and about implementation. That is following on from, and trying to respond to, the point that was made by Mr Attwood earlier when he referred to the way in which this is chaotic in the rest of the United Kingdom. Members know that I have repeatedly said that it is vital that we get the legislation but that it is more important that we get the regulations and have the implementation in a way that avoids all the issues that have been to the fore in other parts of the United Kingdom. I will come back later to some of the comments that he made.

I want to move to the issues raised by Members. To encourage Members, you will be delighted to know that we have five groups and that we are just coming near the end of the first one. I will endeavour, as time permits, to work my way through the comments that I want to make.

I will begin by addressing amendment Nos 1 and 3, which relate to the basic conditions that must be met to be entitled to universal credit. It would perhaps assist the House if I explain, first, what universal credit is and, secondly, what the basic conditions are. Universal credit will be a single-household benefit that will replace a number of working-age benefits and is designed to simplify the existing complex benefits system, making it cheaper to administer whilst providing incentives to encourage individuals to find work or return to work and to ensure that work always pays. It is trying to address the issue that was referred to by my colleague. He makes many valid points about that incentive and that policy intent and ensuring that we have a system and a policy intent that is about taking people out of a very sad situation. We have to face up to that.

There sometimes seems to be a view in the House that there are difficulties only in certain communities and that it is only certain locations in this city that have problems and challenges. My constituency is deemed affluent by the Noble indices and all the other indicators by which an area is judged. However, there are people in those communities who are dependent upon ensuring that there is a welfare system that provides for their needs. Let us not lose sight

of that, because we sometimes do ourselves a disservice by the cheap, trivial way that we approach problems faced by families, individuals, lone parents and a whole variety of people such as disabled people and people who have other challenges and difficulties. I come here today, I trust, with some heart for those issues because I know what it is like to have been there and to have seen some of the difficulties that families can face.

Clause 4 sets out the basic conditions that must be met in order to be entitled to universal credit. The five basic conditions that must be met for entitlement to universal credit, unless exceptions apply, are to be aged 18 or over; to be under the qualifying age for state pension credit; to be in Northern Ireland; to not be in education; and to have accepted a claimant commitment. Those requirements must be met and must continue to be met for entitlement to universal credit. In the case of joint claims, both eligible claimants in a household will be required to accept an individual claimant commitment. Amendment Nos 1 and 3 would allow, where one member of a couple does not accept their claimant commitment, the claim for benefit from the member of the couple who accepts a claimant commitment to be treated as a claim from a single person.

Clause 14 introduces the claimant commitment for universal credit. Clauses 45, 55 and 60 make accepting a claimant commitment a condition of entitlement for existing benefits such as jobseeker's allowance and income support and will be implemented at the same time as universal credit is implemented.

Therefore, should the amendment be accepted, amendments would also have to be made to clauses 45, 55 and 60.

The amendment raises significant issues that I want to address. A couple will be required to make a joint claim for universal credit to ensure that both take responsibility for the claim and obtain support to find work where appropriate. That is a principle already established in jobseeker's allowance for joint claims and is being extended to universal credit so that both members of a couple should have equal opportunity to access this support. In addition to work-related expectations, the claimant commitment includes responsibilities such as reporting a change of circumstances and is tailored to the individual circumstances of each member of the couple.

It is recognised that there will be circumstances where claimants will find it difficult to accept a claimant commitment. In cases where one member of a couple is incapable of claiming due to disability or a health condition and has an appointee acting on their behalf, the requirement to accept a claimant commitment will be waived. Also, if the claimant is in hospital and is likely to be there for weeks or if there is a domestic emergency preventing the claimant from accepting a claimant commitment, the claim can be made by the other member of the couple singly. However, such claims will be treated as joint claims, as that underpins the policy principles that universal credit is a household benefit and that the income and capital of both members of the couple will be treated as being available to the couple jointly.

In cases where the claimant is reluctant to accept the claimant commitment, a cooling-off period of a minimum of seven days will be allowed for claimants to reconsider the impact on the household and to sign the claimant

commitment before any decision is taken to disallow. It is not anticipated that the clause will adversely affect any claimant. We believe that, once the position is explained to the claimant by their personal adviser, common sense will prevail.

Accepting amendment Nos 1 or 3 would also open the door to fraudulent behaviour. Take the scenario where a family consists of a mother, father and two children, where the mother is working and the father is not. If the mother decides not to sign a claimant commitment, removing the clause would mean that the father could claim as a single parent. This is not behaviour that we wish to encourage or condone. Personal responsibility is one of the basic principles of the wider reform agenda, and this is particularly relevant for universal credit, where claims are to be assessed on the basis of joint income and savings for all members in a household. Treating a couple as single claimants would be financially advantageous and, therefore, unfair to couples who both agree to sign their claimant commitments. To accept amendment Nos 1 and 3 would be a clear breach of parity. There would be potential implications for the Northern Ireland block grant, and it would result in claimants in Northern Ireland receiving preferential treatment over those in Great Britain.

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

**Mr Storey:** The impact of this would be difficult to justify and would create the potential for wider and significant equality issues between claimants here in Northern Ireland and Great Britain. For those reasons, I urge Members to reject amendment Nos 1 and 3. I give way to the Member.

**Mr Beggs:** Amendment No 1 states:

*"(8) Regulations shall provide, in circumstances where one member of a couple does not accept a claimant commitment within a prescribed period, that the claim may be considered as a claim by the other member of the couple as a single person."*

It empowers you to write regulations. Would the Minister not accept that it would be possible to write into those regulations guidance preventing what he just has reported as abuse?

**6.45 pm**

**Mr Storey:** For the reasons I have set out, I am trying to safeguard the rationale that I believe exists because of the way we have constructed the elements of the Bill. I have set out why, in those circumstances, it is better not to accept amendment Nos 1 and 3.

Amendment No 4 inserts a new clause on the provision of claimant documentation when making a claim for universal credit. When a person cannot provide all the required documentation to make a claim, provision is made for third-party verification in lieu of required documentation, including identity documents, so that the claim can be made. Under the current claims and payment regulations, a person making a claim for benefit must provide certificates, documents, information and evidence as required. That provision is being carried forward into the proposed universal credit claims and payments regulations. I underscore "is being carried forward" so that Members are clear about that issue. How evidence is currently accepted is stipulated in guidance. While there is nothing specific on handling third-party evidence, in

practice, if it is from a reputable source, such as social services, it is accepted to kick-start a claim from someone who is homeless or vulnerable.

Guidance will cover, as it does currently, the continued acceptance of third-party verification when appropriate. The IT identity security system — the integrated risk and intelligence service (IRIS) — will flag up a range of risks or concerns, including those originating from identity trust flags. In such cases, an identification task will be generated that will require resolution, including third-party verification. That would ordinarily happen through face-to-face contact with Social Security Agency staff in the office. There should be no difficulty for claimants without bank accounts; the simple payment service will enable such vulnerable claimants to access their money without conventional ID documents. I am providing an assurance that the current practice allowing third-party verification for vulnerable claimants will carry forward and that such claimants will still be able to make a claim and have their money paid via either a bank account, if held, or the simple payment service, which is aimed at claimants who do not have access to a bank account. For those reasons, I urge Members to reject amendment No 4.

Amendment No 8 would insert a new clause 12A on the frequency of universal credit payments. The amendment introduces a default position of an award of universal credit being paid twice monthly unless a claimant opts or joint claimants opt to be paid monthly. I find it somewhat bizarre that Members today have claimed that we are working in the dark, as if, somehow, we are all living in a cauldron in which we do not know what is going on, and that this is all part of a secret deal that the public know nothing about. These things have been agreed and are now being brought forward. I will say more about that later; judging by the way things are going, it looks as though it will be much later.

Currently in Northern Ireland, the majority — over 99% — of social security claimants receive their payment fortnightly, with two thirds of tax credit recipients being paid weekly. Furthermore, in Northern Ireland, 32% of employees are paid more frequently than monthly, which compares with only 18% in GB. Concerns have been raised by many stakeholders, including the voluntary sector and the Executive subgroup on welfare reform, that the introduction of monthly payments will cause significant difficulties for some people, especially those on existing social security benefits. Twice-monthly payments is one of a package of measures that my predecessor agreed with the Department for Work and Pensions to shape how welfare reform could be implemented in Northern Ireland and to mitigate some of the negative aspects of welfare reform in Northern Ireland. My correspondence to the Church leaders in October 2014 is in the public domain. It was not secret. It was not done under some guise of secrecy. It was done very publicly and openly. I was very happy to do it, and I have continued to keep the Church leaders abreast and informed of what has been going on. In October 2014, in my correspondence, which is on the website and is available to Members to check, I informed the Church leaders that I was proposing:

*“to introduce the default position in Northern Ireland that all claimants will receive twice monthly payments”.*

This would more closely match the frequency of current benefit payments. I went on to say that claimants would have:

*“the option of moving to monthly payments should they decide they wish to have this method of payment.”*

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

**Mr Storey:** You scared me there, but I will give way, yes.

**Mr I McCrea:** I thank the Minister for giving way. Given that he has referred to the number of occasions that this has been put in the public domain, can he find any reasoning behind the amendment that is on the Order Paper? Does he believe that it is down to a lack of understanding, or is it just political grandstanding?

**Mr Storey:** Well, it is always difficult to ascertain what is behind amendments. I do not want to in any way sound as though I am just being totally and absolutely dismissive of Members' motives when they come to this issue. I have already referred to the fact that a huge amount of concern was raised by stakeholders, including the voluntary sector, and it was all relayed through the Executive subgroup on welfare reform. Sometimes, however, you get to the point where it is difficult to come to any conclusion other than that politics is being played with these issues, and that is regrettable.

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

**Mr Storey:** I will, but I want to make progress.

**Mr Agnew:** I will be very brief. As has been pointed out, it has been stated publicly many times that agreement has been secured to have bi-monthly payments here in respect of welfare reform. Why, then, has the Minister not tabled amendments for today to put that in the Bill?

**Mr Storey:** If the Member was listening to what I said earlier on, he would have heard that a lot of this was not about the difficulties in the Bill; the difficulties were in the regulations. I was going to say that I was relatively young to the House, but I came here in 2003 and maybe now I am beginning to realise how many years ago that was. I am still challenged and having difficulty in trying to get my head around all the mechanics of the legislation, but I think that the regulations will be the way in which we ensure that these things are handled and implemented.

Maybe this is putting it too simplistically, but the framework for the introduction of the policy intent is the Bill, and a huge amount of work will still have to be done over a period to bring forward the various regulations that will see enacted what we have agreed. For Members then to somehow think that that is all being done without them or because two parties have agreed it is an unfair reflection of how we propose to deal with these issues.

I would also say to Members that the Bill and the proposed relevant regulations already contain flexibility to accommodate a decision on any frequency of payment. That flexibility is required in the event that future policy dictates an alternative option for frequency of payments. To specify in the Bill that universal credit is to be paid twice monthly unless a claimant or joint claimants opt to be paid monthly would remove that flexibility. If that flexibility is removed and replaced by a specific twice-monthly provision, in the event of new developments or policy, any adjustment would have to be done by way of



primary legislation. It is considered more appropriate for this to be done in regulations, so that the detail can be easily amended, rather than by way of primary legislation. I assure Members that the views of the Social Development Committee will be sought on all regulations. That point was maybe referred to by Mr Beggs, and I know it was referred to by Mr O'Dowd. I almost had a sense of déjà vu because I know the difficulties that I created for him when he was endeavouring to legislate to establish a single education authority. That was also referred to by Mr McCallister, as though somehow, despite the 10 petitions of concern and all the concerns he had around that and although it was difficult, challenging and we had to keep going back and many pressures were brought to bear on us all by organisations and interest groups, that process proved that, if we keep at it, we can find a way through these issues. I trust that that is the case in relation to the Bill. For those reasons, I urge Members to reject amendment No 8.

Amendment No 9 relates to clause 14, and I will explain briefly what clause 14 does. It introduces the claimant commitment for universal credit. The claimant commitment is a record of a claimant's responsibilities in return for receiving benefit and will be tailored for the individual — I stress that it will be tailored for each individual — taking into account their individual capabilities and circumstances.

Clauses 45, 54 and 59 make accepting a claimant commitment a condition of entitlement to existing benefits and will be implemented at the same time as universal credit. The claimant commitment will determine exactly what work a person is looking for, when or if a work-focused interview should take place and the nature of any training that they will need to carry out.

Interviews will be used to develop an understanding of all factors relevant to job search: caring responsibilities, physical and mental health, skills and work history. In much the same way as already happens with jobseeker's allowance, it is expected that the discussion will be central to shaping the nature of the back-to-work effort. After consultation with the claimant, the claimant commitment will take account of the claimant's skills, qualifications and circumstances, including any caring responsibilities, physical or mental disability or ill health. In addition, that will be dealt with in regulations and guidance.

Requirements imposed on a claimant will take account of all relevant matters, not just at the beginning of a claim but throughout a claimant's time on benefit. The requirements will be reviewed following any change of circumstance, should a claimant raise a particular issue or if the nature of the job search changes. The claimant commitment is expected to be a living document. It will be personalised to the individual claimant and regularly revised to reflect the claimant's circumstances.

As the claimant will take part in discussing all the factors that need to be considered when drawing up their claimant commitment, it is not considered necessary to legislate for the Department to have due regard to the claimant's skills, experience, caring responsibilities and health matters in the Bill, as amendment No 9 suggests.

I want to pick up on a point raised by Mrs Kelly in relation to childcare and assure her that the provisions in JSA will be retained. In other words, where there is no affordable available childcare, no lone parent will be coerced into

work or work-related activity. That should give the Member an assurance in relation to that issue.

It is for the reasons that I have outlined that I urge Members to reject amendment No 9.

Amendment Nos 10 and 11 relate to clause 16, which defines the work preparation requirement for universal credit. This is a requirement that a claimant takes actions that will increase the chances, now or in the future, that they will get work, get work that is better paid or increase the number of hours that they work.

All claimants who are able to prepare for work should be required to do so as a condition of receiving benefit. It is likely that all but the most work-ready jobseekers will have some kind of work-preparation requirement placed on them, even if it is just updating their CV.

#### 7.00 pm

Those people who have been found through the work-capability assessment to have limited capability for work but who are capable of work-related activity will also have work-preparation requirements placed on them. The Department is committed to increasing the number of disabled people in employment. We will provide better and more intensive support to help people off benefits and find sustainable work. In return, claimants who are capable of taking steps to prepare for work should do so. Advisers will devise a tailored work-preparation plan for each claimant. The details of that will be included in the claimant commitment. The nature and amount of work preparation required could vary from person to person but will always be reasonable in the claimant's circumstances. Examples might include skills training, confidence building or work experience.

Amendment No 10 changes the wording in the explanation of what a "work-focused health-related assessment" means. Instead of an assessment being conducted by a health-care professional approved by the Department, it would change to a health-care professional who is employed by a health and social care trust or who is a general practitioner. Health professionals undertaking work-focused health-related assessments will all be recruited and trained directly by the assessment provider appointed by the Department, which, for Northern Ireland, is Atos.

It is important that we read into the record the requirements that health professionals must meet, because this is a very important matter for many people. Health professionals must be an occupational therapist, nurse, psychiatrist, paramedic or doctor; be fully registered with the relevant licensing body, while doctors must have a licence to practise; have no sanctions attached to registration; have at least two years' post-full registration experience, except where individually agreed by exception with the Department; and have passed all Access NI checks.

Once health professionals are recruited by the assessment provider, they are required to undertake an accredited training programme and, on successful completion, are approved by the Social Security Agency's health assessment adviser. They will receive specialist training in assessing the impact of disability. Therefore, the role differs from the therapeutic role of health professionals in Health and Social Care trusts and of general practitioners, which is primarily to reach a diagnosis and/or plan treatment. Training will incorporate both e-learning

and face-to-face modules and will be signed off by the agency's health assessment adviser.

Furthermore, health professionals do not need to be already employed by a health and social care trust, as they will all be employed directly by the assessment provider. Clearly, therefore, it would be inappropriate to place limitations on those who can undertake the assessments. On that basis, I urge Members to reject amendment No 10.

Amendment No 11 inserts an additional provision in clause 16 to ensure that any person who carries out a work-focused health-related assessment takes account of relevant medical evidence, including evidence of mental ill health. Medical evidence is reviewed as part of the work-capability assessment process. Medical evidence will also be taken into account as part of the mandatory reconsideration process of any claim in which an individual decided to take an appeal against a decision of the agency. That is a point that Mr Beggs raised.

Mr Beggs also raised the issue of the number of appeals. I will clarify that 67% of decisions made in ESA appeal cases are in favour of the Department's original decision; 30% are in favour of the claimant and are made for a range of factors, including fresh medical evidence presented on the day of the appeal; and 3% of decisions are in favour of the claimant because of incorrect decisions made by the Department. All of that can be verified by the annual report of the president of the Appeals Service.

The scope of the work-focused health-related assessment is the extent to which a person's capability for work may be improved by taking steps in relation to their physical or mental condition. The assessment aims to support people back to work. It enables claimants to explore, with a trained health-care professional, their aspirations for engaging in or returning to work, and their beliefs, perceptions and concerns about their particular condition. It is intended that a version of the work capability assessment will be used to decide the level of support that a disabled person receives under universal credit. The health-care professional will review all the evidence before them and provide advice to the decision-maker on the likely functional implications of any medical evidence provided. This advice helps the decision-maker to reach an appropriate decision on entitlement to benefit.

The proposed amendment seeks to make it a legislative requirement for health-care professionals to take account of relevant medical evidence when carrying out a work capability assessment. It is worth pointing out that the primary role of the GP or hospital doctor is to carry out a medical assessment. They do not, as a matter of course, always consider the disabling effects or restrictions of the claimant's medical condition. The assessment carried out by the health-care professional is a functional assessment. It is designed to assess the impact of the claimant's health condition or disability on their ability to provide for themselves through work.

Amendment No 11 is not required, as the role of the health-care professional is to take account of relevant medical evidence when carrying out an assessment. Specifying that in the Bill could suggest that this type of evidence is more important or carries more weight than other available evidence. This has been subject to review by Professor Harrington and Dr Paul Litchfield. Their independent reviews have come to an end, but I

am conscious, on hearing concerns raised here today, that further work is needed, and I take this opportunity to assure the House that I will examine how we can best ensure that, going forward, this learning is built into the assessment process. That point was also referred to by, I think, Mr Beggs. It is important that, following the independent reviews, I take some time to look at these issues and ensure that we have covered this element in the best possible way, and I give that assurance to the House. For those reasons, I urge Members to reject amendment No 11.

Amendment Nos 12 and 13 relate to clause 24. The Bill aims to give advisers broad discretion to impose requirements that they think give claimants the best chance of finding or preparing for work. However, there may be certain requirements or actions that are not and will never be appropriate. Clause 24 allows us to make regulations to put such matters beyond doubt, by setting out particular circumstances when requirements or specific actions must not be imposed. There may also be circumstances that justify claimants being exempt from having requirements imposed on them for short periods, such as a bereavement or a domestic emergency. A specific example of this is included to allow claimants who have been victims of, or threatened with, domestic violence to be given a 13-week exemption from any work-related requirements, and this is a carryover from existing social security legislation. Amendment No 12 proposes to include victims of an incident motivated by hate in the 13-week exemption from any work-related requirement, and proposed amendment No 13 defines the meaning of an "incident motivated by hate". Domestic violence and hate crime are very different. Domestic violence is caused by a member of the household, whereas hate crime is usually associated with strangers. The two are therefore, correctly in my view, treated differently in social security legislation.

The universal credit regulations, which will be subject to Assembly approval, will give work coaches the discretion not to impose or tailor a work search or work availability requirement temporarily for claimants who are dealing with a domestic emergency or temporary circumstances. Domestic emergencies or temporary circumstances are not prescribed in the guidance. This allows a work coach to make a decision based on an individual's circumstances and on whether a work search or work availability requirement would be reasonable in those circumstances. A work coach would be able to consider a racist attack under that regulation. I trust that this will be helpful to the Member who raised that issue. This approach will support better decision-making by allowing staff to consider the merits of each individual case. It also gives flexibility on the time during which the easement on work search and work availability applies and does not tie it to the 13 weeks for victims of hate crime.

In responding to the proposed amendment, I assure the House that legal advice was sought. It confirmed that there is no legal definition of hate crime that could be incorporated into social security legislation. I think that that issue was raised by a number of Members. For these reasons, I urge members to reject amendment Nos 12 and 13.

Amendment No 17 proposes that my Department is provided with powers to introduce a fund to replace the current independent living fund for Northern Ireland within

18 months of commencement of the Northern Ireland Welfare Reform Act. I appreciate that my colleague Mr Pat Ramsey referred to that issue earlier. I want to make a few more comments on that and underpin what I said to him.

It may be helpful if I provide some background to the independent living fund. It was created in 1988 as an executive non-departmental public body of the Department for Work and Pensions to provide financial support to disabled people throughout the United Kingdom. In Northern Ireland, my Department is only responsible for meeting the costs of Northern Ireland recipients of the fund and a share of the overall administration costs. However, the Department of Health, Social Services and Public Safety currently has a policy interest in the fund given that the people supported are those with severe disabilities, most of whom are in receipt of a substantial care package from their local health and care trust.

The fund makes direct cash payments to severely disabled people with intensive care needs across the UK. The money is used to pay for agency care staff or for the recipient to employ a personal assistant. The support enables disabled people to choose to live in the community rather than in a residential care setting.

Due to escalating costs, the decision was taken in GB to close the fund permanently with effect from 30 June 2015. Following that decision, the Department of Health, Social Services and Public Safety in Northern Ireland published a consultation document on 4 August 2014 to seek views on how Northern Ireland users of the fund could be supported from 1 July 2015. As I said earlier, that public consultation ended on 30 November 2014, and I understand that the Health Minister plans to announce his decision in early 2015.

I gave an assurance — and I reiterate that assurance — that I will discuss this issue with the Minister of Health when he returns. Following on from the debate, I will ensure that Mr Ramsey's comments and concern about the issue are conveyed to the Health Minister.

I will, I trust, be in a better place to inform the House of progress on this when we come back for Further Consideration Stage in a couple of weeks' time. As the Department of Health will have responsibility for the independent living fund (ILF) users following the closure of the fund, it is for those reasons that I urge Members to reject the amendment.

### 7.15 pm

I move on, Mr Speaker, to amendment Nos 18 and 19. They refer to clause 38, which allows us to continue to use the work capability assessment when determining whether a claimant has limited capability for work and, if so, whether they also have limited capability for work-related activity. Determination of a claimant's capability for work following a work capability assessment clarifies a claimant's work-related requirements and their eligibility, or not, for an additional element in a universal credit award. Those who are unable to work because of the effects of a disability or health condition will be entitled to a higher amount of universal credit based on their capability for work. As in the current system, they will be allocated either to the work-related activity group or the support group.

The work capability assessment assesses individuals' functional ability for work, rather than assuming that a health condition or disability is an automatic barrier

to work. Many disabled people, and others with health conditions, play a full and active role in the labour market, and there is evidence that work is exceptionally beneficial for people's physical and mental well-being. Whilst we remain committed to supporting those who cannot work, we want to help as many people as possible to return to suitable work. No one should be written off or consigned to a life on benefits simply because of a disability.

It is intended that a version of the work capability assessment will be used to decide the level of support that a disabled person receives under universal credit. This will include a work preparation requirement, which may specifically include taking part in a work-focused health-related assessment. The scope of the work-focused health-related assessment is about the extent to which the person's capability for work may be improved by taking steps in relation to their physical or mental condition.

Amendment 18 seeks to make it a legislative requirement for health-care professionals to take account of relevant medical evidence when carrying out a work capability assessment. Amendment 19 mirrors this, but expands it to include "evidence of mental ill health". I have previously highlighted the role of the health-care professional, which includes considering the evidence when assessing the impact of the claimant's health condition or disability on their ability to provide for themselves through work. They also provide advice to the decision maker on the likely functional implications of any medical evidence provided to enable the decision maker to reach an informed, appropriate decision on entitlement to benefit. I have also highlighted the primary role of the GP or hospital doctor: to carry out a medical assessment. They do not as a matter of course always consider the disabling effects or the restrictions of the claimant's medical condition. Amendment Nos 18 and 19 are not required, as the role of the health-care professional is to take account of relevant medical evidence when carrying out an assessment, including any mental ill health.

Roy Beggs asked for an update on discussions between my Department and the Department of Health on medical evidence and GP contracts. The GP contract has been raised with Department of Health colleagues, but we have been unable to move the issue forward, due to a lack of agreement on the Welfare Reform Bill. Officials will now be taking forward this piece of work, and I trust that I will be in a position to give a more detailed assessment as to the outcome of that issue. The GP contract has also been tabled with Dr Litchfield, who referred to it in his most recent report on the operation of ESA in Northern Ireland. Mr Beggs referred to that.

Amending the Bill in this way could suggest that this type of evidence is more important or carries more weight than other available evidence. For those reasons, I urge Members to reject amendment Nos 18 and 19.

We are making slow but, I trust, steady progress as we make our way through the amendments, so I will address my comments to amendment Nos 35, 36, 37 and 57. They all relate to the requirements for the assessment process for personal independence payment as set out in clause 79, so I will address them together. Amendment No 35 would insert a new provision to clause 79 that says that, when assessing an individual's ability to carry out daily living or mobility activities to determine entitlement to personal independence payment, the Department must:

*"take account of all relevant medical evidence."*

This amendment and amendment No 36, which I will come to shortly, mirrors earlier amendments on assessments to determine entitlement to universal credit. I argued against accepting the earlier amendments on medical evidence, which was on the basis that one of a health-care professional's primary roles is to take account of the relevant medical evidence, including any mental ill health issues, when carrying out an assessment. Therefore, I did not think that that needed to be addressed in the Bill.

However, given that PIP's distinct purpose is to help with the extra costs of long-term illness or disability, I am content to accept amendment No 35. Indeed, to ensure that medical evidence is available when needed, the Executive have agreed to establish a fund to provide additional funding for medical reports. No claimant will have an adverse decision made against their claim for PIP without the decision maker considering a report from either the claimant's GP or consultant. That is another issue that is in the light, not in the dark. I know that it has taken a long time to get to the point where you wanted to hear me say that I was accepting something, but for those reasons, I urge Members to accept amendment No 35.

Amendment No 36 would make a similar provision to amendment No 35 but has a particular emphasis on taking evidence of mental ill health into account. Similar to my arguments on earlier amendments, accepting amendment No 36 would give a degree of prominence in the assessment process to evidence of mental ill health. Indeed, it could be argued that, by making such provision in the Bill, mental ill health could be given an elevated status over other medical conditions. That would go against the core principles that are the foundation of PIP. Entitlement is to be determined not by a specific disability or health condition but by the impact that that condition has on the individual's ability to carry out a number of key everyday activities. I have personal experience of attending many DLA appeals, and I think that that is an issue that Members repeatedly have to go back to. It is not about the person's condition; it is about the implications of how it affects them. I think that we need to emphasise that entitlement is to be determined not by the specific disability or health condition but by the impact of the condition on the individual's ability to carry out a number of key everyday activities.

The Department will set out in regulations and guidance the actual processes for how the assessment should operate in practice, including when and how additional information will be sought. Again, I remind Members that that will be for the Assembly to consider.

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

**Mr Storey:** I will give way to the Member.

**Mrs D Kelly:** I have concerns about guidance and regulations, in particular for people who have a learning disability, perhaps coupled with a severe physical disability. I have experience of representing constituents and their carers who are elderly and have repeat calls for review and appeal, which is traumatic and puts a lot of stress and anxiety on them. In bringing forward the guidance, Minister, I wonder whether you would look at the concerns raised. I will write to you if you wish about

this case, because it is hugely traumatic for the carers in particular.

**Mr Storey:** I thank the Member for raising that issue, and I assure her that I am quite happy for her to write to me or that we take up her comments. As we prepare the regulations and guidance, we need to be made aware of examples like that. This is always going to be the challenge for us. I have said a huge amount in the 23 pages that I have gone through, and I still go back to the point that I made at the very beginning, which is that this is about people. If we can incorporate those things in the regulations and guidance, I assure the Member that I will look at that and come back to her.

The intention behind the assessment is that it is more evidence-based, so additional evidence will cover a broad range of areas, including medical and other forms of evidence that may not be seen as medical — for example, a care plan or a report from any other professional involved in supporting the claimant, such as social workers, key workers, care coordinators or something else that would not be condition-specific but would provide relevant information to help the Department to determine whether the individual has a difficulty with daily living or mobility activities and to what extent.

Let us go back to the 30% that were successful on the basis of additional evidence, which is the issue that we need to underscore. We sometimes fail our constituents when we do not give them that piece of good advice. It is about ensuring that the evidence is there. It is not that someone is questioning an individual, but, when you are a decision maker and are going through this process, it is very good — in fact, I would say that it is essential — to ensure that that information is there and is given due regard.

The Department or the assessment providers on its behalf will seek further evidence by phone or by issuing one of the standard pro forma requests in cases in which they feel that it is appropriate — for example, when they feel that further evidence would allow them to offer robust advice without the need for a face-to-face consultation, or when they consider that a consultation is still likely to be needed but further evidence would improve the quality of the advice that they provide to the Department. It is important that the PIP functional assessment is carried out by a professional with the appropriate training to complete the assessment. I have a responsibility to ensure that the service is provided efficiently and to ensure proper use of public funds. It is my view that the identity of the employer is not the primary concern of the assessment.

Health professionals undertaking PIP assessments must also meet the same requirements for those undertaking the work capability assessment, which I highlighted earlier in the debate. They must, for example, be an occupational therapist, a nurse, a physiotherapist, a paramedic or a doctor, and they must be fully registered with the relevant licensing body. The health professionals have to complete an accredited training programme before being approved by the Social Security Agency's health assessment adviser and receive specialist training in assessing the impact of disability.

This role differs from the therapeutic role of health professionals in the health and social care trusts and general practitioners, whose primary role is to reach a diagnosis and/or plan treatment. Therefore, it clearly



would be inappropriate to enable health professionals employed by the health and social care trusts or general practitioners to undertake assessment in respect of the personal independence payment as, for the most part, they will lack the necessary training and skills to undertake this specialised role. For these reasons, I urge Members to reject amendment Nos 36, 37 and 57.

### 7.30 pm

Mr Speaker, I am trying to work my way to a conclusion on these. Amendment Nos 38 and 39 relate to clause 80 and the prospective test for the personal independence payment. Perhaps this will assist the House, and I am sure that you all want to have this information imparted to you so that you will all be better informed on this issue. I will take a step back and reiterate what clause 80 does. Clause 80 is linked with clauses 77 to 79 and makes provision related to what constitutes “the required period condition” for entitlement to either component of the personal independence payment. To qualify for help, claimants must, first, have needed help for three months or more — this is known as the qualifying period — or, secondly, be likely to need help for the next nine months. This is known as the prospective test period. Amendment No 38 proposes changing the prospective test period to six months. Amendment No 39 is consequential on amendment No 38 and defines when the six-month period commences.

The current mechanisms in attendance allowance and DLA to establish that a condition is likely to be long term are through the operation of a qualifying period, during which no benefit can be paid, and a prospective test. For attendance allowance, a person needs to meet the six-month qualifying period. For DLA, a person must meet a three-month qualifying period and a six-month prospective test. The qualifying period is passed if someone has established that they would have met the conditions of entitlement to attendance allowance or either of the component parts of DLA in the previous three or six months. That is measured from when the benefit can first become payable, and this prospective period is passed if someone is likely to meet those conditions of entitlement for a further six months. Although the criteria for establishing that a disability is likely to be long term operate slightly differently for attendance allowance and DLA, they both serve the same purpose, which is to ensure that support is focused on those who face the greatest challenges to taking part in everyday life.

I underscore that key to the reform of DLA is that entitlement to the personal independence payment should be on an individual-based approach rather than by labelling people according to their disability or their particular impairment. The objective is to avoid the current situation where a specified impairment or diagnosis leads to automatic entitlement. In this way, we would endeavour to ensure that benefit is better targeted towards those with assessed long-term needs.

In the DLA reform consultation, the Government set out their proposals to restructure the existing qualifying period and prospective tests for PIP so that the overall period covered by the tests more closely aligns with the general definition of long-term disability used in the Disability Discrimination Act 1995 and the associated guidance. It is felt that a three-month qualifying period and a nine-

month prospective test offers the fairest solution, both to claimants and to the sound administration of the benefit.

Therefore, to ensure that support goes to those with the greatest need, the personal independence payment will be available only to those with a long-term health condition or impairment rather than short-term conditions, where other financial and in-kind support mechanisms already exist. The impact of most health conditions and disabilities can fluctuate over time. Taking a view of ability over a longer period helps to iron out fluctuations and presents a more coherent picture of disabling effects.

The consultation document also made clear that we will bring forward into personal independence payment the existing provisions that allow for exemption from the qualifying period and prospective test for people who are terminally ill. That will mean that terminally ill people will be able to get immediate payment of the enhanced rate of the daily living component without having to demonstrate that they have severely limited ability to carry out any daily living activities. Immediate entitlement to either rate of the mobility component will also be available, subject to someone having the necessary limitations on their ability to carry out the mobility activities.

To summarise, the combined effects of the three-month qualifying period and the nine-month prospective test in PIP will better align the definition of long-term disability with that generally used for the Disability Discrimination Act 1995 and its associated guidance. The required-period condition will therefore continue to establish long-term disability within the context of a cash benefit paid to contribute towards the extra costs of disability. For those reasons, Members, I urge the rejection of amendment Nos 38 and 39.

I now turn to opposition to clause 99. Clause 99 clarifies that the existing power in the Social Security Administration (Northern Ireland) Act 1992 to decide who should be paid benefits includes the power for the Department to determine which of the persons should be paid in a joint award situation. Currently, payments of benefits are normally made to the claimant. For couples, ordinarily only one partner will make the claim, with their partner's income and capital taken into account, and rates paid accordingly. The exception is joint claimants of jobseeker's allowance, where partners can decide between them who receives the payment.

Universal credit policy is that couples living in the same household will make a joint claim for benefit, with the universal credit payment normally paid into one bank account. That is the default position in the rest of Great Britain, with any different arrangement only available in exceptional circumstances. Flexibilities secured for Northern Ireland will mean that no default position will be applied here. There will be several options available, including split payments paid into separate bank accounts. That is something that is to be welcomed and something that had been raised as a concern.

Clause 99 as drafted ensures enough flexibility to pay as frequently as required. Opposition to clause 99 would remove the clause from the Bill, and that would limit any flexibility to determine which of the persons should be paid in a joint award situation. That would reverse the flexibilities in payment options that have been secured. I therefore urge Members to reject the opposition.

Amendment No 43 proposes to insert a new clause 100A on payment of awards in cash. I advise Members that the simple payment service, which I alluded to earlier, was introduced in October 2012 for those claimants who cannot get their benefit paid into a bank, building society, credit union or Post Office card account. It is provided by Citibank, working in partnership with PayPoint, and was a replacement for payment of benefits and pensions by cheque. The simple payment service can also be used to make emergency and one-off payments where necessary. That method of payment provides a safe, secure and efficient means of allowing people to access their payments at a convenient local outlet, without the need to use a PIN and PIN pads, and provides the flexibility required by those who rely on someone else to collect their money for them. Currently, almost 1,500 claimants are paid by that modern, secure and efficient method of payment. The new clause is therefore not required, and I urge Members to reject the proposed amendment.

Amendment No 44 would insert a new clause 101A on payments pending appeal. The amendment would add a provision to section 5 of the Social Security Administration (Northern Ireland) Act 1992 for regulations to provide for the making of a payment pending appeal.

Perhaps it will be helpful if I explain that section 5 of the Administration Act contains the enabling provisions for claims and payments of benefit that apply generally to the majority of social security benefits. Other than in certain employment and support allowance cases, it has never been the case that benefit is paid pending the outcome of an appeal.

The cost of paying benefit to all appellants during the appeal process would be hugely expensive and an additional burden on the Northern Ireland block grant. In addition, consideration would have to be given to recouping the amount paid during the appeal period where the tribunal upholds the original decision, thereby increasing my Department's administrative costs. That issue was raised by my colleague Mr Wilson. I wish to reassure Members that the provisions in the Bill do not alter the position on the payment of employment and support allowance at the assessment-phase rate, pending the outcome of an appeal of the work capability assessment.

For those claimants who will be in receipt of universal credit when it replaces income-related ESA, where similar circumstances apply, in that a claimant does not satisfy the work capability assessment, provision for payment of universal credit pending appeal is not required, as the claimant can continue to receive universal credit under one of the other conditionality provisions.

For those reasons, I urge Members to reject amendment No 44.

Amendment No 45 proposes to amend clause 103, which sets out when and how overpayments of benefit, payments on account and certain hardship payments can be recovered even where there has been no misrepresentation or failure to disclose on the part of the person from whom recovery is being sought. Where the Department makes a mistake, claimants should not expect to have the right to keep taxpayers' money to which they are not entitled. Although most overpayments of universal credit, jobseeker's allowance and employment

and support allowance will be deemed recoverable in certain circumstances, the Department may decide that the overpayment, or part of it, does not have to be repaid. The circumstances in which action will be taken to recover overpayments will be governed by a code of practice in order to ensure consistent and considered decision-making. Members need to remember that the money being recovered is public money and a cost to the public purse, which the Department has a responsibility to protect. I therefore urge Members to reject amendment No 45.

The purpose of clause 129 was to amend section 165 of the Social Security Administration (Northern Ireland) Act 1992 to correct a flaw in the legislation. Owing to the delay in the progress of this Bill, the National Insurance Contributions Act 2014 carried the required amendment and corrected that flaw. Therefore, clause 129 is no longer required. I therefore urge Members to accept that position.

Amendment No 54 proposes to insert a new clause to provide that regulations under the Bill are prepared in consultation with the Northern Ireland Commission for Victims and Survivors to ensure that due regard is given to survivors of the past. When considering any new social security policy, or change in that policy, like any other Department or public body, the Department is mandated by section 75 of the Northern Ireland Act 1998 to consider an equality impact assessment on the proposed policy.

**Mr Speaker:** Minister, for the record, did you say "54" when you meant "53"? It is for the benefit of the record.

**Mr Storey:** I apologise, Mr Speaker. It is amendment No 53. Thank you for paying due regard and diligence to that. Apologies for that.

Section 75 requires public authorities designated for the purposes of the Bill to comply with two statutory duties. One 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, which are persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; men and women generally; persons with a disability and persons without; and persons with dependants and persons without. As you can see, all categories of persons accommodate not only victims and survivors but all particular groups of individuals, such as cancer patients.

#### 7.45 pm

Any proposed change in policy or new policy is subject to equality screening with the focus of identifying any adverse impact on the equality of opportunity of any section 75 group. The Department also considers any mitigating measures that may be necessary to alleviate that impact. In screening the proposed policy, account is taken of evidence and information obtained, where necessary, from relevant stakeholders, such as the Equality Commission, Citizens Advice and the Northern Ireland Commission for Victims and Survivors.

I am very aware of the particular sensitivities around the Northern Ireland Commission for Victims and Survivors. My Department is working with the commission, particularly on the impact that the introduction of PIP may have on the most seriously injured victims. I had what I would describe as a difficult meeting. It was not difficult in

the sense that those who came to see me were in any way awkward or difficult to deal with; it was difficult in the sense that it was a reminder to us all of those in our society who still, to this day, bear scars that none of us can begin to comprehend. I recently met those victims to discuss the progress of work jointly commissioned by my predecessor and the Victims' Commissioner to avoid victims being further traumatised by the experience of being assessed for PIP.

Officials are also working with the commission on a range of issues including the PIP claimant journey. I will continue to ensure that the commission is consulted on a wide range of welfare issues. A number of Members raised that issue. I give a personal commitment to ensure that it is looked after and dealt with in a way that I believe reflects the point that was made to me. I will leave it here: there is a sense amongst that group that they have been forgotten; I want to ensure that they are not forgotten.

For those reasons, I ask Members to reject amendment No 53.

**Mr Attwood:** I thank the Minister for giving way. I also acknowledge his very comprehensive response to the debate, which is the right way to conduct the debate. Some of the answers — I will not put it any more strongly than that — have certainly been helpful to us.

Given what you have said in respect of victims and survivors; the sorry tale of how the VSS operated previously; the entitlement to name in legislation the categories of persons to be treated with due regard, as happens already for domestic violence victims; and given your powerful narrative just now about the experience of victims and how they should not be let down, does that not lend to the conclusion that a provision, even in simple terms in legislation, is the right response to the right needs that you have identified?

**Mr Storey:** I will reflect on the Member's comments in conjunction with comments that I made following my discussions with victims and survivors. I told them that it would not be a one-off meeting. I do not want to name the member of my staff who was there, but it was not the one who was named earlier. It is someone who is highly respected for the way in which they deal with these issues. I will consider the comments that the Member has made in the House tonight and reflect on what I have said in relation to how I will deal with issues in relation to victims and survivors.

Amendment No 74 relates to paragraph 6 of schedule 1, which gives the Department power to make regulations to pay all or part of an award by voucher. If a claimant finds that they are experiencing financial difficulties and have immediate needs as a result of a sanction, they can apply for a hardship payment. With the launch of universal credit, hardship payments will be paid as any other universal credit payments but, in the future, consideration will be given to alternative methods of payment, such as by voucher. That means of support will ensure that payment is spent on the needs of the family.

Work is ongoing on developing an approach to the use of vouchers. I recognise the sensitivities around the provision and the use of vouchers, and I would like to assure the House that, where vouchers or a voucher-type system are being considered, the focus will be very much on the dignity and choice of the claimant. The Department does

not issue food vouchers and, I have to say, has no plans so to do. This was an issue raised by Mr Beggs and others. So, there is ongoing work in relation to the issue and I will be open to further discussion. It will be interesting to hear the comments of the Committee in relation to this particular issue as we do further work in regard to it.

To accept amendment No 74 would result in the Department being unable to make a hardship payment by voucher which, in some limited circumstances, may be the optimum way to meet the family's needs. For that reason, I urge Members to reject amendment No 74.

I want to conclude, and to dispel the myth and the mist that somehow there was something that took place prior to Christmas in the Stormont Castle agreement and Stormont House Agreement that was done behind closed doors and that people do not know all about it. I can assure you, as someone who was there for a considerable part of those discussions before Christmas and saw all the media out in the grounds of this estate, that it was not secretive. I have no intentions of joining any secret organisation.

There is an Executive paper that sets out the package of measures which was previously agreed, and you heard me refer to them. We referred to the following issues: the frequency of universal credit payment; split universal credit payment; direct payments; and we could go down a list of things that have been addressed and are in the public domain. There are, for example, issues in relation to the social sector size criteria. There is still further work to be done and further papers to be brought to the Executive, but I have to say that I was disappointed — and with this point I will conclude — to see headlines in the newspapers which read:

*"No one will be out of pocket over a new welfare system, pledges ... Minister"*

The article goes on to give a narrative based on one element of the welfare system, universal credit. What we are introducing here is, I believe, GB-plus, but remember that we, as an Executive, made the decision that to do so we would fund it out of the block grant and not use our annually managed expenditure. That is the decision that the Executive have made; it is the agreement that we have come to, and I think it is time that, collectively, we ensure that that agreement is implemented.

Remember, there are many people who are watching this debate and who simply want to know that we are making progress and that we do not have a situation which has been referred to. I take the Member's point on how it has been rolled out in the rest of the United Kingdom. I do not want to be the Minister who oversees something shambolic and dysfunctional. I give a commitment that I want to do it in a way that keeps people at the centre of what we are doing.

**Mr Beggs:** This is significant legislation that will affect individuals and families for perhaps decades to come, and so it is right that we have spent the time that we have on it, even on the first group of amendments. The abuse of the petition of concern, which was widely recognised by all Members — other than those from the DUP and Sinn Féin — should have not happened.

Alex Maskey, Chair of the Social Development Committee, referred to the Stormont House Agreement and a recent briefing to the Committee by the Department and explained that, as a result of time and recent agreements,

the collective Committee opposition to many clauses no longer stood. He then wrongly accused the Ulster Unionist Party of failing to make any commitment to alter the Bill over two years ago. He did not acknowledge that the Ulster Unionist Party tabled several amendments over two years ago on issues such as joint claims, frequency of payments, bedroom tax and medical investigations. I refer him to the Assembly website and the section on primary legislation and current Bills, where he will see the clear evidence that that occurred.

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

**Mr Beggs:** I certainly will.

**Mr Swann:** Will the Member agree that Mr Maskey did not acknowledge the commitment from the Ulster Unionist Party to creating the ad hoc Committee into the human rights and equality requirements for the Welfare Reform Bill? Had it not been for this party, it would not have passed through the House at that time. We played a role in bringing forward that report, and his party voted against it.

**Mr Beggs:** I thank the Member for reminding us all of that. It is right that that should be held on record.

Paula Bradley argued that amendments were not needed as change could be made through regulations. I am pleased that the Minister has accepted at least one amendment that has a constructive role, even though Ms Bradley appears to have disagreed. However, she indicated her support for twice-monthly payments as a default mechanism. She also pointed out that some individuals may require weekly payments because of personal circumstances. I have to admit that I was struck by that important point. I have to acknowledge that it is valid, and, as a result, I do not intend to move amendment No 8. I made that decision because of that and the Minister's commitment to go for twice-monthly payments but to leave open the option that some people may require more frequent payments.

Dolores Kelly explained her wish to deliver a wide range of additional proposals to augment the Bill. However, I did not hear how additional payments will be funded and what public services would have to be cut to fund them. When you change the legislation, there will be undoubted cuts. That concerns me.

Stewart Dickson criticised the delays of over two years, commented on the agreement made at Stormont House and suggested that welfare reform should be enacted with the mitigating proposals that have been included. I think that most people will agree that that is a sensible way forward.

Peter Robinson, who spoke as leader of the DUP, expressed opposition to almost any amendment that might cost any additional money. He was satisfied with the multiple misuse of the petition of concern. He did not seem to recognise that some of the amendments might have no or minimal cost implications or that costs have been built in for some of the amendments. He also seemed to take exception to me referring to almost 50 petitions of concern rather than saying 48, and that was somehow a very important issue.

I am afraid I failed to get it. Almost 50 petitions of concern are an abuse of this Assembly and its process, which was certainly not designed to operate like that.

**8.00 pm**

**Mr Nesbitt:** I thank the Member for giving way. Would he be surprised to hear that the First Minister gave me the very clear impression yesterday that he had no difficulty with how we intended to handle our amendments in the debate today, before he surprised us with the petitions of concern?

**Mr Beggs:** Nothing would surprise me. I almost thought he wanted me to thank him for permitting the Assembly to decide on the two issues on which he did not lodge a petition of concern. I detected arrogance from the leader of the DUP. What is wrong with the Assembly deciding on issues, especially when, as I said, some of the amendments have, I believe, no cost implications or none that have not already been catered for? I refer to amendment No 1, which I will come back to later, and to amendment No 35.

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

I am pleased that the Minister has indicated his support for amendment No 35. It is right that there should be a clear mechanism for providing medical evidence, and, as I said over two years ago, this is an issue that was flagged up. When it comes to personal independence payments, the bottom line is that clear medical evidence must be provided, and, when it is, it is usually the clinching factor in determining whether an application or appeal is won or lost. If we allow a process to continue where that medical evidence only comes in right at the very end, there is, of course, cost involved. It is right that the issue of medical evidence should be in the Bill, and I am pleased that others have seen fit to support that.

Alex Attwood said that he had never seen such abuse of petitions of concern before, rightly so. He highlighted that this is an abuse of the Assembly. He found it unacceptable that Peter Robinson expected that no amendments should be made unless approved in Room 106. This is a democratic Assembly. We all have responsibilities for what we do, but we all should have freedom of thought and be accountable for our actions. I concur with Mr Attwood.

Jim Allister criticised the secret agreement and the failure of the First Minister to publish the Stormont Castle agreement. He agreed with my view that the DUP petition of concern was actually designed to help its partners. There was a bit of joint working going on here, I suspect. He highlighted the importance of the welfare cap to encourage some back to work and to help energise the local economy. He also sought clarity on the forthcoming regulations. He said that all of us would have to scrutinise the issue. This is only the start of it; there will be much more work to be done. That aspect is right. There will be much detailed work to be done, and, as a recent appointee to the Social Development Committee, I hope to play my part in that.

John O'Dowd noted that welfare reform almost brought the Assembly down. That should not be forgotten.

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

**Mr Beggs:** I certainly will.

**Mrs D Kelly:** Does the Member share my astonishment at the selective amnesia that seems to have befallen Mr O'Dowd, who failed to mention the 40,000 letters issued in east Belfast that led to flag protests, controversy



and public disorder on the streets, causing strained relationships? Would he not also acknowledge — has Mr O'Dowd forgotten? — that the ongoing disgrace of the OTR letters of comfort also had a role to play in the “strained relationships”, to use Mr O'Dowd's words, between him and his partners in the DUP?

**Mr Beggs:** The Member has strayed far away from the legislation, and I do not wish to draw myself to the attention of the Deputy Speaker by following her lead. I will try to concentrate on the Bill.

Mr O'Dowd highlighted, like others, the continuing role of the Committee, the Assembly and the Executive; I certainly do not disagree with that.

Pat Ramsey spoke about the importance of the independent living fund, and there was good dialogue on that. The fund has enabled many to continue to live in their home. With that coming to an end, there is real concern among some individuals and families about what will become of them in the future. Unless something is put in its place, they may be forced to leave their home and go into a residential home or a nursing home. I am pleased that that dialogue occurred and will continue to occur to address the issue.

Whilst I referred to the former eastern European country of the German Democratic Republic, Steven Agnew added the Democratic People's Republic of Korea and the Democratic Republic of Congo on top of the Democratic Unionist Party. He agreed with my view that care should be taken when the word “democratic” comes first in any title because of what we have seen here today and the abuse of the petition of concern. He spoke against many of the welfare reform proposals and supported many proposals that I have concerns about as being costly. I remind the Member that there are choices to be made. If we add additional costs that are not built in, they will have to come out of the block grant and will result in further reduced public services. If it were simply top-sliced, perhaps half of that additional money would be taken from our Health Department, which is already struggling. I will have that at the back of my mind when deciding on some of his ideas, and I will not be able to support them.

Sammy Wilson highlighted the bedroom tax that was introduced several years ago, along with private sector involvement in assessment. He defended the DUP abuse of the petition of concern. He failed to acknowledge that, in the Ulster Unionists' amendment No 1, it would be possible —

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

**Mr Beggs:** I may, but I want to finish this.

It would be possible for the Department to determine the regulations. I noticed that, when I pressed the Minister, he used the word “preference” for it being dealt with in regulations. However, that did not preclude amendment No 1, which would empower him to make such regulations. Therefore, it is a difference of opinion about how it should arise. I refer to the important fact that, two years ago, the Ulster Unionists tabled an amendment on the issue. We have not come to the issue lately as a result of the Stormont Castle and Stormont House discussions; it was identified two years ago as a key issue in what was being worked on.

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

**Mr Beggs:** Certainly.

**Mrs D Kelly:** In relation to Mr Wilson's contribution, was the Member also going to refer to his staunch defence of Sinn Féin's position? I know that love is in the air as Valentine's Day approaches, but it is a somewhat unusual courtship in the House today.

**Mr Beggs:** We will all await the votes on the amendments to see what way the petition of concern works. Everyone may have a better understanding of what is occurring at that point.

Mr Wilson also supported my view on amendment No 74: the voucher system should be retained as an option. Obviously, guidance and regulation will need to be developed, but it would be premature to exclude the possible use of a voucher system without at least investigating it further and considering it. I acknowledge that guidance will be required so that it is not abused. I definitely cannot support Mr Agnew's amendment No 79.

John McCallister supported the general principle that work should pay. I hope that all of us would agree with that and acknowledge that that is one of the factors that should come out of the welfare reform process. I hope that it does. He asked why the DUP and Sinn Féin, with their numbers, needed the petition of concern. I suspect that he just needs to watch what will perhaps unfold in the minutes following the closure of the debate when the votes occur.

Minister Storey indicated that he was tasked with delivering a safe and secure welfare system for Northern Ireland. It is important that we provide that. He also highlighted the still ongoing penalty that hangs over us if we fail to implement it and incur additional costs that are not being incurred elsewhere.

As I said earlier on amendment No 1, I picked up that the Minister seemed to express a preference for his way of doing it with his officials through regulation rather than making amendment No 1 to the Bill. However, having had an amendment for over two years, my colleagues and I would disagree. We believe that that could be implemented in a reasonable fashion. Let us just allow the democratic process to continue and to decide the issue.

There were accusations that Ulster Unionists were grandstanding. I remind Members that, on 10 April 2013, a wide range of amendments was tabled by my colleagues Robin Swann and Michael Copeland, covering split payments, frequency of payments, the relevance of medical evidence and bedroom tax, all of which have turned out to be the key issues. I have to give them credit for having the foresight to identify those issues two years ago. As an Assembly, if we look at how those issues are being dealt with, we see that they are being dealt with differently from what was originally proposed, and I am pleased with the progress that we are making.

I have indicated that I do not intend to move amendment No 8 in my name, which is to do with frequency of payments. We had an explanation from the Minister regarding amendment No 18. I would have viewed it as a probing amendment. It is worthwhile having openness and discussion around it. It is also my intention not to move amendment No 18. However, we will continue to support amendment Nos 1 and 35 in my name and that of Robin Swann. I hope that other Members will see the validity of the amendments and will support us in bringing about

improvements to the Bill and ensuring that we deliver the best welfare reform legislation that we are able to within the financial means that are available to us.

**Mr Deputy Speaker (Mr Dallat):** Before I put the Question, I remind Members that amendment No 1 requires cross-community support due to a valid petition of concern.

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

*The Assembly divided:*

Ayes 27; Noes 71.

## AYES

### Nationalist

*Mr Attwood, Mr D Bradley, Mr Byrne, Mr Eastwood, Mrs D Kelly, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

### Unionist

*Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.*

### Other

*Mr Agnew.*

*Tellers for the Ayes: Mr Beggs and Mr Swann.*

## NOES

### Nationalist

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

### Unionist

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr B McCreagh, Mr I McCreagh, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

### Other

*Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn.*

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

Total Votes	98	Total Ayes	27	[27.6%]
Nationalist Votes	40	Nationalist Ayes	12	[30.0%]
Unionist Votes	51	Unionist Ayes	14	[27.5%]
Other Votes	7	Other Ayes	1	[14.3%]

*Question accordingly negatived (cross-community vote).*

**Mr Deputy Speaker (Mr Dallat):** We now come to the second group of amendments for debate, which contains 14 amendments and opposition to nine clauses. The

amendments deal with entitlement to benefit, including the housing and childcare components, the benefit cap and housing size criteria.

## 8.30 pm

Members will note that amendment No 48 is mutually exclusive with amendment No 50 and that amendment No 52 is consequential to amendment No 51. Members will also note that valid petitions of concern have been received in relation to amendment Nos 2, 5 to 7, 27 to 29, 42, 48, 50, 73 and 75. Therefore, they will require cross-community support.

I call the Chairperson of the Social Development Committee, Mr Alex Maskey, to address the Committee's opposition and to address the other amendments and oppositions in the group.

*Question proposed, That the clause stand part of the Bill.*

*The following amendments stood on the Marshalled List:*

No 2: In page 3, line 28, leave out "7" and insert "3".—  
[Mrs D Kelly.]

No 5: In clause 10, page 4, line 36, at end insert

*"(2A) Where an additional amount under subsection (2) can be awarded at two different rates, the lower rate shall be no less than two thirds of the higher rate."—  
[Mr Agnew.]*

No 6: In clause 11, page 5, line 25, at end insert

*"(4A) Regulations under subsection (4) shall provide that any calculation involving a reduction based on the age of the claimant shall not take effect for a period of 52 weeks in respect of any new claimant."— [Mr Agnew.]*

No 7: In clause 11, page 5, line 31, at end insert

*"(iii) to continue for a period of four weeks after a claimant is employed."— [Mr Agnew.]*

No 27: In clause 52, page 39, leave out lines 7 to 12.—  
[Mr Agnew.]

No 28: In clause 54, page 40, line 19, at end insert

*"unless the claimant had made contributions before the commencement of this Act".— [Mrs D Kelly.]*

No 29: After clause 54 insert

### "Condition relating to youth

**54A.** In paragraph 4 of Schedule 1 to the Welfare Reform Act 2007 (condition relating to youth) after sub-paragraph (1)(d) insert—

*"(e) after the assessment phase has ended, the claimant has limited capacity for work-related activity".— [Mr Agnew.]*

No 42: In clause 95, page 66, line 30, at end insert

*"(5) Notwithstanding subsections (1) and (4) the benefit cap shall not be applied to child benefit or to any benefits a claimant receives for caring responsibilities, carer's allowance or additional amounts received within Universal Credit for claimants with regular and substantial caring responsibilities under section 10 or section 12."— [Mrs D Kelly.]*

No 48: Page 90, after line 23 insert

*“Duty to ensure access to advice*

***Duty to ensure access to advice***

**120B.***It is the duty of the Department to ensure that all claimants have access to independent advice in relation to making a claim under this Act.”—*  
*[Mr Beggs.]*

No 50: After clause 120 insert

***“Duty to ensure access to independent advice***

**120D.***—(1) The Department shall ensure that any person making a claim under this Act shall be entitled to have access to independent confidential advice and assistance provided free of charge in relation to making a claim under this Act.*

*(2) For the purposes of section (120) the Department must bring forward guidance on the independent confidential advice and assistance which is to be provided in consultation with the Northern Ireland Advice Services Consortium, within 3 months of the commencement of this section.”— [Mrs D Kelly.]*

No 51: After clause 130 insert

***“Discretionary support***

**130A.***—(1) The Department may, in accordance with regulations under this section—*

*(a) make payments by way of grant or loan to prescribed persons;*

*(b) provide, or arrange for the provision of, goods or services to prescribed persons.*

*(2) Anything done under subsection (1)(a) or (b) is referred to in this section as the provision of discretionary support.*

*(3) Regulations may make provision—*

*(a) for the Department to provide discretionary support only in prescribed circumstances;*

*(b) conferring a discretion on the Department (subject to any provision made by virtue of paragraph (c) or (d))—*

*(i) as to whether or not to provide discretionary support in a particular case; and*

*(ii) as to the nature of the discretionary support and (in the case of support by way of payments) as to the amount of the payments and the period for or in respect of which they are made;*

*(c) imposing a limit on the amount of the discretionary support that the Department may make in any particular case;*

*(d) restricting the period for or in respect of which the Department may provide discretionary support in any particular case;*

*(e) for claims for discretionary support to be made in the prescribed form and manner and for the procedure to be followed in dealing with and disposing of such claims;*

*(f) imposing conditions on persons claiming or receiving discretionary support requiring them to provide to the Department such information as may be prescribed;*

*(g) for the disclosure of information relating to discretionary support in prescribed circumstances or to prescribed persons;*

*(h) authorising the Department in prescribed circumstances to recover by prescribed means discretionary payments made under this section;*

*(i) requiring or authorising reviews (whether by the Department or a prescribed person) of decisions made by the Department with respect to the provision of discretionary support or the recovery of payments made under this section;*

*(j) for such other matters as appear to the Department to be necessary or expedient in connection with the provision of discretionary support, including provision creating criminal offences and provision amending or applying (with or without modification) any statutory provision.*

*(4) In this section “prescribed” means prescribed by, or determined in accordance with, regulations under this section.*

*(5) Discretionary support is not to be regarded as a social security benefit; but regulations under this section may provide for any statutory provision relating to a social security benefit (or to such benefits generally) to apply with prescribed modifications to discretionary support.*

*(6) Regulations shall not be made under this section unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.*

*(7) The Department shall, in respect of each financial year, prepare and lay before the Assembly a report on the operation of regulations made under this section.”— [Mr Storey (The Minister for Social Development).]*

No 52: After clause 130 insert

***“Discretionary support Commissioner***

**130B.***—(1) There shall be an officer known as “the discretionary support Commissioner”.*

*(2) The discretionary support Commissioner shall be appointed by the Department on such terms and conditions as the Department may determine.*

*(3) The discretionary support Commissioner—*

*(a) shall appoint such discretionary support inspectors; and*

*(b) may appoint such staff for the Commissioner and for discretionary support inspectors,*

*as the Commissioner thinks fit but with the consent of the Department.*

*(4) Appointments under subsection (3) shall be made from persons made available to the Commissioner by the Department.*

*(5) Discretionary support inspectors have such functions as are conferred or imposed on them—*

*(a) by regulations under section 130A, or*

*(b) by any other statutory provision,*

*in relation to the review of decisions of the Department.*

*(6) It shall be the duty of the discretionary support Commissioner—*

(a) to monitor the quality of decisions of discretionary support inspectors and give them such advice and assistance as the Commissioner thinks fit to improve the standard of their decisions;

(b) to arrange such training of discretionary support inspectors as the Commissioner considers necessary;

(c) to carry out such other functions in connection with the work of discretionary support inspectors as the Department may require;

(d) to report annually in writing to the Department on the standards of reviews by discretionary support inspectors.

(7) The Department shall publish any report made under subsection (6)(d).

(8) In Part 1 of Schedule 4 to the Administration Act after the entries under the heading "The social fund" there is inserted—

"Discretionary support officers

The discretionary support Commissioner.

A discretionary support inspector.

A member of any staff appointed under section 130B(3)(b) of the Welfare Reform Act (Northern Ireland) 2015."

(9) In the Freedom of Information Act 2000, in Part 7 of Schedule 1 after the entry relating to the social fund Commissioner there is inserted—

"The discretionary support Commissioner appointed under section 130B of the Welfare Reform Act (Northern Ireland) 2015.".— [Mr Storey (The Minister for Social Development).]

No 73: In schedule 1, page 98, line 17, leave out subparagraph (4).— [Mr Agnew.]

No 75: In schedule 1, page 99, line 5, leave out paragraph 7.— [Mr Agnew.]

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. I remind the House of the fact that the Committee expressed opposition to a number of clauses in this group. Those were clauses 4, 10, 12, 52, 54 and 69. I would like to outline — [Interruption.]

**Mr Deputy Speaker (Mr Dallat):** Order. Those Members who are leaving should please do so quietly so that we can hear what the Chairperson is saying.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. As I said this morning, it is not my intention to oppose any of the clauses on behalf of the Committee, but I think that it is important to remind the House what the concerns were. That is in appreciation of all the Members who participated in the discussions and deliberations on the Bill and, of course, equally importantly, all the stakeholders who gave very generously of their time to contribute to the discussion and debate in the Chamber and the Committee's deliberations.

I want to place on record my thanks on behalf of the Committee to the staff, the Committee Clerks, the Committee members and all those who came to the Committee and expressed their concerns about and views on the Bill.

The Committee originally had serious concerns regarding clause 4. Those specifically related to the situation where one partner in a relationship was prepared to sign a claimant commitment but the other person was not, and that, as a result, neither would receive a payment. This was a result of the requirement for joint claims to be made, and the Committee believed that to be unfair. The Committee was also concerned about the removal of the severe disability premium under clause 12 and, therefore, sought to oppose it.

Clause 52 refers to the period of entitlement for contributory allowance. In its report, the Committee asked the Minister to explore the possibility of extending that period for more than 12 months. I note that, in recent discussions, it became clear that 80% of people return to work within a year of first making a claim, so the costs associated with a longer period would not be as great as first envisaged. This is good news.

In its report, the Committee also noted that, until clause 54 came into operation, there was provision under paragraph 4 of schedule 1 to the Welfare Reform Act 2007 for claimants to qualify for contributory ESA on the basis of youth without having to meet the paid National Insurance contributions condition. At the time, the Committee noted that no new claims would be allowed when that clause came into operation. The Committee was particularly concerned about the impact that this would have on young people with disabilities.

At the time, the Department noted that almost 97% of the people to whom that provision applies would not be affected by the change and that new claimants may qualify for income-related ESA. However, given the comparatively low cost of maintaining the current provision, with some groups estimating the cost at £390,000 per year at the time, the Committee recommended that the Minister should discuss the issue at the Executive Committee, with a view to making funds available to maintain the current arrangements.

Clause 69, titled "Housing benefit: determination of appropriate maximum", generated considerable debate at Committee during its consideration of the Bill and has often been in the media ever since. The terms "size criteria" and "underoccupancy" particularly raised serious concerns, and the issue has become better known as the bedroom tax. In a nutshell, when a property is deemed to have one extra bedroom, housing benefit will be reduced by 14%, and when there are two extra bedrooms, it will be reduced by 25%. The Committee heard that upwards of 32,500 tenants in the social housing sector will be deemed to be underoccupying and, therefore, subject to the reduction in benefit that I have outlined.

Again, thankfully, as a result of ongoing negotiations over the last couple of years, including in particular the Stormont House Agreement and within the new arrangements under that, we have been able to put in place arrangements that will ensure that no one will be subject to a reduction in their housing benefit.

Of course, as I said this morning, it will be a matter for each member of the Committee, and indeed their parties, to take their own view, or that of their party, on these matters, and I hope that I will be able to adequately reflect those views when I wind up the debate on the second group of amendments later this evening. I formally repeat



that, as Chair of the Social Development Committee, I will not be expressing opposition to any of the above clauses.

**Mr Deputy Speaker (Mr Dallat):** I am reluctant to point out that there are Members who are engaged in continuous conversations, and that is discourteous to Members who are speaking. It also makes life difficult for me, because I may not hear what is being said. I appeal to those who want to have a long conversation: there are plenty of other places in the Building to do it.

**Mrs D Kelly:** In moving the amendments on behalf of the SDLP, we will take account of the Minister's contribution at the end of the debate. Some of them are, indeed, probing amendments, and we will look to see what assurances he can give in allaying some of the concerns that I will be raising on behalf of the party in relation to these amendments.

Amendment No 2 is a proposal to reduce the waiting day provision from a maximum of seven days to three days. We believe seven days is too long. Seven waiting days at the start of a claim is currently the practice with jobseeker's allowance and ESA, and this is an opportunity to rectify that. I also refer to amendment No 27, which was tabled by Mr Steven Agnew and signed by us. It deals with removing the time-limiting aspect for ESA youth claimants. We believe that we need to protect young people. Contribution-based ESA should be afforded to young people as well as to adults to ensure protection for them and their households. We are advised by DSD that the Department is to bring an amendment to afford that protection, but we do not see it here today. We will therefore await with interest what the Minister commits to this evening.

Amendment No 28 adds the words:

*"unless the claimant had made contributions before the commencement of this Act".*

The Department claims that this is unnecessary, but the intention is the same as the above: it is an attempt to find a workable solution to protect sick young persons. Again, we await the Minister's response.

There is opposition to clauses 61 and 63. This ensures that claimants can receive contributory JSA, ESA, maternity allowance or statutory payments only if they are entitled to employment. We have brought this forward because of concerns articulated to us and to others about the rights of migrant workers in particular. We believe that social security measures are coordinated by EU member states on the basis of established principles of EU law, including free movement of workers and equal treatment. During Committee Stage, there were concerns that these clauses might not comply with EU law. Again, we will be keen to hear what the Minister has to say and what assurances we can get on this aspect of the Bill.

I turn my attention to our opposition to clause 69, which is known as the bedroom tax or underoccupancy rule. Mr Deputy Speaker, you will know that we have signalled our opposition and, indeed, signed a petition, as has Steven Agnew — the SDLP petition of concern. It is regrettable that Sinn Féin can no longer support the view of its deputy First Minister when he gave a commitment at Sinn Féin's ard-fheis in April 2013 that it would deploy a petition of concern in relation to this.

I heard what the Committee Chair said about some of the assurances that we have been given about how some of the mitigating factors will provide comfort and no one will lose out on housing benefit over the next five years. We are concerned, however, about what will happen beyond that.

Other devolved Assemblies, most notably the Scottish Parliament, have also abolished the bedroom tax clause. We know that it was a model that the Tories put forward to deal with the south-east of England, but it has had severe repercussions right across GB. We also note that the Labour Party has given a commitment that, if it wins the election in May, it will also abolish the bedroom tax.

**Mr Wilson:** I thank the Member for giving way. I am sure that the many people — in fact, the thousands of people in the private sector — who do not get housing benefit for the additional room in their properties will be puzzled that the SDLP is the party that they have to thank for that reduction in their housing benefit but is now the champion of the public sector. Maybe the Member will explain to them why there has been this volte-face by the SDLP on this issue.

**Mrs D Kelly:** I believe that any volte-face, as Mr Wilson would say it, that there has been has been by none other than his good self. He voted against the Welfare Reform Bill in another place, yet he is its champion from the Back Benches here. I am sure that no Member needs spelt out to them Northern Ireland's particular needs and the difficulties that people in the communities that we serve have in finding alternative accommodation. First, it does not exist, and secondly, where it does exist, it is in areas where people do not feel safe to live. It is a sad reflection of the fact that we have not yet dealt with building reconciliation on this island and between our two communities, particularly here in Northern Ireland, that people cannot live where they wish because of the fear of intimidation and threat. So, the bedroom tax has a particular resonance for the public in Northern Ireland.

As Mr Wilson and others will know, many people are very concerned about that. People who own their home talk about downsizing when their family grows up and leaves the home, but for many, particularly as people are living longer and growing older, the support network of neighbours and friends is crucial. The health service and other public-sector services are arguably being saved a lot of money by the good neighbour support that we often find in our communities.

We know that the Stormont House Agreement brought forward commitments to mitigate the ravages of the bedroom tax, but we do not see anything about that here. Again, that is in the absence of final Executive approval for all the flexibilities and mitigating factors. A well-known phrase says, "Success has many fathers", and I note that many Members, particularly in the DUP, paid tribute to the previous Minister for his development and gaining of a number of mitigating factors and flexibilities. I think that it would be remiss of me not to pay tribute to my party colleagues, especially former Ministers Margaret Ritchie and Alex Attwood, who led the charge at DWP and secured those commitments and the ability to have the flexibilities. *[Interruption.]*

**Mr F McCann:** They brought in Atos.

**Mrs D Kelly:** I hear something from the Back Benches to my right. I am glad they have actually decided to say something and make a contribution to the debate.

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

**Mrs D Kelly:** Yes, I will give way.

**Mr McCausland:** Could I suggest to the Member that if, come the elections next year, her political career comes to an end, she should certainly have a career in writing fiction? All the hard work with DWP was done by the Department, by me and by this party, and the input from her party was zero.

**8.45 pm**

**Mrs D Kelly:** Well, I heard what the Member said. He will forgive me for not accepting what he said, because that particular Member was too busy fighting fires created by himself and his party right across the Department and has enmeshed the Committee in having to complete inquiry report after inquiry report into allegations against his behaviour as Minister.

**Mr Deputy Speaker (Mr Dallat):** Order, please. I hope that the Member has picked up that I need her to move back to the debate.

Once again, I have to appeal to a small number of Members who want to ignore me and who are continually in conversation. That is discourteous to the people who are making a contribution to the debate, and it is making life for me very difficult when the conversation that I hear is the one to my right, rather than Mrs Kelly.

**Mrs D Kelly:** Thank you, Mr Deputy Speaker. We have, today, again honoured our commitment that we gave over two years ago to the people to stand against the bedroom tax, and we are pleased that the Green Party has stood with us. It is also a matter of regret that the Alliance Party, which has proved to be worthy poodles of the DUP/Sinn Féin diktat, have not submitted any amendments or spoken in relation to this —

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

**Mrs D Kelly:** I want to move on, as the Deputy Speaker indicated, but I will give way, of course.

**Mr Maskey:** I thank the Member for giving way. I know that she has a lot to cover. The Member referred to the bedroom tax and seemed to suggest that she heard that it was dealt with in the Stormont House Agreement, but she does not see anything in front of us. Does the Member, who is the deputy leader of her own party, not accept that her party signed on to the Stormont House Agreement and, in particular, the first bullet point, which was that tenants in social housing will be protected from the bedroom tax? Does the Member, who is the deputy leader of the SDLP, not accept that her party leader, Alasdair McDonnell, signed on to that commitment? It is in black and white in the Stormont House Agreement. How can the Member suggest that she is not quite sure what was agreed?

**Mrs D Kelly:** I do not believe that I did suggest that. I have the Stormont House Agreement on the table before me and I read out the six lines within the agreement that deal with the Welfare Reform Bill. I do accept, and I did say, that there have been mitigating factors already agreed

and flexibilities put into the Budget that will mitigate the bedroom tax. It is not abolished, and that is what we want to see from our party's perspective. We acknowledge that the agreement, as I understand it, is only for five years. We want to see it abolished forever.

I will move on to amendment No 42 and deal with the benefit cap. We are very concerned about this, and we know that, already, the benefit cap proposal is being capped at £26,000, but, only in the last few weeks, the Tories have said that their first action, if re-elected, would be to reduce that to £23,000, which would affect thousands of families in Northern Ireland. A £26,000 cap does not affect huge numbers; I understand that it affects about 600 families in Northern Ireland. People may be wondering who is getting £26,000. As Mr Allister said in his earlier contribution, that equates to a salary of about £33,000 before you would have that sort of take-home pay.

In my constituency, I have families who have four or more disabled children in the house, and they are providing care at home for their children. I think that there should be an acknowledgement that some people find themselves in exceptional circumstances, and some of that means that they have bigger homes, but that is usually because of the adaptations that are required for physical mobility and personal care assistance. I am very worried on behalf of those individuals, who are some of the most vulnerable. Again, those people are saving the state, if you like, huge sums of money because they choose to care for their children at home. Not only have the Tories said that they might go to a £23,000 cap, there is a suggestion that it might go down to £18,000. As I said in my earlier contribution, it is all right to talk about people going back to work and getting good contracts, but, as we know, a lot of the jobs on offer are low paid, have short hours, have temporary contracts and very little in the way of protections or rights, and many of them have zero-hours contracts. Set that against the backdrop of what the Tories are doing, who the Tories' friends are and what motivates the Tories. The motivation of the Tories is to attack the public sector, the welfare state and, indeed, many might say, the health service, so I think that this is a stand that we should make to take the opportunity to speak out against the worst ravages of a Tory-led Government.

I move on to amendment No 50 and amendment No 48, which relate to independent advice. Amendment No 48 has been tabled by the Ulster Unionist Party. Again, we will listen to what the Minister has to say about this amendment and the commitments given, but we do believe that there has to be strong, impartial and independent advice that puts the needs of the service user to the forefront. I was very encouraged by the humanity and compassion shown by the Minister, as he fully appreciates that, behind each of these measures, there are people, individuals and families who are suffering. I accept the good faith of the Minister in his commitment to putting people first and at the heart and centre of this legislation. However, there are stories emerging from GB, England in particular, that some Social Security Agency staff have been put under pressure by their Tory paymasters to take people off benefits. We do not want to have that sort of situation arising here, and we want to hear that good, solid advocacy services will be available to people who find themselves in the welfare system.

I will touch on some of Mr Agnew's amendments. We will also listen closely to what he has to say. In general, we welcome his amendments, which aim to provide the most protection possible for claimants, and that is what we hear is at the heart of his policy proposals in relation to these clauses. I understand that amendment No 5 seeks to maintain the current system that exists under tax credits in which the disabled child element of benefits equates to two thirds of the severely disabled child element. Amendment No 6 gives claimants a transition period of a year in which benefits for a young person that are supposed to be reduced because a young person has become too old are maintained at the current rate. This gives claimants better time for transition. Amendment No 7 is to have the housing cost element of universal credit continue for four weeks after the claimant starts employment. Again, that is to ease the transition period. People tend not to get a wage the moment they get a new job, and I am sure that some cognisance could be given to that. Some flexibilities could be made in the guidance or regulations around the imposition or withdrawal of entitlement. With that, I finish my contribution.

**Mr Dickson:** The amendments before us in regard to entitlements relate to some of the most contentious parts of the Welfare Reform Bill, notably the so-called bedroom tax. This is perhaps the most well known and, indeed, galvanising element of this Bill. The removal of the spare room subsidy is one of the most cynical reforms made by the Conservative-led Government. The policy, cited as a means of dealing with the under-occupation of social housing —

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

**Mr Dickson:** I will.

**Mr Wilson:** First, all of us recognise the difficulties of the spare room subsidy being removed, but will he accept that it was not just a cynical exercise by the Conservative Government but that, indeed, an SDLP Minister has already imposed it on tens of thousands of tenants in the private sector, which is the most costly sector here in Northern Ireland? There has not been a word about that.

**Mr Dickson:** I agree. The policy, cited as a means of dealing with the under-occupation of social housing, has resulted in the demonisation of those in receipt of housing benefits, 500,000 of whom across the UK are actually in work. Perhaps unsurprisingly, the tax has been a failure in England, with only 6% of those affected moving to a smaller home. In the meantime, a huge amount of undue distress, debt and punitive measures have been levied on the most vulnerable in society, alongside the extra cost to local authorities charged with housing.

Rent arrears are up by 26% as a result of the policy, alongside fuel and food poverty. The policy also ignored the need of many people with disabilities to have that extra space or extra room to store medical equipment, for their carers to sleep or for households reduced in size as a result of separation.

Furthermore, housing associations in England have reported that many people wish to downsize, but, to put it simply, smaller homes are not there. To illustrate that, 180,000 tenants were judged to be underoccupying two-bedroom homes, yet in the rest of the UK, only 85,000 smaller houses were available. That reflects the very crux of the matter. For years, Governments have sold off

social housing stock but failed to reinvest the revenue in the construction of new social housing to replace that moving into the private sector. To penalise the poorest in our society for the lack of long-term planning at the highest level of government is indeed perverse.

For Northern Ireland, however, the size, distribution and organisation of our housing stock only make that policy — which is designed for larger cities in the south of England — even more unworkable. It is therefore fortunate that we are able to implement meaningful mitigation measures in regard to that policy. We have agreed those special measures with Treasury, and we cannot and should not go back on those agreements, undermining concessions gained. In response to Mr Wilson, it is a pity that those concessions were not gained earlier on in all of those processes. That would be a betrayal of those who would otherwise be affected by those punitive measures.

It is important that we allow the Department the flexibility to alleviate the effects of the bedroom tax in the context of the wider departmental resources, as agreed by — it bears repeating again — all of the Executive parties. The one-size-fits-all implementation in Britain —

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

**Mr Dickson:** I am nearly finished. The one-size-fits-all implementation in Britain is unsustainable, unjust and irrational. Therefore, I support the amendments brought forward by the Department with regard to the mitigation policy. Ultimately, the decision on the continuation or the abolition of the bedroom tax will be made at Westminster. That is where those decisions will be made, and I hope that a future Government will reverse that. The Alliance Party and our MP, Naomi Long, fought that unjust policy on the Floor of the House of Commons while others shirked their representative role and stood shouting from the sidelines.

**Mr Wilson:** Name them.

**Mr Dickson:** They are sitting to my right. In regard to the general issue of entitlements in the Bill, it is important that we have a clear vision of the Northern Ireland that we are seeking to build: a competitive Northern Ireland, less dependent on welfare, with investment in skills, education and infrastructure, and attraction for the jobs of the future; a more just Northern Ireland, where a fair day's work returns a fair day's pay, the state is no longer required to subsidise poverty wages and people are better off in work than they are on benefits; nevertheless, a Northern Ireland where the social security net supports victims of circumstances and, vitally, breaks the cycle of poverty in which so many find themselves trapped. That, crucially, involves the provision of good quality social housing.

In conclusion, I am content that the concessions that have been negotiated and agreed will ensure that Northern Ireland will not have the worst effects of that poorly thought-out and mean-spirited policy. I therefore support the amendments that have been agreed and brought forward by the Minister. I wish to place on record again my previous point with regard to skills, education and infrastructure. As representatives and legislators we must now get down to the job of building a united, shared and prosperous Northern Ireland fit for the 21st century that will deliver for everyone and protect the most vulnerable.

**Mr Beggs:** I welcome the opportunity to speak on the second group, despite the sheer arrogance demonstrated by the DUP in effectively potentially killing off 12 of the 14 possible amendments in the group. Amendment No 2 seeks to reduce the prescribed period from seven days to three. I am not convinced of the merits of such a change, not least because having a period of seven days will make sense in many circumstances. I understand that, for some claimants, the week-long hiatus may cause some difficulty, but wages and salaries are normally paid monthly or perhaps weekly, so there can be a delay when you work and when you receive payment. However, we must be conscious of the implications if we were to propose reducing it to only a few days.

### 9.00 pm

There would be an immediate additional administrative burden on the Department, which is forced into the position of having to process a greater number of very short-term claims. It would also have financial implications for the Executive, as I very much doubt if DFP will simply foot the bill for our issuing additional short-term claims. What will be the additional administrative costs? What will be the additional cost in benefits? We could expect those additional costs to come off the block grant. What will be the cost of the services that will be lost in return?

In amendment No 5, Mr Agnew again touches on an issue that I feel the Social Development Committee has spent a great deal of time considering. By moving to a two-tier system as opposed to a three-tier system, it is likely that some families with a disabled child will see a reduction in their support. That is of concern. However, there are a number of points to make in respect of that. First, I expect that families will be fully protected within the transitional support for universal credit, so, in actual fact, they would see no reduction. I ask the Minister to confirm that that would be the case due to that protection.

Importantly, however, as has been said, whilst families, such as those with new claims, would be left worse off, many would also see an increase through the higher-rate child addition. I understand that universal credit rate payment to severely disabled children will be very slightly higher than the current child tax credit equivalent. That has to be welcomed. I am aware that the previous high-level exercises carried out by the Department have indicated that there have been more losers than winners, with 6,000 children likely to receive more but 7,500 who would have received less but for the built-in protection. If we take those 7,500 young people and carry them over to claims at some point in the future, I estimate that that might well be £7 million or £8 million. That is something that has to be calculated into any decision. It may well be more than that, and, again, it would be welcome if someone could put some estimate of costs on that. Of course there will be additional associated costs for administration, which will also have to be catered for. Subsequently, the Ulster Unionist Party will not be able to support the amendment. There is a huge unknown cost and a lack of clarity as to what will be lost as a result.

If we were to look at the overall budget and if top-slicing were to occur, we could expect half that cost to come off the health budget potentially. It has to come from somewhere. I believe that the battle for the issue should be at Westminster. If it were changed at a national UK level,

there would not be corresponding implications for our limited budget here.

Moving on to amendment Nos 6 and 7 from Mr Agnew, which both relate to the housing element of universal credit, the first suggests that people be afforded a year's grace before any reduction. We will be opposing that, not least on the grounds that contributing to rent is appropriate when one can afford it. If someone finds new employment, it is appropriate that they should contribute. Amendment No 7 is the other housing-related amendment. It allows people to continue to claim their housing element for up to four weeks after they find employment. I will listen to what the Member has to say. However, I must tell him that, at the moment, it is my intention to oppose it. I note that he has passed the powers to the Department, and it is a "may" instead of a "shall". Nevertheless, if a claimant starts taking home an income that lifts him out of the category requiring support, I believe that the person will, in most circumstances, understand why they have had an element of support removed from them. Again, I highlight that this additional cost, were it to be borne, would have to come out of our limited funds. Is that really where we wish to spend some of our limited funds? We have choices to make. I question such a choice.

**Mr Agnew:** I thank the Member for giving way. I will give him credit: I think that he is giving each of the amendments the time that they deserve. He keeps coming back to where we would put our money. It just seems strange to me that a party that is willing to support proposals to reduce corporation tax at a cost of around £330 million per year is struggling over a measure that, in the case of the housing benefit grace period of four weeks, will help people to get back into work. It just seems incongruous that that small amount of money cannot be supported. We are talking about making work pay. This is an amendment to help do exactly that.

**Mr Beggs:** The Member raises an interesting dilemma, but the choice that we have today is whether to take money out of other Departments, the health budget or somewhere else in order to carry out his proposed amendments. Certainly, from my own perspective, I think that it is good if we can achieve the ability to determine corporation tax levels at some point in the future. That should be grasped and cherished because it could bring about significant benefit. However, as yet, I am not aware of discussions on timing, amounts and commitments. When it comes to that, equally, we will all have to carefully assess what the costs and benefits would be. At present, I am looking at this legislation, the amendments that the Member is proposing, what the costs would be and what the benefits would be. I am fearful, particularly as a former member of the Health Committee, of more and more additional costs, which would have to be held from our limited block grant and which would badly impinge on some of the most vulnerable in society, who are ill or need treatment from our health service.

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

**Mr Beggs:** Yes, I will.

**Mr Wilson:** Would the Member also accept the principle that, once someone is in work, they should make a contribution to the rent on a property where they live, whether it be with their parents, a friend or whatever? If that principle is accepted, it has to be accepted across



the range of everybody who is earning money. Therefore, this four-week period seems to be a rather odd proposal, because you would treat people who are in permanent employment or have been working for a longer time differently. Would he also accept that, if the argument is that you have got to make work pay, you would extend that forever? If that is the argument — that, by taking housing benefit off people, you are not making work pay — you would continue it indefinitely.

**Mr Beggs:** One of the core principles, I understand, of the universal credit process is that work will pay, so even someone who has just started work should immediately be financially better off than when they were receiving benefits. Even though they will be required to make a contribution towards their housing costs, they should nevertheless certainly still be better off than they would have been had they not commenced employment.

**Mr A Maginness:** I thank the Member for giving way. I do not want to detain him, but this is an important point. The whole thrust of thinking on welfare reform is to get people back into work. If somebody is going back into work, but sees that part of the obstacle to that is, for example, waiting until the expiration of one month to get paid, in those circumstances is it not reasonable to allow a period of grace of four weeks so that that person can get to a position where he or she will be able to pay that additional burden in rent?

**Mr Beggs:** It would be very nice if we had a pot of funding that we could set aside to do that, but that is not my experience of how public service expenditure is currently operating. I understand that every Department is under severe pressure.

If additional money is to be made available for this, and I have sympathy and see the benefit of that, then money will have to be taken away from elsewhere. It would be very helpful if we could have some idea of what the cost would be so that we could put a number on it and then, perhaps, a more accurate assessment could be made of the cost in terms of the loss to other services.

As I said, I am so aware of how much our health service is struggling at the moment. I am fearful of some sort of top-slicing. Already, there are huge pressures, particularly in Health, but there are also pressures in a range of other Departments. Let us acknowledge that there is a wide range of pressures in virtually every Department where quite significant cuts have had to be implemented. The outworkings of that are yet to be fully seen. The challenge to the Members who wish to support this amendment is this: how much money will be required to fund this, and where will it come from?

**Mr Agnew:** I can give the “where?”: it is from the top-up fund that has been set aside for the amendments and proposed changes to the Welfare Reform Bill. That is £70 million; I propose that it is taken out of that.

**Mr Beggs:** The top-up fund is a wonderful line but you will find that there are many calls on it and I am fearful that there may not be enough money left. Probably, if you were to add up the cost of the Member's individual amendments, it may well exceed the top-up fund; so, perhaps the Member should carry out that exercise.

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

**Mr Beggs:** I wish to make some progress, please.

Will the Minister tell us what level of support will be offered to people affected by time-limiting ESA? Will support be offered to former claimants who then do not qualify for income-related ESA? What level of support will be available to them? Will it be 100%, 75% or 50%? Nevertheless, and even in the absence of this crucial information from the Department, the Ulster Unionist Party will not be in a position to support this amendment proposed by the SDLP. As I asked before: what will the cost be and where will the money come from?

There are other amendments. I turn to amendment No 28, which has regard to ESA youth claimants. It is certainly a much more affordable proposal, especially as the Department previously told the Assembly that a scan of ESA live loads two years ago revealed that, of the 28 contribution-based ESA cases, 16 were in support group and that, therefore, many would be unaffected by the changes. There is, however, a wider fairness issue, not least consideration of the fact that, so far as I know, no other contributory benefit forfeits its criteria based on the age of claimants.

Amendment No 29 requires clarification. I believe that limited capability for work is already a key criterion for ESA. I trust that Mr Agnew will detail exactly what his proposed amendment would do to either supplement or improve what is already the case.

Amendment No 42 from the SDLP is, I believe, a very genuine attempt to try to retain some influence on what we all accept is an important matter but to which, at present, we have limited local feed-in. The benefit cap was a key DFP policy and one which my party has, on the whole, generally supported. Nevertheless, I think that the SDLP means well with its proposal of exempting some key supports, especially child benefit and carer's allowance. It is my opinion that carers are already facing financial hardship and difficulties, not least with what happens to them when they reach pension age and the caring component comes to an end.

However, this is not the place to try to make these changes, and I would argue that it should be done at Westminster. If we start moving benefits in or out of the overall cap, it will inevitably lead to an unequal system between us and the rest of the UK. If the cap needs to be changed, it should be changed for the entire UK. Again, the amendment would have a clear and not insignificant financial implication, that is, additional cost to our limited block grant and the additional loss of public services.

I am aware that amendment No 48, from the Ulster Unionist Party, has generated quite a bit of interest, not least in the independent advice sector. Let me make it clear that I understand that the Department, on the whole, provides support to the independent advice sector. However, that is because it is absolutely essential that it does. Without independent advice, fewer people would be claiming their fair entitlement. More people would be submitting inaccurate or erroneous claims. Many might be unable to claim their entitlement, and, quite possibly, there would be gridlock in the system and severe hardship for many.

## 9.15 pm

We can all think of our local offices in our towns, and I think of how the citizens advice bureaux in Carrickfergus, Larne and Newtownabbey contribute and help the

system run smoothly. I certainly do not believe that they in any way undermine the work carried out by the Social Security Agency offices. They often complement them. Our amendment would simply give it a statutory footing. It would not necessarily mean more money; it may mean some. It would not mean more bureaucracy. In fact, I expect that, if our amendment is supported and approved, the only difference will be that it will help focus minds in the Department to ensure that there are no blind spots in terms of advice, either from it or from the independent sector across Northern Ireland. With that statutory requirement, it would have to do that.

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

**Mr Beggs:** Yes.

**Mr Wilson:** He has accepted that considerable investment goes into advice-giving across the board, and a lot of it is very professional. Will he accept that, once you put anything on a statutory footing, it is not correct to say that there will be no costs involved because, once it is on a statutory footing, you have to make sure that it is done, you have to monitor how it is done and you have to ensure that, since there is a legal requirement that people get advice, they are getting advice? We all know that, once you put things on that kind of footing, a whole raft of bureaucracy builds around it, and, indeed, instead of money being spent on giving advice, money is spent on making sure that the statutory duty is met.

**Mr Beggs:** I think that it would be useful if there was a requirement for the Department to monitor what is being done and to ensure that that support is being delivered on a wide range of subjects, and, therefore, I believe that there is merit in the proposal. There need not necessarily be huge additional costs, but someone needs to spend some time looking very carefully at what level of advice and support is available to claimants and to ensure that all areas are covered. I am not entirely sure why the DUP is so threatened by that proposal that it felt it necessary to table a petition of concern to kill it. One thing that is for sure is that it is not the confident boost from the Department that many advice organisations were hoping to see today. I will stress again that the tabling of the petition of concern is particularly bad-mannered after what was discussed at yesterday's meeting of the five parties. Before determining whether we move amendment No 48, I will listen carefully to what the Minister has to say.

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

**Mr Beggs:** Yes, I will.

**Mr Attwood:** Is it not also the case that, in 2010, the Assembly put into law the statutory right to advice for people in situations where there is homelessness, or a risk of it? The Assembly has already, in particular circumstances — I am sure it was a Social Development Minister who did it — put into law a statutory requirement to receive advice in respect of homelessness. Under PACE law, every citizen in Northern Ireland is entitled to legal advice in the event that they are arrested further to a claim of criminal conduct. It is not a matter of principle in terms of the life of this part of the world, and it is not even a matter of principle when it comes to the law in respect of particular matters in this part of the world. Is that not a catalyst for the Minister to respond positively to these amendments?

**Mr Beggs:** I thank the Member for drawing that previous requirement to Members' attention. I think that has been very helpful.

Moving on, we are satisfied with amendment Nos 51 and 52 in which the Minister proposes to replace the old discretionary elements of the social fund, such as crisis loans and community care grants, with a new discretionary support scheme. It is essential that this new scheme works effectively and efficiently, and that the people it supports, who are likely to be some of the poorest and most vulnerable in our society, find that help and support in a timely fashion. Teething problems with the new system must be avoided as far as possible. People looking to avail themselves of this scheme will often not be able to wait around for a decision because their lives are in crisis. Prompt resolutions are absolutely essential, and we hope that the new commissioner will recognise the urgency of the environment in which the new scheme will be operating. We trust that this will be kept under review.

That brings us to the last two amendments in this group. We have no hesitation whatsoever in opposing amendment No 73. I wonder whether the full range of potential consequences of that amendment were considered before it was tabled. The strapline built up during the early discussions of welfare reform was that people should always be better off in work than on benefits. We agree with that as a broad policy priority. For too long, people were trapped in a system of welfare dependency that did not benefit them financially to go out and find a job. The danger, of course, is that a culture of worklessness can quickly build up in homes and be passed on from generation to generation. Universal credit is at least trying to rectify that. However, amendment No 73 would take away the incentive for people who are declaring themselves as self-employed to try to increase their paid income. I can see why, initially, there may be concerns about setting a minimum income floor, but we need to be pragmatic. Claimants should be encouraged to undertake work that makes them money, rather than only keeping them occupied from day to day.

Similarly, we oppose amendment No 75. This has been a live issue right from the moment when the Assembly started considering the first draft Bill in 2012. We have listened to the concerns that European Economic Area nationals, including those with disabilities, will be subject to work-related tests, when, in some circumstances, British nationals in the same situations will not. First, we need to remember that paragraph 7 in schedule 1 has been lifted entirely from the Bill that applies to the rest of the United Kingdom. It is, therefore, wrong in principle for anyone to claim that this Assembly is seeking a licence to discriminate. More importantly, however, we need to remember that our social security system is already not fully open to immigrants from other EU states. Instead, entitlement is very often based on whether the applicant has a right to reside here, and that is assessed through the habitual residency test.

I would be fearful of the consequences of the amendment were it to be accepted. Very quickly, we would put our entitlement for support on a different footing from the rest of the UK in the eyes of EU nationals. We all must welcome EU citizens who come to Northern Ireland to work, so long as they strive to provide for themselves and their families. They frequently contribute to the local

economy by filling many jobs that might not otherwise be filled by locals. We do not, however, want to become a magnet for those who come to the UK not to work, but for benefits. If Northern Ireland had that variation, we would risk becoming a gateway to the United Kingdom for those who wish to enter the benefits system. Potentially, we would attract many more claimants to join the benefits system at the risk of incurring much of the cost that will flow from their living in Northern Ireland, not to mention the resulting pressures on housing and on a whole range of services.

It is for that reason that we need to think carefully. I argue that we should retain the same levels and guidance as elsewhere so that those who want to work are attracted to Northern Ireland, not those who may want to join the benefits system.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I have sat here for nearly six hours. I have heard people preaching, pontificating and, in some cases, talking absolute nonsense. I am glad to see that Mrs Kelly has come back into the Chamber. I ask her and her colleagues to explain to me why, on 17 December 2014, they signed up to an agreement with three other parties — not including Sinn Féin, I might add. That agreement — I have it here — contained no protection for children with disabilities, no protection for adults with severe disabilities, a two-year loss-of-benefit sanction, and no supplementary payments fund.

Sinn Féin had a detailed negotiation with the DUP, and an agreement including five parties was signed on 19 December. Mr Attwood, Mrs Kelly and their party colleagues seem to have assumed the moral high ground. All I can say is that your view from it must be very blinkered. We would like an explanation. Maybe you can explain to the House why you were prepared to sign such an agreement. You talk about protecting the most vulnerable. Are children with disabilities, adults with severe disabilities and people who are going to be sanctioned for two years not vulnerable? Maybe, at some stage, we will get an answer to that question. We look forward to that. If you want to give it now, I am quite happy to give way.

**Mrs D Kelly:** No, go ahead.

**Mr Brady:** That is OK. Right. You obviously need to think about it, consult and discuss. I understand that.

**Mr Deputy Speaker (Mr Dallat):** Order, please. I remind Members that the Chair is still here, despite the lateness of the night. All remarks will be through the Chair.

**Mr Brady:** Certainly, a LeasCheann Comhairle. As I said, that agreement contained very little protection for vulnerable people.

I will move on to talk about the particular clauses and amendments but, first of all, I will just mention another thing before I forget. There has been a lot of talk about petitions of concern. If my memory serves me right, Mark Durkan, who sat on the Social Development Committee with us, wanted to introduce a petition of concern a couple of years ago that would have killed the Bill. When we had bilateral meetings with his party, it — Mr Ramsey in particular — wanted to kill the Bill. What would that have meant? Direct rule, possibly? The introduction of the full implementation of welfare reform? Student fees? Water charges? Prescription charges and all the other ills and

woes that come from a Tory Government? Those are the people who are pontificating and preaching to us today. The reality is that we would not have introduced a Bill like this. My colleague Fra McCann, who is sitting beside me, and I have been on the Social Development Committee since 2007. In our defence, we have stood resolute against the swingeing cuts of so-called welfare reform. We have been resolute; I challenge anybody to say that we have not.

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

**Mr Brady:** No, you will have your chance. Obviously you are more prepared to talk than Mrs Kelly or Mr Attwood at the moment —

**Mrs D Kelly:** I will talk if you want, Mr Brady.

**Mr Brady:** No, the Member will not give way. You had your chance —

**Mr Maskey:** It is a bit late in the day.

**Mr Brady:** A bit late in the day is right.

**Mr Deputy Speaker (Mr Dallat):** Order, please. The Member will resume his seat for a moment. I repeat what I said a few minutes ago: the Deputy Speaker is still here. All remarks will be through the Chair. Mr Brady, will you continue, please?

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle.

**Mr Wilson:** Will he give way?

**Mr Brady:** Yes. *[Interruption.]*

**Mr Deputy Speaker (Mr Dallat):** Order, please. I am going to insist that this is done properly. You do not address anyone as “you”; you address your remarks through the Chair.

**Mr Wilson:** I said, “Will he give way?”.

**Mr Deputy Speaker (Mr Dallat):** I hope that the Member is not challenging the Chair.

**Mr Wilson:** If you had listened, Mr Deputy Speaker, I said, “Will he give way?”.

**Mr Deputy Speaker (Mr Dallat):** I am sure that he is not. Continue.

**Mr Wilson:** Now that we think that Mrs Kelly has her story as to why they signed up to an agreement that does not offer the protections that the Bill and the arrangements do now, maybe he would be generous enough to let her give the explanation to the House. We are all waiting to hear it.

**9.30 pm**

**Mr Brady:** I thank the Member for his intervention. I think that Mrs Kelly had her chance, and I am sure that she will compose something. She will have a long night to think about it, and I am sure that she will come up with some sort of an answer. The reality is that the agreement that was signed by the party on our left did not protect vulnerable people. That message needs to go out, for all the preaching, pontificating and attacks by that party.

I will address some of the clauses. Clause 52 deals with contributory ESA. Initially, under the proposed Welfare Reform Bill, that was to last only a year. People who worked for 30, 35 or 40 years and who became ill, through no fault of their own, were going to lose by getting only one

year's contributory benefit. My colleague the Chairperson of the Social Development Committee said that 80% of people return to work within a year, but, unfortunately, a lot of cancer patients who have been working become ill, again through no fault of their own, and have to give up work for a limited period. Obviously, they go through very traumatic treatment and may need extra time to get themselves back to a point at which they can return to work. That is essential.

It is interesting that none of the people who tabled amendments and criticised various aspects today was prepared to admit that some good was coming out of all this and that concessions and mitigations had been obtained. It is interesting that, in Mr Allister's weird world — in his utopia — nobody would be on benefits, and everybody would be out working, according to him. His attack on vulnerable families is an absolute disgrace, and he should be totally ashamed of himself.

In my experience of working with people on benefits for many years, nobody has ever come in on a Monday morning and said, "I love being on income support". It does not work like that. People do not want to be on benefits, and there are many reasons why they are on benefits. Even the inimitable Lord Freud, when he was here, agreed that we had higher rates of disability in the North and that we had a society that was coming out of conflict. There are many reasons why people are on benefits, and it is not incumbent on any of us to stand here and criticise them for no good reason. I argue that clause 52, which I think the Minister introduced, is a good clause, in the sense that it extends the period in which a person can get contributory ESA.

There has been much talk about the bedroom tax. It does not work; that has been proved in Scotland, where housing associations built loads of houses with three bedrooms. People would not move into them because of the bedroom tax. Housing associations cannot service their loans and are left with empty houses, and some of them will probably end up going to the wall. That is the reality of the bedroom tax.

Historically, we have had three- and four-bedroom houses built over many years. When the Housing Executive's representatives came in to brief the Committee initially about the bedroom tax, they admitted that, if it were to have been introduced the next day, it would take at least six years for the proper houses to be built.

We also live in a society that, unfortunately, has housing segregation. I am sure that there are people in north Belfast who could probably move into other areas of north Belfast, but, because of the society that we live in, it becomes next to impossible for them to do so. The mitigation of the bedroom tax has succeeded because there is the supplementary payment fund, which my friends on the left initially signed up not to have.

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

**Mr Brady:** No, the Member will not give way. The bedroom tax has been neutralised and will continue to be neutralised, so that is a good thing for those vulnerable people whom we have all been talking about today.

I will move on to the discretionary payments in clauses 51 and 52. Basically, the social fund has been abolished in Britain and has gone to local authorities, some of which service it in a good way, and some of which do not bother. Some of the money that is set aside for that purpose

goes to other things. It is good that we had an opportunity to be innovative and have a discretionary fund and a discretionary fund commissioner. That is a very good thing because it gives that independence, much the same as the social fund commissioner. When people actually started to take community care grant disallowances to the second and third stage with the social fund commissioner, up to 49% of decisions at local offices were overturned. That can only be a good thing.

This is not a Bill we would have taken, but there has been good progress in many areas. The other thing that has been looked at apart from people who are unemployed, because we mentioned contributory ESA, is those who are termed the working poor. There are approximately 90,000 here in the North. People on low incomes are going to be helped with the discretionary fund. There are no benefits that we are in control of where people will be worse off. That is true to say. There are other areas in HMRC control, like tax credits, child tax credits, child benefit and areas like that, but where we have control over benefits, nobody will lose out. I want to make that point. Go raibh míle maith agat.

**Mr Wilson:** Most of the amendments we have been dealing with have been put forward by the SDLP. As I think the last Member pointed out, there is a degree of grandstanding by the SDLP here, especially in relation to some of the issues that they have been responsible for themselves. Now, suddenly, they have had a conversion on them because of the opposition there has been or, maybe more, because there is simply the unprincipled stance that they have taken, namely they see a chance to have a poke at Sinn Féin on some of these issues, and are taking it now, despite the fact that it is totally irrational given their previous stance.

I want to start off with clause 69, because we did not get an explanation from the SDLP on this. Their desire to have it removed from the Bill has already been dealt with. It could not be clearer. There is a commitment from the Minister and the Executive. Furthermore, the Executive have already earmarked all the funds required to make sure that anyone in the public sector who falls foul of the loss of the spare room subsidy will be recompensed for that. They will not be forced to move.

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

**Mr Wilson:** I will give way, yes.

**Mr F McCann:** Those were interesting points. If you listened to Mrs Kelly earlier, it not only became a problem that it has not been removed, but even the mitigation has become the problem for her now also because it lasts only five or six years.

**Mr Wilson:** Of course, here is the point: there was no mitigation. Nor, I suspect, does Mrs Kelly want to remind the people who live in the private sector. Sure, there are no proposals from her to mitigate the effect of the introduction of the spare room subsidy by her colleague who is sitting beside her. He was quite happy to introduce it in this Assembly for a sector where the rents are higher and people are equally under pressure, yet the subsidy that they lose there is much bigger than the subsidy that will be lost in the public sector. But no call for mitigation there. In fact, let us quickly move on and forget about the SDLP's involvement in that sordid little exercise, where they claim the Tories have done this on the poor people of Northern Ireland. Well, the Green Tories did that on them some time



ago in the private sector when they introduced that, and not a whimper about it now.

Indeed, when she was given the opportunity to explain it, she did not. If she wants me to give way now, I will, but I suspect that I will get no more of an explanation from her this time than last time.

Let us not have this nonsense peddled. The Member who spoke previously was right: we are preached at by the sanctimonious braggarts on the other side who say, "We would not have done that. You are the bad people". We have provided a way out. "It is only for five years", she says. It may well extend for more than five years; that will be a choice for a future Executive.

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

**Mr Wilson:** I will give way, yes, because I know that he has been trying to get in for some time now, and I would love to hear his words of wisdom. Maybe we will now receive from Mr Durkan the explanation that we did not receive from Mrs Kelly.

**Mr Durkan:** Unlike the Members on my right, Mrs Kelly does not jump to DUP demands. The Member said that the issue on clause 69 could not be clearer. He refers to the mitigation measures that we have received commitments on, and I welcome them. However, they are not clear in what we are here to debate today. We are here to debate and shape legislation, and those mitigation measures are not clear in that.

**Mr Wilson:** How could they be any clearer? This is not a commitment that was whispered in some corner or was part of some secret talks between the five party leaders; this is a commitment that has been made time and time again on the Floor of the Assembly. Those who are affected by the removal of the spare bedroom subsidy will have the money paid to their housing benefit. Furthermore, it is not that we will do it if we can find the funds; a commitment has been made to provide, I think — I cannot remember the figure now — £17 million in the first year. That money has been committed and committed publicly here in the Assembly time and time again. The Finance Minister has said it, the Social Development Minister has said it, the First Minister has said it and the deputy First Minister has said it. It is a bit difficult to say that no commitment has been given on it.

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

**Mr Wilson:** Let me just finish the point. There is no provision, but you would not expect provision in the Bill that makes a statement about it. The commitment has been given, the money has been given and the reason why it is for five years has been given. The reason is that the whole idea is to try, over that period, to build up a stock of houses that gives people the opportunity to move from properties that are perhaps larger than they need. That cannot be done at present, hence the reason why we had to mitigate a change in welfare reform that was going to have that impact.

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

**Mr Wilson:** Given all that, I hope that we will get from the SDLP Members some explanation of why they still feel a necessity to remove clause 69 when that commitment has been given and, indeed, when they are making no effort and giving no indication of what they would do to help the

people who are the victims of measures introduced by their Minister.

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

**Mr Wilson:** I will give way, and then I will give way to the Member who asked previously.

**Mr Storey:** The Member who asked the question and who supports the removal of clause 69 will be aware that I have given a commitment to the Executive that we will bring forward the scheme and it will go to the Executive. However, listen to this: it will go further, because it will then go out to public consultation. It will not be done in the dark. It will not be, in some way, clouded in secrecy. The public will see that. There seems to be a failure in the House today to understand the reasons why we had to do things in the way that we are doing them. I go back to the point that I made earlier and to which I think the Member referred: there was an attempt to kill the Bill at the very start. If that had happened, this place would not be here, I think, and, secondly, you would have had welfare without any changes, any modifications or any help.

**9.45 pm**

**Mr Wilson:** I thank the Minister for that information. I will give way.

**Mr Durkan:** I thank the Member for giving way, and I again welcome the commitment from the Minister. However, will the Member accept that people have had commitments made and heard them before? He referred to commitments from his party colleagues on the bedroom tax and, indeed, to the commitment from the deputy First Minister on bedroom tax. Does the Member agree that this is not the first commitment that the deputy First Minister has given on bedroom tax? At his 2013 ard-fheis, he gave a commitment to deploy a petition of concern to block the bedroom tax.

**Mr Wilson:** I do not know when that meeting was, but, if there was such a commitment — he can answer for himself, rather than have me answer for him — the one point that I will make is this: there is no need for a petition of concern against this for the simple reason that the impact of it has been removed. It has been removed by the commitment of resources and the promise of the Minister and the fact that the Executive collectively and, indeed, the five party leaders have agreed the issue. Let me come to the —

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

**Mr Wilson:** I will give way on the understanding that Mr Attwood will now either repent of his former sins against tenants in the private sector or give us an explanation of why he believes that the treatment of private sector tenants should be different from that of tenants in the public sector. I give way on that basis, though I suspect that I am wasting my time.

**Mr Attwood:** I thank the Member for giving way. To prove his worst fears true, can he confirm something? You and I sat around the Executive table for a period, and you and some of your colleagues were the most insistent that the Welfare Reform Bill be brought through the Executive to the Chamber. I never once heard from you, Mr Wilson, in all —

**Mr Deputy Speaker (Mr Dallat):** Order, please. Speak through the Chair and no finger-pointing.

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

I did not once hear from the Member opposite in endless meetings of the Executive, week after week, when he and his DUP colleagues were saying, "Get the Bill into the Chamber and through the legislative process". Not once did Mr Wilson say that there was any need, any reason or any money to mitigate the bedroom tax. Not once. Now he makes a virtue tonight, to quote the former Minister, of mitigating what was going to have that impact in his reference to the bedroom tax. Not once, Mr Wilson, did you make that argument in all your time as Finance and Personnel Minister —

**Mr Deputy Speaker (Mr Dallat):** Order, please.

**Mr Wilson:** For the record: first, not only did I make the point here, I made the point during debates at Westminster. I signed early day motions to that effect at Westminster. Indeed, if the Member remembers rightly, I was Finance Minister when the £17 million was made available for the Executive for the mitigation of the bedroom tax, as he calls it. He is wrong on all of those counts, but we still have total silence from him on why he introduced this tax on the private rented sector tenants of Northern Ireland.

He has not repented of it. He has not explained it. He is not prepared to do anything about it. He has not tabled any amendments to alleviate it, and that is perhaps the more telling issue.

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

**Mr Wilson:** I will give way, yes. I am sure that you want to have a wee go at him. *[Laughter.]*

**Mr Maskey:** Given the number of times that the Member has given way, I was fairly confident that he would give way once more, even though we are coming to the close of the debate for this evening. Does the Member agree with me that it is quite interesting, if not ludicrous, that we have listened to the SDLP talk about the need to have a debate? It is obviously very important to do that, but they have said that we need to tease this out and probe that. In actual fact, in June 2007, Ms Ritchie, the then Minister for Social Development, rushed the first Welfare Reform Bill through the House by way of accelerated passage on the basis of the need to protect parity. There were no mitigating measures with parity, no opportunity for anybody to table amendments or to seek clarification. The first Welfare Reform Bill, which is causing people to suffer as we speak, never mind the latest one, was introduced by an SDLP Minister by way of accelerated passage with no mitigation measures whatsoever.

**Mr Wilson:** I am glad that I gave way to the Member because I had not quite remembered that point. It is not very often that he and I do a double act; it is usually head-to-head stuff. He has made a very important point, which once again torpedoes under the waterline the case that the SDLP is making.

I want to deal with a couple of other amendments. Mrs Kelly introduced a number of amendments. She told us what the amendments said, which we could all have read anyway, but gave no explanation as to why she believed that they were justified. There was no mention of why she believed that the extension of three days to seven days was essential. As Mr Beggs pointed out, that is no different than people who go into work for the first week and sometimes have to do a lying week. She wants to

introduce a costly measure that would add significantly to the bureaucracy and make benefits available to them after three days.

I also do not understand her thinking on amendment No 27. Why does she believe that young people should be treated differently than any other people? That is also true of some of Mr Agnew's amendments, which I am sure he will deal with later. I thought that the whole idea was to ensure that young people did not get into a culture of benefits at an early stage, which is where we get generational unemployment. It seems that there are a number of amendments that seek to see young people treated more generously in the benefits system than those who are older. I will not go through all Mr Agnew's amendments, but there is a common thread. We want to encourage people into work and it is easier to do that before they get into the inertia of long-term unemployment. Yet, it seems that a number of the amendments on entitlements are designed to encourage that inertia and to be more generous.

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

**Mr Wilson:** I will not give way on those points. I think that we will finish fairly soon.

Again, no explanation was given by Mrs Kelly for the SDLP's opposition to clause 61. Of course, Mr Agnew is in the same boat. The clause gives the Department the ability to find out whether anyone has a right to residency because they are actively seeking work. That is a requirement for a citizen who is living in this country: if you are not actively seeking work, you will not be entitled to benefits. The effect of opposing the clause would be to remove the Department's ability to do that for people from outside the United Kingdom. We know about the anger that exists. In many cases, people are wrong, but some believe that people from outside Northern Ireland are treated differently and more generously than people who live in Northern Ireland. That amendment would have that effect and, again, no explanation was given. It was just introduced by Mrs Kelly.

**Mr Attwood:** Will the Member give way so that an explanation can be given?

**Mr Wilson:** Since the Member will, hopefully, have an opportunity later in the debate to give an explanation, and we will finish fairly soon, I do not want to give way on that one.

I do not have a great deal of sympathy for lifting the cap on benefits. If we are to encourage people into work, we must make work pay. In Westminster, the SDLP voted against tightening the cap. I did not understand its explanation then, and I do not understand it now. The removal, for example, of the carer's allowance and child benefit — they are really an additional source of income for people because they are caring for a child, a parent or whatever — from the benefit when the cap is being calculated removes a source of income. Many people query whether it is right that someone on benefits should have the possibility of getting more money than someone who is in a job and earning not even the average wage in Northern Ireland. Again, no explanation was given as to why those issues should be removed from benefits when the cap is being calculated. It is important that we get this in perspective. When there is genuine need and genuine disability, the Government's own proposals allow people to

have benefits beyond the cap level. That is right, but it has to be in very specific and controlled circumstances.

Mr Beggs talked about amendment No 48, and he used rather dramatic words: why did we need to kill it? It was not a case of killing it, but it was simply that we made our position clear on amendment No 48. Of course there needs to be advice. The Department already spends a considerable amount of money on institutions that give advice, but I still maintain that, once you make something statutory, a whole industry grows around ensuring that it is in place, monitoring it, measuring it, ensuring the right quality and everything else. I believe in the independent way that it is done at present, but, once you make it statutory and the money comes from the Department, the real danger is that it is no longer seen as independent but as an extension of the Department. At least the advice that we have at the moment is seen as independent from the Department, albeit the money comes from the Department. However, since it is not a statutory obligation, there is no statutory link between the organisations that give advice and the Department, and they are seen as being more independent. For that reason, it is not a case of killing the amendment but simply using common sense. We have to give advice, but let us keep it that the money goes to organisations that give advice and not to setting up a new bureaucracy.

**Mr Deputy Speaker (Mr Dallat):** 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 seems to be a convenient moment at which to suspend.

*The debate stood suspended.*

*The sitting was suspended at 9.58 pm.*

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# Northern Ireland Assembly

Wednesday 11 February 2015

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

*Members observed two minutes' silence.*

*The sitting begun and suspended on 10 February 2015 was resumed at 10.30 am*

## Executive Committee Business

### Welfare Reform Bill: Consideration Stage

#### Clause 4 (Basic conditions)

*Debate resumed on Question, That clause 4 stand part of the Bill.*

*The following amendments stood on the Marshalled List:*

No 2: In clause 6, page 3, line 28, leave out '7' and insert '3'.— [Mrs D Kelly.]

No 5: In clause 10, page 4, line 36, at end insert

*"(2A) Where an additional amount under subsection (2) can be awarded at two different rates, the lower rate shall be no less than two thirds of the higher rate."— [Mr Agnew.]*

No 6: In clause 11, page 5, line 25, at end insert

*"(4A) Regulations under subsection (4) shall provide that any calculation involving a reduction based on the age of the claimant shall not take effect for a period of 52 weeks in respect of any new claimant."— [Mr Agnew.]*

No 7: In clause 11, page 5, line 31, at end insert

*"(iii) to continue for a period of four weeks after a claimant is employed."— [Mr Agnew.]*

No 27: In clause 52, page 39, leave out lines 7 to 12.— [Mr Agnew.]

No 28: In clause 54, page 40, line 19, at end insert

*"unless the claimant had made contributions before the commencement of this Act".— [Mrs D Kelly.]*

No 29: After clause 54 insert

#### **"Condition relating to youth**

**54A.***In paragraph 4 of Schedule 1 to the Welfare Reform Act 2007 (condition relating to youth) after sub-paragraph (1)(d) insert—*

*"(e) after the assessment phase has ended, the claimant has limited capacity for work-related activity".— [Mr Agnew.]*

No 42: In clause 95, page 66, line 30, at end insert

*"(5) Notwithstanding subsections (1) and (4) the benefit cap shall not be applied to child benefit or to any benefits a claimant receives for caring responsibilities, carer's allowance or additional amounts received within Universal Credit for claimants with regular and*

*substantial caring responsibilities under section 10 or section 12."— [Mrs D Kelly.]*

No 48: Page 90, after line 23 insert

*"Duty to ensure access to advice*

#### **Duty to ensure access to advice**

**120B.***It is the duty of the Department to ensure that all claimants have access to independent advice in relation to making a claim under this Act."— [Mr Beggs.]*

No 50: After clause 120 insert

#### **"Duty to ensure access to independent advice**

**120D.**—(1) *The Department shall ensure that any person making a claim under this Act shall be entitled to have access to independent confidential advice and assistance provided free of charge in relation to making a claim under this Act.*

(2) *For the purposes of section (120) the Department must bring forward guidance on the independent confidential advice and assistance which is to be provided in consultation with the Northern Ireland Advice Services Consortium, within 3 months of the commencement of this section."— [Mrs D Kelly.]*

No 51: After clause 130 insert

#### **"Discretionary support**

**130A.**—(1) *The Department may, in accordance with regulations under this section—*

(a) *make payments by way of grant or loan to prescribed persons;*

(b) *provide, or arrange for the provision of, goods or services to prescribed persons.*

(2) *Anything done under subsection (1)(a) or (b) is referred to in this section as the provision of discretionary support.*

(3) *Regulations may make provision—*

(a) *for the Department to provide discretionary support only in prescribed circumstances;*

(b) *conferring a discretion on the Department (subject to any provision made by virtue of paragraph (c) or (d))—*

(i) *as to whether or not to provide discretionary support in a particular case; and*

(ii) *as to the nature of the discretionary support and (in the case of support by way of payments) as to*



the amount of the payments and the period for or in respect of which they are made;

(c) imposing a limit on the amount of the discretionary support that the Department may make in any particular case;

(d) restricting the period for or in respect of which the Department may provide discretionary support in any particular case;

(e) for claims for discretionary support to be made in the prescribed form and manner and for the procedure to be followed in dealing with and disposing of such claims;

(f) imposing conditions on persons claiming or receiving discretionary support requiring them to provide to the Department such information as may be prescribed;

(g) for the disclosure of information relating to discretionary support in prescribed circumstances or to prescribed persons;

(h) authorising the Department in prescribed circumstances to recover by prescribed means discretionary payments made under this section;

(i) requiring or authorising reviews (whether by the Department or a prescribed person) of decisions made by the Department with respect to the provision of discretionary support or the recovery of payments made under this section;

(j) for such other matters as appear to the Department to be necessary or expedient in connection with the provision of discretionary support, including provision creating criminal offences and provision amending or applying (with or without modification) any statutory provision.

(4) In this section “prescribed” means prescribed by, or determined in accordance with, regulations under this section.

(5) Discretionary support is not to be regarded as a social security benefit; but regulations under this section may provide for any statutory provision relating to a social security benefit (or to such benefits generally) to apply with prescribed modifications to discretionary support.

(6) Regulations shall not be made under this section unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(7) The Department shall, in respect of each financial year, prepare and lay before the Assembly a report on the operation of regulations made under this section.”— [Mr Storey (The Minister for Social Development).]

No 52: After clause 130 insert

**“Discretionary support Commissioner**

**130B.**—(1) There shall be an officer known as ‘the discretionary support Commissioner’.

(2) The discretionary support Commissioner shall be appointed by the Department on such terms and conditions as the Department may determine.

(3) The discretionary support Commissioner—

(a) shall appoint such discretionary support inspectors; and

(b) may appoint such staff for the Commissioner and for discretionary support inspectors,

as the Commissioner thinks fit but with the consent of the Department.

(4) Appointments under subsection (3) shall be made from persons made available to the Commissioner by the Department.

(5) Discretionary support inspectors have such functions as are conferred or imposed on them—

(a) by regulations under section 130A, or

(b) by any other statutory provision,

in relation to the review of decisions of the Department.

(6) It shall be the duty of the discretionary support Commissioner—

(a) to monitor the quality of decisions of discretionary support inspectors and give them such advice and assistance as the Commissioner thinks fit to improve the standard of their decisions;

(b) to arrange such training of discretionary support inspectors as the Commissioner considers necessary;

(c) to carry out such other functions in connection with the work of discretionary support inspectors as the Department may require;

(d) to report annually in writing to the Department on the standards of reviews by discretionary support inspectors.

(7) The Department shall publish any report made under subsection (6)(d).

(8) In Part 1 of Schedule 4 to the Administration Act after the entries under the heading ‘The social fund’ there is inserted—

‘Discretionary support officers

The discretionary support Commissioner.

A discretionary support inspector.

A member of any staff appointed under section 130B(3)(b) of the Welfare Reform Act (Northern Ireland) 2015.’

(9) In the Freedom of Information Act 2000, in Part 7 of Schedule 1 after the entry relating to the social fund Commissioner there is inserted—

‘The discretionary support Commissioner appointed under section 130B of the Welfare Reform Act (Northern Ireland) 2015.’.— [Mr Storey (The Minister for Social Development).]

No 73: In schedule 1, page 98, line 17, leave out sub-paragraph (4).— [Mr Agnew.]

No 75: In schedule 1, page 99, line 5, leave out paragraph 7.— [Mr Agnew.]

**Mr Attwood:** I am inclined to say that I am speaking to a packed and hushed Chamber surrounded by my party colleges, but, clearly the latter point is not correct. I think that the former point is more correct.

**Mr Storey (The Minister for Social Development):** Where are your comrades?

**Mr Attwood:** I gave them the morning off, Minister, or they said that they did not want to listen to me any longer: you can make your choice.

One point that struck me yesterday was when the Minister said that this all came down to people. My variation on that story is that last month the 'Andersonstown News' reported that the first food bank in west Belfast was shortly to open. Those are the sorts of facts and experiences that should inform how we approach today. I say to the Minister that I am inclined to talk about Ministers who are in government and those who are in power. There is a big difference between the two. The Scottish Nationalist Ministers, together with my colleague to my left, demonstrate those who know the difference between being in government and being in power.

Everybody knows that there is a new broom in DSD. I am not going to say much about the previous incumbent, but everybody knows that there is a new broom in DSD, and I would like to see the fingerprints of all that in how you respond to the amendments today. It would be no mean achievement if, at the end of today, recognised in our law were victims and survivors, the need to give advice and assistance, what may be the case on the far side of the Westminster election with the benefit cap, which one of the amendments in the group deals with, and the idea that the issue was so important that the Assembly said to itself that it needed particular oversight measures for welfare now and in the future. I hope that that will inform how the Minister approaches the amendments that will be debated today that touch on those issues and many besides.

The reason why we have amendments such as that on the benefit cap in this group is that it is our view that we have not seen the half of it with welfare reform and what the ambitions of a future Tory Government might be when it comes to the benefit cap. It is now openly talked about that, on the far side of the election, the British Government will try to have further austerity, as they see it, of £30 billion. Indicatively, £12 billion would be the welfare contribution to that austerity budget. We are saying today in the context of all our amendments but particularly that on the benefit cap that we have to anticipate what will be the shape of things very soon from now.

If I were to put money on it — that is more my brother's inclination than mine — I would say that, at the moment, the Tories are planning their first strikes in the event that they are elected. We know that from, if nothing else, David Cameron's recent contribution about reducing the benefit cap to £23,000, but it will be more than that. Remember what happened after they were elected in May 2011. There was an emergency Budget in June 2011 where they made their first slash at welfare, followed by the November paper from the Secretary of State for Work and Pensions where the ambition of universal credit was outlined. We are heading, Minister, for a replay, because it is up in lights already from David Cameron's contribution of a few days ago. That is only the first part of the menu, because the tensions in the British Government between DWP, Treasury and the Cabinet Office mean that, without any doubt, the balance of power was always with the Treasury and the political strategy will now be defined by the Cabinet Office and Treasury, not by DWP. We need to anticipate what the shape of things will be on the far side of the election, in the first weeks after the election, including,

potentially, what Labour might get up to on where welfare is going.

**Mr Storey:** I thank the Member for giving way. In many respects, I share some of the concerns that he expresses, and those are the issues that I have been endeavouring to address. Indeed, when Ed Miliband was in Northern Ireland, I had the opportunity, along with the First Minister, to have a discussion with him around these issues. In fact, I also intend to be in London at the beginning of the week. These are issues that I take a keen interest in, but we have to face the reality, which is that, as all the pundits, including your brother, will probably say, we face the most intriguing election that the United Kingdom has had for many years. It is one of which we cannot determine the outcome. However, my focus has to be to ensure that I have had discussions with the Labour Party and with the current Government. Not that I would use betting parlance, but that is me hedging my bets.

**Mr Attwood:** As I said, there is a new broom in DSD, and that seems to me to indicate that you, at least, are thinking to the end of the next year, whereas maybe your predecessor was thinking about the last century. We will not go there for the moment.

Given that recognition, I come back to the group of amendments, which, I reassure you, I am talking to. It is about the benefit cap, and that is why, when I come to it in more detail, the amendment about the benefit cap is so important. If the analysis is right and there is bad news coming from the Tories if they win and, potentially, bad news from Labour if they win, we need to anticipate where all of that is going.

One of the reasons I say that is the exchange that I referred to yesterday between Mark Durkan and Mr Gauke, who is a Treasury Minister, at a Westminster Select Committee. I am sorry that Sammy Wilson is not here because he was at the hearing. He was remarkably quiet at the hearing, and I wanted him to be here so that I could enquire about that. This is the reply to Mark Durkan from Minister Gauke when he probed him on what might be the approach of London in relation to a heavy stick being used if our funding here in Northern Ireland was not on a sustainable basis. This is relevant to welfare and to the benefit cap. This is what Mark Durkan said:

*"There is some concern, not just because of the experience on welfare reform, where the block grant was fined unless the Assembly passed a Bill that it otherwise would not have wanted to pass ... will the Minister assure us that the judgment that is made on budget sustainability in a couple of years' time will not hinge on the Treasury saying to the Executive, for instance, 'You do not have a sustainable budget unless you introduce water charges'"*

and so on. The Minister said to that:

*"my approach to looking at the finances of the Northern Ireland Executive as a whole, in their totality, is that they need to be on a sustainable footing. When it comes to public finances, whether in Northern Ireland or in the United Kingdom—public finances are the sum of its parts—this is a matter of looking at the totality of the public finances".*

He concluded:

*“in terms of how the Treasury will view that in future, I would not go beyond the wording set out in the Stormont House agreement.”*

He did not take the opportunity, Minister, to say that, in the future, be it on welfare, Budget or corporation tax, which is what he was talking about in the context of the Select Committee, he would rule out the fact that, if Northern Ireland's public finances, in the view of the Tories, were not on a sustainable footing, there would be a big stick waved in our faces once again, as we have experienced over the last two years. We are getting an early warning from London about how they will look at this place when it comes to how we administer our business, be it the Budget, corporation tax or welfare, which is a reason why we should build into our primary legislation the protections that I urged on you earlier about independent advice, the benefit cap or other aspects referred to in the amendments, including naming the issue of victims and survivors in the Bill.

Let us be clear about it — this is the final general point that I want to make — universal credit is coming to a shuddering halt. Cabinet and Treasury know it, and they will now take control of it. The consequences of that, as we said yesterday, will be more penalties and more cuts to the welfare baseline, including the benefit cap. It will be more than £23,000, because that will not cut it for David Cameron if he is re-elected. It will certainly not cut it for George Osborne if he continues to be Chancellor. That is the context in which the matter has to be considered. As somebody wrote just a few months ago:

*“So the next secretary of state will have a lot of problems on their plate. Cut your losses and cancel universal credit, or press ahead despite the risks? Even more difficult will be dealing with the administrative chaos in the disability benefit system: angry claimants, disgruntled staff, a contractor who wants to escape as quickly as possible, and mounting costs for taxpayers. And looming over the department is the post-election spending review — welfare will be firmly in the Treasury's sights again.”*

That is why we should put some of the amendments from Mr Agnew, from the Ulster Unionists and from us into the Bill.

I will also speak about a number of amendments that I urge the Minister to consider further. He is aware of the two amendments that have been tabled in relation to independent advice and independent advice and assistance. I think there is a difference, and, whilst we will work with the Ulster Unionists in that regard, we think that our amendment, because it refers to assistance, is also very important. Can I explain our thinking? I have a sense that the Minister's mind is not as closed as a petition of concern might suggest. I will maybe put it that way, if that is not too cryptic or generous. Therefore, I encourage him, over the next while, in response to this matter to indicate where his thinking might be generally for Further Consideration Stage on this and other matters.

What is this about? I acknowledge that there are a lot of good people giving a lot of good advice in-house in the Social Security Agency, the Child Support Agency and so on. I am not denying that. Some people suggest that,

when you gather together all of the money that goes into that pot, be it in-house or in the independent sector, it might be £4 million or £5 million. That is a very significant contribution. To be fair, it tracks back to the days of direct rule and worked itself through both SDLP and DUP Social Development Ministers, so, whatever the tensions may be in the Budget and even whatever the tensions may be within the independent advice sector — I will not go there — nonetheless the Government have shown some level of good authority when it comes to funding independent and in-house — more in-house than independent but nonetheless.

#### 10.45 am

It comes back, Minister, to the fact that, if you give all the assistance to the claimant, you can maximise the benefit to the claimant, reduce the risk of a negative assessment, avoid going to an appeal, and, at the end of it, the quality and experience of the life of the claimant and their family is going to be that much more different. If we can front-load that in order to maximise that journey to the right outcome, we should take the opportunity to do so.

The briefing that I am going to borrow from is the Northern Ireland Advice Services Consortium briefing. This is not a stand-alone advice agency; this is the consortium of people who give independent advice. It referred to the fact that advisers interview people; help the person prioritise their problems; provide up-to-date advice about available benefits; help complete applications; advocate at appeals, if necessary; help people liaise with Departments; and refer externally to other forms of appropriate crisis intervention. I put it to the Minister that the scale of that is greater than the good work that is done within the welfare offices because, inevitably, they are more constrained than taking an expansive and inclusive approach to advice giving, as is outlined in those seven approaches. It empowers claimants to resolve their own issues and maximises income by promoting benefit uptake, which is currently one of Northern Ireland's main priorities. Remember what your predecessor said, Minister, in October 2013:

*“My vision is that every individual and household across Northern Ireland is receiving all social security benefits to which they and their families are entitled.”*

What that will mean is that it will reduce poverty, benefit local communities and reduce social exclusion. Those are not just more meaningless words; they are proven in empirical evidence. That is the consequence of maximising benefit uptake and having a good customer journey through the benefits system. It improves the quality of decision-making, so there will be fewer complaints to our offices about what is going on in the various offices, and it helps clients avoid stressful crisis interviews. One estimate in a paper from the citizens advice bureau — I think that it is the citizens advice bureau in Britain and Northern Ireland, not just here in Northern Ireland — is that £1 invested in welfare advice has £8-80 potential savings to the state. You can imagine that, in terms of health, mental support and all the rest of it, that is the consequence of independent advice and assistance.

As I indicated yesterday to Mr Beggs in an intervention, we are already showing some good authority in that regard. Our own Chamber legislated in the Housing (Amendment)

Act (Northern Ireland) 2010 — I think that I put that through the House myself — that every person in Northern Ireland has the right to access free advice about homelessness and preventing homelessness, so we have already opened the door on statutory advice. The door is wide open, and rightly so, when it comes to other areas of public service.

When it comes to a person being questioned about a criminal offence, they have the right to free legal advice under PACE. A person who is detained under mental health powers can access legal advice further to a European Court decision, *Winterwerp v Netherlands*, which is further reflected in our draft mental health capacity Bill, which contains a specific right to independent advocacy.

My argument is that, in the backdrop of where we are on welfare reform and in the foreground of what might happen on the far side of the election, whoever is elected over there, and, as you indicated earlier, talking to everybody, I will just refer in passing to the fact that Channel 4 said two weeks ago that the balance of power could come down to the SDLP MPs, and put a big logo up to advertise the fact. That was a very shrewd political commentator on 'Channel 4 News', who is very familiar with this part of the world, so, in passing, I will make that point as well. What difference will a statutory right to advice make? This is what they conclude:

*"We are mindful that accessing independent advice might become increasingly difficult in the future, not least in light of the Department of Justice's proposal to remove welfare benefits from the scope of legal aid. Therefore, by making a commitment now to ... creating a statutory right to advice, the Department for Social Development would be providing an assurance to all those who may be adversely affected by welfare reform: claimants will be supported in making decisions and choices about their benefits."*

I urge the Minister to consider those matters in going forward.

I will return to our amendment on the benefit cap. What we are saying, at the heart of it — and this is probably, in terms of cost and of the principle of parity, which I always said that we should stretch the limits of and then, on occasions, went unilateral in breaking in respect of not tabling regulations, although I suspect that once I was out of office, someone somewhere in the Department rectified that. I have never been able to actually clarify who failed to follow my best advice, but, in any case, the point that we are trying to make is that, in the context of London's ambitions on welfare, how that might work itself through and how that might impact on the benefit cap, caring benefits should be exempt. We know that, of all our amendments, this one might have some consequences in terms of cost, but we ask that some minds be applied to the issue that the benefit cap should not apply to child benefit or carer's allowance and benefits, care and responsibilities because we do not think that, in any circumstances, vulnerable children and adults should be at the front line of what might happen next, and that we should anticipate and legislate accordingly against all that.

I will just refer to some other amendments. My colleague Mrs Kelly spoke to amendment No 2, which is a minimum change that has a good benefit in reducing waiting day provision from seven to three days. On amendment No 28, we have had some conversations with the Minister. If he

says what I anticipate he will say, we will not be inclined to move that amendment.

In terms of our opposition to clauses 61 and 63, advice has been received in the past from the Law Centre and the Northern Ireland Council for Ethnic Minorities. I can give you an example of what the concern might be. If somebody in Northern Ireland has been given permission or leave to remain and is therefore entitled to work and is working, and the leave to remain is withdrawn, they will have contributed to the state, but they may not be able to access benefits. This is one of the issues that has been raised. In circumstances where there is a contributing person who has been entitled to work, but whose circumstances change and who is then not entitled to work, but is yet to leave the state, will the welfare system under clauses 61, 62 and 63 and the benefits named therein accommodate that person to get assistance? We think that there are some issues around social security law and European requirements in that regard.

I will move to the issue of the bedroom tax. I see that Mr Wilson is still not in the Chamber. With some encouragement from people to my right, he tried to sustain an argument in the House last night that the SDLP's opposition to the bedroom tax is somehow less than fulsome and honest because we were the people who brought the bedroom tax into Northern Ireland. I will find the words that were used by Mr Wilson last night. He said:

*"I noticed the pseudo-anger that we had from the SDLP on this issue."*

It may be from other people.

*"For example, they upbraided Sinn Féin on their refusal to sign a petition of concern on the spare-room subsidy, ignoring the fact that the spare-room subsidy was introduced into Northern Ireland by the SDLP." — [Official Report, this Bound Volume, p441, col 1].*

He was, of course, referring to legislation that the House passed in 2007, the Welfare Reform Act, which addressed the issue of local housing allowance, not for people in the Housing Executive sector, not for people in the housing association sector and not for people who were getting housing support from health and social services, from a charity or from a voluntary organisation. It was from none or any of those sectors. It was in respect of the local housing allowance for the private rented sector, and there is no provision for a bedroom tax in the law that was passed in 2007.

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

**Mr Attwood:** I will give way in a second.

What was that law meant to do? It was to regulate the private rented sector. Why should it not be regulated? If there were landlords profiteering, especially at the height of the property market, by increasing rents disproportionately to either the quality of the property or the rental market in that area, is it not right for us to legislate to put constraints on the private rented sector?

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

**Mr Attwood:** I will.

Regulating the private rented sector to the benefit of the tenant and the state and not to the benefit of profiteering



landlords is not a bedroom tax. The legislation, which has been updated regularly by the Housing Executive, put down established and identified rental market areas in Northern Ireland so that there was a template against which to judge market rental for private properties in each of those areas — clearly, rental properties and prices vary depending upon the section of the Northern Ireland — with the intention of delivering affordable social rents to make it fairer or less confusing and to remove unjustified differences between areas and within areas to have a rental regime that tried to create a similar rental for similar properties in similar areas. That is not a bedroom tax by any description. I will give way.

**Mr F McCann:** I thank the Member for giving way. When I got up, I asked if the “Minister” would give way, but Mickey reminded me that that was a while ago. I remember the debate on the introduction of local housing allowance very well. We raised a number of issues at Committee. I think that it might have been with Margaret Ritchie at the time. We said that quite a number of people would lose out and would have to pay more. A lot of them would be in the Member’s constituency of West Belfast, in some of the more impoverished areas. It meant that people were paying more money for poor conditions and had to borrow money to make a top-up. I think that you are picking nits when you talk about the difference between a bedroom tax and what people were forced to pay extra in terms of the local housing allowance.

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

**Mr Attwood:** I am surprised by that contribution because, for the last two years, we have been talking about the bedroom tax. What is the bedroom tax? It is saying to somebody in a rental property, “You have to get out of it, and, if you are staying there, you will have to pay a punitive price for so doing”. That is the bedroom tax in law, and everybody knows what that means. Regulation of a previously not properly fully regulated market when it came to private property —

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

**Mr Attwood:** I will. That is a far different creature from that.

If you were so concerned that this was the precursor to the bedroom tax, which you and Sammy Wilson now, in a pseudo way, pretend that it was, why did you not petition at that time to block it? If you thought that this was going to open the door to penalties for tenants across Northern Ireland in the private, Housing Executive and housing association sectors — indeed, in every sector — why did you not petition? You were right to raise concerns. *[Interruption.]* Did you even come and ask anybody? Mr Wilson now says that the precursor to the property tax was in 2007. You did not need our votes in 2007; all you needed was two or three Sammy Wilsons. *[Interruption.]* Did you go — *[Interruption.]*

11.00 am

**Mr Principal Deputy Speaker:** Order. I ask that all remarks be directed through the Chair and that no remarks be made from a sedentary position.

**Mr Attwood:** Thank you, Mr Principal Deputy Speaker. You did not call it the bedroom tax, nor did you try to lodge a petition against it or approach Sammy Wilson, who was

so concerned about this precursor to the bedroom tax that he would willingly have joined you in opposition to what Margaret Ritchie was trying to do.

**Mr Brady:** I thank the Member for giving way. He is trying to defend the indefensible by giving the impression that the private rented sector is regulated: it is not. We have argued from 2007 for the regulation of the private rented sector. A private landlord can charge whatever he wants. The local housing allowance meant that people at subsistence-level on benefits paid £20, £25 and £30 out of their benefit. Do not try and defend the indefensible and put it out as something it simply is not.

**Mr Attwood:** I will make a number of comments. I notice that the Member does not now use the words, “bedroom tax”.

**Mr Brady:** I never used the words, “bedroom tax”.

**Mr Attwood:** You and your colleagues, and colleagues across the Chamber, used the words on multiple occasions last night. There was one precious moment when Sammy Wilson gave way to Mr Brady because they were making common cause and thought that this was their moment, and they nearly felt a wee bit embarrassed. As is so often the case with Mr Wilson’s contributions, his need for theatre gets in the way of the facts.

Last night, you were willing accomplices as you tried to pretend that action was taken with caution and mindful of the risks to create a proper regulatory regime. Does the law provide that, in every set of circumstances every tenant is protected from landlord excesses, when, as in other parts of these islands, people have to rely more on the private sector because of austerity budgets, of which one is about to be passed in this Chamber?

We were told that it is the best deal possible, and yet it will see people losing their houses. Why? Because they will not get wage increases. Why? Because they will not have enough childcare support. Why? All the reasons inherent in that Budget will see people losing their homes, resulting in them being thrown to the private sector and to some of the profiteers with whom you and I would rightly disagree. Do not pretend today that what happened in 2007 was the precursor to the bedroom tax and the cause of all the profiteering that goes on in the private rented sector. *[Interruption.]* It is you who has the responsibility to mitigate the impact of all that on our people and to vote through a Budget that is the best deal possible.

Mr Adams says that he wants to lead an anti-austerity Government in the South after 2016. He wants to lead an anti-austerity Government. Well, he should come North and see what it is like to lead an austerity Government. We will see what the Irish people have to say.

**Mr Maskey:** Your party will never be in any Government.

**Mr Attwood:** You see, that is what happens —

**Mr Principal Deputy Speaker:** Order. The Member must be heard. There should be no comments from a sedentary position.

**Mr Attwood:** Comments from a sedentary position are always very revealing. What is revealing about that is how people to my right now rely on a democratic mandate, which we have never taken away from the people of Ireland, to beat up on other parties. They flouted a democratic mandate for 20, 30 and 40 years. Even in

the last day, they continue to flout a democratic mandate by resisting the right of legislators to bring forward amendments to Bills and hiding behind petitions of concern to ensure that the will of the majority prevails come what may. Sinn Féin should look long and hard at its purported claims to want to lead anti-austerity Governments when it leads an austerity Government in the North. It claims a democratic mandate, which is its right to do because that is the will of the people of Ireland, but it flouts democratic practice in the Chamber, as, unfortunately, was done for decades on this island at a terrible cost to so many people on this island.

**Mr Maskey:** It was at a cost to ourselves. You remember that.

**Mr Attwood:** I did not hear that one; I wish I had.

**Mr Maskey:** It was at a cost to ourselves. You should remember that. We paid for our democratic mandate with our lives.

**Mr Principal Deputy Speaker:** I ask the Member to address his comments through the Chair. There should be no remarks from a sedentary position.

**Mr Attwood:** My party leader issued a statement yesterday saying that the party to my right was rattled. When people hear — hopefully, it will be recorded in Hansard — that a member of Sinn Féin has said what he has just said about paying for their lives for a democratic mandate —

**Mr F McCann:** Paying with their lives.

**Mr Attwood:** With their lives. I recognise that. I am not somebody who denies the pain and grief of people in the republican family. I acknowledge that, as victims and survivors, they require support. I will finish this point very quickly. People on this island paid a hugely disproportionate price for those who took up arms and may have lost their lives when there was a democratic alternative and a mandate for democratic change. Violence was resisted in election after election by the people of the island. There was a constitutional alternative. The violence succeeded only in dividing our people more and more.

**Mr Principal Deputy Speaker:** I ask the Member to come back to the amendments rather than addressing remarks that were made from a sedentary position.

**Mr Attwood:** The issue that I was going to talk about was the bedroom tax. It is not too late. Sinn Féin signed the petition of concern about the bedroom tax —

**Mrs D Kelly:** It did not.

**Mr Attwood:** It signed it way back.

**Mrs D Kelly:** It did not.

**Mr Attwood:** Sorry; it got that wrong as well.

**Mr McCartney:** Who is speaking here?

**Mr Attwood:** I was getting guidance. Anyway, it is not too late to sign the petition of concern. If you go out that Door, turn right and turn right again, there is an office called the Business Office. In there, a petition of concern is waiting. *[Interruption.]* You can sign it as well, Minister, if you are so inclined. A petition of concern would mean that that issue could be more conclusively addressed today. Why should it be done? London knows that the bedroom tax, a

bit like universal credit, is dying a slow but painful death. It is painful for the people who suffer from it. It has cost too much. It has not had the outcome that London intended. It will be abandoned sooner or later. Labour has already said that. The Liberal Democrats are jumping ship, and the Tories know that the bedroom tax is not long for this world. We encourage people, at this late stage, to send out that message to London and to our people and to honour the words of people in the Ard Fheis and in statement after statement that the bedroom tax is not going to exist in practice or law in this part of the world.

I also want to comment on the claim that there is a four-party deal and a five-party deal. Last night, Mr Brady said that he had a document, and he was waving it. There were certainly documents in the talks at Stormont, but no document was signed off on until the five parties moved to that conclusion. I have checked because I was mystified by what was being claimed.

**Mr F McCann:** You did not need to check; you were there.

**Mr Attwood:** I checked with other parties. Yes, I was there.

**Mr F McCann:** You know what we are talking about.

**Mr Attwood:** I do not know what you are talking about, and nor do other parties in the Chamber. I do not understand what this document is. Documents were produced, discussed and interrogated, and options A, B, C and C+ for mitigation were looked at and so forth. I recall that, during one session on, I think, 17 December, our party said that, if there was a mitigation package of up to £100 million, we were prepared to look at it. We were raising the issue of the welfare cap, which I want to raise with the Minister in a moment. We began to flag up the point that I made earlier, which is whether London's practices on welfare of waving a stick and imposing penalties will be replicated when it comes to corporation tax.

**Mr Brady:** I thank the Member for giving way. When I raised the subject last night, you seemed to be very reluctant when you were given the opportunity to rebuff what I had said. You seem to have plenty of knowledge now and said that you were there. Did you not remember it from last night, or did it take you all night to think about what was actually happening?

**Mr Attwood:** To Mr Brady's embarrassment, Hansard will confirm that my colleagues the Minister of the Environment and the deputy leader of the SDLP asked you on a number of occasions to give way, but you declined. Then, all of a sudden, you gave way to your partner in crime — I am sorry; I will withdraw that remark because it might be inappropriate — your partner in petitions on the first occasion that he asked you to do so. Yet, when Mr Durkan and Mrs Kelly asked, you declined. I ask Members to reflect on any and all of that.

Is there another amendment that I want to speak to? Give me a second, please. I do not think there is, so I will conclude my remarks because I have probably gone on longer than I had anticipated.

I remind the Minister of the points in my opening remarks about naming in the Bill victims and survivors, independent advice and assistance and where we might go with the benefit cap and so on. As I said, I have a question for the Minister about the welfare cap. This became a major matter of discussion at the Stormont negotiations: was

there some flexibility that London was giving to us with our notional welfare cap that might accommodate more flexibilities on the administration of universal credit, if it ever ends up being administered over here? You know my view on that. My question to the Minister is this: is there some indication of flexibility on the notional welfare cap that might enable things to be done below that notional threshold in a way that mitigates the impact of welfare reform beyond anything that is named in any documents that came out of the Stormont negotiations, including the five-party understanding? Is there anything in that regard?

I will conclude with this remark; I have probably referred to it in the House. When I was the Minister for Social Development, the then Minister for Employment and Learning, Lord Empey, and I had a meeting with Chris Grayling, who is now the Justice Secretary in London but was then a junior Minister in DWP. From what I understand, Mr Grayling is one of the more dogmatic of the Tory high command. He had a conversation with us that should echo in the ears of everybody in the Chamber when it comes to the bedroom tax. The conversation went like this: he said that, because of the recession, it was inevitable that people were losing their houses. People who had a big mortgage and lost their job had to give up their house. He said — this is nearly a quotation — that it was not fair that somebody living next door in a house of the same size and getting housing support should be allowed to live there, if the other person had lost their home. Think about that: because somebody suffers difficulty to the point of losing their home, the person next door should lose their home as well. I remember saying to him that, in my view, that indicated false values and a false approach to dealing with people in housing need or maintaining them in their accommodation. To be fair and accurate, he looked somewhat crestfallen and embarrassed, because in that moment the mask had slipped and the dogma of London on the bedroom tax was clear for all to see. It is not about what they claim it is about; at its heart, it is that they will penalise the social tenant because the private tenant falls on hard times.

11.15 am

**Mr Lyttle:** My Alliance Party colleague Stewart Dickson is setting out the general Alliance Party position on the Welfare Reform Bill. I accept that a rationale is being made for opposing amendments for which Members have been unable to provide costings at this stage of the Bill. I take the opportunity to speak to the amendments concerned with ensuring access to independent advice services.

It is my experience that independent advice services provide vital assistance to the Northern Ireland Executive to ensure that people in our community receive the social security assistance to which they are fully entitled. That means people in work, people out of work and some of the most vulnerable in our community. Those funds help people to access financial and social benefits for themselves and for the benefit of our wider community. They also help to deliver the Minister for Social Development's vision that every individual and household across Northern Ireland should receive all the social security benefits to which they and their families are entitled. The Child Poverty Alliance, which is an umbrella group of organisations such as Children in Northern Ireland, Save the Children, the Children's Law Centre, Queen's University and the University of Ulster, stated

clearly in a recent report, 'Beneath the Surface: Child Poverty in Northern Ireland', that:

*"The impact of independent advice services to families during these times cannot be overestimated."*

We have heard from Mr Attwood how CAB figures from Great Britain show that, for every £1 invested in welfare advice, around £8-80 in potential savings are made to the state. I firmly believe that the Department needs to ensure that the advice sector is adequately resourced to provide the advice needed by people in our community. Some ask why that advice needs to be independent. Of course, the Social Security Agency does extremely important work. It has existing targets for benefit uptake, and it might be useful if the Minister advised the House today how he thinks the Social Security Agency is doing on that.

Independent advice is also crucial, and independent advice organisations are at the heart of our communities, which they serve. They can, at times, be more accessible than statutory agencies, and people can be more at ease in that location, leading to efficient assistance on entitlements. They can, at times, have more open conversations. The adviser is therefore better able to assess the claimant's entitlement and advise on the most appropriate course of action. The independent advice sector therefore complements the statutory services.

Whilst the Minister for Social Development has stated that the advice sector plays a vital role in supporting people through the changes arising from welfare reforms, I am increasingly hearing serious concerns from advice organisations that accessing independent advice might become increasingly difficult. I hear that message clearly in my constituency of East Belfast from the East Belfast Independent Advice Centre, which provides a vital service in our community. They provide drop-in advice clinics at the East Belfast Network Centre and outreach advice clinics in local primary schools, libraries and community centres; telephone advice; home visit services; and volunteer opportunities for local people, offering accredited training and work experience. They also offer specialist services in representation at social security tribunals and specialist advice on debt. They have therefore achieved significant outcomes on an annual basis. In the last year, they assisted the community in claiming around £2.8 million in social security assistance. They have assisted with around £3.3 million of debt arrears, dealt with somewhere in the region of 15,000 queries for local people and represented around 142 people at social security appeal tribunals. They have also engaged in an extremely beneficial project for east Belfast: the Community Advocacy Skills Training project. That advised around 20,000 people and assisted the community to access over £4.9 million in statutory entitlement to assistance. As well as achieving those quantitative outcomes, the independent qualitative evaluation report completed in 2013, the launch of which, I believe, the First Minister supported, found that the project had a positive impact on other outcomes, such as improved mental health, prevented family breakdown and tackled economic inactivity in our community. It also increased skills in our community and improved, therefore, the overall advice provision across the constituency.

The demand for these services is only likely to increase in the near future. Between the last two quarters of 2014, the number of people whom the service assisted increased by

around 25%. In December alone, the organisation made 53 referrals to food banks, and it made 18 in January. There is a concern that welfare reform will see a spike in demand for those services. Modelling by the Social Security Agency showed that 50% of those claiming DLA could be impacted adversely by the move to PIP. I understand that there are around 9,500 people in receipt of DLA in East Belfast.

The Minister has said that there will be a package of mitigations, including hardship funds. People will need assistance to access those funds. Evidence from Scotland has shown that, without assistance, people struggle to access such emergency provision. Therefore, the independent advice centres providing a vital service to people in work and out of work and some of the most vulnerable people in our community need all the help they can get. They prevent homelessness; they tackle mental and physical ill health; and they keep families together as well as encouraging education and employment in our communities. That has benefits not just for the individual but for the whole community. Yet, it is my understanding that the East Belfast Independent Advice Centre, for example, receives around £40,000 per year from the Department for Social Development and £30,000 per year from Belfast City Council — £70,000 of public funds. We heard that, in total, it is estimated that around £4.5 million to £5 million goes into the advice sector, so it is startling that an organisation that achieves the outcomes for the wider community that it does receives only around £70,000 in public funds to do so. With those limited funds, that organisation and organisations like it generate millions of pounds each year in additional financial assistance for those most in need in our community. The evidence suggests that it is a sound use of public funds to invest in these services. I ask the Minister for Social Development how, in lieu of this statutory duty, he will ensure that our advice services have the funding that they need to achieve the outcomes that they are capable of and to which our people and our community are fully entitled.

I would also like to add that it is on the record that the Alliance Party MP for East Belfast, Naomi Long, voted against the benefits cap and the bedroom tax at Westminster for very good reasons. Indeed, there was cross-party opposition to the bedroom tax. We have heard that the hard-earned agreement between the UK Government and the Northern Ireland Executive will set out how that opposition will be implemented and realised in Northern Ireland through the mitigation funds. I ask the Minister to make clear in his comments how exactly that will be achieved. I also ask the Minister to make it clear how victims and survivors in our community and, indeed, the Commission for Victims and Survivors will be given due regard in relation to welfare reform. It is my understanding that there are legislative obligations already in place to ensure that that will be the case, but it is important that he makes that clear in his comments today.

**Mr Agnew:** I thought that my approach to the Bill, with my amendments, was clear from my speech yesterday, but I feel that I need to make it clearer, given some of the criticism of the amendments that I have tabled. There are different ways to approach the Bill, and each is legitimate. We should then argue the approach that each party has taken. The Ulster Unionist Party has taken the approach that it would amend the Bill but only where it deems that there are no costs, although Mr Wilson highlighted his belief

that there were indeed costs to that party's amendments. However, what it sought to do with each of my amendments was criticise them because there were costs.

I make no apology for the fact that there are costs to my amendments for the simple fact that the two major signatories to the Stormont House Agreement on either side of the House have given commitments that no one will be worse off under the Bill. With my amendments I have sought to put it in legislation that no one will be worse off under the Bill or that, at worst, there will be mitigation of the impacts where I believe that people will be worse off. When I am asked where the money comes from, I say the top-up payment. I say that not in a glib way but because I have been given assurances by the Minister, his Department and those on the other side of the House that it is sufficient to maintain the payments that people already receive.

My amendments are largely to ensure that people continue to receive the payments that they receive, albeit, in some cases, through a different mechanism such as universal credit as opposed to existing benefits. In some cases, they do not even go that far and not as far as I would like — I will talk about the ESA, for example — but would extend the provision that exists for a temporary period.

I have not sought to say that the benefits system should be more generous, although, of course, I would love to be able to say that. I have taken a responsible approach, and I have said that if we are to have the top-up and are committed to ensuring that no one will be worse off, let us put it in the Bill and give that guarantee. It is one thing to say it, but it is another to do it.

#### 11.30 am

Whilst we have heard a lot about the Stormont House Agreement and how no one will be worse off, we have not been given the details as to how. There has been some suggestion that the Stormont Castle agreement set out the how: where the money will go and what that will look like. Some commitments have been made to publish that, but I have yet to see it. I am debating the Welfare Reform Bill today, and I go forward on the basis of protecting those who, it would appear, will lose out under the Bill if the assurances that they have been given are not met.

I want to make it clear from the outset that that is the approach that I have taken. I believe that it is the right approach. I accept that other parties have taken a different approach. Some have tabled no amendments; some have tabled amendments that, they believe, will not have a cost; and others, like me, have tabled amendments that will have a cost. However, we have a top-up fund for a reason, and those are some of the areas in which, I believe, it should be used.

I now come to the bedroom tax and my proposal to oppose clause 69; to do what I have consistently said that I would do and seek to vote down the bedroom tax. Undoubtedly, there have been some mixed signals about the bedroom tax. I know that the Minister and others were at pains yesterday to point out that commitments have been given on the bedroom tax, and that would seem to suggest that there is a consensus that it was a bad idea. For that reason, I will not rehearse all the arguments. I certainly believe that it is a bad idea, and its application has been shown to be disastrous in GB. I believe that it was ill-conceived from the very start and that the very principles



of the bedroom tax are wrong. As Mr Attwood alluded to, it was about punishing people who rely on support from the state. It was a punishment and, in my view, was never, in any way, about making things better.

We have been told about the flexibilities that have been agreed with the Government; the flexibilities that were negotiated two years ago or something to that extent. We have agreed it with the Government, so why can we not agree to put it into legislation? If we have that flexibility, why is it not in the Bill? It is not that I doubt the sincerity of the Minister when he says that the commitment is there or that of any other parties that have been privy to that agreement, but I fail to understand why we cannot give the security of putting it in legislation — or, to be more accurate, removing it from legislation.

Some of the clues were given. It would seem that it is a five-year deferral. It is not about it being that, as has been said, the bedroom tax is wrong in principle. It is about us having some practical problems with it — we do not have the housing stock or the one-bedroom houses. We have asked for five years to get a greater provision of one-bedroom houses, and we will then implement the bedroom tax. I am sorry to say this to Sinn Féin, but if that is what they signed up for, it is not what they committed to. Mr Maskey alluded to the previous petition of concern that three parties were going to sign and that would have stopped the bedroom tax. What we are being presented with is a five-year deferral. It is not the ending of the bedroom tax in Northern Ireland, but a deferral so that we can build more houses.

I have an example in my constituency. I have constituents who have been campaigning for years for multi-element improvements to their Housing Executive bungalows. Due to various reasons, which I will not go into, around the Housing Executive —

**Mr Maskey:** I am grateful to the Member for giving way. I just want to make sure that we are all on the same wavelength. We stated very clearly — our party and others, and you — from the outset that we were opposed to the bedroom tax. Our principle in all this is that we are opposed to people having to pay the bedroom tax. Yes, we want to abolish that tax and see it gone. We do not want to have it on any legislative or statutory basis, but we ended up with a five-party agreement.

Other Members have stood in this Chamber, lauding the good intentions and goodwill of Lord Freud, for example. I made it very clear, having met Lord Freud, that he basically said to all of us, “I feel your pain. I know your circumstances in the North are different. I know that there are worse levels of unemployment. I know that there are worse levels of sickness, including mental ill health, not only related to the conflict, but, obviously, that plays a big part.” He also repeated that he knows about the difficulties with the stresses in housing because we have a lot of segregated housing areas, and so on. However, at the end of the day, he felt our pain but said that we would have to pay for anything that we wanted to do differently, and that is what we are doing.

Whether we like the legislation or not — people all have their views, and so do we — what we have at this time is an agreement for the next number of years under which no one will have to pay the burden of that bedroom tax. That, I think, is one of the most important messages that should

come from this Chamber yesterday and today. What we have is the result of a five-party agreement. We tried to extract money from the British Government, which had no intention of ever giving us any money. Therefore, we had to make choices. You are prepared to make that choice; all the parties around this Chamber have been prepared to make the choice that those who would have suffered the burden of a bedroom tax will not now have to do so. I think that that is a good-news story, rather than people having to squabble in what is really a party-political argument or political point-scoring. That is regrettable because this is a better deal for people. People out there who are suffering through wondering whether they are going to have to pay additional rent or move out of their house now know as a result of this five-party agreement that they will not have to suffer that.

**Mr Principal Deputy Speaker:** I remind Members that interventions are to be short.

**Mr Agnew:** Thank you, Mr Principal Deputy Speaker. I will let Ms Kelly in in a second. To sum up Mr Maskey's point; are we better off with a five-year deferral than where we started? Yes, I accept that. Is it what was promised: to ensure that the bedroom tax did not apply in Northern Ireland? No, because, right now, the Department for Social Development is ensuring that more one-bedroom houses are being built. It would not be doing that were it not for the intention to introduce the bedroom tax at a later stage.

**Mr Storey:** Absolute nonsense.

**Mrs D Kelly:** I thank the Member for letting me in. Does he agree with me about this commitment and statement? I quote directly from Mickey Brady, who said on 30 July 2013:

*“Martin McGuinness clearly stated that if the Bedroom Tax is brought before the Assembly, Sinn Féin will move to block its introduction in the North.”*

What we have today falls far short of that.

**Mr Agnew:** I thank the Member for her intervention. Mr Storey said from a sedentary position that this is not what is happening in DSD.

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

**Mr Agnew:** I will in a second. I will give an example from my constituency. I started this point before the interventions and I would like to get through it.

Constituents required multi-element improvements to their bungalows. For various historical reasons, the Housing Executive could not do that. They have now been transferred to Oaklee Housing. They were promised two-bedroom refurbishments. Then, the bedroom tax came in in GB and they were told that they were getting one-bedroom bungalows. To be honest, the state of the bungalows that they were living in was so bad that they were grateful for anything, because they had waited for years while political wrangling around the funding of new builds, refurbishments etc was decided in this place, and they were left with the consequences. The outcome is that their bungalows are now to have one bedroom rather than two because we are preparing for the implementation of the bedroom tax. I give way to Mr Humphrey.

**Mr Humphrey:** I thank the Member for giving way; I appreciate it. In terms of the point that the Member

finished before he sat down, does he really believe it? Did he not listen to the debate yesterday at all? He heard about the concessions that Minister McCausland got from the mainland Department, the concessions built on and secured by the current Minister, and yet he comes off with a statement like that. It is about getting a mix. I have had constituents come into my office who want one-bedroom bungalows. I have to say to the Member that there is not a plot under every bed, as he seems to think.

**Mr Agnew:** I thank the Member for his intervention. Do I genuinely believe what I am saying? I absolutely do, because the policy was always for three- and two-bedroom build, because that is what met the needs, and that policy changed when the bedroom tax came in in GB. I have heard no other rationale for it. I do not believe for a second that it was coincidental that it kick-started when the bedroom tax was coming into place. I hear about the concessions, and Mr Maskey referred to the costs. The commitment, by taking the bedroom tax out of this Bill, is not just saying "We will not have it for the five-year period", which we have been told is the concession but saying that "Northern Ireland has decided that it will not have it at all."

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

**Mr Agnew:** I will.

**Mr F McCann:** I think that there are a couple of things in what you said. Maybe what you should do is go and listen to a replay of this debate. People have been at pains to point out, yesterday and today, that the whole institutions were in danger of collapse. Are you saying that that would have been much more beneficial than coming to an agreement that protects people, when we could have faced the full implementation of the Welfare Reform Act 2012?

I used to give Mrs Kelly credit for a bit of wit, but what Martin McGuinness said in June and today are two completely different things. They have negotiated.

**Mr Principal Deputy Speaker:** I ask the Member to addresses his remarks through the Chair.

**Mr F McCann:** Pardon? Sorry, Chair. At that time, Martin McGuinness said what we all believed, but negotiations took place at the time which made life better for people in this place.

**Mr Agnew:** Principal Deputy Speaker, I really am confused. On the one hand, I am told that, had Sinn Féin stuck to its commitment on the bedroom tax, these institutions would have collapsed; on the other, that the deal ensures that the bedroom tax will not come into Northern Ireland. I am not sure which is true, but —

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

**Mr Agnew:** I will, because I seek clarity from the Member.

**Mr Maskey:** I thank the Member, and the Principal Deputy Speaker for his indulgence. This is turning into a debate between you and Sinn Féin which we should probably have outside or somewhere else. You should be dealing with the Bill that is in front of us today, and the mitigation measures that have been agreed by all the parties. All the parties have decided that we will subsidise the bedroom tax to the point where no one who would fall foul of a bedroom tax, as a result of the London-based legislation, will have to pay that burden. As I have said before, I think it is a good thing.

You should not mistake the fact that people need to have one-bedroom accommodation. You will know that, if you check your figures. There are Ministers around here who can verify it. As we speak, there is a far greater demand for one-bedroom accommodation which cannot and will not be met by this Executive, or by the Housing Executive for that matter. There is a great demand for that type of accommodation, irrespective of the bedroom tax. You need to understand that. If you go through every single constituency, you will see that housing associations, the DSD and the Housing Executive are trying to get one-bedroom accommodation units built, in the whole range of constituencies, which are falling foul of objection after objection.

Just to make it very clear, our party is involved in no conspiracy to dicky-up the figures or force people into one-bedroom accommodation. I can tell you that — like yourself, I am sure — I represent a lot of single people who are looking for one-bedroom accommodation. It has nothing to do with housing benefit because they will be paying the rent themselves. They will not be in receipt of any benefit, so do not mix up the two.

**Mr Agnew:** I thank the Member for his intervention. I will try to move on from this point.

I am still unclear whether we are not going to have a bedroom tax in Northern Ireland or whether we are not going to have it for five years. With regard to the agreement to fund it, given that we have had no extra money from the UK Government, it is our decision how we spend our Budget, and we can decide whether that is something that we want to do for five years or do in the long term. Yes, we will have to fund it, but we are funding it out of our Budget already. There is no additional money coming from the Treasury. We have some loans to make people redundant, we have been allowed to move some money around, but the whole nonsense of a £2 billion fund was just that: absolute nonsense.

11.45 am

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

**Mr Agnew:** I will in a second.

Money has been moved around. There is no additional money for this provision or anything else for that matter. It comes out of our block grant. As I said, money is being moved around and loans have been given, but the money is not additional —

**Mr F McCann:** Is that your objection?

**Mr Agnew:** It is not my objection at all. I am quite happy that we fund this, but my point is that we decide how we spend our money. We have agreement from the Treasury; is it an agreement for five years on the bedroom tax, or is it the case that we are choosing to fund this for five years out of our block grant? I assumed that it was the latter; that seems to be the proposal in Budget.

**Mr Humphrey:** I thank the Member for giving way again. Over the last couple of days, the Member has expressed his disquiet over the Stormont House/Stormont Castle agreements and so on in terms of what he sees is the lack of information and detail that he has as a party that was not signatory to it. I appreciate that, and the First Minister conceded that yesterday. Would the Member have preferred the institutions here in Northern Ireland to have

collapsed, because that is how we would have ensured that the Tory cuts would have been imposed? That is how we would have ensured that the bedroom tax would have been imposed, and we would have had no control over that and no opportunity to alleviate that with the concessions that the DUP Ministers have negotiated. Does the Member accept that point?

**Mr Agnew:** What I would say is that we need to be honest with people. When people are being told that we got £2 billion in extra money, we need to make it clear that that is not true. We need to be honest about what the agreement was and what it did. Part of the agreement said that the Treasury kindly, in its benevolence, said that you can take hundreds of millions of pounds from your infrastructure capital and you can transfer it to resource to make people redundant. It kindly let us do that. That is not extra money. That is money that we would have spent potentially on schools, roads and infrastructure. It was money that would have created employment in Northern Ireland, and we have moved it to a fund. The Treasury said, "We will let you do this on the condition that you use it to cut the size of your public sector" — a redundancy pot that will see 20,000 people added to the unemployment list over four years. That is what was in the Stormont House Agreement. That is honest. I argued all along that any agreement should have public input, and that never happened. It is up to people to decide whether that is a good deal or a bad deal, but we should be clear as to what the deal was. That is exactly what it was, and no one has disputed that, because they cannot dispute it.

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

**Mr Agnew:** Yes.

**Mr Allister:** I understand the Member's point that we are taking money from capital to fund the exit scheme. I understand that entirely, but are we not doing exactly the same in order to nullify welfare reform? Are we not passing a Welfare Reform Bill that, on the face of it, brings in reforms and then, with the other hand, we are dipping into the block grant — the very money for resource in schools and hospitals — to negate the welfare reform and make it of no effect other than to reduce the amount of money that we have for schools and hospitals? That seems to be something that the Member is happy with. Is that correct?

**Mr Agnew:** I thank the Member for his intervention. I think that it is fair to say that we have very differing politics. I believe that spending public money on protecting the most vulnerable in our society is something worth doing, and I make no apology for saying that that should come out of our block grant and that that should come out of public funds. For me, the very essence of why we pay our taxes is to ensure that the most vulnerable in our society are protected and to ensure that when the economy collapses — while I would love to blame politicians in Northern Ireland, it was to a large extent through no fault of our own here — that people out of work have a safety net and can provide for themselves and their families, albeit at a very basic level, to ensure that they are not in destitution. We have seen the growth of food banks over the UK, so it is to ensure that the state provides rather than people having to rely on churches and charities providing handouts. That is why I pay my taxes.

"Taxes" is a big, ugly word, and we are told that we should reduce them all the time. We are told to lower taxes, and

everything will be better, but we pay taxes for a reason. We pay taxes because we believe in society. We believe that we are better off collectively when we put money into a central pot to provide for all of us should we need it, whether for health, education or welfare. I believe in public services; I do not believe in rebalancing the economy, which is a nice slogan for cutting the public sector to shreds. I thank you for your comments, Mr Allister. I know that you will disagree with me, but you gave me an opportunity to make it very clear where I stand on this issue.

I move on to another area of housing, which is covered in amendment No 7. There has been some misunderstanding about what amendment No 7 does or what its rationale is. It is about the four-week transition payment for people who move off benefits and go into work. I have plenty of experience of the private rented sector. I have experience of housing benefit and know how these things work. I will lay it out as clearly as I can, because I feel that there were misunderstandings in some comments. When you are on housing benefit, your rent is paid in arrears at the end of the month for the month that has just passed. However, most private landlords expect rent to be paid up front. As Members will be aware, most employers do not pay in advance but after someone has worked for a month.

Amendment No 7 seeks to protect people who have been paying their rent through housing benefit and have sought work, as we want them to. The amendment is about not only ensuring that work pays but ensuring that people who might have been living on a very basic income on benefits and are unlikely to have savings do not fall into the trap of getting a job and having their housing benefit immediately stopped, with a landlord demanding rent. Who loses in that situation? The person who loses is the individual who has sought work, as we supposedly want them to do. That person gets a job and loses. Indeed, the landlord loses out because he or she cannot claim rent and is now in a position of having to penalise the person, potentially asking him or her to move out for breach of contract if he or she fails to pay the rent, or they will take a hit. One of those parties will lose out because someone has done what we want them to do and got a job. It is a reasonable proposal to allow a transition payment for the period that the person is working but not receiving income. Others may disagree, but, if they disagree, at least they understand it first.

Amendment No 6 is about the shared accommodation rate for young people. I think that the very premise of the proposal in the Bill is discriminatory. It treats young people differently, and the definition of young person has gone up to the age of 34. I turned 35 last year. I know that my young colleague Mr Lyttle is still 34. Sorry, Chris; I hope that is not personal information.

I will use myself as an example and go back to before my last birthday, when I was still 34. I had a job, I had two children, I had a partner and I had a house. These institutions were under threat, and there was the potential that I could lose my job. There was the potential that me losing my job, and the stress that that would create in my family, would put strain on my relationship and it might have broken down. So, I would have been unemployed, single, and have had two kids; and I would have been told, first by the Tory Government where this has come from, but now by this Northern Ireland Executive that proposes to pass the legislation, that, "We will only support you to live in shared accommodation, where you might not be

able to bring your children and which might be completely unsuitable to your needs. We are immediately going to punish you for losing your job and for the breakdown in your relationship — because those were not bad enough — and we really do want to kick you when you are down”.

My amendment proposes not to scrap that proposal, although I would like to do so. It is a reasonable amendment, which gives a person one year to find a new job or a new home. Do not punish them from the day and hour they lose their job or when their relationship breaks down. I think this is reasonable. It would be the sign of a Government that understand the needs of people who find themselves unemployed. It would say that the Assembly does not follow the rationale of the Tory welfare cuts, which is to punish people for being unemployed. It would recognise the real-life stories of why people find themselves in those circumstances.

Amendment No 27, and, indeed, my opposition to clause 54, is around the youth provision of employment support allowance (ESA). As I understand it, this is a payment that is received by a very small number of disabled young people. It recognises that, due to age, contributory ESA would not be available to them other than for the provisions in our current welfare legislation. My proposal is that those should continue into the new legislation. My understanding is, and the Minister can clarify this, that the commitment is that those people will not lose out under the current proposals. My proposal, as it has been consistently, is to put that protection in the Bill, but I wait to hear the Minister's proposals in relation to the youth payment of ESA.

Amendment No 5 is around the disability addition, and, again, it comes back to putting the commitment in the Bill that no one will be worse off. As things stand, there would be a reduction in universal credit of £26 per week for families who receive the disability addition. Again, if we are committed to making sure that no one is worse off, we should give a commitment to ensure that the disability addition remains part of universal credit. My proposal is that it should be in the Bill. I wait to hear if the Minister, through the supplementary payments, is committed to ensuring that the families affected will not lose out.

## 12.00 noon

Amendment No 73 relates to the self-employed and the assumption made in benefit calculations that they receive minimum income. Again, the point was made yesterday evening about wanting to make work pay and incentivising people to work. I do not believe that people who set up their own business really believe, “I am only doing this because I cannot get enough benefits, and if you would just give me more benefits, I would not bother with this whole business stuff; it is quite hard”. I think that people who set up their own business are driven, but when the economy takes a downturn and they cannot receive a minimum income, never mind a living wage, from their business, I think that it is right that we do a proper assessment of need, rather than what we somehow think should be the case, which is that if you have a business, you should be earning a minimum income. It is not always the reality, and I think that we should protect those in small businesses and encourage them. When they are doing well, they should come off benefits, and an assessment should be done on that basis, but when things are not going so well, we should not simply say, “Well, we are not

going to meet your needs because you are a business person, and we do not want you to become too reliant on benefits”, as was suggested yesterday. I do not believe that that is the ambition of anyone who establishes a business.

Amendment No 75, which is the last of the Green Party amendments, is around the full conditionality for work for EU nationals. I have been provided with evidence, I believe that the Committee has been provided with evidence, and I have no doubt that the Minister has been provided with evidence that this clause, as currently drafted, should it be unamended, would breach EU rules. If the Minister has counter-evidence, I would be interested to hear it, but the clause leaves us open to a situation in which two workers employed in the same job in the same company — one from Northern Ireland or elsewhere in the UK and one from outside the UK but still within the European Economic Area (EEA) — become unemployed at the same time, and we treat one differently from the other. It is a bit like what I said about young people in relation to shared accommodation. That is legislating for discrimination. I do not accept that as how I want to see our society.

I have to say that I am disappointed, as this amendment was originally proposed by Anna Lo, who probably could have spoken with much more conviction on this issue, given her experiences of working with ethnic minorities in Northern Ireland. I am disappointed that Alliance has withdrawn from its amendment. I do not believe that it would breach anything that I understand about the Stormont House Agreement, in that it would not incur significant cost, but part of that deal was that it appears that no amendment should be made. As I said, I think that it is regrettable in this case, because there is clearly a minority fighting this cause for minorities. I stand to do that, I believe, with the support of the SDLP, and I welcome that.

I have a few final points. I note with a wry smile the establishment of the discretionary support commissioner. The wry smile is because the party opposite is the champion of the bonfire of the quangos in Northern Ireland, but we see the creation of a new commissioner. I think that it is necessary. I personally believe that commissions and, indeed, commissioners are necessary, and I commend the work of the Children's Commissioner, the Human Rights Commission and the Equality Commission, unlike those opposite, but the next time that they stand up here and make a blanket dismissal of commissions, I will remind them that today they sought to establish the discretionary support commissioner.

Finally, amendment No 42 is on the benefit cap. There are two possibilities on the benefit cap. First, you either believe that benefits are paid on the basis of need. If you do, by proposing a benefit cap, you believe that we are overestimating the need, which is why some people go above that cap. In that case, you need to re-evaluate the whole benefits system. Or secondly, you disagree with the fundamental principle of benefits, which is to meet citizens' basic needs. If that is the case, I wonder why you support welfare at all. I find it hard to understand the rationale of the benefits cap other than that it is a kind of cheap political defence of the welfare system that says, “We cannot stand up and defend it passionately and with conviction, so we will put this artificial cap on, regardless of families' needs, and we will disadvantage people so that we face down some pressure”. I would not even say that it is public pressure; I would say that it is media pressure.



If you believe in the principle of benefits based on need, I think that the benefits cap is regrettable. I welcome the SDLP's amendment to the clause.

**Mr Storey:** We will return to the second group of amendments. I trust that we will try to make some progress on this as we move forward.

During yesterday's debate, I covered how clause 4 sets out the basic conditions that must be met for entitlement to universal credit. I am grateful that the Committee Chair indicated his intention not to move the opposition to different clauses in this group. Clause 4 specifies the basic conditions for entitlement to universal credit. Clause 3 states that a claimant must meet those basic conditions, as well as the financial conditions. Therefore, should the tabled amendment to clause 4 be accepted, an amendment would also have to be made to clause 3.

As is the case with social security benefits and tax credits, the claimant will have to meet basic conditions for entitlement to universal credit. Those basic conditions are relevant to the policy and are considered compatible with EU obligations. It would be highly unusual for there to be no basic conditions for entitlement to social security benefits or tax credits, as that would make the system unworkable.

Universal credit is primarily designed to support people of working age who are living in the United Kingdom. Therefore, the purpose of clause 4 is to ensure that people between 18 years of age and the qualifying age for state pension credit who are living in Northern Ireland will receive support appropriate to their circumstances.

Specifying the conditions for entitlement avoids duplication of provision such as the support for students and the state pension credit system. It also limits universal credit to EU nationals who attest a right to reside here and are habitually resident. In addition, acceptance of the claimant commitment will ensure that appropriate work-related requirements are placed on claimants to help them into work.

On amendment No 2, I want to briefly explain what clause 6 does. While I appreciate that it can sometimes be laborious and tedious, I think that, as we work our way through these provisions, it is important to put some factual comments on the record. I have to say that, if yesterday is anything to go by, there is a lot of inaccuracy. If you were to listen to some of the comments that were made in the media this morning, you would see that a lot of people really need to take a long, hard look at some of the things that they have been saying. I will say this: at least some of them had the courtesy to the House to make the comments in the House. Some of them never appeared in the House all day yesterday.

**Mr Wilson:** Name them.

**Mr Storey:** Well, Mr McNarry. He was quite capable of going to the media and grandstanding this morning. Where was he yesterday? He never appeared in the House all day. Where is the respect for the House? Where is the respect for the legislative process? That, I think, shows the political grandstanding.

**Mr McNarry:** Good morning, Minister.

**Mr Storey:** He was probably watching his monitor, and, as a result, we have at least had one success today in that he has now appeared in the Chamber.

Clause 6 provides regulation-making powers for restrictions on entitlement to universal credit even though the basic and financial conditions are met. Regulations under this clause may also be used to remove entitlement to universal credit where it would exist for only a short period. This avoids the administrative costs of processing an award that could result in only a very small payment.

Similarly, the clause provides for an award to begin only after a specified number of days have elapsed since the date of the claim. We intend to provide for a waiting-days rule, which is a feature of existing out-of-work benefits and operates to limit administrative costs. The clause limits any waiting-day provision to a maximum of seven days. Amendment No 2 seeks to reduce this to three days. The principle behind the waiting-days policy is that benefits are not intended to provide financial support for very brief breaks in employment or brief periods of sickness. Many people come to benefits directly from employment, and it is reasonable to expect them to use prior earnings to budget for an initial period of unemployment.

Jobseeker's allowance and employment and support allowance currently have seven waiting days at the start of a claim, and the intention is to carry that practice forward into universal credit, hence the necessity for the clause. Accepting amendment No 2 would have potential financial implications for the Northern Ireland block grant, as claimants in Northern Ireland would be receiving preferential treatment compared to those in Great Britain. The impact would be difficult to justify and would create the potential for wider and significant equality issues between claimants in Northern Ireland and in Great Britain. For those reasons, I urge Members to reject amendment No 2.

Amendment No 5 relates to clause 10, which provides for an amount to be included in the calculation of a universal credit award for claimants who are responsible for children or qualifying young people. Under the provisions outlined in the Bill as drafted, an additional amount will be paid to universal credit claimants if the dependent child or qualifying young person is disabled. This is consistent with the objectives of universal credit of simplicity and affordability. This element of universal credit will replace child tax credit as the main source of extra support for children in low-income families in and out of work, as now child benefit will remain separate.

Universal credit is designed to simplify the current benefit systems and will therefore not replicate the range of complex premiums currently paid to disabled adults and children. Money saved from abolishing these premiums will be recycled and used to target support for disabled people with the greatest need. The universal credit rate payable to severely disabled children will be higher than the current child tax credit equivalent. However, the lower rate of universal credit disabled child entitlement will be less than the lower rate of child tax credits.

Let me provide assurance to Mr Beggs, who commented on this during his contribution. Families that migrate to universal credit, and those families whose children attract the lower rate of disability element, will receive transitional protection. I am happy to say that to the Member who raised the issue.

There are other provisions within universal credit that complement the policy of simplifying matters. For example, for working parents, there is a higher earnings disregard

for those in receipt of a disabled child element, and any household in receipt of disability living allowance or working tax credits will be excluded from the benefit cap. In addition, existing claimants who migrate to universal credit through a managed process will have their award protected by transitional protection. That will ensure that current benefit claimants will not receive less as a result of their move to universal credit, where circumstances remain the same.

### 12.15 pm

Amendment No 5 specifies that the lower rate should be no less than two thirds of the higher rate. This amendment would seek to retain the current position under tax credits where the disabled child element equates to two thirds of the severely disabled child element.

The stated policy intent for universal credit is to create a simple, streamlined benefits system and to realign arrangements for disabled children with those of disabled adults when they reach the age of 18. This is not a savings exercise but a recognition and refocusing of existing support. Money released as a result of those adjustments will be reinvested in support for the most severely disabled people.

It goes back to my earlier point. I do not want this to become a trite comment. We can have a lot of argy-bargy about the issue. Politics, unfortunately, brings to us all that element of confrontation and the argumentative spirit that seems to be inherent in it. Let us remember that we are talking about children and adults in our community who are disabled. I say this again: let us remember that this is about real people in our communities. In the comments this morning, it was as though we wanted to fight the orange and green battle all over again and, somehow, if you happen to be on the nationalist, republican or green side, you are not entitled to anything, and if you are in the loyalist, unionist or Protestant community, you get nothing. That would be an awful simplification of what we are trying to achieve and an awful disservice. When we focus on this issue, let us try to have some humanity and some sense of the impact that this has on families with disabled children and on disabled adults.

To accept the amendment that the lower rate should be no less than two thirds of the higher rate would reduce the amount of money available for more severely disabled people.

The GB Welfare Reform Act 2012 —

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

**Mr Storey:** Yes.

**Mr Attwood:** The Minister has reiterated his commitment to people, and that is accepted. I refer you to your remarks on amendment No 2, when, subject to what Hansard says, you said of claimants that it is reasonable to expect people to carry their own costs for a week before accessing jobseeker's allowance or ESA. Is it reasonable to expect somebody with a lot of children or who is on low pay to carry those costs for a week? In those circumstances, is three days not better and, in any case, would a three-day flexibility not be covered by any headroom that exists or does not exist in the overall notional Northern Ireland welfare cap?

**Mr Storey:** I thank the Member for his intervention. To clarify, I said that many people come to benefits directly

from employment and that it is reasonable to expect them to use prior earnings to budget for an initial period of unemployment. The clause, as I said, limits any waiting-day provision to a maximum of seven days, and amendment No 2 seeks to reduce this to three days. I made those comments in that context. That is not in any way to minimise the concern that the Member has and has raised on a number of occasions.

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

**Mr Storey:** Yes.

**Mr Attwood:** I will press you further. A lot of people get paid in arrears. You and I get paid in arrears — I think. They have spent the money in advance of receiving it. There might not be that much money left to cover the costs for a week, especially if you are low paid and if you have family needs.

**Mr Storey:** Again, the Member makes a point, but we still have to ensure that, when we put in place this framework, it is practical and deliverable. It is difficult — I think that this point was made even this morning by some — to have a situation where you will, in every eventuality, cover every circumstance.

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

**Mr Storey:** Yes.

**Mr Wilson:** Most people are paid in arrears. Therefore, when people get paid at the end of the week, that is normally the money that they set aside for the next week. The argument that he is making is perfectly valid: if people are coming from employment into unemployment, they have received their last week's wages. Their last week's wages are usually what they use to finance the coming week.

**Mr Storey:** I thank the Member for those comments. I am sure that the Member opposite will be glad to see that Mr Wilson has now graced the Chamber with his presence. I felt earlier that some Members opposite had withdrawal symptoms because Mr Wilson was not here. I am glad that he is here, and I thank him for those comments.

I will conclude on clause 10. If clause 10 is not allowed to stand part of the Bill, it would mean that we in Northern Ireland would have to consider an alternative means of providing support for children, as the Tax Credits Act 2002 will be repealed when tax credits are fully subsumed into and replaced by universal credit. That will have the effect of disadvantaging people here from obtaining support for children, including those with disabilities. Accepting the amendment would clearly breach existing parity arrangements, and it could have implications for Northern Ireland in relation to the block grant and in relation to utilising the IT system that has been designed for universal credit and is provided through DWP.

Let us remember that the whole issue, a number of months ago was, "Oh, well, we'll just dump welfare reform and go it alone". Remember the costs associated with having a separate IT system. I am glad that we have moved well on. Mr Attwood always says that somewhere lurking in the shadows of all this are the long tentacles of DWP. I remind the Member that we are part of the United Kingdom. The Mother of Parliaments is Westminster. We are United Kingdom citizens, and there is a working relationship. I am very appreciative of the working relationship that we have with DWP. On this issue, and as we roll out the

introduction of the changes to our welfare system, we will be very dependent on ensuring that that relationship is as has it has been in the past, given the IT issues and the challenges of changing from one system to another. As we have said, the notion of developing and financing a stand-alone system has long since been set to the side. We know that it was not possible. For those reasons, I urge Members to reject the amendment.

Amendment Nos 6 and 7 relate to clause 11, which provides for an amount to be included for the support of housing costs in universal credit. It enables the award of universal credit to include such an amount if the claimant is liable to make payments on their home in the form of rent, mortgage costs or other housing-related costs. The wider reform agenda will see housing benefit abolished, with the rent element of it being replaced by the housing cost element of the universal credit award. Clause 11 will provide for the continuing provision of housing support for eligible claimants. Clause 11(4) provides for regulations to set out the detailed rules for calculating the amount of housing support payable. As I have indicated, two amendments have been tabled for the clause. I think that it would be helpful to Members if I first explain how I intend to deal with amendment No 6. This amendment refers to:

*"a reduction based on the age of the claimant".*

There are two age bands in relation to the housing costs element of universal credit; those under 25 and those under 35. A tenant living with a young person aged over 25 will have their housing costs element reduced by £68 a month. This is known as the housing cost contribution. Given that the housing costs element is reduced for those tenants living with a young person aged over 25, I shall deal with the amendment in that context. It has long been a feature of the benefits system that someone living in a claimant's home should be expected to contribute towards the rent. Under universal credit, there will be a flat-rate deduction known as a housing cost contribution of £68 a month for most adults over 25 years of age. This housing cost contribution will not apply to tenants living with an out-of-work young person or a student aged under 25. Amendment No 6, as drafted, would provide for a 52-week exemption from the use of the housing cost contribution in the situation of a person under 25 who is in work. It is considered right that the entitlement to universal credit, which is an income-related household benefit, should be reduced where there is available income.

Amendment No 7 relates to a run-on in the housing costs element of four weeks after a claimant starts employment. While the housing costs element will continue in payment for those expected to remain in prison for up to six months, it is considered that where there is available income, a run-on would not be appropriate. There would be potential cost implications for the Northern Ireland block grant if these amendments were to be accepted. It would also result in claimants in Northern Ireland being subject to preferential treatment compared with claimants in Great Britain. The impact of this would be difficult to justify and would create the potential for wider and significant equality issues. For these reasons, I urge Members to reject the proposed amendment.

**Mr Agnew:** I thank the Minister for giving way. He said that citizens in Northern Ireland would be subject to preferential treatment compared with claimants in Great Britain. Surely

everyone who receives a supplementary payment as part of a top-up will be in a preferential situation over claimants in Great Britain.

**Mr Storey:** Yes, but the Member fails to understand a fundamental difference. We are paying for it; it is not affecting what we are paying for. We have made decisions about additions to ensure that we have a Northern Ireland-plus or a GB-plus model, and we are paying for that out of the block grant. Therefore, that is accepted because it does not have an impact on our AME. That is the reason. Let us remember that the first package of measures was agreed by DWP and the Government at Westminster. This package of measures has been endorsed by the Government at Westminster as the outworkings of the agreements that we secured. There needs to be that understanding. When I make those comments about differential treatment, I make them in that context. That is where we can have the justification to do what we are doing, always mindful that we have endeavoured, in these proposals and what is contained in the Bill, to ensure that we retain parity with the rest of the United Kingdom. For those reasons, I urge Members to reject the proposed amendments.

I will move on to amendment No 27. It may be helpful if I summarise exactly what clause 52 does. Employment and support allowance is currently structured into contributory and income-related benefits. If a person does not satisfy the National Insurance conditions for the contributory allowance, they can claim the income-related allowance, provided they satisfy the eligibility criteria. Clause 52 introduces a time limit for the period in which a person in the work-related activity group is entitled to receive contributory ESA.

The proposal is for that limit to be 365 days. That change supports the move towards a simplification of contributory benefits and a fairer benefits system.

### 12.30 pm

The rates payable are the same for contributory and income-related benefits. ESA claimed on either basis can be paid until state pension age. At present, people can qualify for unlimited contributory ESA on the basis of a small amount of National Insurance paid. However, ESA was never intended to be a benefit for the long term except for the most severely ill or disabled, for whom work is not a viable option. In these cases — for example, those in the support group — ESA will not be time-limited. It will also reinforce the fact that, for the majority, ESA is a temporary benefit, and aligns the rules for the contributory allowance more closely with contributory jobseeker's allowance.

Amendment No 27 proposes the removal of the time-limiting aspect for ESA youth claimants. I reiterate that those in the support group will not be affected by time-limiting. Time-limiting will impact only those in the work-related activity group who are temporarily unable to work because of an illness or disability. There is no objective justification for treating young people any differently from others. Equal treatment should be applied to all claimants, irrespective of age.

As the House will be all too aware, the impact of this measure raised serious concern among a number of Members. However, in accordance with the terms of the Stormont House Agreement, my Department is developing

proposals for the provision of additional financial support for those claimants who will be adversely impacted by the time-limiting restriction proposed for ESA. The support will be designed to supplement their incomes as they adjust to the new arrangements. It is my intention to table an amendment at Further Consideration Stage to facilitate that additional financial support. Removing clause 52 would undoubtedly lead to further fines on the Northern Ireland block grant. For these reasons, I urge Members to reject amendment No 27.

I now move to amendment Nos 28 and 29 to clause 54. Clause 54 abolishes the special concessions that allow certain young people to qualify for contributory employment and support allowance without meeting the usual paid National Insurance contribution conditions that apply to all others. This measure applies to new claims only; existing claimants will remain on contributory ESA. However, youth claimants who are in the work-related activity group will be subject to a time limit of 365 days. Those in the support group will be unaffected, as will anyone receiving income-related ESA, whichever group they are assigned to.

The normal rules are that a person must have paid or been credited with sufficient National Insurance contributions in the tax years that are relevant to the claim in order to qualify for contributory allowance. There are special conditions for young people who are exempt from meeting the usual paid National Insurance conditions. These provide that a person aged 16 to 19, or under 25 in certain prescribed circumstances, who is not in full-time education and has had limited capability for work for 196 consecutive days will be entitled to contributory ESA. Clause 54 repeals these provisions of the Welfare Reform Act (Northern Ireland) 2007 and prevents new claims for contributory allowance being made on the specific grounds of youth from the date the clause comes into operation. After that, people who would have benefited from the concession will be required to meet the usual contribution conditions that apply to all contributory ESA claims.

As I previously stated, there is no objective justification for treating young people any differently. No other age group can qualify for contributory ESA without having paid, or being treated as having paid, National Insurance contributions, nor does any other contributory benefit have similar arrangements. The vast majority of claimants who receive contributory ESA on the grounds of youth — around 90% — are expected to receive income-related ESA. Those who do not qualify for that are likely to have capital in excess of £16,000 or a partner in full-time work who may be entitled to working tax credit. This change is another step in simplifying the benefit system to facilitate the introduction of universal credit.

Clause 54 does not prevent claimants under 20 from making claims for ESA. The only change is that they will have to meet the same conditions as everyone else who applies. If they have not paid sufficient contributions, they will be assessed for income-related ESA rather than contribution-based ESA, both of which are paid at the same rate. Amendment No 28 adds the words:

*“unless the claimant had made contributions before the commencement of this Act”.*

Those words are not required as the claimant will qualify under the normal rules if he has paid sufficient National

Insurance contributions. This clause only amends the special conditions for young people.

Amendment No 29 adds additional words to paragraph 4 of schedule 1 to the Welfare Reform Act (Northern Ireland) 2007, which would require the claimant to have limited capability for work after the assessment phase had ended. Limited capability for work is one of the conditions of entitlement a claimant must satisfy before he is eligible for an ESA award. Therefore, the additional words are unnecessary. The purpose of schedule 1 is to describe the conditions of entitlement to a contributory ESA award relating to National Insurance contributions, with the special conditions for youth being set out in paragraph 4.

The clause has also been opposed. Removing the clause would enable youth claimants to continue be treated more beneficially than claimants of any other age, and I have already indicated that there is no objective justification for such treatment. For those reasons, I urge Members to reject amendment Nos 28 and 29.

Clauses 61, 62 and 63 ensure that claimants can receive contributory jobseeker's allowance, contributory employment and support allowance, maternity allowance or statutory payments only if they are entitled to be in employment in the United Kingdom. There was never any policy intention for a person with no entitlement to work in the UK to receive out-of-work benefits, and this new condition of entitlement will ensure that that situation can no longer arise. It is important to protect the public purse by only paying benefits when and to whom it is appropriate to do so. I urge Members to reject the opposition to those three clauses.

Clause 69 introduces size criteria into the calculation of housing benefit for working age tenants in the social housing sector. I am well aware of all the discussion, debate and concern that there is around this particular clause. I will work my way through this and trust that this will be of benefit.

I recognise that what is proposed represents a major change for social sector tenants. However, I am also acutely aware that we, as a society, must act to reduce the spiralling costs of housing benefit and restore fairness to the system. It is manifestly unfair that the rate of housing benefit that tenants in the private rented sector receive is related to the size of dwelling the claimant needs when no restrictions are placed on those in the social housing sector. In considering how best to move forward, I have focused on balancing the need to protect people and communities from the worst aspects of the policy with the need to ensure that we make the best use of our limited social housing stock and do not implement measures that hinder, or even discourage, mobility.

Rather than removing the clause from the legislation, I have discussed with Executive colleagues if and how the discretionary housing payments budget can be further enhanced so that tenants will not be impacted until such times as the housing stock matches the need.

There are members of the Northern Ireland Executive in the House, and there is a five-party party agreement among the Executive. I say that just in case it has somehow been lost in the midst of all that has been said over the last 24 hours. The Executive have agreed to create a separate fund of £17 million per annum that will mitigate the impact of this measure by protecting



existing and future tenants from any reduction in their housing benefit unless there is a significant change in their personal circumstances or they are offered suitable alternative accommodation. Officials are developing —

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

**Mr Storey:** Just let me conclude on this. It is important, because there was an accusation from some yesterday that there have been yet again very secret and suspicious discussions and that we are all in a big plot and plan somehow. Of course, I am the one who has to implement it. Let me be open and transparent and tell Members what has been agreed.

The Executive have agreed the fund, and officials in my Department are developing a scheme that will go to the Executive for agreement prior to public consultation. The outcomes of this consultation will form the basis for the subordinate legislation. In accordance with the terms of the Stormont House Agreement, my Department is developing its proposals for the provision of additional, enhanced DHP support for claimants who will be adversely impacted through the introduction of this measure. I advise Members that, at Further Consideration Stage, I will be bringing forward an amendment to facilitate this.

**Mr Agnew:** I thank the Minister for giving way. Obviously, when I discussed this issue, there was some confusion. I think that he has cleared it up, and I just want to confirm that. The policy is that a mitigation fund will be put in place until such time as the housing stock is suitable in order that we implement the bedroom tax. Is that what the Minister is saying? It is important that this matter is made clear.

**Mr Storey:** Let me repeat to the Member because maybe he did not hear. We have created a separate fund of £17 million per annum that will mitigate the impact of the measure by protecting existing and future tenants from any reduction in their housing benefit. There is no secret that we have to balance that against the reality, so it is unless there is a significant change in their personal circumstances or they are afforded suitable alternative accommodation. We will see that in developing the scheme, which will really be a replication of the discretionary housing payments that are in existence.

Let me come to a point that the Member made earlier. It was as though there is somehow no need for us to look at housing and single-bedroom properties in certain locations. If I look at his constituency, I see that the breakdown of applicants in housing stress in North Down is that 35% of those on the waiting list are looking for single-bedroom accommodation. There is a need. That is an issue that we will have to deal with.

If I can devote some more time to my other responsibilities, as I have been doing while waiting on getting agreement on bringing the Bill to the House, I will want to move on the issue of the long-term sustainable future of the Housing Executive. I want to address the nature of what we do and the way in which we do our business so that we can continue to build, to improve and to ensure that, as far as my responsibilities and those of my Department are concerned, we have good quality homes for people in Northern Ireland, irrespective of where they live. There will be mixed provision and not only one-, two- or three-bedroom properties. That is what we ought to be about. That is a long-term challenge and a long-term issue for the Executive.

**12.45 pm**

**Mr Agnew:** I appreciate the Minister giving way again. I want to be clear about my objection. As far as I can tell, the Minister has laid out that there will be a discretionary payment for those who cannot find alternative suitable accommodation but who are in a house that is deemed to be greater than their needs. He has made it clear that he intends to improve the housing stock in its diversity and the number of bedrooms.

What I was trying to make clear in my submission was that there are those who, like the Minister, subscribe to the policy that if there is smaller accommodation for a person and their needs change, they should move. However, there are others who said that they disagreed with that policy, yet they have signed up to it. It is them who I am trying to expose when I seek to make it clear that this is essentially a phased introduction of the bedroom tax. That is what it is; plain and simple. It is a phased introduction, but it is still being introduced in Northern Ireland.

**Mr Storey:** The Member should ask others about that and not the Minister. There is another issue. One of the practical reasons why we need to retain clause 69 is so that the calculation can be made when we come to implement the scheme. If clause 69 was not in the Bill, I would have a huge difficulties in making that calculation.

Let us dispense with the myth that, somehow, we are, in some clandestine way, trying to introduce the bedroom tax. There are practical considerations. I know that the Member maybe struggles to get his head around the issue, but dealing with a five-party mandatory coalition ain't easy. There are also challenges and difficulties in trying to transcribe legislation from the House of Commons into Northern Ireland legislation. There are also the practical implications of how you want to get to a certain point. Sometimes, it is easier to allow something to remain in the primary legislation. That will allow us to work out the calculation for how we would use or pay for the fund that we will set out to the Executive and the House over the next number of weeks. For those reasons —

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

**Mr Storey:** I will, but I want to make some progress. I will give way to the Member if he is brief, if that is possible.

**Mr Attwood:** The Minister was right to identify the long-term issue of the profile of the housing stock in Northern Ireland. In the short term, the critical question is this: if someone decides that there is a significant change in a tenant's personal circumstances and there is suitable alternative accommodation, and the tenant says that they do not wish to move from their three-bedroom house, will they be subject to the bedroom tax?

**Mr Storey:** That will be dependent on how we develop the scheme. I have heard a lot of comment in the last 24 hours that people want us to be definitive about every individual single issue. There is no doubt about what will happen. There will be those who, for their own political reasons — if they could recognise what a benefit claim form was, in some cases — will bring out examples and say, "You said there wasn't going to be this. Well, here is the evidence." Let us remember that we are dealing with a complex situation and with families who face a variety of challenging and complex circumstances. Not everybody's family is as unified as we would like them to be. Families

today are more diverse. I say this on a personal basis: there are things that happen in our families that we would have preferred were not the case, but we have to deal with those circumstances and situations. If there were no protection and no structure for those circumstances to be dealt with, you would come to this House and say that we have no systems, safeguards or security.

I cannot give this House a blank cheque so that, in every set of circumstances in relation to all the issues that we are dealing with, every one of them will be dealt with in exactly the same way. Do you know the reason why? Every one of those circumstances will not be exactly the same. We have only just got through the issues in relation to ESA; it is complex. Those are things that we have to deal with. I ask the Member to give us the indulgence to ensure that we are in a position to develop the scheme. Officials are doing that, and I hope to be in a position to see the proposals relatively soon. That will go to the Executive and will, I trust, give some clarity.

I want to move on to amendment No 42. The amendment seeks to revise which benefits are included in the calculation of the benefit cap. The proposal is to remove child benefit, carer's allowance and any benefits or components of benefits received for caring responsibilities. The primary objective of the cap is to tackle the culture of welfare dependency by setting a clear limit on what people can expect to get from the benefits system. It is important that the benefits system is fair and seen to be fair, not just to benefit recipients but to the taxpayers who pay for our welfare system. It is neither reasonable nor fair that households in receipt of out-of-work benefits should receive a greater income from benefits than working households earning the average weekly wage.

This clause will allow us to prescribe in regulations how the benefits cap will operate. The cap will apply to the combined income from the main out-of-work benefits: jobseeker's allowance; income support; employment and support allowance; housing benefit; child benefit and child tax credit; and other benefits, such as carer's allowance. Households that include a member who is receiving disability living allowance will be exempt. This is in recognition that disability living allowance is paid to people to help with extra costs arising from their disability.

For carers, the benefits system is designed to provide financial support where caring responsibilities prevent carers from working full time. As such, it is only right that carer's allowance should be counted alongside other income-maintenance benefits. Child benefit is an allowance that is paid to help with the expense of raising a child. As such, it should also be counted alongside other income-maintenance benefits.

Initially, the benefit cap will be delivered through housing benefit payments, so households that are not getting housing benefit will not have the cap applied. Ultimately, it will be administered as part of the new universal credit system. To amend the list of benefits that are included in the calculation of the benefit cap would be a clear breach of parity and would result in a financial penalty to the Northern Ireland block grant.

However, as I have stated previously, in accordance with the terms of the Stormont House Agreement, my Department is developing proposals for the provision of additional financial support to claimants who will be

adversely impacted by welfare reform, including the benefit cap. I will bring a paper to the Executive — I hope in the near future — setting out how far it is proposed to move forward with welfare reform, including the modalities of implementing the different schemes agreed in the Stormont House Agreement. I propose to bring forward an enabling clause for these schemes at Further Consideration Stage.

At this time, my Department is working through the various payment scenarios for assistance from the supplementary payment scheme. I accept that there are many families across Northern Ireland who have exceptional needs and require to be paid more benefit. However, my party voted for the benefit cap in the House of Commons, and we believe that families on benefits should not receive more than working families. The SDLP's proposal would only increase the number of benefits, which could lead to exclusions from the benefit cap, and that will lead to additional costs for the block grant because it will bring in a difference between the social security systems here and Great Britain. For those reasons, I urge Members to reject the amendment.

In amendment Nos 48 and 50, the proposal is to insert a new clause to impose a duty on the Department to ensure that all claimants have access to independent advice on making a claim under the Act. I know that this issue has had considerable debate and discussion. DSD has lead responsibility on behalf of government for voluntary information and advice services in Northern Ireland. Through 'Opening Doors: the Strategy for the Delivery of Voluntary Advice Services to the Community', the Department has already put in place arrangements to support a comprehensive, integrated, quality service across Northern Ireland within a framework to ensure that services are planned and delivered in a way that matches resources to need, focusing particularly on meeting the needs of the most disadvantaged. Through 'Opening Doors', the Department already invests a substantial amount of money — in the region of £4.5 million annually — in the issue, to maximise access to advice provision and ensure that independent advice is accessible and available to all, free at the point of need and targeted to support the most vulnerable in our society.

Over recent years, my Department has developed a new approach for our funding and business relationships with the advice sector, particularly organisations providing general voluntary advice, which includes benefit advice. The advice sector at local level, which provides general advice services, are moving to become the responsibility of local government. Therefore, that duty would eventually be on local councils. I have concerns that the current amendments will also place a statutory duty on councils, since they will have the responsibilities for those services. This is driven by the objectives outlined in 'Opening Doors' and is influenced by a number of factors: the need to maximise the impact of our funding investment and the need for a more structured and coordinated approach to supporting those who need to access advice services.

As a result, the main advice support organisations operating in Northern Ireland — Citizens Advice, Advice NI, the Law Centre (NI) — have been contracted to work in partnership arrangements known as the Northern Ireland Advice Services Consortium. I am conscious of the potential impact of welfare reform, and my officials

are engaging with the consortium to discuss how we can work alongside the advice sector to best support customers through the implementation of welfare reform. Indeed, I met the consortium, and we had a very useful, cordial and constructive conversation on the issue. The advice consortium has a key role to play in building and supporting the capacity and capability of front-line advice providers; securing joined-up, targeted, service delivery; exploring alternative funding streams; and maximising the impact of the substantial resources that the Department has invested in advice.

**1.00 pm**

*(Mr Speaker in the Chair)*

As an immediate priority, the consortium is working to develop an agreed methodology for monitoring and take-up of advice services. We are also working closely with the consortium and local councils to better understand the impact of our existing investment, bringing a more robust approach to the targeting and prioritisation of support. This will present a key opportunity to monitor the impact of the welfare reforms and other government changes on advice services, and it will allow government to respond in circumstances where specific need or changing demand has been identified and evidenced. This links closely with our commitment in the Opening Doors framework to work in partnership with the advice sector, maximising access to quality services and bringing a structured approach to resourcing the sector.

The Department has just completed a widespread consultation with the advice sector on a new strategy that details the priority for the immediate future. This is real partnership working together, rather than a relationship based on statute. It is important that the voluntary sector is not seen as part of government, and that is one of the issues that I have around placing it on a statutory basis, because it is vital for me and for the Administration that the voluntary sector is not seen to be part and parcel of government or that somehow we have a command-and-control mechanism in place. They need to retain their independence and be seen to be independent of the Executive. Placing them under a statutory provision would potentially compromise that position. I have taken on board the concerns that have been raised by Mr Attwood. We have had a discussion on it — it has also been raised by other Members — and I have given, I trust, a sufficient assurance that the needs, the structure and the delivery of independent advice are met and secured in a way that people have confidence in.

The question that is raised in my mind is this: what are the current problems that we have that are so pressing that they have led to a requirement for the demand for it to be placed on a statutory basis? Members could be coming to me and saying, "Here is the list of huge problems and huge difficulties, and your Department has not given us a penny". I listened to the comments made by the Member for East Belfast in relation to the amount of money that goes into that area, and I pay credit and commend in the House today the organisations in east Belfast that have drawn down huge amounts of money into their community. That can be replicated across many other parts of Northern Ireland.

I believe that the £4.5 million that my Department gives to the independent advice sector is having an effect. Can we do more? Can we do it better? That is why the work that we continue to do with the sector — I give a commitment to continue to work with that sector — will intensify, but I do not believe, at this minute in time, that we are in need of a legislative framework that could create difficulties and — this is another point — could lead to a significant increase in the costs of the provision of that service. We would have to be very careful about that. Let us remember that there are many out there who like to make industries of certain things. I think that that has not happened with the advice sector as it is currently constructed because it has been a voluntary partnership between government and those organisations.

I think that, if we place it on a statutory footing in legislation, we could get ourselves into more challenging times. For those reasons, I urge Members to reject the amendments.

Amendment No —

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

**Mr Storey:** Yes.

**Mr Attwood:** I suggest to the Minister that the argument that somehow creating a statutory right to advice captures the advice sector in government is not the best of arguments. Citizens have the right to independent legal advice if they are arrested. I am sure that nobody is suggesting that David Ford has somehow captured the legal profession when it comes to its actions, given the events of recent days and months.

Are you minded at all, Minister, given your forthright remarks on the matter, to consider a further amendment at Further Consideration Stage?

**Mr Storey:** I will give consideration to the comments that have already been made to me, and, between now and Further Consideration Stage, I will give further consideration to the particular issue. I have already mentioned the elements on which I will bring further amendments at Further Consideration Stage. I think that that will require us to have discussions in a way that tries to tease out not only the issue but the benefits of making a particular amendment. I take on board the comment that has been put to me, and I will reflect further on the issue over the next few weeks.

Amendment No 51 introduces proposed new clause 130A, which provides for discretionary support assistance replacing elements of what is currently the social fund.

**Mr Brady:** Thank you, Minister, for giving way. I want to clarify something that I said last night. Essentially, discretionary support assistance will replace the social fund, which, in Britain, has been abolished. It has gone to local councils, and there are all sorts of difficulties with that. I do not want to pre-empt your comments on amendment No 52, which is about the discretionary support commissioner, but Mr Agnew seemed to suggest that that was some sort of quango being set up. Perhaps he did not grasp the significance of it. The Social Fund Commissioner was independent and a very important part of the process of ensuring that the most vulnerable had access to community care grants and, in some cases, budget loans, and so on, where the local office had turned people down. The social fund inspectors did a very good

job, and it seems to me that this particular role will replace a very important post and give an independent dimension to discretionary support. Moreover, and you can agree with this, Minister, if you want, discretionary support will also include people on low income. As far as we are concerned, that is an innovative step.

**Mr Storey:** I thank the Member. I was waiting for the opportunity to reply to Mr Agnew on the issue because he made some other comments that I am quite happy to address. The Member is absolutely right about the social fund and the Office of the Social Fund Commissioner. What we are doing is simply replacing what was already there; it is not the creation of a new position. I will deal with that issue because I want to make a few comments about some of the quangos that are acting disgracefully in Northern Ireland at the minute. Therefore, we will come to that.

I want to say a word of thanks and appreciation to the Member for the work that he has done. Depending on what happens on 7 May, he may be leaving this House and going to the House of Commons, I hope to take up his seat. That is an issue for him and his colleagues. He has made a contribution to the Committee through his knowledge of many of the things that we are discussing. Over many years, he knew what it was to work with people on a day-to-day basis. I think that that knowledge was clearly seen in the work that he carried out when the Committee was scrutinising my Department's policy. I would like to see it return to that as quickly as possible.

Moving on to the issues on amendment No 51, proposed new clause 130A would provide for the discretionary support assistance, replacing elements of what is currently the social fund. I will explain in a moment how that clause is intended to be used, but first I would like to set out some of the broader context and the rationale for those changes. Again, I know that this can become laborious, but I think that, when we have comment in the public domain that is sometimes ill-informed, ill-advised and inaccurate, it is important that we lay out the facts of those things in the House, which has the responsibility for the legislation. I know that that will not stop some people who never let truth get in the way of a good story, but that is an issue that they have to deal with.

In Northern Ireland, the need for immediate support to those facing emergency financial situations is already higher than in any other part of the UK. I know that from my constituency, where there are particular issues and times when you can see a rise in the demand for services that are provided for under the social fund as it exists. That is due to a combination of factors, but it is primarily because of the higher levels of people here who live in poverty. In comparison with the United Kingdom as a whole, Northern Ireland also has a persistently higher proportion of people who are concentrated just above the poverty line and at risk of falling into poverty.

It is not only those relying on benefits who find themselves needing help to relieve emergency situations. Figures show that, in Northern Ireland, over two fifths of individuals living in low-income households are part of a family where at least one adult is either in full-time or part-time work. For all those low-income groups, reliance on temporary support in emergency situations is expected to continue, if not to increase.

There are also serious consequences for greater and longer-term costs to the public service if an effective response to immediate need is not available. There are very real risks for long-term health and social care costs, and there are consequences where the interests of households with children are threatened or where individuals are left without the fundamentals such as food, clothing, heat and housing.

In the past, the greater element of discretionary support has been delivered through the social fund in the form of community care grants, crisis loans for living expenses and household items, and budgeting loans as part of the social security system. The proposed repeal of certain social fund services will mean the removal of community care grants and crisis loans for living expenses and household items from that system. That has prompted the Department to develop a new provision for Northern Ireland.

The objectives of the new provision are to alleviate the most exceptional, extreme or crisis situations that present significant risk to the health, safety or well-being of low-income and vulnerable households through the provision of practical support; to ensure that those facing the most extreme hardship as a result of the adjustment to the changes to the social security regime are supported in their efforts towards self-dependency where access to discretionary support would avoid or reduce major risk or life-threatening circumstances; to maximise the effectiveness of discretionary support by ensuring that people in such circumstances have timely and appropriate access to and support from the range of government-funded general and specialist information and advice services to minimise the risk of re-occurrence; to support greater self-reliance and independence; and to improve social and financial inclusion.

Responding to such need will require a new provision that is responsive and flexible and that ensures a rapid and effective response to the most immediate needs through the provision of a range of interventions to relieve immediate need, to support and facilitate greater self-reliance, and to promote and support personal responsibility. Collaboration with other statutory services to ensure a proper assessment of individual need will also be required.

#### 1.15 pm

The new provision has been designed to ensure that support is properly targeted to address the highest-priority need of those on low income. It will not replicate the social fund, but it will reflect its strengths in ensuring a speedy response to emergency or crisis situations, including its local accessibility, its flexibility in meeting a wide variety of needs and its independent review mechanisms. The Social Security Agency, in designing the new provision, has used a number of key design principles that emerged from phase 1 of the social fund research study. Those have been endorsed by the Social Development Committee, and I know that it spent some time on that issue.

The new provision's response to immediate need, as experienced by low-income and vulnerable individuals and/or households, will also allow for a range of practical interventions. Those will include the direct provision of financial awards, primarily through interest-free repayable loans. However, the provision of non-repayable grants will



remain as an important element of support in the most extreme cases. Other interventions may, however, include, either directly or through third parties, the provision of goods and services. That may include essential equipment to relieve immediate household needs.

An important aspect of the new provision is the recognition that those finding themselves in the most extreme financial emergencies can also benefit from readily available specialist advice and information provided by a range of government and community providers. Referral to such advice, with the customer's consent, will form an important element of the discretionary support provision.

Encouraging independence through effective use of discretionary support is an important part of the new provisions and is a vital element in building a stronger economy and tackling poverty and disadvantage. Discretionary support is about supporting people, protecting the vulnerable appropriately but also encouraging self-efficiency. I urge Members to accept amendment No 51.

I turn now to amendment No 52, which introduces new clause 130B, which defines the recruitment, role and responsibilities of the discretionary support commissioner and their staff. I trust that Mr Agnew is paying attention to this element, as it will rectify a comment that he made earlier. An important aspect of the discretionary support provision is the need for an independent review mechanism of decisions.

Under the social fund, the independent review service is provided by the Office of the Social Fund Commissioner for Northern Ireland. That will be replaced by the office of the discretionary support commissioner. The rules for the new independent external review will be similar to the current review process under the social fund. So, rather than us endorsing a new quango, we are replacing what is already there. Given what I have seen some of the quangos in Northern Ireland do recently, for example, the Equality Commission, I would love to be in a position to ensure that they are curtailed in the way in which they do their business. Of course, we had the charade in this House the other day when a Member tried to give the impression that he was taking the Equality Commission on, but we all know now that when the appropriate amendment should have been placed in the Budget process, that was not done. So, a lot of people want to seem to give the impression that they are really taking these things on, but, in reality, they are only trying to placate their own position and present a narrative that they know is not the case.

I notice that the Member said that he would remind us when we say that we want to reduce the overall number of quangos. He will come back to this point and tell the DUP and me that, "Well, you created a new quango". The reality is that we are replacing what is already there. You have heard from the Member opposite that, if we were not to do this, there would be a call from Members in the House — "How will we deal with the issue? How will we address these concerns?" — and rightly so.

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

**Mr Storey:** I will give way when I am finished.

It is clear that what we are doing here is replacing what already exists; no more, no less.

**Mr Agnew:** I thank the Minister for giving way. I was clear that I have no problem with the proposed commission. It is not me or my party that is so critical of existing commissions. He said that this simply replaces what is already there. Is he therefore saying that it will exist within the same footprint — ie there will be no greater costs?

**Mr Storey:** Sometimes, you wonder where some Members come from on these things. The rules for the new independent external review will be similar to the current review process under the social fund. I assume that the issue will be the same when it comes to the way in which it is funded. What I will do, so that there is clarity for the Member, is give him further information on the costs. That will, I trust, be of help and benefit to him. I do not have that information in front of me, and there is no point in trying to bluff my way out of it. That is the reality, and that is where we are.

Amendment No 73 proposes the removal of the ability to treat a person as having a prescribed level of income. Let me explain why we would want to treat a person as having a prescribed level of income. Universal credit will provide support for people who are self-employed only where self-employment is the best route for them to become financially self-sufficient. A safeguard is being built in so that universal credit does not end up subsidising people undertaking unprofitable activities. The safeguard will be in the form of a minimum income floor.

The minimum income floor will set a minimum level of assumed income from self-employment. The minimum income floor is designed to provide a fair incentive for the self-employed to increase their earnings and productivity and realise their financial potential. The earnings expectations of self-employed claimants under universal credit mirror those expected of claimants of similar circumstances in employed work. For example, the minimum income floor for claimants expected to be able to work full-time will be equivalent to 35 hours per week at the national minimum wage.

It is right that universal credit should support people to be self-employed, but only in so far as self-employment is the best route for them to become financially self-sufficient. If claimants are within one year of starting out in self-employed activity, they will be eligible for a start-up period. This will mean that newly self-employed claimants will be exempt from reaching the minimum income floor for a period of one year, and their universal credit payments will be calculated according to their actual income rather than assumed income. This is one start-up period for self-employment of 12 months every five years where the claimant has ceased the previous activity and started a new business. Further, when we migrate people to universal credit who are already running their own business, we will provide a similar six-month grace period before they need to make any adjustments under universal credit.

If amendment No 73 were accepted, it would mean that there would be no incentive for those who are self-employed on a low income to increase their earnings through developing their self-employment. The minimum income floor will assume a level of income for the self-employed based on the earnings that we expect a claimant with similar circumstances in employment to achieve. For these reasons, I urge Members to reject amendment No 73.

Amendment No 75 removes paragraph 7 of schedule 1. The paragraph gives the Department the power to make

regulations specifying the work-related requirements for claimants who are asserting a right to reside in the United Kingdom on the basis that they are EU jobseekers under EU treaties. By way of background, I should explain that people coming to the United Kingdom from EU countries do not have unrestricted access to UK social security benefits and tax credits. Since 2004, access to most benefits for EU nationals has depended on whether they have a right to reside here, and, for most benefits, the right-to-reside requirement is part of the habitual residence test.

Having a right to reside does not simply mean that a person can live in a particular country. Broadly speaking, a person who moves from one EU country to another has a right to reside if they are economically active or are able to support themselves. That means that not all EU nationals will have a right to reside even though they can exercise free movement rights, such as migrants moving from one country to another claiming benefits. Only certain categories of person moving within the EU will have certain guaranteed rights attached to their residence in the host country. That is what is meant by EU nationals having a right to reside.

Since 2006, all EU nationals have had a right to reside in the UK for three months without the requirement to be financially self-sufficient. However, access to benefits during that three-month period will not satisfy the right-to-reside test. Those who have a right of residence after the initial three-month period include workers or self-employed persons and their families and students and their families, provided that they can support themselves. EU nationals may also have a right to reside straight away as a jobseeker if they can show that they are looking for work and have a genuine chance of being engaged. Family members of jobseekers also have a right to reside. To have a right to reside as a jobseeker, a person needs to be registered with the jobs and benefits office/social security office and sign on as available for and seeking work. A person with a right to reside as a jobseeker may claim income-related jobseeker's allowance, which can give them entitlement to housing benefit.

Although the power under paragraph 7 is quite wide, we only wish to exercise it in relation to EU jobseekers. We do not intend to exercise the power in relation to EU self-employed, and, in relation to EU workers, we only intend to exercise it in relation to those who retain worker status because they become involuntarily unemployed and therefore need to seek employment to continue to retain their worker status. The regulations will enable us to check that an EU jobseeker is, in fact, searching for work and available for work and that they therefore continue to meet the right-to-reside test. If someone claims to be an EU jobseeker without actually searching for work, they will no longer satisfy the right-to-reside test. An EU claimant who does not have the right to reside will not be eligible for universal credit. That is because universal credit is treated as a social assistance and is not payable to EU nationals without a right to reside.

The crucial point is that we are only exercising the power to enable us to check whether an EU claimant continues to enjoy a right to reside as a jobseeker. Without the power to verify whether a claimant is seeking work, we would be unable to verify whether they continue to have a right to reside under EU law. While we have a legal duty to provide support to people who come to Northern Ireland

in line with national and international obligations, it is also necessary to protect the taxpayer and the benefit system. There is a need to make sure that the rules that apply when people from outside come here do not allow them to take inappropriate advantage of the benefit system. Members will understand and appreciate that that is the issue. Without that provision in the Bill, the Department would be unable to check if an EU national with work status met the right-to-reside test. Accepting amendment No 75 would be a clear breach of parity. There would be potential implications for the Northern Ireland block grant, and it would result in EU claimants in Northern Ireland being subject to preferential treatment in comparison with EU claimants in Great Britain.

I have tried to cover most of the issues raised by Members. Mr Lyttle, who is not in his place, raised the issue of victims and survivors. I trust that, at some length in the House yesterday, I gave reassurances on that. The Member, when he hears of this being referred to in the debate, will be able to find my comments on the issue in Hansard. I draw my remarks on the group 2 amendments to a conclusion.

**Mr Speaker:** Thank you, Minister. As there was no formal suspension for lunch agreed by the Business Committee, I propose by leave of the House to suspend proceedings at this point. The sitting will be suspended until 2.00 pm, when the next Member to speak will be the Chairperson of the Committee for Social Development, Mr Alex Maskey, to make the winding-up speech.

*The sitting was suspended at 1.31 pm.*

*The sitting resumed at 2.01 pm.*

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I have not always played to a packed House, but this probably beats the record.

I will wind up on the group 2 debate by restricting my comments to the comments made in respect of the, I think, 14 amendments in the group rather than the Committee's opposition to the clauses. I have already outlined the reasons for that. Of course, the Minister's remarks are well on the record for people to consider. A number of Members have sought clarity and some further information from the Minister. That is on the record for all those who sought it.

Dolores Kelly spoke about amendment No 2 to clause 6, which aims to reduce the number of waiting days for entitlement from seven days to three. That was supported by Mr Attwood. Roy Beggs, on the other hand, indicated that he was not convinced of the merits of such a change. He suggested that it would place an administrative and cost burden on the Department. Sammy Wilson made comparison with people who may have to work a lying week before they get their first week's wages. He was not in favour of the amendment. This is just to illustrate the variety of views. I point out that, when the Committee considered the issue, it had concerns that the clause might have an impact on passported benefits, but it was assured by the then Minister that the award notice would give claimants their underlying entitlement. The Committee was assured that those issues would also be addressed by way of regulations.

Mrs Kelly stated her party's support for amendment No 5 to clause 10. Mr Beggs, on the other hand, did not support the amendment and felt that there was a lack of clarity on the estimated costs associated with the amendment. He referred to transitional support that is already provided. Mr Agnew noted that there should be provision to protect families under the clause. He wanted to hear the Minister's views. Some of the comments that were made reflect the Committee's concerns about clause 10 when we considered it two years ago. The Committee, for example, had a particular concern about the child tax credit being reduced from £57 per week to £28 per week, which would impact on families with a disabled child. Of course, as we know, the Stormont House Agreement has made new arrangements. That concern, by and large, has been addressed by that agreement. The Minister also referred to aspects of that.

Mrs Kelly voiced her support for Mr Agnew's amendment Nos 6 and 7 to clause 11. Mr Beggs opposed those amendments and stated that there are choices to be made in respect of what issues are deemed to be priorities and that that needs to be taken into account. Mr Agnew's amendments in relation to clause 11, which relates to housing, refer to the periods within which payments should be made to a claimant. Mr Agnew said that amendment No 7 will protect people who have been paying rent through housing benefit, and he noted that this was about making work pay. He also said that he believed that it was reasonable to have a transitional payment. Furthermore, he said that clause 11 potentially discriminates against young people, and that young persons should be given one year to address their unfortunate circumstances.

Amendment No 27 would amend clause 52 in relation to the period of entitlement to contributory allowance. It was supported by Mr Agnew and Mrs Kelly. Mrs Kelly said that she awaited the Minister's response on the possibility of an extension to the period. I believe that Mr Beggs indicated that his party would not support the amendment. Mr Brady referred to the potential of ongoing discussions to extend the period and, again, noted that under the Stormont House Agreement the period of ESA would be extended. Mr Agnew said that he wanted to hear from the Minister on the matter. As I said in my opening remarks, the Committee, in its report, asked the then Minister to explore the possibility of extending the period to more than 12 months, and that has been done, secured and agreed.

Clause 54 concerns a condition relating to youth. The SDLP and Mr Agnew have tabled, respectively, amendment Nos 28 and 29 to clause 54. Mrs Kelly indicated that she awaited the Minister's response with interest; hopefully, the Minister's response has satisfied that. Mr Wilson asked why young people should be treated differently from anyone else. He noted that the age that was specified was to encourage young people into work as opposed to going into the benefits system. Again, I believe that Mr Beggs was not supportive of the amendments and felt that they needed clarification by Mr Agnew.

The Committee considered clause 54 and had a number of concerns. It noted that no new claims would be allowed when the clause came into operation and was particularly concerned, then, about the impact that that would have on young people with disabilities. I remind Members that the Department advised the Committee that almost 97% of the people to whom the provision currently applies would not be affected by the change and that new claimants may qualify for income-related ESA. This has also been dealt with, to a large extent, by way of the Stormont House Agreement arrangements.

Issues relating to housing are among the most contentious in the Bill, it would seem, and certainly have been some of the most talked about in the media. Mrs Kelly noted her party's opposition to clause 69 and welcomed the Green Party's support in opposing it. She also mentioned that the Labour Party in Britain had said that it would abolish it if it is in government after the May elections. She made a number of other comments of a political nature that I do not really want to go into.

Stewart Dickson focused most of his comments on this issue and suggested that people on housing benefit had been demonised. He referred to the nature of accommodation here and the problems that that throws up and to the fact that the evidence in Britain shows that the policy has led to an increase in rent arrears. Again, I note that a range of special measures agreed with the British Government in the Stormont House Agreement have been taken on board to deal with the matter.

Mr Attwood also mentioned clause 69. Whatever about people's views of how it has been addressed, Members nevertheless acknowledged that the matter has been addressed at least to the point where people who would have been subject to the bedroom tax burden will not have to endure that as a result of the Stormont House Agreement.

The SDLP proposed amendment No 42 in relation to a benefit cap. Mrs Kelly noted her party's concern that the

cap of £26,000 was likely to be reduced further. That is speculative but probably well informed. If a Conservative Government is elected in May, that figure may be reduced to a figure as low as £18,000. She obviously knows that that could affect thousands of families here, and her particular concern was about the potential impact on children.

Roy Beggs noted that, while he believed that the SDLP meant well in proposing the amendment, he felt that any change to the benefit cap should be made in Westminster for all of what he described as the UK. Sammy Wilson noted that he did not have any great sympathy with the amendment to remove the benefit cap. He believed that it was necessary to make work pay and there was a need to get the issue into perspective. Mr Attwood and Mr Agnew also made further comments in a similar vein in their opposition to a benefit cap. Again, the Minister has addressed that in other commentary in the last day or so and has said that the Stormont House Agreement would seek to address that matter.

In relation to clause 95, the Committee was advised that the number of households affected amounted to around 620. It is fair to say that there were different views on the Committee on the issue, and it is still one of contention between various parties. That is an ongoing situation with regard to the outworking of the Stormont House Agreement.

Amendment Nos 48 and 50 would insert new clauses 120B and 120D. Those are in respect of claimants seeking independent advice on their claims. The SDLP has tabled an amendment, as has the Ulster Unionist Party. All those who commented valued the important role played by the independent advice sector and the support that it provides for claimants across the spectrum. The Minister has addressed that fully. It was an issue that the Committee was clear on when it deliberated on it. The Committee listened to the presentation by the people from the independent advice sector. Several MLAs had experience of the sector over a number of years and understood clearly the need for an independent advice sector. Let us hope that the commitments given by the Minister and others are pursued in a way that makes sure that people have proper access to a well-resourced service. That is important, but I am satisfied from what I have heard that that will be the outworking of the agreement that we have. Chris Lyttle acknowledged the vital work of the independent advice sector, and those views have been taken on board. The Committee was very supportive of the concept and would want to support any measure that enhanced the support for that sector and, more important, the rights of claimants to have access to that advice.

The Minister outlined the requirement for a new clause that relates to discretionary support. The Committee was informed on Monday that the social fund would continue until any discretionary support scheme came into operation. That is an important safeguard. Any draft regulation made under the new clause will have to be laid before the Assembly and approved by a resolution of it. I think that the Minister in his concluding remarks also referred to that in a satisfactory manner.

The Minister's amendment No 52, inserting new clause 130B, will establish an office known as a discretionary support commissioner; I will not elaborate on that because the Minister has dealt with it. It seemed to me from

comments from a Member that he did not quite understand what the role of that person has been, which indicates to me that maybe he did not have a lot of experience dealing with cases. However, that is an opinion.

Amendment Nos 73 and 75, tabled by Mr Agnew, relate to calculating capital income and work-related requirements. Mr Beggs had no hesitation in opposing them. Mr Sammy Wilson noted that amendment No 75 would remove the ability of the Department to apply the right to reside condition on prospective claimants. Mr Beggs suggested that the amendment might amount to the Assembly seeking a right to discriminate and he was fearful of the consequences if it was accepted. Mr Agnew also addressed the matter.

I am giving a flavour to some extent of the diverse opinions expressed by Members. Even if they agreed on the sentiment of an amendment, there was clear disparity in some cases in some of the points and opinions expressed. I hope, a Cheann Comhairle, that I have done justice to the Members I have quoted. I am trying to give a flavour and a synopsis of their concerns. They are concerns that have been shared by all parties and particularly by a wide range of stakeholders who engaged with the Committee during the Committee Stage. I have tried to reflect the concerns of the Committee against the commentary of some Members, reflecting amendments tabled by Members and how those sit against the views of the Committee and, more important, how they sit against the arrangements being discussed and delivered through the Stormont House Agreement.

When the Committee deliberated on this, it set its opposition to a number of clauses, and concern was expressed about them. There was a range of measures that the Committee was advocating. A number of those asked the Minister to review, consider and discuss with Executive colleagues.

By any yardstick and in fairness to all the Members who have spoken since yesterday, every one of them, even though they might have fairly strong or passionate views on how certain aspects of how a matter was dealt with, whether it was dealt by legislation or mitigating measures, and I stand corrected if needs be —

**2.15 pm**

**Mr Speaker:** Excuse me, Alex. Could you point the mic towards you? Hansard, I think, is —

**Mr Maskey:** Sorry. Do you want me start again?

**Mr Speaker:** No.

**Mr Maskey:** OK. I am making my concluding remarks.

Without fear of contradiction, notwithstanding the views expressed across the Chamber since yesterday and the number of amendments that have been tabled and will be debated throughout the rest of the afternoon — I respect the right of everybody to table amendments, debate them and express their concerns — reflecting on the views of the Committee, as determined two years ago, I am very satisfied that, even with all the comments that have been made, which I take in good faith or otherwise, by any yardstick all of the concerns that were raised by the Social Development Committee have been addressed by the Stormont House Agreement. The Minister has continued to outline the ways in which that has been done.



We should remind ourselves that it is a five-party agreement, so the parties have all agreed to this. Even though there are different opinions on how you might continue to address some of these matters, I have not heard one Member — I am glad that this is the case — saying that people will be worse off as a result of the Stormont House Agreement and how it is unfolding. It will continue to be rolled out by way of regulations and further public consultation. The good thing is that, against a very difficult backdrop where we had legislation being imposed by London, whatever about the time it has taken to address this and the means by which we get there, people who would otherwise have been out of pocket — those who are described as “the most vulnerable” by all of us — due to a welfare reform Bill will have that problem addressed by the Stormont House Agreement. The Minister has addressed all the concerns that were raised by the Committee. The Committee will continue to have that important statutory role of scrutinising and working with the Department to ensure that the agreement continues to work out for the benefit of the people we collectively represent, including those who we tend to call “the most vulnerable”.

It is unfortunate that we have had a certain amount of acrimony in the last day or so. People have quoted cases in their constituencies: I was dealing with a cancer victim last evening who, in the fog of the debate, was very concerned about what was likely to happen to him and his family. Were they going to lose money? Did the DUP “strangle all the amendments” — his words, not mine? Are other parties not being allowed to change the Bill? Are we just going to have all of what was imposed from London imposed on us? I had to assure him last night that that was not the case and tell him what the intention of the Bill was, despite the politicking that is going on, some of which is fair enough and some of which is not. People are legitimately raising concerns, and it is our job as an Assembly to make sure we address all those concerns to the point where we resolve them satisfactorily.

This is the message that people should hear from the Chamber: from the evidence that we have heard so far, the welfare legislation is going through. It will take some time, not only for the completion of the Bill but for the secondary legislation to be processed and the various schemes to be devised, but this is a far, far better scheme than was ever envisaged by the Tory Government in London. I am not going to say we should be grateful for that, and it has come at a cost. It created a lot of political instability, and it will cost the block grant, but people make choices. Since yesterday, I have not heard one Member being critical in any way about the way in which this has been dealt with. I have not heard one Member saying anything other than that they are happy enough about having made the choice to protect the most vulnerable and, if that has to come out of the block grant, then that is what will happen. We had a bit of a political set-to yesterday and this morning, which is regrettable, because the news has to go out to the people out there who are most vulnerable and are more worried about where they get their rent or their disability premium from than whether there was a POC, an amendment or a four- or five-party agreement. The message has to go from the Chamber that we are delivering a better system than that envisaged by the Tories in London. For that, we are grateful.

*Question put and agreed to.*

*Clause 4 ordered to stand part of the Bill.*

*Clause 5 ordered to stand part of the Bill.*

#### **Clause 6 (Restrictions on entitlement)**

*Amendment No 2 not moved.*

*Clause 6 ordered to stand part of the Bill.*

#### **New Clause**

*Amendment Nos 3 and 4 not moved.*

*Clauses 7 to 9 ordered to stand part of the Bill.*

#### **Clause 10 (Responsibility for children and young persons)**

*Amendment No 5 not moved.*

*Clause 10 ordered to stand part of the Bill.*

#### **Clause 11 (Housing costs)**

*Amendment Nos 6 and 7 not moved.*

*Clause 11 ordered to stand part of the Bill.*

*Clause 12 ordered to stand part of the Bill.*

#### **New Clause**

*Amendment No 8 not moved.*

*Clause 13 ordered to stand part of the Bill.*

#### **Clause 14 (Claimant commitment)**

*Amendment No 9 proposed:* In page 6, line 32, at end insert

*“(a) in preparing, reviewing and updating a claimant commitment under subsection (2) the Department shall have due regard for the claimant’s skills, experience, caring responsibilities and physical and mental ill health.”.— [Mr Attwood.]*

**Mr Speaker:** Before I put the Question, I remind Members that amendment No 9 requires cross-community support due to a valid petition of concern.

*Question put, That amendment No 9 be made.*

*The Assembly divided:*

*Ayes 22; Noes 71.*

#### **AYES**

##### **Nationalist**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

##### **Unionist**

*Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.*

##### **Other**

*Mr Agnew.*

*Tellers for the Ayes: Mr Eastwood and Mr Rogers.*

**NOES****Nationalist**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

**Unionist**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

**Other**

*Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle, Mr McCarthy.*

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

Total Votes	93	Total Ayes	22	[23.7%]
Nationalist Votes	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	47	Unionist Ayes	11	[23.4%]
Other Votes	8	Other Ayes	1	[12.5%]

*Question accordingly negatived.*

*Clause 14 ordered to stand part of the Bill.*

*Clause 15 ordered to stand part of the Bill.*

**Clause 16 (Work preparation requirement)**

*Amendment No 10 not moved.*

*Amendment No 11 not moved.*

*Clause 16 ordered to stand part of the Bill.*

*Clauses 17 to 23 ordered to stand part of the Bill.*

**Clause 24 (Imposition of requirements)**

*Amendment No 12 proposed: In page 12, line 3, leave out "—" and insert*

*"or an incident motivated by hate"— [Mr Attwood.]*

**Mr Speaker:** Before I put the Question, I remind Members that amendment No 12 requires cross-community support due to a valid petition of concern.

*Question put, That amendment No 12 be made.*

**Mr Speaker:** I have been advised by the party Whips in accordance with Standing Order 27(1A)(b) that there is agreement that we can dispense with the three minutes and move straight to the division.

*The Assembly divided:*

*Ayes 21; Noes 72.*

**AYES****Nationalist**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

**Unionist**

*Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

**Other**

*Mr Agnew.*

*Tellers for the Ayes: Mr Eastwood and Mr Rogers.*

**NOES****Nationalist**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

**Unionist**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Weir, Mr Wilson.*

**Other**

*Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle, Mr McCarthy.*

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

Total Votes	93	Total Ayes	21	[22.6%]
Nationalist Votes	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	47	Unionist Ayes	10	[21.3%]
Other Votes	8	Other Ayes	1	[12.5%]

*Question accordingly negatived (cross-community vote).*

**Mr Speaker:** I will not call amendment No 13, as it is consequential to amendment No 12, which was not made.

*Clause 24 ordered to stand part of the Bill.*

*Clause 25 ordered to stand part of the Bill.*

**Clause 26 (Higher-level sanctions)**

**Mr Speaker:** We now come to the third group of amendments for debate. The group contains seven amendments and opposition to six clauses. *[Interruption.]* Will Members leave quietly? This could be a long day of business, but it will be shorter if it is all done quietly and orderly.

The amendments relate to sanctions, levels of penalties and cautions. Members will note that amendment Nos 14 and 15 are mutually exclusive, that amendment Nos 23

and 24 are mutually exclusive and that amendment Nos 25 and 26 are mutually exclusive.

Members will also note that valid petitions of concern have been received for amendment Nos 15, 16, 24 and 26. Therefore, they will require cross-community support.

**Mr Storey:** I beg to move amendment No 14: In page 13, line 13, leave out “3 years” and insert “18 months”.

*The following amendments stood on the Marshalled List:*

No 15: In page 13, line 13, leave out “3 years” and insert “26 weeks”.— *[Mr Agnew.]*

No 16: In clause 27, page 14, line 20, at end insert

*“(10) A claimant shall be provided with at least fifteen days to provide a good reason under any such requirement in this section.”— [Mrs D Kelly.]*

No 23: In clause 47, page 25, line 29, leave out “3 years” and insert “18 months”.— *[Mr Storey (The Minister for Social Development).]*

No 24: In clause 47, page 25, line 29, leave out “3 years” and insert “26 weeks”.— *[Mr Agnew.]*

No 25: In clause 50, page 35, line 14, leave out “3 years” and insert “18 months”.— *[Mr Storey (The Minister for Social Development).]*

No 26: In clause 50, page 35, line 14, leave out “3 years” and insert “26 weeks”.— *[Mr Agnew.]*

**Mr Storey:** Amendment No 14 addresses the issue of higher-level sanctions as set out in clause 26. The clause provides for financial sanctions to be applied to those claimants who are subject to all work-related requirements and, without good reason, fail to meet their most important responsibilities. Most people want to find work and will never be in the position of facing a sanction. The vast majority of claimants comply with requirements. However, for a small minority of claimants who shirk their personal responsibilities — a minority that has no regard for their obligations — we need an effective sanctions system that encourages responsibility and deters non-compliance.

Currently, sanctions, especially for the most serious failures, are set at a low level. Claimants are not always clear about the consequences if they fail to meet their requirements. We want to create a clearer, stronger system that is easily understood by claimants and acts as a more effective deterrent to non-compliance.

The clause as drafted provides for sanctions of up to three years for the most serious failures. Those are: failing to apply for a vacancy; failing to accept an offer of work; failing to take part in certain work-placement schemes, such as work experience and mandatory work activity; and losing pay or employment voluntarily or by reason of misconduct. However, as a result of concerns raised by the Social Development Committee and others, I tabled an amendment to restrict the maximum sanction to 18 months.

Those failures clearly damage a claimant's employment prospects, and it is only right that we have a sanctions system that effectively deters such behaviour. The amount of sanction will be set in regulations. We intend to set a sanctionable amount that is broadly in line with existing jobseeker's allowance arrangements. The sanction periods will also be set in regulations. We expect those to

be three months for a first failure, six months for a second and 18 months for the third and subsequent failures only. As an 18-month sanction will only ever be imposed where claimants fail to meet their most important requirements on at least three separate occasions, we expect it to be applied to very few.

There will be some circumstances in which shorter sanctions may apply; for example, when a claimant leaves a job voluntarily a week before his or her contract ends and then claims universal credit, but I suspect that such cases will be the exception.

I wonder if it might be helpful if I provided an example of how escalation up the higher-level sanctions ladder might work in practice. If a claimant refuses to participate in the Steps 2 Success programme and cannot show good reason, he will receive a three-month sanction. If, four months later, he is asked to apply for a job and refuses to do so, he will — again, so long as there is no good reason — be sanctioned for six months.

### 3.00 pm

These are clear sanctions that are critical to incentivize claimants to meet their responsibilities. Only in the most extreme cases of non-compliance will claimants face an 18-month sanction. In the example that I have given, the claimant would have to refuse another job or fail to meet another important requirement within 12 months of his second failure. Only then would an 18-month sanction be imposed. I believe that these are tough but fair sanctions and are necessary to deter the minority of claimants who might otherwise break the rules, and I therefore urge Members to accept amendment No 14.

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

Amendment No 15 seeks to reduce the maximum sanction to 26 weeks. Perhaps Members did not realise that there is a sliding scale of three, six and 18 months, as I have just explained. As the claimant would have failed to comply on three separate occasions before an 18-month sanction could be considered, I think that 26 weeks as a maximum sanction is too lenient and urge Members to reject amendment No 15.

Amendment No 16 amends clause 27, which deals with other sanctions, and seeks to give a claimant a period of 15 days within which to provide good reason under any requirement within the clause. I should point out that there will be no specific time limit in universal credit regulations for good reason, therefore ensuring enough flexibility to adapt to the individual circumstances of a claimant. The key point, which will be reflected in guidance, is that the claimant always has a right amount of time. It is therefore anticipated that the current rule of five working days should be the default, but if, for example, the claimant is in attendance and has provided their evidence, there may be no need to wait a further five working days. Alternatively, if the claimant is waiting for evidence from a doctor or support worker, it is only reasonable to extend the five working days. In all circumstances, a sanction will not apply where good reason is demonstrated. In view of that, I urge Members to reject amendment No 16.

In relation to amendment No 23, clause 47 inserts legislative provision to provide for a reformed jobseeker's allowance sanctions system. As was the case with clause

26, which we have already mentioned, we want to create a clearer, stronger system that is easily understood by claimants and acts as a more effective deterrent to non-compliance. Higher-level sanctions will be imposed on claimants who fail to comply with their most important labour market requirements, such as applying for jobs. There will be a three-month sanction for a first failure, six months for a second, and, with my tabled amendment, 18 months for a third failure, rather than the three years outlined in the Bill. We do not expect many claimants to be sanctioned for 18 months, but it is important to include that option to deter serial non-compliance. I believe that, when viewed in this light, these admittedly tough but fair sanctions are necessary to deter the minority of claimants who might wish to break the rules, and I urge Members to accept amendment No 23.

Amendment No 24 reduces the maximum sanction to 26 weeks. However, I previously mentioned that there is a sliding scale of three, six and 18 months, and the claimant would have failed to comply on three separate occasions before an 18-month sanction could even be considered. A maximum sanction of 26 weeks in these circumstances is too lenient. For this reason, I urge you to reject amendment No 24.

On amendment No 25; whilst income-based jobseeker's allowance will be replaced by universal credit, jobseeker's allowance will continue as a contributory benefit alongside universal credit. We therefore need to ensure that the rules on claimant responsibilities that apply to contributory jobseeker's allowance are aligned with those for universal credit as far as possible. This is necessary for three reasons: first, to ensure that all claimants who are subject to work search and work availability requirements, whether they receive jobseeker's allowance or universal credit, are treated in a similar way; secondly, to smooth the transition where a claimant's time-limited contributory benefit ends and they become entitled to universal credit; and, finally, to avoid unnecessary complexity for jobs and benefits office and social security office staff by ensuring they can apply the same rules to people in similar circumstances.

Clause 50 mirrors the work-related requirements and sanctions that apply to comparable claimants of universal credit. Amendment No 25 will therefore match the maximum sanction applicable under universal credit in clause 26 by reducing it from three years to 18 months. I therefore urge Members to accept amendment No 25.

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

**Mr Storey:** Yes.

**Mr Allister:** Can the Minister explain that? When the Bill was originally drafted and presented by his predecessor, a three-year sanction was obviously thought to be appropriate. Those are the terms in which the Department and the Minister drafted the Bill. What has changed the Minister's mind to halve the three years to 18 months?

**Mr Storey:** As a member of the Committee for Social Development, you will be well aware that a number of organisations expressed concerns about the three-year period. I listened to those concerns. I also think that it is a reality that came about as a result of the Stormont House Agreement. There is no point saying otherwise.

I want to make this point because it is something that I have heard others say about the Bill: I do not think that any

of us would want to bring this Bill, as it was in its entirety, to the House. If we had the freedom to bring our own Bill in the way that we believe completely reflects the needs of citizens in Northern Ireland, and if I were in government where it was the decision of one party, I have no doubt that the Bill would be different. It would have a different emphasis and focus.

Many valid points were raised about people's concerns. On one hand, we are undoubtedly seen by some as being lenient. On the other hand, we are accused of being draconian. In fact, if I remember rightly, some of the comments made during the Committee for Social Development's inquiry into this, albeit that it was a long time in the distant past — maybe I am inaccurate, but the Member may not have been on the Committee at that time and came on to it only later — the phrase "draconian" was used by some.

The point I have been trying to make is that we still need to have tough, but fair, sanctions. That is what we need to try and reflect. The sanctions are still there, even though there has been an issue about moving from three years to 18 months. I think that that is the rationale that has been applied to try to get an agreed position that is not seen as being heavy-handed, but equally cannot be interpreted as a free-for-all with no penalties, and that you can do as you wish and no sanctions will follow.

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

**Mr Storey:** I will in a moment. I will seek clarity from the Deputy Speaker on whether he wishes me to continue to go through the other amendments and conclude on those. I just have a couple more comments to make. I will give way to the Member.

**Mr B McCrea:** The Minister is very kind. I follow up on a point you made. You appeared to say to Mr Allister that you are minded to reduce the period from three years to 18 months because of the Stormont House Agreement. Are you therefore surprised that, certainly in the group that I am looking at, there is opposition to clause 26? I would have thought that, if there was general agreement, you would not expect that? Is that a surprise to you?

**Mr Storey:** I think it will come as no surprise to the Member that nothing is a surprise to me. I have learnt that more and more in the last number of weeks, since taking up office. I now waken, with God's help and God's grace, every morning, and nothing that is said or done, not only by my political opponents but sometimes by my colleagues, surprises me. That is really the nature —

**Mr Allister:** Is that Sammy Wilson?

**Mr Storey:** I was not referring to the honourable Member and my good friend, Mr Wilson. That is the nature of the job.

I come to amendment No 26. As has been the case for amendments Nos 15 and 24, which I have already addressed, amendment No 26 would reduce the maximum sanction to 26 weeks. Once again, I highlight the fact that the sanctions are applied on a sliding scale of three, six and 18 months, and a claimant has to have failed to comply with a requirement on three separate occasions before an 18-month sanction would apply. I consider that 26 weeks as a maximum sanction is too lenient and therefore urge you to reject amendment No 26.



Clause 111 amends sections 109A(5) and 109B(6) of the Social Security Administration (Northern Ireland) Act 1992 to reduce the period during which the customer can withdraw agreement to pay an administrative penalty from 28 to 14 days. Administrative penalties can only be offered in cases where there are grounds to bring proceedings, and acceptance is on the basis that, by agreeing to pay the penalty, there will be no prosecution. Withdrawal of agreement means that, while the penalty need not be paid, the Department's agreement not to prosecute will no longer stand. The repercussions of such a decision are important to the individual concerned, and we do not want people making the wrong decision because of the time factor. Where the penalty is offered, claimants will retain the right to seek independent legal advice and participate in a face-to-face interview. The offer of a penalty must be accepted in writing, and, once accepted, the additional cooling-off period applies, during which the person can reconsider their decision to accept the penalty and seek further independent legal advice.

As a result of concerns expressed as part of the Stormont House Agreement, I propose to remove the clause from the Bill. The outcome will be that there is no amendment to sections 109A and 109B of the Social Security Administration (Northern Ireland) Act 1992, meaning that the cooling-off period will remain at 28 days. I therefore urge Members to support my proposal to remove clause 111.

Clause 112 introduces a new civil penalty that can be imposed on those who negligently make incorrect statements or fail, without reasonable excuse, to advise the Department of a relevant change of circumstances, resulting in an overpayment. The motivation behind the measure is to change the behaviour of customers who do not give accurate information about their circumstances or report changes to those circumstances and carry on receiving benefit they are no longer entitled to. This is another area that concerns have been raised about. As part of the Stormont House Agreement, I propose to remove the clause from the Bill. In the event that the clause does not stand part of the Bill, as a consequence, amendment Nos 76 and 78 relating to repeals listed in schedule 12, which relate to clause 112, also need to be removed. Therefore, I urge Members to support my proposal to remove clause 112.

### 3.15 pm

It may be helpful if I start by explaining that clause 115 removes references to a caution in section 5B of the Social Security Fraud Act (Northern Ireland) 2001. The effect will be that any person cautioned for an offence will no longer incur a loss of benefit under the legislation. The wider policy intention is the Department's drive to deter the commission of fraud by either imposing its own financial penalties, which are known as administrative penalties, or by seeking a conviction through the courts. The clause, therefore, will provide the enabling power to no longer apply a loss of benefits to cautions, given the policy direction of moving away from cautions to financial penalties and/or convictions.

Whilst it is my Department's policy to move away from cautions in future, I should add that, in some instances, the Public Prosecution Service may direct the Department, in the public interest, to offer a caution as an alternative

to prosecution. On the introduction of the provision, in instances where a caution for a minor offence is administered, there will be no further loss of benefit. The provision, therefore, will provide an easement for the claimant in those circumstances, so it is proportionate to the nature of the offence. Successful opposition would remove the clause from the Bill, which, in effect, would mean that those offered a caution on a direction from the prosecutor will incur a loss of benefit as well. Therefore, I urge Members to reject that opposition.

In conclusion, I add that the provision in the clause is subject to commencement by order. As a result, cautions will continue to trigger a potential loss of benefit until such time as my Department seeks commencement of the provision.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. Very briefly, the Committee considered clauses 26, 109 and 110. Resulting from discussions with a range of stakeholders, it was particularly concerned about the potential for a claimant to lose universal credit for up to three years. Again, the Minister has, I think, very eloquently and comprehensively dealt with that.

The Minister has just concluded his remarks on clauses 109 and 110. The Committee expressed particular concerns on those clauses. The Minister has addressed those in the last few minutes.

In my capacity as Chair of the Social Development Committee, I will not make any further remarks this afternoon in the debate after we close on group 3. Suffice it to say that I place on record my thanks to the Committee officials for helping me, as Chair, to do my best to reflect the Committee's views and concerns. In a special meeting on Monday, the Committee took a briefing from departmental officials to consider the Minister's amendments and other developments, particularly the Stormont House Agreement. In view of that, neither the Committee nor I, on behalf of the Committee, will press that opposition as we move to the votes later today. I thank all those who helped the Committee in its deliberations. I look forward to the time ahead. There is at least one new member: Roy Beggs has been appointed to the Committee. I look forward to the Committee diligently doing its work in the time ahead to reflect on the various pieces of secondary legislation, statutory rules and so on that will come forward to it. As has been said —

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

**Mr Maskey:** I will not give way, a LeasCheann Comhairle. The Member has had ample opportunity to contribute to the debate. It is my understanding that he has not made one scintilla of an intervention in the last 36 hours or whatever, except to intervene on the Minister and me. The short answer is that I am not giving way.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. Would you care to rule that the Member is speaking on behalf of the Committee? He mentioned certain issues relating to opposition to clause 26 and then said that he was going to talk no further about them. I would have thought that it was perfectly reasonable for me to ask for more explanation on the part of the Committee, not as a Member, and that it would be entirely in order to ask those questions.

**Mr Deputy Speaker (Mr Dallat):** I do not believe that that is a point of order, but the Member has succeeded in getting it on the record.

**Mr Maskey:** Thank you for that ruling, a LeasCheann Comhairle. I very much support, as I always will, your ruling on this matter. As the Committee Chair, I am not here to debate with the Member. He has had ample opportunity to say what he wants to say about the Bill. He made no interventions to the Committee when we were involved in the deliberations on the Bill, which he could have done at any time. He has not made any interventions since the debate started yesterday morning. I am not giving way to him because, in my opinion, he is just trying to make a point at somebody else's expense. I do not have the time to waste on his frivolous approach.

I want to thank all those who have worked for and with the members of the Committee, its officials and the stakeholders from wider civic society who gave their valuable time and experience. A lot of that has been reflected in the Committee's views. The Committee produced a unanimous report expressing a range of concerns, most of which have been addressed in the last day or two. From my experience and in the view of the Committee, whatever about the precise means of addressing the issues, they have all been addressed to some extent or another as a result of the discussions amongst the parties and the British Government and, more importantly, the Stormont House Agreement, which is a five-party agreement. On that basis, I conclude my remarks as the Chair of the Social Development Committee.

**Ms P Bradley:** I welcome the opportunity to speak, albeit briefly, on the third group of amendments, which deals with sanctions. As we heard many times yesterday, welfare reform was designed to make work pay, increase social mobility and engage people to take responsibility. Sanctions was another highly contested issue that resulted in lengthy written and oral responses.

There was particular concern for people with disabilities and claimants with children, especially lone parents, given the lack of affordable childcare. It was also highlighted that the current system was difficult to understand, with some people falling into the category of benefit fraud through no fault of their own. I know through experience of many cases in my office that this is especially true of people who have worked for an employer for many years and, through no fault of their own, found themselves unemployed and having to apply for benefits. Because of conflicting information and the difficulties in completing forms, some of those people have found themselves in extreme debt. They have faced court action and been labelled as benefit fraudsters.

I am not naive, and I recognise that there are those in our communities who set out with the clear intention of defrauding the system. That is something that, I believe, all Members here would find completely unacceptable. It is for those reasons that we need a clear, unambiguous policy direction that leaves people certain of the penalties for non-compliance and fraudulent activity. I welcome the amendments resulting from the Stormont House Agreement and thank the Minister for setting out reasons for those amendments. I believe that the Minister will respond later, and I look forward to that.

I also thank the Minister for bringing up the issue of just cause. We know or we all should know that, in our current benefits system, just cause can be used as a reason why some people fall into making claims that they should not have made or do not turn up for appointments that they should have turned up for. Just cause is a very relevant reason, and I am glad that the Minister brought it up and that we know that it will pass on into universal credit as well.

I would also like to highlight the issue of sanctions, and I will ask the Minister to comment on it later. When we look at housing benefit and child components, I hope that he will highlight that those are not affected under sanctions if someone is in full receipt of both.

I look forward to the course of the debate, what has to be said, and, of course, to the Minister's response.

**Mrs D Kelly:** Again, my remarks will be much briefer than before. My party tabled one amendment in group 3, which I will come to shortly.

We welcome the Minister's recognition that three years is too harsh a sanction. Nonetheless, we are disappointed that it is being reduced at this stage to only 18 months. We will listen closely to what Mr Agnew has to say and, at this stage, we are minded to support the 26-week sanction clause. We will see what the response is to that during the course of the day and wait to hear the Minister's rationale.

I will pick up on the Minister's earlier comments and his explanation about the removal of a caution. If I understand the Minister correctly, I am right to say that a caution will no longer have applied to it a financial penalty. That would be a welcome improvement to the legislation.

We all know that many of our jails are already full. There is a commitment by the Minister in GB to reduce the number of women in prison. I would like to think that, as a result of welfare reform, we are not introducing sanctions and going to end up with more and more vulnerable people having to suffer not only a financial loss but, potentially, imprisonment as a result of not being able to understand and work their way through the system.

I will turn to our own amendment, which is No 16. As the Bill —

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

**Mrs D Kelly:** I will, yes.

**Mr Wilson:** Would the Member accept that if, by that stage, someone has reached the maximum penalty, it is not because they cannot work their way through the system? There would already have been two opportunities when the system could have been explained to them, and penalties for not operating the system would already have been invoked, so their ignorance could no longer be a reason at that stage. If you reach the stage of 18 months of a penalty, it is because you are wilfully breaking the rules. Most people would feel that it is reasonable to expect a severe penalty at that stage.

**Mrs D Kelly:** I will not deny that there will be some who wilfully fail to comply. Mr Wilson may know of many vulnerable people. I am quite sure he does within his community, particularly many people now living with long-term mental ill health. Huge numbers of vulnerable people living in our communities have difficulties with everyday life skills and coping. As a consequence of some of the reductions across the health and social care sector and

to the support mechanisms, people are finding it tough to work their way through the system.

**Mr Wilson:** Will you give way on that point?

**Mrs D Kelly:** OK.

**Mr Wilson:** Would you not accept that, by the time they reach the maximum penalty stage, the individual has been through the system, knows what the penalties were imposed for and knows what they did wrong? If it is a problem that even they cannot overcome because of alcoholism, drug addiction or whatever, by that stage, other agencies will have picked up the fact that they have been penalised for not obeying the rules. If it is vulnerable people, they should have been picked up by the system anyway. By the time you get to the third set of sanctions, it is really probably those who are wilfully deciding, "I do not want to abide by the rules". If that is the case, of course a penalty should be involved.

**Mrs D Kelly:** I thank the Member for his intervention, but there are still huge numbers of people who slip through all sorts of nets. We have seen the outworking of some of the benefit reforms in GB, and some people have taken their own life because they have nowhere to turn in trying to pay some of the fines. Eighteen months is a long time to do without money. I know that Mr Wilson is making the point that potentially some of those have other sources of income, otherwise they would be complying with the legislation. I take that point on board, but 18 months remains too long a time to do without money. At this stage, we are very minded to support Mr Agnew's amendment in relation to the sanction at 26 weeks.

### 3.30 pm

I move on to amendment No 16, in relation to sanctions being imposed for not taking up an offer of paid work and for failing to provide a good reason for doing so. The term, "good reason" is not defined in the legislation, and we in the SDLP feel very strongly that the regulations or guidance must be based on real-life situations and must take account of the wide range of reasons why a claimant may not take up paid work, such as caring responsibilities, sickness, mental ill-health and so the list continues. Our amendment seeks to give claimants at least 15 days to provide that good reason, and we will listen carefully to what the Minister has to say on that point.

As it stands, there is no specific time limit in universal credit regulations by which claimants can provide that good reason. One argument that we have heard is that it provides flexibility for an individual claimant's particular circumstances, and our amendment does not contradict that. We want to see claimants being given at least 15 days. In theory, as the Bill stands, a claimant could be penalised for not providing good reason immediately.

**Mr Wilson:** Will she give way?

**Mrs D Kelly:** Go on.

**Mr Wilson:** She has accepted that there is not a specified time limit. She wants to introduce a time limit, albeit in the terms "at least 15 days". Does she accept that, in some cases, people will be able to provide evidence almost immediately, but at other times, if reports or something had to be received, it might take longer? The fact that there is no specified time limit allows that flexibility. In fact, it allows much more flexibility than she is suggesting, because once

you say "at least 15 days" you implant in people's minds that that is a time they should be working towards. In some cases, that might be more than enough time, but, in a small number of cases, it might not be enough time.

**Mrs D Kelly:** I said at the outset that we would listen carefully to the commitment that the Minister would give on regulations.

When I was being brought up, I was always told that "she" was the cat's mother. If it happens once or twice, you would not mind, but to constantly be referred to as "she" across the Benches is a different matter.

I ask Members to reflect on the statement —

**Mr Wilson:** Will she give way on that point?

**Mrs D Kelly:** No, I think I have given — *[Laughter.]*

**Mr Wilson:** I was not suggesting she was the cat's mother or anything else. Mr Deputy Speaker, yesterday you upbraided me for supposedly — I maintain that I did not do it — referring to someone as "you". The alternative you have is "the Member", "he" or "she", and that was the terminology that I used under your guidance. If the Member thinks she is being referred to as the cat's mother, to a certain extent you bear some responsibility for that.

**Mrs D Kelly:** For the Member's benefit, my name is Dolores; Dolores Kelly. If the Member wishes to refer to me by name on some occasion, it would be most welcome. I go by either name.

That ends my contribution. We will listen carefully to what the Minister has said and what he will say. We will also listen to how Mr Agnew, who has a number of amendments tabled, explains his amendments.

**Mr Swann:** Much has been made of the petitions of concern that have been tabled in the other groups. Despite the tyrannical approach of others, I am not going to waste much time going over that. After today is done, the chests have been beaten and the votes have been cast, as the debate so far has proven, all Members and all parties are willing to work with the Minister to produce a better Welfare Bill.

This group concentrates on the sanctions. When I made a contribution yesterday, I referred to the Ad Hoc Committee that was established in regard to the Welfare Bill. I have not heard it referenced much by other Members in their contributions to this debate. An awful lot of work went through at that stage. The Ad Hoc Committee on Conformity with Equality Requirements in regard to the Welfare Bill is the only Committee that has ever been established in this Assembly in that form. It was established with the support of the Ulster Unionist Party, although it was opposed by the DUP, which I understand, and the Alliance Party. The report by that Committee made one recommendation — recommendation 4 — specifically in regard to sanctions.

The Committee recommended:

*"the Department for Social Development should ensure that the provisions of the Welfare Reform Bill are appropriately amended to mitigate the impact of any sanctions imposed on lone parents, those with mental health issues and children, in order to minimise the potential for extreme hardship and avoid destitution for anyone."*

— *[Interruption.]* Mr Deputy Speaker, I am willing to give way to Mrs Kelly or Mr Agnew.

**Mr Humphrey:** I am not sure they are listening to you.

**Mr Swann:** Are you finished, Mrs Kelly?

**Mrs D Kelly:** My apologies.

**Mr Swann:** When that report was published and debated in the House, it contained that specific recommendation and was opposed by Sinn Féin.

Before I move on to addressing each of the specific amendments, I take this opportunity to ask the Minister to give the House, maybe in his winding-up speech, his high-level assessment of how he feels the new sanctions regime in GB is working out. I have been made aware that, bizarrely, the Department for Work and Pensions has tried to claim that people enjoy being given a hard-hitting sanction as a jolt to get them into action. Surprisingly, like nearly every other impartial reporter or observer, we believe that using some vagaries to describe the real problems stemming from the legislation is quite unbefitting of a Department. I hope that the Minister shares our thoughts on that.

I ask him as well —

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

**Mr Swann:** Yes.

**Mr Wilson:** Would he accept that the sanctions should be imposed not only for those who refuse to abide by the rules but to ensure that the system is not abused so that those who do play by the rules do not feel that they are being penalised for playing by the rules while other people just throw them out the window?

**Mr Swann:** I agree fully with the Member. However, the point that I am making is that DWP has said that it feels that a hard-hitting sanction gives people a jolt to get them into action. I do not think that that is how we should be looking at sanctions; it should be for exactly the point that the Member raises. It is to prevent those abusing the system from doing so and to make sure that penalties are in place.

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

**Mr Swann:** Certainly, yes.

**Mr B McCrea:** This is on the issue that I wanted to develop earlier about whether sanctions are actually effective. The Member talked about DWP, the Oakley report, presumably, and all those issues. The most vulnerable in our society fall foul of sanctions because they do not know how to go through them, yet the most cute and clever people know how to get round them. I would have preferred to see a way of dealing with people other than taking money from them, because I do not know how you live for 18 months with no money.

**Mr Swann:** The Member makes a fair point. It is about those most vulnerable people. Again, I ask the Minister to address the concerns on that. I think that what has been proven in GB is that those most affected by sanctions are young people. What preparation is the Minister going to make to ensure that similar experiences are not repeated here in Northern Ireland?

**Mr Storey:** I thank the Member for giving way. Let me try to deal with a number of those points in the context of this issue. This question could rightly be asked: do we have any evidence that the new sanction regime will be more effective? Herein is one of the conundrums of this place. On one hand, we are getting beaten up — metaphorically, thankfully — because we are giving too much money to people. On the other hand, we are getting beaten up, metaphorically, because we are not giving enough. So, it is almost as though you can never win.

Let me refer the Member to the research that the Joseph Rowntree Foundation did in 2014. That recognised that, while welfare recipients are usually aware that the penalties are part of the system, they also have little knowledge of when they could be imposed or how they could be avoided or reversed, implying that claimants are often punished for a lack of understanding, rather than deliberate non-compliance.

In September 2013, the Department for Work and Pensions appointed Matthew Oakley, to whom reference was made yesterday. Mr Oakley made a few other telling comments, as well as those that the Member referred to. In his report, which was subsequently published in July 2014, he recommended that the focus should be on:

*“ensuring that claimants fully understand the system of benefit sanctions and, in particular, that claimants are always made aware when they are at risk of a sanction and what they need to do if they do not think they should be.”*

The Government accepted all those recommendations.

The system for universal credit is clear. The claimants will be engaged from day one through the claimant interview and their claimant commitment, which will inform them about the sanction.

That is the important issue in relation to the experience that we have had following the Oakley report, and also in ensuring that claimants have the appropriate information.

**Mr Swann:** I thank the Minister for that contribution. I was really trying to garner from him whether, in putting forward his proposals on the sanctions, he had learned anything from the DWP stuff, and whether we will see the outworkings of that in the Bill. What DWP has actually proven is that young people are more affected, and I would like the Minister's assurance of more support there.

I suppose that it comes through to the Employment and Learning Committee. We are looking at budget cuts for 16,000 young people who are coming out of colleges, and we all know that those will be the more vulnerable and less able students. I think the Minister has also said that he is looking at reducing the amount of money that will go to essential skills. We are not preparing our young people to enter the world of work and employment, and then we will adversely affect them through these benefits and any sanctions as well. We need to make sure that we have a package in place so that we do not completely disaffect young people in Northern Ireland through what is coming forward.

I want to move on to the amendments. Amendment Nos 14, 23 and 25 have been tabled by the Minister. They reflect broadly what was put forward at the Stormont House Agreement and the movement from three years to 18 months. I am led to believe that, at one stage, Sinn



Féin said that any tightening up of sanctions would be unacceptable. I would be keen to see the move to 26 weeks, which it thought was preferable. We have reached an amicable agreement, and we are happy that 18 months is quite a good compromise. It is tougher than the current system, but it is not so hard-hitting that we do not have the opportunity to avoid the worst experiences witnessed in Great Britain.

Mr Agnew's amendment Nos 15, 24 and 26, if adopted, would actually serve to undermine the remainder of the new sanctioning powers. The sliding scale of penalties makes sense and, theoretically, if we changed them at the top, we would have to change the full range of sanctions. As the Minister and Mr Wilson pointed out, the easiest way to avoid being sanctioned is for claimants to honour their commitments to social welfare.

The other amendment in the group is amendment No 16, from the SDLP, and it raises a useful point. I am sure that we are all aware of cases in which claimants believe that they have been wrongly or unfairly sanctioned. I am sure that other Members deal with them day and daily through their offices, as I do. Sometimes that turns out to be the case, but on other occasions it turns out that the office was entirely justified in taking the actions that they did. Nevertheless, the proposal to allow claimants a period — in this case, 15 days — to provide good reason may bring some order to the condition issue. I would like an assurance: what would happen if the information was not available to the applicant within that 15-day period? Could the applicant be adversely affected? The thing that I am aware of, and which I am sure the Minister will refer to, is that there will be sufficient flexibility in the universal credit regulations, with no specific time limits for producing good reason. I would hate to see somebody timed out if that 15-day limit was put into the legislation. At this stage, the Ulster Unionist Party would be more inclined to opt for what has been proposed by the Department.

That concludes my contribution.

**Mr Dickson:** Members and the Minister have referred to the use of petitions of concern. Once again, I register my concern about that, but we shall move on.

This is about putting sanctions in place, and we cannot shy away from that. Sanctions for those who are in receipt of benefits are not something that I take satisfaction from, but they form a functional part of the Bill by helping to ensure that claimants meet their obligations. They also encourage and support people back into work. It is important that claimants understand why there are sanctions, what those sanctions are and how they can avoid them by following the appropriate guidance and rules.

Once again, we have gained favourable terms. For example, the CAB expressed its concern about the incorporation of civil penalties in the Bill. I understand those concerns, so their removal from the Bill is welcome and something that I support. During the Committee Stage of the Bill, stakeholders expressed serious concerns about the proposal for sanctions to cover a period of three years. Of course, such measures would cause, and have been documented as causing, unjust hardship and, indeed, breaches of human rights to some of the most vulnerable in our society. Therefore, instead of three years, as implemented at Westminster, I will be supporting the amendment to reduce the period to 18 months. That was

agreed by the Executive parties as part of a compromise. Again, it represents more favourable treatment for Northern Ireland than for the other devolved regions.

### 3.45 pm

That is what was agreed but it seems that, in regard to much of this, as in many other areas of the Bill, there are those who are far more concerned about their popularity than their responsibilities. They, like the Alliance Party, agreed to bring forward the Welfare Reform Bill on the basis of Executive agreement. However, from those parties, we see a raft of amendments that contradicts that position. We intend to keep to our word; others appear to wish to do otherwise.

Finally, the welfare state as envisaged under Beveridge and that which I and many in this room have grown up under is perceived as a system of social insurance to guard against the social challenges that face us in life. That is unsustainable unless those who are fit actually work. For too long, Northern Ireland has failed people through a lack of jobs, education and skills. Now is the time to address that and to provide the safety net for those who need it but to encourage those who can work to do so and contribute economically. We must develop this society into a fair, free and open place where all should have the opportunity to work if that is what they wish to do, and where those who cannot work are supported by a welfare and benefits system that is there at the point of need.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for answering some of the questions around sanctions and for putting people right. As Robin Swann said, it is no surprise that, for a long time, we have argued against the introduction of sanctions, especially in their most severe form of three years. We have been on record over many years in the House as saying that there needed to be a different approach taken. One of the reasons that we continually argued for that was to do with people who may be bipolar, people who suffer from other mental illnesses, the partially sighted and people with other disabilities, who sometimes may not understand the pages and pages that people get issued. When they go through them, all that there is on them is a date on which you have to turn up. We have to ensure that we get this right, certainly for the people who will be dealing with the information that is given out.

I noted what Robin said. I do not know whether he was criticising us for arguing at the recent talks for the cut to 18 months or criticising us for not saying that no sanctions at all should be applied. Perhaps he can tell us.

**Mr B McCrea:** Will the Member take an intervention?

**Mr F McCann:** Not at the minute. I will take it in a minute. I want to deal with some stuff. I remember when sanctions were first introduced in the House. We put up arguments in all the debates and tabled amendments. I think that they became known as the "Attwood sanctions", because, as a result of those, between 1 May 2011 and November 2013, 81,180 people were reported for sanctions. Of those, almost 27,000 people were sanctioned, probably with the loss of benefit. That is why we have been so severe in our arguments and in debates around the implementation of any type of sanction.

We went into discussions pre-Christmas. Did we get all that we wanted? No, we did not. What we did get was

a compromise to allow the Bill to go through and the institutions to stay up. What really concerns me is listening again to two Members — Dolores Kelly and Robin Swann — talk about what they would accept. They forget that, on 17 December, in the four-party discussions, they had accepted two years as the maximum, yet Dolores Kelly is saying today that she wants it to be reduced to 26 weeks. Maybe she can explain that. I do not want to labour the point. The facts are there, and they speak for themselves. Sinn Féin went into this trying, as much as we can, to argue the principles that we stand for. Others came in with theirs, and there was a compromise. A partnership was forged, but people sought to walk away from that partnership. They need to stand up and be truthful and honest about why they have done that and not try to pull the wool over people's eyes in the House today.

**Mr Attwood:** The Minister will be aware that I sometimes have a sense that DSD and the Social Security Agency can be perceived as being the outreach of DWP; there might have been echoes of that even in the last contribution. There were echoes of it in the Minister's opening remarks, when the words that he used for the overall sanctions regime were "tough but fair". If ever I heard DWP language, that was it. The regime that we should try to have and should have been trying harder over many years to have should be fair and reasonable and fair and proportionate. Those should be the standards against which to judge any sanctions regime. It should not be "tough but fair" but fair and reasonable. It may be a fine point, and I am sure that you want to correct the record.

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

**Mr Attwood:** I will give way.

**Mr Storey:** I referred to this earlier, and, in fairness, the Member may not have been in the House. I want to dispense with the idea that I somehow constantly live in the shadow of DWP, but the reality for me, as Minister, is that I cannot ignore DWP or the House of Commons — nor would I want to — and the fact that we are part of the United Kingdom. I want to continue to have a working relationship with DWP, because it has had many good experiences. It has also had many difficulties and challenges. I also said that we need an effective sanctions system that encourages responsibility and deters non-compliance. I find myself in a situation in which there are those who make the allegation that, on one hand, we are going soft, but, on the other hand, we are then accused of not being compassionate enough; I made that reference earlier. The comments that he attributes to me — I did say those words — are not in any way a contradiction of my previous comments in the House over the last number of hours when I said that we must always remember that this is about people. We need a framework and a structure that tries, as well as it possibly can, to cover most of the eventualities that come as a result of having a system such as our current one.

**Mr Attwood:** At least we can agree on the word "fair". That is my conclusion from that contribution. To some degree, we are all talking in a vacuum, because universal credit has not been rolled out very far in Britain and has not been rolled out at all in the North. Given that and the fact that we are in a bit of a vacuum, I have tried, in any contributions that I have made over the last two days, to borrow from the narrative that is growing in Britain about what is happening as a consequence of welfare reform.

You referred earlier to a reference that I made to one of the in-house DWP people who was making assessments around how universal credit is operating. I think that there is much to learn from the growing narrative in Britain about what is actually happening in the real lives of people, and I have done that in this debate as best I can. For that reason, when it comes to this overall group of amendments on sanctions, it is important that we begin to acknowledge even what has been said in the last three weeks on how sanctions in Britain are working and what conclusions we might draw from that. The conclusion that I draw is that we should try to go for a lighter sanctions regime, one that is fair and reasonable, when we have the opportunity to go in that direction.

This is what has been in evidence to the Select Committee on Work and Pensions at Westminster in the last three weeks. The Minister referred to Matthew Oakley.

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

**Mr Attwood:** I will in a second. Matthew Oakley might have said that the DWP needs to monitor and be careful how it manages its sanctions regime, but he went further and said that it would be wise for the Government to undertake a general stocktake of the system. He called for a much broader review of what is happening as well as making particular recommendations with respect to the sanctions regime.

**Mr Storey:** I thank the Member for giving way. This is where we all like to be selective when it suits us, depending on the argument that we are making. If you look at the entirety of what he went on to say, he acknowledged that sanctions have a vital role to play. He also made a series of recommendations that would help to encourage more claimants to do the right thing and help save taxpayers' money. Sanctions are applied as a last resort, when claimants fail to do enough to find work or attend appointments. Recent research shows that 72% of claimants say that they are more likely to follow the rules because of the threat of having payments stopped. That was the point that my colleague and good friend Mr Wilson was making.

The report also recognises that the vast majority of claimants do the right thing, with 95% of claimants not sanctioned. The Government already has a robust system in place, and only around 13% of sanction decisions are changed on reconsideration or appeal. That gives a broader explanation of what Mr Oakley was saying in his report. I trust that that is more balanced than the particular narrative that the Member would like to write.

**Mr Attwood:** I agree with much of that and disagree with some of it. That is the nature of life and of this Chamber, certainly. Given that you have clearly done the homework in relation to what Matthew Oakley might say, I also recommend to you what was said at the very same Select Committee hearing that Matthew Oakley attended in relation to the evidence of the Employment Related Services Association; the Trussell Trust which is one of the main providers of food banks; the mental health charity, Mind; and the Centre for Social and Economic Inclusion. In recent evidence to the Select Committee, during the two-and-a-half-hour session when Matthew Oakley gave his evidence, this is what they all said in respect of sanctions.

Tony Wilson of the Centre for Social and Economic Inclusion said that sanctions:

*“are running so far ahead ... of what works ... we should suspend the applications of sanctions ... until we have a much clearer idea of what works ... and the impact of sanctions.”*

I do not know that I would even go that far, because I am not calling for a sanctions-free welfare system. On the other hand, somebody with the authority of that organisation drew that conclusion.

Paul Farmer, the chief executive of the mental health charity Mind said that sanctions among those on employment support allowance had risen from 1,700 a month to 4,800 a month, adding that there had been a disproportional impact on people with mental health problems. Chris Mould, the chair of the Trussell Trust, said that there had been a radical change in the way very disproportionate decisions were being taken since the latter part of 2012, adding that it was clear that some job centres were being more punitive than others. He said that, in too many cases, it takes too long for claimants to secure redress if they have had their benefit withdrawn.

#### 4.00 pm

Kirsty McHugh, the chief executive of the Employment Related Services Association, called for an overhaul, including the introduction of an early warning system, which could be used at first offence rather than imposing a sanction. Whilst I do not think that we will be able to convince the Minister about our amendment or other amendments, I think that there is a lot of good authority in what all those organisations are saying to the Select Committee in London. When it comes to the management and application of sanctions in the event that universal credit is rolled out — you know that I do not believe that it will be rolled out but that it will crash after the election should the Tories get re-elected, and, I suspect, sooner or later, should Labour gets elected — and all this happens, should we not be looking at the experience of Britain and how sanctions might or might not apply in Northern Ireland?

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

**Mr Attwood:** I will.

**Mr Storey:** Does the Member also accept that we have endeavoured to put in place a sanctions regime that reflects the situation in Northern Ireland? While I greatly respect the organisations and have met the Trussell Trust about food banks and the other organisations to which he referred, does he also accept — it follows on from Mr Swann's point about the committee that had been set up and the concerns that were raised by organisations in Northern Ireland that made representation to the all-party working group to the subcommittee that was established — that we have sought, specifically with reference to comments and concerns that were raised by organisations in Northern Ireland, which have helped to shape, reflect and mould what we have put into the Bill so that that gives us, yet again, a Northern Ireland version, which, for me, still remains, despite his concerns about the big hand of DWP controlling me from a distance. That is where I come from as the Minister with responsibility in Northern

Ireland. That is not to minimise the experience of other organisations in the rest of the United Kingdom.

**Mr Attwood:** I never maintained that DWP had an undue influence on you. I am a bit more cautious about whether that is the case for others. However, putting that aside, I think that you can manage our benefits system in a way that suits our circumstances. Certainly, my experience when I was in your job was that there were many people, some of them not too far away from here, who applied their minds and their time to work to that outcome. I am just saying that, in addition to taking the knowledge of the many groups that are working with your Department on the management and roll-out of welfare reform — I know a bit about that from having spoken to the head of the Social Security Agency — there is stuff in London, in the Mother of Parliaments, as Mr Wilson referred to it this morning, that can inform the judgement of the Department as we move forward. In that regard, the Minister will be aware that one of the unions in Britain — the PCS — said that undue pressure had been put on its members to meet targets with the sanctions regime. I have absolutely no doubt that there will be no such pressure applied here if pressure was applied in Britain. However, we have to warn ourselves about that.

I will also refer to the conclusions of other people who made representations to the committee in Britain. I will not read it all into the record because I think that you are getting my drift, Minister — perhaps not, but I would like to think so. They said that sanctions were a postcode lottery; there was initial evidence that suggested that, for example, one in 10 benefit claimants in Derby, Southampton and Burnley was being sanctioned, but that, if you lived in Richmond, Ellbridge or Runnymede — are they in the south of England? — the chances of being sanctioned were one in 50. That comes from the University of Oxford, which is an authoritative source. You can speculate on all the reasons that that might be the case, and I think that people do not know why there is such a disproportionate difference, but we need to ensure that, as the regime rolls out through the social security offices, that sort of postcode lottery on an initial basis does not begin to be replicated here.

Moreover, the evidence has begun to emerge that people who are sanctioned disappear from the benefits regime. One person, Professor David Stuckler, again of Oxford University, gave evidence that 43% of people who are sanctioned leave the world of DWP and the welfare system. They are “disappearing from view”, he said in evidence. We note the Minister's amendments and welcome that that is certainly an advance. The point again, however, is that, even if the regime is a more moderate regime than might otherwise have been the case, there nonetheless seems to be a critical case developing in Britain, where up to 43% of people who are sanctioned in one area or another might end up disappearing from view.

In that regard, the final authority that I will rely on in this debate is the evidence that DWP had to undertake 49 peer reviews of claimant management cases because of the deaths of people, where those people had taken their own life. Perhaps the Minister will be able to indicate that. There is a wealth of knowledge across Northern Ireland on addressing the needs of people who are self-harming or at risk of suicide. There are indications from Britain through stories in the media, and through a level of evidence that is

beginning to appear, that potentially one of the contributory factors to all of that was the benefits-sanction regime that was imposed on them. I do think that, in our situation, given the scale of suicides in Northern Ireland, we need to be particularly mindful of how we can manage that to ensure that the apparent evidence that is emerging in Britain will not be replicated here in the event that universal credit ever gets off the ground.

All of that informs the judgement of the party, both of the amendments proposed by Mr Agnew and the amendment proposed by us. It is to try to build into the body of legislation a regime that does protect the individual claimant and draws some conclusions, whether the application of those conclusions is fully justified or not, from the apparent evidence that is beginning to emerge in Britain about how the benefit-sanctions regime impacts on the lives of customers. That is why, at this stage, we suggest that you err on the side of those arguments rather than on the other side. In particular, I do not think that the SDLP amendment does any violence, Mr Wilson, to your argument or to what is in the Bill by stating "fifteen days", because it gives the person at least 15 days. It gives you the flexibility in the period thereafter, so you have both the flexibility and the certainty for the claimant in that regard.

In concluding, I will raise a point that Mrs Kelly raised and that, I think, is also in the mind of Mr Agnew. When it comes to opposition to clause 115, what precisely does that clause mean?

You did speak to it in your opening remarks, but will you confirm precisely — because there is a bit of a muddle in the minds of some — the consequence of what you are proposing in terms of caution and penalty or no caution and just penalty? If you could clarify that, it might clarify whether there will be opposition to clause 115 later in the debate.

**Mr Allister:** I will be brief. I want to address the issue of the Minister not pressing clause 112, the one that would have allowed a civil penalty. The Bill as originally drafted had various levels of procedures to deal with inappropriate claims. It had, of course, quite rightly, the option of prosecuting someone through the criminal courts for fraudulent claims. It then had the option of a penalty notice instead of a prosecution, and then it originally had clause 112, which would allow the civil penalty.

To prove fraud, of course, you have to prove the essential components of dishonesty and intention, or you will never prove, to the criminal level of satisfaction, the offence of anything touching upon fraud. As I read the Bill originally, for the many circumstances where you could probably not attain that high level of proof required and you could not, beyond all reasonable doubt, show the requisite dishonesty or intention, you had the sort of safety net of a civil penalty notice.

Of course, when many people are interviewed about alleged fraudulent claims for benefits they will say that they did not realise, they made a mistake or they did not intend, and that is how it is passed off. The prosecuting authorities have to defeat that proposition if they are going to succeed in a criminal prosecution, whereas the Bill originally left you with the option of at least serving a civil penalty notice on someone who was saying that it was a mistake or that they should have told you etc, which would allow them to escape prosecution. Therefore, to remove that civil penalty

option entirely from the matrix of how you can deal with inappropriate claims seems to me to leave a gap and, indeed, create a charter for people to say, "I'm sorry; I just got it wrong. I made a mistake" etc. I think that that will perhaps be much exercised. That is why I am concerned that the Stormont House Agreement or Stormont Castle agreement includes the notion that you have to take away from the enforcement side of things that safety net, which was some comfort to enforcement. I would like the Minister to explain why he thinks that is a good thing. It seems to me to be a bad thing. That is the point that I wanted to make.

**Mr Agnew:** At the outset of my contribution on this group of amendments, I would like to pay tribute to the work of the Social Development Committee, particularly those who acted as advocates against the three-year maximum penalty. It is welcome that the Minister has put forward an amendment to bring that to 18 months. Clearly, as my amendments show, I do not think that it goes far enough, but I am pleased to see that there has been some move in that regard, in what I see as the right direction.

We have to put into context what that can mean for people. In these debates around welfare, I go back to my time working with the homeless. I know that I have referred to it a few times, but that direct experience served me well in understanding what we do here today, and indeed yesterday, when we discuss these issues.

#### 4.15 pm

The Minister has suggested, for example, that 26 weeks is too lenient a sanction to impose on someone who has, as the current model proposes, failed to meet the requirements on three occasions. What that would actually mean for people is that, in some cases, for 26 weeks, which is my proposal, they would go without any income or would, at best, receive hardship payments at half the level of, say, current JSA to live on. We have heard references to organisations that provide food banks. It means that people will become reliant on handouts and food banks for six months.

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

**Mr Agnew:** I will give way in a second. I had some reluctance in putting forward this amendment because I still find that incredibly punitive, but, reading the mood of the House, it seems that that would somehow describe me as a bleeding-heart liberal, as I am sure Mr Wilson will, or something to that effect. To me, it is still an incredible sanction to impose on someone.

**Mr Wilson:** I thank the Member for giving way. He states this as a certainty that means that somebody will be without money for 26 weeks. First, that is not actually what the Bill says. If he reads paragraph 9, he will see that regulations can be made for cases in which there is no reduction, revision of reductions and termination of reductions. There will be circumstances in which there is a way back. That is the first thing.

Of course, the other thing is that if someone finds that they have put themselves in a situation where they have sanctions, they always have the option of looking for work. This certainty that, somehow or other, once sanctions are imposed, people are left destitute for 26 weeks or 18 months is not a correct description of what will or could happen in reality. Surely it is the job of the Assembly, when making law, to inject some responsibility into those who



get benefits from the state, especially when looking in on that are people who feel that the abusers are sometimes treated better than those who abide by the regulations.

**Mr Agnew:** I thank the Member for his intervention. He talks about responsibility. Of course, we each take responsibility for our actions. We are talking about cases of disability and the mentally unwell. In cases of severe disability or mental ill health, would these people pass the competency test? How can we apply that level of responsibility in a system where we recognise the level of disability and, indeed, seek to compensate for it, but, on the other hand, seek to punish people for actions that may be a result of disability, mental ill health etc?

**Mr Wilson:** I thank the Member for giving way. His concern is for people who have either got huge mental-health problems or disabilities. First of all, in the debate on the last bunch of amendments, we discussed the advice-giving opportunities that there are and the resources put into them. The people whom he describes will also have significant input from social services and other statutory bodies. Is he suggesting that they do not do their job in helping people through the network, as well of course as the help available through social security offices?

It is not that people are left without a safety net; that is the whole point. It is not that they are left without alternatives or, indeed, that the regulations are so draconian that there is no way back when somebody gets themselves into that position.

**Mr Agnew:** I thank the Member again for his intervention. I turn the question round: why, as it is in many cases, when this is someone's sole source of income, would they decide to persistently miss an appointment? Why would they make that choice, and we are assuming, following Mr Wilson's argument, that they are competent to choose, in the full knowledge — the Minister said that the person must be aware of the sanctions regime — that their primary or, perhaps, only source of income will be drastically cut or withdrawn? Why would someone choose not to go to that appointment or job interview? I know there is this great idea that a huge raft of people are just sitting gleefully at home thanks to the benefits system and saying, "I am not even going to attend my appointments, because I do not care". Why would people inflict that level of punishment on themselves? What possible motive could they have? Are they a society of anarchists, who really want to bring down the system, so that they are willing to suffer no food and an inability to pay for the basic necessities? Is it that they are so opposed to the system that they would do that? Why is that? I would argue that, if there is a high number of people being sanctioned in such a way, we have to look at why that might be.

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

**Mr Agnew:** Certainly.

**Mr Storey:** Does the Member not accept that, when the decision maker seeks to establish whether a claimant had good reason to fail to meet the requirements — we need to keep going back to what the process is — they will take into account the customer's physical and mental health? Does that not give some reassurance — maybe it is even an incentive — that the concerns that are being raised are addressed in a way that is to the benefit of the individual?

**Mr Agnew:** It is my experience that sanctions are applied all too quickly and easily. When a claimant goes to an appointment, and the agency is behind schedule for whatever reason — it can happen — they are required to wait for 30 minutes, for example. If a claimant turns up five minutes late because of their childcare arrangements — there are many circumstances — their benefits can be stopped. You can then appeal and give your reasons for that, but the sanctions are applied too readily and, even under the Minister's proposals, improvement though they are on the Tories' proposals, all too harshly.

**Mr Storey:** Will the Member give way on that point?

**Mr Agnew:** Yes.

**Mr Storey:** It is clear from the White Paper that the higher level of sanctions would apply only to claimants who are subject to all work-related requirements and have deliberately and repeatedly failed to meet them. The two key words in relation to avoidance are "deliberately and repeatedly". Obviously, I will set out in regulations where we are going with this, but I think that we need to keep those two words very clearly in our mind as we work through this.

**Mr Agnew:** Again, I thank the Minister for his intervention, because he brings me to another point that I think I am right in picking up from my reading of the proposals. The higher-level sanctions are imposed under what is essentially a three-strikes rule. The first act under this new sanctions regime, however, is to suspend someone's benefits for three months. Again, like others, I will wait on the feedback on my opposition to clause 115. My intention was to retain a system in which the first strike should be a caution. In my experience, in the vast majority of cases of people missing appointments or failing to attend interviews, and so on, it happens for genuine reasons, so give people the benefit of the doubt on their first instance. Yes, if persistent failure is shown, higher-level sanctions can be applied, but clause 115 means that we jump immediately to three months for people who could be a minute late to an appointment, and another person could then be in front of them. People would then have to challenge that decision, and they may or may not be successful in that. That is jumping too far. It is about intent.

What was the intention of the legislation in Westminster and what is the intention of the legislation here today? Members who spoke previously talked about some of the evidence from across the water. There was recently a programme on Radio 4, and, on the back of it, I questioned the Minister around targets and incentives for applying sanctions. He has given assurances that that is not the case in Northern Ireland, but, as I said to him at the time —

**Mr Storey:** On eight different occasions.

**Mr Agnew:** Absolutely. But, equally, those assurances were given in GB. A whistle-blower who was quoted in a 'Guardian' article certainly suggested that incentives for staff were being put in place. This is a direct quote from somebody working as a Jobcentre Plus adviser:

*"Suddenly you're not helping somebody into sustainable employment, which is what you're employed to do. You're looking for ways to trick your customers into 'not looking for work'. You come up with many ways. I've seen dyslexic customers given written job searches, and when they don't produce them —*

*what a surprise — they're sanctioned. The only target that anyone seems to care about is stopping people's money. 'Saving the public purse' is the catchphrase that is used in our office".*

I go back to the intention of the Tory Government and, even with the Minister's amendment, what we are proposing to replicate here. They made it clear from the outset that their intention was to cut the welfare bill by £18 billion. The Minister was asked for evidence. Why this level of sanctions? Where is the evidence that this level of sanctions is the right one? I have no doubt that the evidence would show that this level of sanctions will save money through not paying out benefits, but I have not seen the evidence that it will mean more people getting into work. That is where my concern lies.

I have proposed an amendment for a 26-week sanction, which, of course, has been subject to a petition of concern. I will be opposing clause 26 altogether. The Committee originally proposed to do that, but it seems that that position has changed. I will be maintaining the position, because the new benefits regime being proposed is draconian. It is based on saving money, not on doing what is claimed, which is motivating — if I can use that term — people back into work.

**Mr B McCrea:** I wanted to speak to this set of amendments because I heard the same Radio 4 programme, and it prompted me to do a bit of investigation around whether sanctions actually work. I think that it was said in that programme that you were more likely to lose your benefits than you were to find a job. It revealed one telling thing, which I said already in response to Mr Swann: the most vulnerable in our society are the ones who fail a lot of the tests, because either they do not understand properly or they do not get the proper information. Those who are determined to take advantage of our good nature do so with a certain amount of imagination and innovation, and they are particularly difficult to deal with.

#### 4.30 pm

I would like to have seen whether there was a completely different way of approaching non-compliance to see whether taking people's money away actually does anything. This is the point that I wanted to make to the Chairperson, but he did not wish to engage with me. What is the difference between three years and 18 months? If you can make it for 18 months, you can make it for three years. There is something wrong in that logic.

The debate has been quite interesting in illuminating that there has been an agreement. I am in favour of the agreement that has been reached here. Mr Humphrey said that he has had to reach for his tablets because he has seen me in the Lobby with him several times. It is a genuine point. I am voting absolutely with the Executive on this because it is good that, when you tackle a serious issue such as this, there has been five-party agreement. I accept that I am not in it, but it is the right way to go forward.

Therefore, I was surprised that the number of amendments that came through seemed to undermine that. That is why I have not been supporting the amendments, even though I might have some belief in the points that people are trying to put forward.

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

**Mr B McCrea:** Of course.

**Mr Humphrey:** I am not sure whether the Member read 'The Guardian' as well as listening to Radio Four. I have sat here, as have many Members, through the vast bulk of this debate, but it strikes me that in some parties there is either very little or poor communication or, indeed, none. Does the Member agree?

**Mr B McCrea:** I will take the opportunity to make a comment that I was going to open with. The Chairperson, rather uncharitably, I feel, had a go at me. In answer to Mr Humphrey's question, I have been here for every vote in this debate and I stayed until 10.00 pm last night to watch it. I did not contribute to the debate because, frankly, there are some people, and we all know it, who think that the level of your contribution should be measured by the length of your speech or by the number of amendments as opposed to the quality of your argument. I chose to intervene where I thought I could make a difference, but I got the benefit of listening to the debate as others will have heard it.

I pay tribute to the fact that there is an agreement, but the debate became fractious and confusing. There was some miscommunication in parties about what they had agreed to the day before, and that was unhelpful. I will even say that some of the amendments that were put forward were rushed. I am voting consistently on the Bill because I think that there is a need for a five-party agreement and that whatever the agreement is, that is what we should go forward on with a united front.

Mr Fra McCann very kindly apologised for not allowing me an intervention, and I gratefully accepted his comments. I wanted to say that I found it useful to understand why there was a change in Sinn Féin and the Committee's position from three years to 18 months. Mr Agnew may be right that 18 months is not enough, but the really interesting thing is that there is agreement and that is why we have reached a compromise. That is the art of politics, and that is what we have to accept.

I have questions to ask, and this is going to sound a little strange, given that I am not sure that sanctions actually work. Let me say some things that, I think, people think but do not say. I fundamentally believe in the need for welfare reform. I look at certain areas of our society and am tired that they are subsisting; they are going through the motions of living, but they are not really living. I am frustrated by their lack of ambition. What about this idea of going out and getting a job? They have no notion of going out and getting a job.

I am also dismayed at the lack of opportunity for them to get a job. There has got to be something more that we can do. I am worried about the ever-increasing cost of benefits, the drain on our health and social services, and all the other issues, such as the incessant demand for more and more housing, "Just give it to me. I deserve it, but I am not able to make a contribution."

That is the image that many have about people who are on benefits. However, I then look at the evidence and ask whether it is right that we try to change and reform the welfare system so that we encourage and help people to get a job, and I think that is right. How do we break the cycle of dependency?

When I look at sanctions, I am not so sure that they work. Mr Attwood had obviously read Matthew Oakley's contribution and the minutes of the Work and Pensions Select Committee. I also had a look at some of those things, and here are the points that I took out of it.

I do not know if Mr Attwood said this already but Oakley, in July 2014, noted the problems and the lack of resources to fully explain sanctions in general and when someone was facing sanctions to their benefits. The problems with the IT resources represented a significant hurdle. They stopped people from getting the benefits that they were due. He pointed to a general lack of understanding around sanctions, both among people who had not noticed being sanctioned — so there is not much of a deterrent there if you do not notice — and those who felt they had been sanctioned when, in fact, their benefits had been changed because of a change in circumstances. In other words, nobody really understood what the sanctions network was doing.

He reported that there was little evidence to suggest that sanctions were effective in moving people into work. In fact, a strong relationship between the claimant and adviser was the most effective factor in getting people back into work. That is why I went to Ingeus, which is close by here, and looked at the efforts that people were making to get a strong bond between people that said, "Let's find a way of getting into work". I was Chair of the Committee for Employment and Learning when we were looking at this issue, and I think that that is the right way forward. That is how you get people back into work: quality intervention on a personal basis.

When Derbyshire County Council was looking at its emergency financial assistance, it had an average of 1,300 applications per month — up by 500 as a result of benefit sanctions. That shows that you are just transferring the problem. What it comes down to is that sanctions are not suitable for those with mental health issues, and Northern Ireland, as we all know, has the highest number of DLA claimants for mental health issues of any part of the United Kingdom.

I am sure that the Minister does not want to hear this, but I am going to pay him a compliment. I have been impressed by the way that he has engaged in this debate. It has taken a long time, and he has gone through points and tried to explain points of view. When you hear it, you have a different perception. His quote from the Joseph Rowntree Foundation's report was telling. That is the right way to go forward. That gives me confidence that the Minister is taking on board the various points raised, and, somewhere along the line, we will have to find a way to reach a compromise so that we can get legislation out.

At some stage, we will then need to review it. The report issue will come in the next group of amendments, and we will look at those, but we need to get something working now that is generally and broadly acceptable, see how it works and change it from there.

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

**Mr B McCrea:** I will indeed.

**Mr Humphrey:** Did the Member say he quoted from Derbyshire County Council?

**Mr B McCrea:** Yes.

**Mr Humphrey:** The Member, I think, was making the point in terms of the problem simply being shifted. When I was studying A-level economics at school, and I accept that there is someone in the Chamber who taught and marked it rather than just studied it, there was what was described as the unenthusiastic workforce. Given that the Member stated that that exists and that there are people who, I think he used the term, "haven't a notion of seeking employment", how would he deal with the issue from his perspective?

**Mr B McCrea:** I am sorry that I did not make it clear earlier, but I did mention the example of Ingeus and the other tier-1 providers that are working on a one-to-one basis with people who are looking to get back into work. What I have seen in the past is a tendency to skim the problem. We have tried to do it in large numbers, and you have people going through employment for 13 weeks and then back out again. That did not work. The answer is one-to-one, specific, personalised training. That is expensive, but it is the long-term solution.

I draw Mr Humphrey's attention to what Glenda Jackson MP said in the Work and Pensions Select Committee. She highlighted that when she said that the individual is not their individual.

It is about getting a personal relationship with people to say, "We will find you work; you can do it. We will build your confidence up. We are going to do it." That is the way forward.

**Mrs D Kelly:** The Member talks about getting people jobs. Does he not recognise that the evidence over the last couple of years is that there are more zero-hour contracts, more temporary jobs on offer, more part-time jobs and a lessening of terms and conditions for staff, many of whom are highly skilled?

**Mr B McCrea:** The Member raises a point, but I am sure that the Minister of Enterprise, Trade and Investment would say, "The claimant count is falling; employment has never been better in the last two or three years." When I talk to people who look at the statistics, they say, "There are plenty of jobs out there, but there are not enough people with the right skills." I fully accept, if this is of any consolation to the Member, that one of the problems is that you cannot take people off benefits if you do not have some other place for them to get a job. They have to have the skills to do that, and the jobs have to be available. That is why I say you need the opportunity.

**Mr Flanagan:** I thank the Member for giving way. If he had been here yesterday for Question Time with the Employment and Learning Minister, and maybe he was, he would have heard Members from various constituencies talking about jobs fairs taking place across the North, with hundreds, even thousands, of people reported as being at them. The problem is not a lack of skills amongst people; it is a lack of opportunities. People are working for nothing, they are being forced to work a part-time job or two part-time jobs, and they are living in poverty. The problem is not a lack of willingness amongst people to work or a lack of skills; it is clearly a lack of proper job opportunities.

**Mr B McCrea:** I take issue with that. There is a mismatch between jobs in certain localities and the skills required, but there are plenty of opportunities. I rely, as the Member knows, on evidence. I rely on the fact that people say, "Look at all the vacancies."

There will be localised areas. I heard Mr McCann talking yesterday about the difficulties in his constituency, and I have no doubt that those difficulties exist in other areas. My understanding of the issue is that you resolve these things through personalised intervention to give people the confidence and skills to go out into the labour market. You need to give them the motivation and the ambition to say "We can go and do all of that." *[Interruption.]* You cannot sit in a circle of dependency. I am really sorry if people think that I have somehow lost the run of myself. *[Interruption.]* I am quite pleased to hear mutterings in front of me, because I will stand my ground as a liberal in this place against anybody. Every single person who comes around here says, "What I'm trying to do is for the best." I do not care if it does not fit into your political rhetoric or your party-political broadcast or your electioneering. Let me tell you: the facts are the facts.

**Mr Deputy Speaker (Mr Dallat):** Order. I remind the Member to make his remarks through the Chair and not elsewhere. While the Member may be happy to hear mutterings, I am not a bit happy to hear them. *[Laughter.]*

#### 4.45 pm

**Mr B McCrea:** I understand that, Mr Deputy Speaker. I can only presume that they did not travel as far as you, or no doubt you would have dealt with it.

I am not convinced that sanctions are the right way forward. I do not like the word "sanction". I do not think that it is appropriate. If you take money off people, all that happens is that they disappear off the radar. That is not what this should be about. We need to resource universal credit properly and put more investment into looking after people.

I will make a number of points that support that stance. In 2012-13, there was a 250% increase in sanctions on ESA claimants, according to Debbie Abrahams the Labour MP. Some 90% of those sanctions came from the work programme providers. That is not the right way in which to go forward. Those work programme providers have to find people jobs and give them the skills to take those jobs. Professor Dwyer, a professor of social policy at the University of York, said that jobcentre advisers are focusing too much on sanctions rather than providing support on the jobs side. That is not the right way forward.

People say that this will save money. Actually, in government terms, the sums of money are fairly paltry. In the UK, £275 million was withheld in sanctions from October 2012 until January 2015. If you translate that to Northern Ireland, you are talking about £1 million to £1.5 million a year. I fear that, if we go down the route of sanctions, what is happening over in Great Britain will happen here. The Government are leaving the voluntary sector to deal with the impact of only 20% to 25% of vulnerable people getting back into work. That is not the right way. The impact on poorly funded advisory bodies, such as Citizens Advice, is significant and a drain on their service. When we look to review the process, we need to find a way of asking whether sanctions contribute positively, and, if not, whether there is another way.

I will conclude by acknowledging what was said in other contributions. Mr Maskey, who is not in his place, said — I saw it on one of the monitors — that Northern Ireland is different. He said that he had talked to people and heard

their pain and that we have higher levels of deprivation, higher levels of economic inactivity, higher levels of fuel poverty, higher levels of ill health, lower wages and less availability of suitable housing. Against that background, we have to tackle welfare reform in a different way. Incidentally, that is also why I am not convinced of the argument on corporation tax. I think that the money would be better spent on skills and on looking after those people.

I understand that we must reform welfare because of the financial constraints that are placed on us by Westminster. That is why we have a five-party agreement, and that is why I support reform. However, we should also be reforming welfare because we want to give our citizens dignity, opportunity and ambition. That is what will drive their lives and our society forward. On that basis, I fully support a five-party coalition tackling the issue. We will then review it properly and see how it is working.

**Mr Storey:** I have received messages from some of my colleagues to ensure that I do not stand for the next hour and a half answering the points raised. However, I am now on my feet.

I go back to the point that Mr McCrea made that the House needs to be assured that, in coming to the House as Minister, I feel the responsibility that I have been given, although I still have a lot of work to do to convince Mr Attwood that I am not an agent solely for DWP. It is not the case that I just blindly get up and say what has been given to me. That would be easy, but, as I said earlier, it is necessary to read into the record of the House things that I think are very important. That means that when Members want to rehearse something or see what things were said, it is on the record. It is important that I give some time to try to work through some of the comments.

I want to place on record a word of thanks to the Members who made comments. While other Members have not made comments, some comments have been made and I have had some discussions with other Members over the last number of weeks, as we have tried to work our way through the Bill. There were comments from Members of the Alliance Party today, which I welcome. It is also right of me to place on record the valuable contributions and constructive comments that were made by Mrs Cochrane about a number of things as we have sought to work our way through what is a complex and challenging piece of legislation.

I turn to some of the Members who made particular comments. My colleague and member of the Social Development Committee Paula Bradley raised a question about claimants, the sanction regime and the provision for children and housing. It is right to set that in some context. Clause 26(6)(a) sets out that we will set out the sanctionable amount in regulations. The amount that will be sanctioned under universal credit will be a fixed amount that is broadly relevant to the amount that is sanctioned under the current out-of-work benefit system. For example, when a single claimant who is subject to all work-related requirements fails, without good reason, to meet their requirement, their universal credit will be reduced by an amount that is broadly relevant to their standard allowance amount of around £9 per day for the duration of the sanction. That would mean that, where the maximum amount is in payment, sanctions will not reduce the universal credit payments to below the household amount for children and housing.



If a claimant finds that they are experiencing financial difficulties and have immediate needs as the result of a sanction, they can apply for the hardship payment. Access to recoverable hardship payments will only be available when the daily reduction rate is equal to 100% of the standard allowance and not when the 40% reduction rate applies. That means that claimants with a 40% reduction in place will not have access to recoverable hardship payments. That aligns with the position under income support, where claimants have an equivalent 40% reduction and are unable to apply for hardship payments. It is proposed that discretionary support will not be available to claimants who have been sanctioned.

I trust that that maybe convoluted answer gives some reassurance to the Member on that issue. I pay tribute to the Member for her work on the Social Development Committee. It has been helpful to have her experience there. While the Bill has gone through its various processes, it was valuable to have someone who has practical working experience as a constituent MLA. I can assure you that I found it a huge leap from the Back Benches to the Front Bench. However, the experience that we gain as MLAs in our constituencies stands us in good stead and allows us to be practical when we come to look at particular issues, especially those that are relevant to the introduction of welfare reform.

I now move on to the comments from Mr Attwood and his colleague Mrs Dolores Kelly, who raised an issue about the provision in clause 115. This clause removes references to a caution in section 5B of the Social Security Fraud Act (Northern Ireland) 2001. The effect will be that any person cautioned for an offence will no longer incur a loss of benefit under the legislation. The Department's response to the range of client behaviours is both proportionate and flexible. The scope goes from deciding that no formal sanction is appropriate to prosecution through the courts. On introduction of the provision, in an instance where a caution for a minor offence is administered, there will be no further loss of benefit. This is proportionate to the nature of the offence type. I hope that that gives some reassurance to the Member.

I also want to deal with the issue that the Member raised on amendment No 16. This, again, is an area where Members do not have to take me on trust, because they will see all of this as we roll it out. Be assured, Members, that today does not finish the welfare reform process. I think that there are some Members sitting in their office who believe that, if only the Minister would hurry up so we get to the other two groups of amendments and get this done, somehow welfare reform will disappear into the mist.

There is a long process ahead of us in terms of guidance and a lot more work that has to be done. I think that we all remain committed to ensuring that we get to the end point. As the Member said, here is the unknown in all this. We could speculate all day, but there is an election in our kingdom — not the kingdom of Kerry, just in case anyone wants to be mischievous — it is the United Kingdom. There will be elections to our national Parliament on 7 May. We do not know what the outcome of that will be. I will be waiting as eagerly as anyone else, not only as a member of my party, which I have no doubt will have a good and successful election, but as the Minister for Social Development so that I can see what the implications of the new Government will be. I have no doubt that my party,

with its strength, when coming to determine who is the Government on 8 May, will keep very much in mind the issues —

**Mr Deputy Speaker (Mr Dallat):** I am tempted to ask the Minister whether he is winding, or winding up.

**Mr Storey:** Well, Mr Deputy Speaker, I suppose it is a combination of both. I want to make a serious point on the debate, discussion and negotiation on who will form the Government. My party will ensure that we play a full and very important role in the establishment of our national Government, should it come to that.

I will deal with amendment No 16. The key point, which will be reflected in guidance, is that the claimant always has the right amount of time. It is anticipated that the current rule of five working days should be the default but if, for example, the claimant is in attendance and has provided their evidence, there may be no need to wait a further five working days. Alternatively, if the claimant is waiting for evidence from a doctor or support worker, it is only reasonable to extend the period beyond five working days. I trust that that clarifies the issue. Maybe I did not make that clear. She also went on to talk about why "good reason" is not defined in the legislation and proposed a 15-day timescale to provide that good reason. In answer to that, the decision maker has the flexibility to consider all matters put forward by the claimant and decide, in light of all the evidence, whether or not the claimant has good reason. Examples of possible factors that might count as good reason are sincere religious or conscientious objection, travelling time, caring responsibilities, attendance at court, arranging or attending a funeral, domestic emergencies, emergency duties, or where continued participation would or was likely to have put their health and safety at risk.

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

## 5.00 pm

That list is not exhaustive. A good-reason decision is not directly appealable, but decisions to reduce benefit as a result of a sanction are subject to an appeal to an independent tribunal. Decisions will be overturned if the tribunal finds that the sanction should not have been imposed because the claimant had good reason for failing to meet the requirement. I trust that that helps with that issue.

Let me say that no one in this House should seek in any way to underestimate the seriousness of the point that Mr Attwood raised about the suicide rate in Northern Ireland. Some time ago, I visited a home in my constituency where that was the case, and I do not think that any of us realise where a family goes when they have had to deal with that issue. I, as Minister of this Department, do not want to have a situation where it can be said that something that we have done, or not done, has led to that.

I assure the House that a question could rightly be asked about the safeguards in the sanctioning process for vulnerable claimants. Claimants with both limited capability for work and limited capability for work-related activity, lone parents or lead nominated carers with a child under one year will not be subject to sanctions. Claimants with limited capability for work or work-related activity, lone parents or nominated carers with a child between one and five years will not be subjected to requirements that can

lead to higher-level sanctions. Higher-level sanctions will be applied only for failures to meet the most important requirements by claimants who are subject to all work-related requirements, for example, jobseekers.

There will also be a range of safeguards to protect claimants. Requirements will be reasonable, taking into account the claimant's circumstances and capability, including health conditions, disability and caring responsibilities. For example, a lone parent or lead carer with a child under 13 may be able to restrict their availability for work to jobs that can fit around school hours. An adviser should require a claimant to apply for, or accept, a job only if it is in line with the type of work that the claimant must be available for, including any restrictions that have been applied. If the job was not in line with any work restrictions, the claimant would have good reason for any failure.

We will not impose a sanction if a claimant has good reason for failing to meet requirements. Claimants have five working days to provide evidence of good reason. Before imposing a sanction, we will continue to visit claimants with limited capability for work who have a mental-health condition or a learning disability to help us to understand why the claimant did not meet the requirement. That will inform the decision on whether there was a good reason for the failure. In addition to the general safeguard of good reason, decisions to reduce benefit as a result of a sanction are subject to an appeal to an independent tribunal. The decisions will be overturned if the tribunal finds that the sanction should not have been imposed because the claimant had good reason for failing to meet the requirement.

I am endeavouring to assure Members that there will be in place a structure that tries to deal with all those eventualities. I trust that that is helpful and that that is the way that it will be put into operation. I want to come to that point when I address the issues that were raised by Mr McCrea, but I also want to come to the point that was made by the Member for North Antrim Mr Allister when he referred to the issue of clause 112. He said that when that was originally in the Bill, it was a comfort to enforcement. I think that that was the point that the Member was making. By inference, we would then draw the conclusion that that comfort to enforcement is no longer there.

Mr Agnew, following the comments made by the Member for North Antrim, accused the Department of having sanctions that were incredibly punitive, and we found ourselves in a situation where we were endeavouring — despite using the words earlier on of being tough, which, I know caused some concern to Mr Attwood — to try to strike a balance. It is a very, very difficult balance to strike. I will come on to the point that Mr McCrea made about the issue of sanctions and how beneficial they are. I still believe that, although these measures are tough, the other issue is that they are fair and necessary if you take them in the round. When we pick out one particular element, whether it is the removal of clause 112 or any of the other elements in relation to the time of sanctions, I still believe that, in the round, they are necessary to deter the minority of claimants who might wish to break the rules —

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

**Mr Storey:** Yes, in a moment.

Therefore, I urge that that is the context in which we interpret the sanction regime as it is outlined in the Bill.

**Mr F McCann:** Thank you very much, Minister. I outlined today what my thoughts have always been on sanctions and how they should be dealt with. There was a five-party agreement before Christmas that some parties have opted to walk away with. Regardless of what you would have come up with here today or yesterday, Steven would have opposed every element of it, and it is his right to do so. Did it not concern you today that a Member of the SDLP supported Steven Agnew's stance on the 26-week thing, even though they had agreed on 17 December to a two-year sanction?

**Mr Storey:** I think that the Member is trying to draw me in to a debate and a discussion between his party and the SDLP. While I am very, very reluctant to get drawn in, there is a part of me that would be very tempted to. It is sometimes said that, as you go to certain meetings, you try to leave your other interests at the door. As I have come to the House as the Minister with responsibility, I have had to try to take on board the fact that, yes, there was a political process and that that political process has brought about an agreement, and I am glad. When I came into the Department on 24 September, I faced the situation where I had no prospect of getting a Regeneration Bill moving; deadlock. I had the situation where the Welfare Reform Bill was in deadlock. I am glad that, since then and until today, we have movement and an agreement as we move our way through the Regeneration Bill, and that we now have movement and progress on welfare.

Are they all perfect? No. Have we as a party got all that we want? No, but has everybody else? I still think that it goes back to that original point, which is that there was a five-party agreement. Others will have to explain why they felt that it was necessary not to carry it through in the spirit of the way that it was arranged.

Let me come to the issue that Mr McCrea raised. I find myself again in an unusual position, because it is not often that he says we are doing something that he is in favour of. As I said to my colleague, I do get a bit concerned about Members who listen to Radio 4 and read 'The Guardian'. Or, maybe we would be more informed if that were the case. I did listen to Radio 4 as well. As I have endeavoured to try to ensure that, in my attempts to get a grasp of all of this, I have had to read a considerable amount of material. Much has been made of the comments made by the independent expert Matthew Oakley, and I am sure that he would be delighted to know that his argument is being so well rehearsed and well used in the House. In the overview of that, the comment was still made that sanctions are applied as a last resort when claimants fail to do enough to find work and fail to attend appointments. Recent research shows that 72% of claimants say that they are more likely to follow the rules because of the threat of having payments stopped.

The Member did raise a serious point regarding whether "sanction regime" is the right name. Are people put off by the term "sanctions"? Is the language that we use on this the right language? A lot of concerns were raised about these measures being punitive and all of that. As I found coming into the Department, there is language that is used across a variety of responsibilities that I have. I know that Members have heard me say this, and I said it publicly at a conference recently in relation to housing: I think that we need to change the language that we use on the way that we provide housing, because people have a different

view of housing depending on the way that you describe it. I think that, on this issue, we have, unfortunately, at this minute in time, the structure that we have, but it is something that I think merits some consideration in the future.

On the Member's point, I have sought a discussion with the Minister for Employment and Learning, and I trust that we will have that discussion in the next number of weeks, because here is where all of this, I believe, will face a particular challenge. I am very focused around this, and I think that, in fairness to the Minister, he understands the argument that I am trying to make, which is that, if we do not put the arrangements in place and the proper structures in place, we could easily find ourselves in a situation where some of the things that Mr Attwood referred to earlier would happen here. I think that, despite what the proposals might be concerning the reorganisation of the Departments post-2016, that is vital and will play a part. That is a debate or discussion that is ongoing. I want to make sure that the claimant's journey is one that is as seamless as it possibly can be and that the person makes a journey from one element of the jobs and benefits centre to another element of the jobs and benefits centre in a way that both are speaking the same language, both understand the needs of the individual and both can relate to the person as an individual, and that the person is not just a processed number on a page being put through the system. That is a huge amount of work, and I think that I have given myself enough commitment to that to say that that is where I want to work with the Minister for Employment and Learning.

#### 5.15 pm

On the effectiveness of sanctions, and I think that the Member referred to this, he may be aware that, some time ago, I tabled an amendment, which we will debate shortly under the fourth group. I hope that we will get to that group in a minute or two. The amendment relates to my commitment to report to the Assembly on a range of issues including, but not exclusively, the operation of sanctions. I think that that will again give us a more evidence-based approach. We will continue the discussion on what we can do with that particular matter in the future.

Those are my concluding comments on the third group of amendments.

*Amendment No 14 agreed to.*

**Mr Principal Deputy Speaker:** I will not call amendment No 15, as it is mutually exclusive with amendment No 14, which was made.

*Question put, That the clause, as amended, stand part of the Bill.*

*The Assembly divided:*

Ayes 78; Noes 2.

#### AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Devenney, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard,

Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Ms Sugden, Mr Swann, Mr Weir, Mr Wilson.

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

#### NOES

Mr Agnew, Mr B McCrea.

*Tellers for the Noes: Mr Agnew and Mr B McCrea.*

*Question accordingly agreed to.*

*Clause 26, as amended, ordered to stand part of the Bill.*

#### Clause 27 (Other sanctions)

**Mr Principal Deputy Speaker:** Before I put the Question, I remind Members that amendment No 16 requires cross-community support, owing to a valid petition of concern. I have been advised by the party Whips, in accordance with Standing Order 27(1A)(b), that there is agreement that we can dispense with the three-minute rule and move straight to the Division. Amendment No 16 proposed:

In page 14, line 20, at end insert

*"(10) A claimant shall be provided with at least fifteen days to provide a good reason under any such requirement in this section."— [Mr Attwood.]*

*Question put.*

*The Assembly divided:*

Ayes 12; Noes 79.

#### AYES

##### Nationalist

Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.

##### Unionist

Mr Allister.

##### Other

Mr Agnew.

*Tellers for the Ayes: Mr Eastwood and Mr Rogers.*

#### NOES

##### Nationalist

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

**Unionist**

Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wilson.

**Other**

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.

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

Total Votes	91	Total Ayes	12	[13.2%]
Nationalist Votes	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	45	Unionist Ayes	1	[2.2%]
Other Votes	8	Other Ayes	1	[12.5%]

Question accordingly negatived (cross-community vote).

Clause 27 ordered to stand part of the Bill.

Clauses 28 to 37 ordered to stand part of the Bill.

**New Clause**

Amendment No 17 not moved.

**Clause 38 (Capability for work or work-related activity)**

Amendment No 18 not moved.

Amendment No 19 not moved.

Clause 38 ordered to stand part of the Bill.

Clauses 39 to 41 ordered to stand part of the Bill.

**Clause 42 (Pilot schemes)**

**Mr Principal Deputy Speaker:** We now come to the fourth group of amendments for debate, which contains eight amendments. *[Interruption.]* I ask Members to leave the Chamber quietly.

The amendments deal with reports, reviews, pilot schemes and information sharing. Members will note that amendment Nos 49 and 54 are mutually exclusive. They will also note that a valid petition of concern has been received in relation to amendment Nos 20, 49 and 54 to 56. Therefore, they will require cross-community support. Mr Attwood had given notice of intention to move amendment No 20: In page 20, line 16, at end insert

*“(7) Within six months of a pilot scheme being initiated under section 41 of the Welfare Reform Act 2012 the Department shall bring forward a similar pilot scheme in Northern Ireland under this section.”*

The following amendments stood on the Marshalled List:

No 34: After clause 76 insert

**“Pilot scheme**

**76A.** The Department shall arrange for the operation of at least one pilot scheme in relation to this Part for the purposes of testing the effectiveness of arrangements

*for making personal independence payments and the outcomes for claimants.”— [Mr Beggs.]*

No 46: In clause 117, page 88, line 9, at end insert“( ) the Department of Justice;”— *[Mr Storey (The Minister for Social Development).]*

No 47: After clause 120 insert

**“Reports by Department**

**120A.** In Article 76 of the Social Security (Northern Ireland) Order 1998 (reports by Department) for paragraph (1) substitute—

*“(1) The Department shall prepare, either annually or at such times or intervals as may be prescribed, a report on—*

*(a) the standards achieved by the Department in the making of decisions against which an appeal lies to an appeal tribunal constituted under Chapter 1 of Part 2; and*

*(b) the operation of sanctions.*

*(1A) For the purposes of paragraph (1)(b) a sanction is—*

*(a) the reduction in the amount of an award of universal credit, a jobseeker’s allowance, income support or an employment and support allowance on account of a failure by a person to comply with any requirement or any other conduct of a person;*

*(b) the loss of, or reduction in the amount of, any sanctionable benefit under the Social Security Fraud Act (Northern Ireland) 2001.*

*(1B) A report under paragraph (1)(b) must contain details of—*

*(a) the number of persons affected by sanctions;*

*(b) the periods for which such persons are affected;*

*(c) the reasons for which sanctions are imposed;*

*(d) the benefits or allowances which are reduced or lost.”.— [Mr Storey (The Minister for Social Development).]*

No 49: After clause 120 insert

**“Review of the Welfare Reform Act**

**120C.**—(1) The Department must—

*(a) not later than 3 years after the commencement of this Act, and*

*(b) at least once in every period of 5 years thereafter, publish an independent report on the operation and effectiveness of this Act and any regulations made under its provisions.*

*(2) Without prejudice to the generality of subsection (1), any report produced under that subsection shall include—*

*(a) an assessment of the impact of the Act on—*

*(i) the number of people with a disability living in poverty;*

*(ii) the number of children living in poverty;*

*(iii) the financial impact on woman claimants;*

*and*



*(b) recommendations for legislative change to remedy any negative impact of the Act on any of the categories of person listed in section 75 of the Northern Ireland Act 1998.*

*(3) The Department shall lay before the Assembly as soon as is reasonably practical after publication any report produced under subsection (1) and shall propose a debate on the report in the Assembly not less than one week and no more than six weeks after the report is laid.”— [Mr Agnew.]*

No 54: After clause 130 insert

**“Annual Report by Department**

**130D.***The Department shall be required to table a report in the Assembly on the implementation of this Act as it affects welfare provision in Northern Ireland and on the financial arrangements governing and applicable to welfare expenditure in Northern Ireland within six months of the commencement of this Act and on an annual basis thereafter.”— [Mrs D Kelly.]*

No 55: After clause 130 insert

**“Welfare Reform Committee**

**130E.***There shall be established a committee of the Assembly which shall monitor the implementation of this Act as it affects welfare provision in Northern Ireland and to consider relevant Northern Ireland legislation and other consequential arrangements.”— [Mrs D Kelly.]*

No 56: After clause 130 insert

**“Review**

**130F.***The Northern Ireland Joint Standards Committee for the Social Security Agency and Child Maintenance Service shall monitor the standards and quality of decision making with regards to the sanctions defined under this Act and report to the Social Security Agency and Child Maintenance Service on an annual basis.”— [Mrs D Kelly.]*

**Mr Attwood:** Let me make it clear to the Minister, who said earlier that he was not an agent of the Department for Work and Pensions DWP, that I never made any argument that you were a covert human intelligence source for the security branch of DWP. Can we just clear that up?

Let me also say that I can feel it in my bones that we are going to get more from the Minister in this group of amendments than we have had heretofore. I hope that I am not jumping my fences.

I will indicate first of all that, whilst I will speak to amendment No 20 on the pilot schemes being brought forward within six months, we will not move that amendment and will be supporting that of the Ulster Unionists, if it is moved. In indicating that, I will make a small number of comments.

I think that the Minister appreciates that there is a data gap in Northern Ireland where the implementation and operation of welfare policy and law generally are concerned. There is a general issue that there is not a data profile for welfare. We need to recognise and acknowledge that by rolling out pilots as quickly as we can where we can in advance of any proposed welfare system going live. I accept that the time limit of six months that we put in our

amendment is too prescriptive; therefore we will not be moving it.

However, I do not accept some of the other arguments that the Minister might be minded to make on pilot schemes in general in the North. For example, I do not believe that, given the population of Northern Ireland, the sample size is not sufficient to run pilot schemes. I do not accept that it is necessarily the case that information coming from Britain is sufficient for our purposes and that it would be a waste of resources to do otherwise. I also do not accept that there are instances where duplicating the GB pilot is acceptable. Whilst there is an issue with information technology, in that it is generic, if you like, and can therefore be applicable in any part of Northern Ireland or Britain, I am not necessarily convinced by the argument that the Minister might present. I may be anticipating all his arguments, so I apologise for that. In any case, I think that the Ulster Unionist amendment is more appropriate, and I hope that it will be accepted.

The purpose of the other amendments that have been tabled the SDLP is to ensure that there are appropriate thresholds of oversight and accountability when it comes to welfare reform and its implementation in Northern Ireland. Obviously, I will not rehearse the narrative that we outlined earlier about the scale of what is proposed, the risks of what might happen, the experience of Britain with the roll-out of the implementation of universal credit in the event that that happens in Northern Ireland and all the evidence that has gone to the Select Committee. That is all on the record, but all that which is on the record informs the comments and thinking of the SDLP when it comes to the amendments. We want to gear up the oversight and interrogation of what is happening with welfare reform and its operation in Northern Ireland in a way that guarantees, as best we can, that issues are identified, problems are rectified and the House is fully informed.

Minister, given the length of time that we have had to come to this point, the scale of universal credit and the ambitions that the Tories, in particular, might have on the far side of the election, we need to build into the architecture of welfare delivery in Northern Ireland and the architecture of the Assembly the means of oversight, accountability and interrogation that demonstrates to welfare claimants and your staff in the Social Security Agency and the Child Support Agency that the Assembly will be very attentive and vigilant as things are rolled out over the next number of years. That is what informs the three amendments from the SDLP: amendment Nos 54, 55 and 56.

Minister, if Mark Durkan MP was here, he would recount a true story to you of what transpired in the House of Commons some time ago. There was an exchange between, I think, the Prime Minister or the Chancellor and the Leader of the Opposition. In the course of the contribution by the Leader of the Opposition, Ed Miliband, when he was referring to the benefit cap, he said to the Chancellor of the Exchequer that what he really needed was a welfare cap. Mark Durkan would tell you that you could see the lights going on in the Chancellor's eyes. “I will have some of that”, he said to himself, and a short time later, that is what the Chancellor of the Exchequer did. He came to the House of Commons, and through whatever was the appropriate mechanism, he introduced a welfare cap and set a top line for the welfare budget. He also introduced mechanisms so that, if you transgressed

that top line, you would have to come back to the House of Commons to get approval for any excesses. That has not been relied on to date, but, if the welfare cap was reduced, it would be very interesting to see how DWP and us in DSD and the SSA would operate under a lower radar. The point of that is that the issue of the welfare cap has become very critical. The Tories have set it at a certain level, introduced a legislative mechanism that has to be relied on to override it, and mischief can be made.

Minister, you will recall from the Stormont negotiations that advice was given to the parties that there is a notional welfare cap for Northern Ireland. It was Mark Durkan again who probed that issue, because he was not sure whether there was a welfare cap for Northern Ireland. He thought that there probably was because of the devolved arrangements for social security that mean that we live in a different character of a place when it comes to welfare. He thought that there might be a notional welfare cap, and it was the advice of people with knowledge that there is one.

The reason why I made that point is to justify the wording of the amendment, which, in our view, goes far beyond your amendment about reports to the Assembly. Our amendment states:

*"The Department shall be required to table a report in the Assembly on the implementation of this Act as it affects welfare provision in Northern Ireland and on the financial arrangements governing and applicable to welfare expenditure in Northern Ireland within six months of the commencement of this Act and on an annual basis thereafter."*

Those are the critical additional words beyond your own amendment, Minister, on the financial arrangements governing and applicable to welfare expenditure. If there is a welfare cap of that character, a notional one for Northern Ireland, what is going to happen on the far side of this election when the Chancellor of the Exchequer, if he is still in place, says, "I am going to do more business around the welfare cap; I am going to reduce it." What would be the consequences here? I give way to the Minister.

**6.00 pm**

**Mr Storey:** Would the Member also accept that, as part of the five-party Stormont Castle agreement, we agreed that there was a need for greater clarity on the implications of further spending on social security in Northern Ireland following the introduction of the welfare spending cap by the Chancellor; and that we have agreed that, working in partnership with the Minister of Finance and Personnel — this covers the point that the Member makes in relation to the wording of the amendment — I would propose a commission to review the operation of the welfare cap? I have asked that officials develop draft terms of reference accordingly. So, in a sense, there is agreement to do that. My concern is that we do not need to have it in the legislation.

**Mr Attwood:** What happens after a couple of years when the commission reports? Are we then going to say that we are not going to have ongoing vigilance and monitoring of the welfare cap? What our amendment does is build into the life of the Department and Assembly an ongoing assessment of welfare expenditure in Northern Ireland in the context, among other things, of the welfare cap. So our process is a long-term one not a short-snap assessment

by a commission. I do not say that there should not be a commission. Expert work needs to be done on this, and I am not going to be in denial. We need to keep our eyes wide open. The matters that I deliberately read into the record this morning, about the exchange between Mr Mark Durkan MP and the Treasury Minister in respect of the potential for more stick when it comes to corporation tax, all demonstrate that, when it comes to budgetary matters, including welfare, we need to be highly vigilant. So, without disagreeing with your last point about the commission, we think that this amendment builds into the architecture of this place a more ongoing, continuous model. I think that it will serve you well, Minister, because if there is bad news coming in terms of the welfare cap, you will want to be on this Floor in order to advise us what is coming and what can be done and put us all on red alert, because that would be the consequence of some of the ambitions of the current London Government.

The second amendment consistent with that oversight principle is amendment No 55, which proposes a dedicated welfare reform committee of the Assembly. In that regard, we are only following the example of the Scottish Government. They do not have devolved responsibility for social security, and I acknowledge that, so we are dealing with a different character of devolution. Nonetheless, I do not think that anyone disagrees about the scale of what is happening, if it happens. Given the scale of that, would it not be appropriate to build into the architecture of the Assembly a dedicated, stand-alone committee to do what the Welfare Reform Committee in the Scottish Assembly does?

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

**Mr Attwood:** I will, yes.

**Mr Humphrey:** Does the Member not accept the point that, if the Assembly were to do what he has said, it would completely undermine the credibility and standing of the Social Development Committee?

**Mr Attwood:** Far from it. You could make an argument that some of the stuff that is going on in the Social Development Committee undermines the Committee itself —

**Mr Humphrey:** Maybe you could. Who is involved in that stuntery?

**Mr Attwood:** No. I do not think so. We believe, for example, that there should be a dedicated Budget committee of the Assembly, separate from the Finance and Personnel Committee, in order to have ongoing oversight and monitoring of the Budget and Budget opportunities. It is not to undermine but to enhance Departments' accountability on issues to Members on behalf of the people of Northern Ireland. This is not either/or; this is raising the threshold of accountability. I would be a bit surprised if it looked as if the rug was being pulled from under the Social Development Committee and that its authority was being usurped.

The remit of the Scottish Welfare Reform Committee, and we have borrowed the words as accurately as we could, is this:

*"To keep under review the passage of the UK Welfare Reform Bill and monitor its implementation as it affects welfare provision in Scotland and to consider relevant Scottish legislation and other consequential arrangements."*

Its reports demonstrate that there is a capacity for a Committee of a devolved institution to add qualitatively to the understanding of welfare reform. For example, in 2014, it published its fifth report, and that was a very detailed assessment, undertaken with Sheffield Hallam University, on the impact across the Scottish regions of welfare reform.

We need to be aware that there could be a differential impact of welfare reform in Northern Ireland. I do not intend to read it into the record, because time is rushing on, but it goes through to the point of looking at the electoral areas and wards that were hardest hit; at the impact on households and individuals; and at the loss to the overall Scottish economy by the reduction of spend due to welfare reductions. I think that that is important data to inform them in their business, and it would be important data to inform us in our business. I urge the Minister that the dedicated Committee would send out a clear, unambiguous signal that it will remain very attentive to the issue and look for further data, research and potential remedies in the event of the worst of welfare reform visiting our people.

The third amendment is to give an enhanced role to the joint standards committee. At the moment, as the Minister is aware, there is a joint standards committee that annually reviews the work of the Social Security Agency and child support. We are trying to give it a dedicated power to create certainty, avoid doubt and make sure that there is no breach in communication and understanding, and to give to the Northern Ireland joint standards committee for the Social Security Agency and Child Maintenance Service the dedicated ability to look at the standards and quality of decision-making with regard to sanctions. We have spent the last hour or two debating one group of amendments, the title of which was "Sanctions". We are arguing that if it was of such importance that there was a dedicated debate in the House for the last couple of hours on sanctions, then we need to have dedicated mechanisms to ensure that, when it comes to decision-making on sanctions, it is being interrogated by the appropriate bodies —

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

**Mr Attwood:** — and the appropriate body in this case, in our view, is the joint standards committee, which, as you know, is chaired by Eileen Evason.

**Mr Storey:** The Member will also be aware that the Northern Ireland joint standards committee reports to the chief executive of the Social Security Agency and the head of the division of the Child Maintenance Service, formerly the Child Support Agency, and it specifically includes the accuracy of decisions on sanctions. I wonder why there is a necessity to expand something that is already doing what the Member is requesting that it should do.

**Mr Attwood:** You can anticipate what I am going to say. We are not flying a kite here. We have reason to believe that certainty around this issue in terms of interrogation of the sanctions regime is something that the joint standards committee would like to be reassured on. I say that with knowledge, and therefore I say to the Minister, noting what you have just said, that there is a facility already under law to interrogate to confirm to the House that, when it comes to the work of the joint standards committee and when it comes to the quality of decision-making, it does extend to the sanctions, and not just the accuracy of them. "Accuracy" is a very precise term, and I am sure that, somewhere, some lawyer has defined it. We are

saying that you have to look at the standards and quality of decision-making. If accuracy, in your view, extends to standards and quality of decision-making, that might be some reassurance, but we need to know that it is the standards and quality of decision-making, as opposed to this word "accuracy", which seems very precise. Is it precise for a purpose, and is the purpose to ensure that the interrogation of what is happening with sanctions goes so far or —

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

**Mr Attwood:** I will give way.

**Mr Storey:** Thank you. I take what the Member has said about this. Will he allow me the opportunity to take away those comments that he has made specifically on this issue and to give further thought to what he has said?

**Mr Attwood:** I hear that, and, consistent with the spirit of this debate from our point of view, we will not move that amendment in the event that you will consider to come back to this matter at Further Consideration Stage and without prejudice to the position that the SDLP might take. I think that our amendments create a triple lock. I think that that phrase is borrowed from some previous negotiation. I cannot remember which one it was, but there was certainly something about a triple lock. I should remember, and Mark Durkan would correct me.

**Mrs D Kelly:** The St Andrews Agreement.

**Mr Attwood:** St Andrews. In any case, we are looking for a triple lock. The triple lock is, first, the joint standards committee having the scale of oversight of the sanctions regime that we have referred to; secondly, we are looking for the committee in the House to have the oversight role that I referred to; and, thirdly, we are looking for, in addition to any commission in respect to the welfare cap, an annual reporting mechanism, starting with a six-monthly report from the commencement of the legislation that would make sure that we keep in the forefront of our minds this issue of the welfare cap as it rolls out over the next four or five years, the lifetime of the next Parliament, where it will be up for grabs in the minds of some who might be in Government not very far from now.

**Mr Principal Deputy Speaker:** Before I call Ms Michaela Boyle, can I confirm with the Member that he did not move amendment No 20?

**Mr Attwood:** Sorry, Mr Principal Deputy Speaker. I said that we would not be moving that amendment and that we would defer to the Ulster Unionists, subject also to what I anticipate the Minister saying in this regard. It will not be moved. That is correct.

*Amendment No 20 not moved.*

**Ms Boyle:** Go raibh maith agat. This group of amendments, whilst small in number, deals with the important issues of ensuring that we are doing things right as we move forward with the roll-out of welfare changes here. I thank the Minister for his acceptance of amendment No 34, which proposes a pilot scheme testing the roll-out of personal independence payments. I am sure that the Minister will have looked on this amendment with some irony, given that its proposers from the UUP had signed up to a four-party agreement that did not contain this proposal. Indeed, that party stood in the last Westminster election in partnership with the Tories, who are responsible for this attack on the

most vulnerable and are the reason why we are here today seeking to mitigate such as an attack.

### 6.15 pm

Amendment No 47, which is brought forward by the Minister, is a welcome step in allowing oversight of how welfare changes are impacting here.

Despite the petition of concern to amendment No 49, I ask the Minister to consider broadening the scope of any report. I am sure that he will acknowledge that the proposer of the amendment did not have the same opportunity that was afforded to the main parties in the Assembly to bring forward proposals through the party leaders' implementation group.

The same of course cannot be said of the SDLP and its amendments. I am at a particular loss with regard to amendment No 55, which seeks to set up another Committee to monitor the implementation of welfare provision here. I have just listened to Mr Attwood on that. This is simply duplication of the role of the Committee for Social Development. Perhaps, this desire by the SDLP for another Committee to be set up is an indictment of that party's representation on that very Committee. Indeed, does the party not have faith in its own deputy leader, who sits on the Committee?

I want to speak about sharing information, which is key and we need to look at it; that is why we are here today to debate it. In 2012, the Minister's predecessor dealt personally with a lady in my constituency, Mrs Burns, who was a cancer patient at the time. She had an ESA appeal. Atos Healthcare called her for a medical assessment. She was deemed fit for work while she was suffering from cancer and going through treatment. It was done in an arbitrary way because there was a lack of evidence in her case from her GP to Atos. While Atos does not make the decision, it is certainly meant to look at all the information before it. In a fair decision-making system, it is important that information from health professionals and GPs is shared and goes down the line. Dealing with the effects of illness and getting your benefits cut at the same time is very traumatic for anyone.

**Mr Beggs:** I am pleased to propose amendment No 34, which requires the Department to carry out a pilot scheme into personal independence payments; something that will be a first for any region in the United Kingdom. Hopefully, lessons can be learned before any wider roll-out. I am glad that this amendment appears to have had widespread support from a number of Members already. I think that there is a lot of logic to it.

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

**Mr Beggs:** Certainly.

**Mr Storey:** On a point of accuracy: while I will accept the amendment on the pilot, my Department is in almost continual contact — I know that Mr Attwood will probably say that this just confirms all his fears — with DWP on pilots that are going on throughout the United Kingdom. We are endeavouring to learn. I think that this would not be the first pilot in the United Kingdom.

**Mr Beggs:** I certainly had not heard reports of any pilots. I thank the Minister for that information. It certainly would be the first pilot to occur in Northern Ireland. Hopefully, that

will be a useful exercise, where, locally, lessons may be learned on top of lessons that have been learnt elsewhere.

That was one of the key Ulster Unionist requests during the Stormont House talks. I welcome the genuine commitment of the Minister and his Department to take this issue forward. Whilst the Bill, at present, does provide for universal credit pilots, no such provision exists for the transfer from DLA to PIP. That, in our opinion, was a major oversight in the original legislation. Unfortunately, Great Britain has seen the consequence of that as it has begun to implement the new policy.

The United Kingdom Government had previously made it clear that it would take time to get the delivery of personal independence payments (PIPs) right, by allowing a sufficient period for the processes to bed in. The theory was that they hoped to learn from the delivery of a limited number of new claims before increasing their volume and beginning to invite existing DLA claimants to claim PIP.

Unfortunately, trying to move even a limited number of people who have a change in their circumstances has been troubled with one problem after another. Many of these teething problems should now have been addressed, and the Department here should be in a position to learn from those when it comes to the task of assessing and transferring DLA claims to PIP.

In the meantime, I believe that the implementation of a targeted pilot scheme in Northern Ireland will play a crucial role in testing and implementing the policy here. Testing the training of our staff and the processes would be wise. Not only does our proposed pilot scheme allow for the Department to learn lessons and obtain early estimates of the likely outcomes for claimants, it will hopefully shape future roll-out plans.

Preparation will be absolutely essential, and the more issues that we can resolve now before the full roll-out, possibly later this year, the better. Because of time pressures and the eagerness to avoid any further financial penalties from Westminster, my party agrees that the pilot should not delay the overall proposed roll-out scheme. That is why the wording of our amendment is not overly prescriptive. I recognise the Minister's commitment to a pilot and, as far as the Ulster Unionist Party is concerned, we want to work productively with him and his Department and officials.

I understand that the Department has already provisionally put in place some preparations for a pilot and that the intention will be to run it from the end of the summer. That will focus on reviewing what the impacts would have been on recent DLA claimants. I ask the Minister to provide some details of what the Department is currently considering, in particular, what approach is the pilot likely to take, how many people is it likely to involve and whether it will be based on a particular area or demography or be more wide-ranging.

I now turn to amendment No 20, which, I hear is not going to be moved. I am pleased, because of the concern I had about how it would have delayed the whole scheme and the almost automatic penalties that would have removed further money from the block grant. I therefore thank the proposers for indicating that they do not intend to move the amendment and for their support for our own pilot.



For now, the Ulster Unionist Party is more inclined to go with what the Minister proposes on reporting following the Bill in amendment No 47. It appears to be sufficiently robust and wide-ranging and will include what we believe to be the key points. I believe that the Department already produces regular reports on the impact of welfare reform. It would be helpful if the Minister would highlight the merits of whatever additional reporting would flow from amendment No 47.

I now turn to amendment No 46, which would, I think, have been very uncontentious — adding the Minister of Justice to the list of qualifying persons. With policing, courts and probation coming under that Minister, clearly there will be relevant information that could affect aspects of an individual's welfare payments and therefore it is entirely appropriate to make that addition.

I turn to amendment No 55 and the idea of putting into primary legislation the establishment of another Committee. I point out that there are other mechanisms. The Assembly itself can decide to do that. Ad Hoc Committees can be established. As a recent addition to the membership of the Social Development Committee, I still have to find my way and get a sense of whether that is a role that the Committee itself should be carrying out. If it finds that that is too large a task, there are other mechanisms in the Assembly to create bodies, whether it is a subcommittee or an Ad Hoc Committee. I do not feel that there is a need to put that in primary legislation so I am unconvinced of the need for amendment No 55.

I welcome the discussion that there has been on amendment No 56. There needs to be clarity on that issue. Whether or not the amendment is needed, it is useful that there is dialogue and clarity. If that can be achieved without legislation, that is fine, but it is something that we may need to return to, and I welcome the discussion that has commenced.

**Mr Agnew:** I will speak on my own amendment and make brief comment on the others. It seems that I have been the least prescriptive in terms of a timeline for the various proposed reviews and reporting. Part of the rationale for that is what I sought to require in the reporting. I picked out three groups the impact on which any review and reporting should assess, specifically the number of people with a disability living in poverty, the number of children living in poverty, and the financial impact on women claimants.

Throughout GB and, indeed, here in Northern Ireland, there has been much commentary on the impact of welfare reform. Consistently, those are three groups deemed to be most vulnerable to the changes. While my proposal is not that any report or review should be exclusive to those groups, I think that it is reasonable to require that any review specifically addresses the impact of the changes on those groups.

Going back to some of what was said to the effect that no one will be worse off under this Bill etc, we need the data and measurements to show that. My proposal goes further in that it would require in any review proposals on where improvements could be made to the Bill. That is very much the rationale behind the three-year and five-year timeline. It is not just a report on welfare reform, but seeking to propose changes.

I am not proposing that we change the welfare legislation on an annual basis, and that is the rationale for the three-year timeline initially, and then the five-year

timeline for my review. Again, a petition of concern has been tabled, so presumably the intention is for this not to pass. The Minister has proposed his own reporting mechanism. Should that pass, I may come back at Further Consideration Stage with a bit more detail on what should be required in that report because it is important that we keep an assessment of the impact on vulnerable groups, as laid out in my amendment.

Amendment No 34 on the pilot scheme is a sensible proposal.

Again, we have seen the difficulties in implementing welfare reform in GB. Taking a step back from the principles, the mere implementation, regardless of where you stand, has clearly caused problems, and I think a pilot scheme is a sensible way to proceed.

### 6.30 pm

I am sure the SDLP will come to this in its winding up: its proposal for a welfare reform Committee was suggested yesterday when the DUP leader spoke. This was something that was already agreed to. Perhaps the Minister can give more clarity. If this is something that is to happen through another mechanism, it will be up to the members of the SDLP whether they move their amendment. It would provide clarity for those of us who are seeking to vote if they would do so. Similarly, if and how would that relate to amendment No 56?

I do not wish to delay the House unnecessarily, Principal Deputy Speaker, so I will leave my remarks there.

**Mr Dickson:** This group, as Members know, largely concerns preparations for monitoring the implementation of the Bill. The Ulster Unionist amendment relating to the pilot scheme for the implementation of PIP has merit. As the administration of welfare reform in Northern Ireland is very different from that in the rest of the United Kingdom, and would be more so following the implementation of the mitigations agreed by the parties and the Government, a separate pilot scheme is needed to flesh out the problems that could arise, compared to those that will not arise in England. Crucially, as this amendment was agreed by the five parties, we will be supporting it.

We will also support the two ministerial amendments, because they are sensible amendments. Amendment No 46 is largely technical, and the addition of the Department of Justice to the list of qualifying persons with whom information can be shared is indeed eminently sensible. There is also adequate need to report on the impact of the implementation of welfare reform, as with all other legislation, and there are a number of competing amendments. Again, the group party agreements led to the monitoring regime which is laid out in amendment No 47. To me and to the Alliance Party, this represents a sensible way of monitoring the implementation, and we will be supporting that as well.

**Mr Storey:** I thank the Members who made a contribution on this group of amendments, and I will endeavour to be brief as we work our way through these. However, again, as I said earlier, it is also important that there are some things that I need to say. I trust that I will meet, or live up to, the expectation expressed by Mr Attwood, even though he does seem to think he has a fair idea as to what it is I am going to say.

Amendment 20 amends clause 42 to provide that where GB carries out a universal credit pilot, the Department will carry out a similar pilot within six months. I have listened to the concerns that the Member raised. As he would expect, and as I think he anticipated me to say, the reasons that we may give as to why we think that this is not something that we can consider at the moment obviously depend on what Great Britain is piloting. The sample size in Northern Ireland still gives us concern that it may be too small to give meaningful results. There may be further work to be done in relation to that. The GB pilot might give us the information required, without wasting resources repeating it in Northern Ireland. That could be an argument worth considering. If we do want to duplicate a GB pilot, we may want to pilot at the same time or wait until after their pilot has finished. Therefore, "within six months" could be too restrictive. That is another element that we need to take into consideration.

There are instances when we would not duplicate a pilot in the rest of Great Britain, such as when testing information technology where we use the GB IT system. The GB pilot would already have tested Northern Ireland aspects. I think that any pilot in Northern Ireland would obviously have to secure ministerial approval and funding before regulations for it are made, and it would have to be approved in the normal manner through the Social Development Committee. So, for those reasons, we are still of the view that amendment No 20 should be rejected. However, I trust that the Member will then be assured that we are content to support amendment No 34. Mr Beggs alluded to the fact that his party sought that provision as part of the Stormont House Agreement, and we were happy to do that.

Amendment No 34, which would introduce new clause 76A, would place a requirement on my Department to undertake at least one pilot scheme to test the effectiveness of arrangements for personal independence payment and outcomes for claimants. The Social Security Agency will develop a pilot scheme to test the implementation of PIP in Northern Ireland to better inform future roll-out plans and to obtain early estimates on outcomes. The agency is working on the detail for the PIP pilot scheme. However, DLA claimants who have had a successful DLA award in the six months prior to June 2015 will be invited to take part in the pilot. Planning assumptions are that the pilot will start in June this year. The pilot will be entirely voluntary and will not impact on the current DLA awards. Costs have not yet been assessed, but they are expected to be, I trust, minimal. For those reasons, and because we have an agreement that this is what we said we would do, I am happy to accept that amendment.

Turning to amendment No 46, clause 117 would replace the information-sharing gateway in section 39 of the Welfare Reform Act (Northern Ireland) 2007 and would broaden the scope of the data sharing that is provided for under the existing section. It would allow relevant information to be shared between the Department and relevant bodies such as the Housing Executive, Land and Property Services and other providers to help to make front-line public services more efficient. I think that that is probably about trying to get a grasp of the information gap that the Member commented on. There is an issue about the information that is supplied, because we need to be convinced and certain — I need to have due regard to my statutory responsibility, which is to continue to deliver

a safe and secure social welfare system in Northern Ireland — that any information supplied under clause 117 will be subject to the offence provisions that are set out in clause 118. That makes it a criminal offence for a person to disclose information unlawfully, and it mirrors the provisions that already apply to social security information that is supplied to the Housing Executive and Land and Property Services for housing benefit. That is to give assurance that there will be protection for claimants. I think that that needs to be underscored.

Information can already be shared for the provision of a welfare service and for certain rates or housing benefit purposes. Widening the category of welfare services for which claimant information can be shared will make it easier for those with particular needs, such as elderly and disabled people, to receive the services they are entitled to. It will also provide the opportunity to reduce costs and make sure that limited funds are targeted appropriately. Current legislation allows social security information to be shared for housing benefit or certain welfare services purposes without requiring individual claimant consent. It is used to enable exchanges of information between and within authorities for the administration of a group of services commonly referred to as Supporting People. Clause 117 replaces that legislation and broadens the scope of information sharing that can take place. It will allow information to be shared for a wider group of welfare services, the details of which will be prescribed in regulations.

We intend to use that power to continue to allow data to be shared for housing benefit and Supporting People services. When the abolition of housing benefit commences, that power will also allow information to be supplied to the Department about a person's claim for housing costs within universal credit or the new housing credit for people of pension age. In addition, it is intended that information will be shared under that new power to help decide whether a person is eligible for a disabled person's parking permit or a disabled facilities grant towards the cost of providing adaptations and facilities to enable the disabled person to continue to live in their home. It will also allow claimant social security information to be supplied to social services staff so that they can decide whether a person should contribute towards the charges that are made for domiciliary services such as home helps and meals.

The clause provides the Department with the flexibility to add to the list of qualifying persons where there is good justification for doing so. That will allow the Department to respond to changes so that welfare services can be delivered promptly without the need for further primary legislation. In the future, that power could also be used for new schemes or services. The regulation-making power in clause 117 means that it would be a simple matter to prescribe additional welfare services where that is deemed necessary. That will provide the Department with a degree of flexibility that will be useful as and when new schemes or services are developed.

Introducing a legal gateway that will allow information to be shared in more circumstances will bring a number of advantages. By removing the need for claimants to repeatedly produce the same financial information to different parts of government, the clause will help to make it easier and, I trust, quicker for people to apply for

and receive the services that they are entitled to. Where people have to pay towards a service, it will also ensure that social services are able to charge the right amount at the right time. That will reduce the amount of free care that many social services are obliged to provide and will potentially realise considerable savings. Removing the need for consent forms to be obtained, recorded and updated before information can be shared will allow administrative savings to be made by social services and the Department.

Amendment No 46 also adds the Department of Justice to the list of qualifying persons to whom information can be supplied. That will enable social security data to be shared for the purposes of the remission of transport charges for prison visits. I urge members to accept amendment No 46.

I turn to amendment No 47 and the issues that were raised by Mr Beggs. I want to make some comments on amendment No 47 and amendment No 49, which was tabled by Mr Agnew. Amendment No 47 introduces a new clause to provide for an annual report to be produced and laid before the Assembly to report information on sanctions. The intention is to provide transparency on the application of the sanctions regime. Currently, my Department produces an annual report on standards of decision-making within the Social Security Agency, and the decision-making report will be expanded to include information on sanctions.

I heard the comment that Mr Attwood made about quality, and I take on board what he said. The report will detail the type and numbers of sanctions that are imposed on claimants, either as a result of failure to fulfil their claimant commitment or fraud. The report will contain a number of details; I want to read those into the record and then make a further comment. It will include the number of persons who are affected by sanctions; the periods for which such persons are affected; the reasons for which sanctions are imposed; and the benefits or allowances that are reduced or lost.

#### 6.45 pm

However, I say to the Member that I will give consideration to this particular element. I think that a comment was also made by Michaela Boyle in relation to amendment No 49. I want to move on. Although we will not accept amendment No 47 for reasons which we all know in relation to the petition of concern, I want to take this element of the comments that have been made and look again at it before the Further Consideration Stage of the Bill.

This brings me to amendment No 49, and comments made by Mr Agnew. The amendment would introduce a new clause, clause 120C, which requests an independent report on the operation and effectiveness of this Act — including the numbers of people living in poverty and the financial impact on women — to be laid before the Assembly within three years of the commencement of the Act and every five years thereafter. As with amendment No 55, I advise Members, and the Assembly, that, in terms of social security legislation, this Bill does not exist in isolation. As the House will have noted, much of the content of the Bill amends an existing body of social security legislation.

The Department already produces reports on the impact of welfare reform, and those will continue to be produced

on a regular basis. Our analytical services unit has just published the first research compendium which brings together a comprehensive selection of the information that we generate as a Department. Of particular importance is that the data and information presented reflects some of the most pressing problems that we face as a community — poverty, homelessness, disability and access, and take-up of social security benefits.

I say to Members — and sometimes it is not the most accepted of comments made in the House — that I would refer them to the Department's website because there is a wealth of information there currently. I also want to raise this issue before I leave the matter. It is the point raised by the Member about the triple lock. Here we are, back to the days of the triple lock. He talked about having the Northern Ireland joint standards committee, a Committee of the House and the welfare cap report.

I believe that primary responsibility for the scrutiny and interrogation of policy and policy-related practice is the Social Development Committee. As Minister, I am duty-bound to give the Committee its place, as the rules of the House dictate. It is not for me to set out terms and conditions and the way in which the Committee operates. I was Chair of the Education Committee — and I know that the Education Minister was only too glad when I was taken away from that post and sent to this one. On that Committee, we endeavoured to set out a work programme, and on a monthly basis we looked at specific issues which were of relevance to the Department. Consider the scale, size and complexity of this Act and the nature of the journey that we have now commenced. As I said earlier, this business is not concluded when we get to the end of proceedings tonight, nor indeed will it be concluded when we get Royal Assent in April this year, as I trust we will. It is an ongoing process or, dare I use the word, an evolutionary one, and some Members know the difficulty that I have in using that term. However, it is an ongoing process. My current thinking on the issue is that we should give due regard and place to the Committee to make its own decisions as to how to deal with these issues as we move forward. I must read into the record that I urge Members to reject amendment No 49.

However, I am willing to have a conversation with Mr Agnew on the issue before we come back for Further Consideration Stage. Despite the situation that we find ourselves in with the current petition of concern, we will make progress. I think that the tone and nature of the contributions that we have had in the House today have been helpful. There have been some good suggestions and there are some things that will give me food for thought as we prepare for Further Consideration Stage. I want that to continue as we try to make progress on the Bill.

I turn to amendment Nos 54 and 55. Amendment No 54 requests the Department to table a report on the implementation of the Act and on the financial arrangements applicable to welfare expenditure within six months, and annually thereafter. I indicated earlier a commitment to lay a report annually, and I made comments earlier in relation to amendment Nos 47 and 49.

In addition to those controls, I advise that routine checks and balances are built into public expenditure that ensures probity in governance. Given that those structures already exist, the need for an additional report may be deemed unnecessary, but I qualify what I have already said about

those issues. It is also worth noting that, in terms of social security legislation, as we have already said, the Bill does not exist in isolation. Much of the mechanics and the outworkings of this fall within the scrutiny role of the Committee. I trust that I have already covered that. On that basis, our position is to reject amendment Nos 54 and 55.

Amendment No 56 requests that the standards and quality of decision-making with regard to sanctions will be monitored by the social security Joint Standards Committee on an annual basis. In response to Mr Attwood, I have outlined that the Northern Ireland Joint Standards Committee was set up in 1999 to report to the chief executive of the Social Security Agency and the head of the Child Maintenance Service in Northern Ireland on the standards of decision-making and payment accuracy within the two organisations. That includes the accuracy of decisions on sanctions. In April 2014, the chairperson, Professor Evason, observed that evidence from the DWP Select Committee suggested that inappropriate use is being made of sanctions in GB, raising concerns about the quality of decision-making, and I think that is the point that the Member referred to. On foot of that and other issues raised by the Committee, she requested that a standards assurance unit should undertake a special exercise to provide reassurance on the position in Northern Ireland currently and provide a benchmark for the future.

As the work on standards of decision-making in relation to sanctions is already being monitored by the Joint Standards Committee, we take the view that there is no need to legislate. The Social Security (Northern Ireland) Order 1998 requires the Department to prepare an annual report on the standards of decision-making, and a copy of every such report must be laid in the Assembly. I will take on board the comments that have been made and revisit the issue of the standards assurance unit to see what comment and decisions we could make before we come back at Further Consideration Stage. As I have offered to have a discussion with Mr Agnew on the concerns that he raised, I also undertake to have a discussion with Mr Attwood on that issue.

That brings me to the conclusion of my comments on the fourth group of amendments.

**Mrs D Kelly:** At the outset, I want to say that we are disappointed at the use of petitions of concern on these amendments. I do not think that there was any necessity for that. It will not disadvantage one side of the community over the other, and it is a very clear misuse of petitions of concern. As my colleague Mr Attwood outlined, we will not move amendment No 20, but we will support amendment No 34 from the Ulster Unionist Party. We welcome the Minister's acceptance of that amendment and the support from other parties, as indicated here this evening.

I believe that all parties that have made a contribution have recognised the importance of data sharing and the welfare policy, and, in particular, the Minister outlined the importance of and some of the rationale for that. I hope that, as a consequence of the sharing of the data, we will see more streamlined systems in place and quicker decisions being made, particularly for individuals who fall under the Supporting People scheme. I hope that that is a real consequence of that amendment as well as, if you like, a new enthusiasm for the sharing of that information and an obligation to carry that out.

I note, Mr Principal Deputy Speaker, that you said that, if amendment No 47 is accepted, amendment No 49 will fall, although I did hear the Minister's commitment to speaking further to Mr Agnew to strengthen, perhaps, the format of the welfare reform report and about some of the timescales. Nonetheless, I am somewhat surprised, although, given Sinn Féin's servitude today, it believes that the mitigating factor is the combination of it. In essence, as the Minister outlined, it is a league table that decides who and what is sanctioned and why and how much is to be applied. I hope that Mr Agnew keeps his eyes wide open when he is having any discussions with the Minister about the report to the Assembly on the impact of welfare reform.

On our amendment in relation to the welfare reform Committee to be established, it should have been no surprise to any party in the House that our party has advocated this over the past two years. Contrary to the claims today by some in the media and elsewhere, the SDLP tabled numerous amendments two years ago and more recently to the Welfare Reform Bill. Indeed, we did not grant the power of veto at any time to any party at Stormont Castle, Stormont House or anywhere else that people would care to try to mischievously put on record.

The welfare reform Committee is not a new concept; it is currently working at the Scottish Parliament. So that Members are aware, the Scottish Parliament, to inform itself better, can find out about some of the reports that have already come before the Welfare Reform Committee of the Scottish Parliament. I ask the Minister to reflect on his party leader's contribution yesterday when he did not turn that down right away, although he tabled a petition of concern in relation to that. At Further Consideration Stage, he might give further thought to the outworkings of such a Committee.

So that Members know, the Scottish Government have set aside some £81 million for welfare mitigation measures. The Member Mr McNarry, who is not here at the moment, of course, was quite vociferous in his comments when he was on 'Nolan' early this morning talking about parity. In fact, the Scottish Parliament has already established mitigating measures in relation to the impact of welfare reform. It is doing what, in its view, is best for the Scottish people, so it is no different from what we are doing here. I think that it shows a more responsible attitude and is one of the benefits of devolution. It is unfortunate that Mr McNarry would not inform himself better before he goes on a rant on the radio about parity.

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

**Mrs D Kelly:** I will indeed, Mr Beggs.

**Mr Beggs:** Will the Member agree with me that it is also unfortunate that he has not taken part in any of the extensive debate to share his views with other Members?

**Mrs D Kelly:** I had, one might say, the misfortune of having to listen to him on the radio this morning, as I was on the other end of the telephone myself. Otherwise, I would have missed anything that he had to say about welfare reform, because I would have been in my party group meeting.

## 7.00 pm

It is very clear that the Scottish Executive recognise that there are a number of inequalities that are a consequence of welfare reform per se. That Committee has already



gathered substantial evidence on the differential impact of welfare reform on women. As many Members know, the vast majority of lone parents are women. They also have to suffer from and experience the gender pay gap and are still the majority of care providers. The Scottish Committee is not just looking at the impact of welfare reform, but is actually challenging itself, its own Ministers and other Departments on how they have a contribution to make in the mitigation of some of those impacts. For example, housing policy in Scotland has now committed, as a consequence of the impact and cost of the bedroom tax, to actually build much greater numbers of social housing. That is something that, I am sure, the Minister would look forward to doing if the Executive's Budget would allow it. A very real and tangible way of militating against the bedroom tax is to build appropriate housing accommodation for people and greater numbers of public or social housing overall.

The Committee has also challenged the Scottish Executive's provision of childcare. We all know the important role that affordable and accessible childcare has in getting people out to work and allowing women returners, in particular, to enter the employment market. The Scottish are moving the debate on, not just around mitigation of the impact of welfare reform, but tackling inequalities as a whole.

I note, in particular, the slight, if you like, that Ms Boyle directed towards me about whether my party trusted me to be robust enough on the Committee for Social Development. I am sure that the record will show that I am quite robust, as will, I am sure, her party colleague the Chair of the Committee, on matters that come before that Committee. As the Chair of the Committee will know, many of its members do not show the objectivity that would be demanded in most other Houses in the examination and scrutiny of policy, particularly those who are champions of particular policy interventions.

I ask again that Sinn Féin reflects that the report to be laid before the Assembly is nothing more than a league table and that our proposal on a stand-alone Committee would be much more robust, give much more oversight on the inequalities that are being experienced by many people as a consequence of welfare reform and indeed look as it is rolled out across the PIP, for example, where many people on the lower scale of disability living allowance will lose out.

I think that I have covered most of the Members' contributions. At this stage, I will finish my contribution.

**Mr Principal Deputy Speaker:** As amendment No 20 has not been moved, I will move immediately to clause 42.

*Clause 42 ordered to stand part of the Bill.*

*Clause 43 ordered to stand part of the Bill.*

#### **Clause 44 (Assembly control)**

**Mr Principal Deputy Speaker:** We now move to the fifth group of amendments for debate, which contains 26 amendments. These amendments deal with Assembly control, commencement and technical issues. Members will note that amendment No 22 is consequential to amendment No 21 and amendment No 41 is consequential to amendment No 40. Members will also note that valid petitions of concern have been received to amendments Nos 21 and 22, 40 and 41; therefore they will require

cross-community support. I call on Mr Stephen Agnew to move amendment No 21 and to address the other amendments in the group.

*Mr Agnew had given notice of intention to move amendment No 21: In page 20, leave out from line 40 to line 6 on page 21 and insert*

*"shall not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly."*

*The following amendments stood on the Marshallled List:*

No 22: In page 21, line 32, leave out subsection (6).—  
[Mr Agnew.]

No 30: In clause 63, page 53, line 3, leave out "ordinary".—  
[Mr Storey (The Minister for Social Development).]

No 31: In clause 63, page 53, line 10, leave out "ordinary".— [Mr Storey (The Minister for Social Development).]

No 32: In clause 63, page 53, line 17, leave out subsections (6) and (7).— [Mr Storey (The Minister for Social Development).]

No 33: After clause 63 insert

**"Entitlement to work: statutory shared parental pay**

**63A.—(1) Part 12ZC of the Contributions and Benefits Act (inserted by section 5 of the Work and Families Act (Northern Ireland) 2015) is amended as follows.**

**(2) In section 167ZU(2) (entitlement: birth) after paragraph (c) there is inserted—**

**"(ca) that at the end of that prescribed week the claimant mother was entitled to be in that employment,".**

**(3) In section 167ZU(4) (entitlement: birth) after paragraph (d) there is inserted—**

**"(da) that at the end of that prescribed week the claimant was entitled to be in that employment,".**

**(4) In section 167ZW(2) (entitlement: adoption) after paragraph (c) there is inserted—**

**"(ca) that at the end of that prescribed week claimant A was entitled to be in that employment,".**

**(5) In section 167ZW(4) (entitlement: adoption) after paragraph (d) there is inserted—**

**"(da) that at the end of that prescribed week claimant B was entitled to be in that employment,".**— [Mr Storey (The Minister for Social Development).]

No 40: In clause 93, page 65, leave out lines 16 to 22 and insert

*"shall not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly."*— [Mr Agnew.]

No 41: In clause 93, page 65, line 33, leave out subsection (7).— [Mr Agnew.]

No 58: In clause 133, page 95, line 1, leave out "46 to" and insert "section".— [Mr Storey (The Minister for Social Development).]

No 59: In clause 133, page 95, line 3, leave out paragraph (b) and insert"( ) sections 51 and 56 (employment and

support allowance);”— *[Mr Storey (The Minister for Social Development).]*

No 60: In clause 133, page 95, line 5, leave out paragraph (c).— *[Mr Storey (The Minister for Social Development).]*

No 61: In clause 133, page 95, line 6, at end insert“( ) sections 65, 67 and 68 (industrial injuries benefit);

( ) section 69 (housing benefit determinations);”— *[Mr Storey (The Minister for Social Development).]*

No 62: In clause 133, page 95, line 8, at end insert“( ) sections 95 and 96 (benefit cap regulations);”— *[Mr Storey (The Minister for Social Development).]*

No 63: In clause 133, page 95, line 9, leave out paragraphs (f), (g) and (h).— *[Mr Storey (The Minister for Social Development).]*

No 64: In clause 133, page 95, line 23, leave out “section 109 to 111” and insert “sections 109 and 110”.— *[Mr Storey (The Minister for Social Development).]*

No 65: In clause 133, page 95, line 24, leave out paragraph (l).— *[Mr Storey (The Minister for Social Development).]*

No 66: In clause 133, page 95, leave out lines 27 and 28 and insert“( ) sections 121 and 124 to 126 (child support maintenance);”— *[Mr Storey (The Minister for Social Development).]*

No 67: In clause 133, page 95, line 31, leave out paragraph (q).— *[Mr Storey (The Minister for Social Development).]*

No 68: In clause 133, page 95, line 32, leave out paragraph (r).— *[Mr Storey (The Minister for Social Development).]*

No 69: In clause 133, page 95, line 32, at end insert“( ) sections 130A and 130B (discretionary support);”— *[Mr Storey (The Minister for Social Development).]*

No 70: In clause 133, page 95, leave out line 34 and insert“(t) in Schedule 7, paragraphs 2, 6, 8 and 13(1) and”.— *[Mr Storey (The Minister for Social Development).]*

No 71: In clause 133, page 95, leave out lines 39 and 40 and insert“(ii) in Part 3 the entries relating to paragraph 27(3)(b) of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 and to Part 3 of Schedule 4 to the Welfare Reform Act (Northern Ireland) 2010.”.— *[Mr Storey (The Minister for Social Development).]*

No 72: In clause 133, page 96, line 9, leave out subsection (5).— *[Mr Storey (The Minister for Social Development).]*

No 76: In schedule 12, page 134, leave out lines 31 to 40.— *[Mr Storey (The Minister for Social Development).]*

No 77: In schedule 12, page 139, line 20, column 2, at end insert

“In Article 76(1A)(a), the words ‘, income support’.”.— *[Mr Storey (The Minister for Social Development).]*

No 78: In schedule 12, page 153, leave out lines 4 to 8.— *[Mr Storey (The Minister for Social Development).]*

**Mr Agnew:** Of all the groups of amendments, certainly of my own, I find it strangest, but also, perhaps, most telling, that this should be subject to a petition of concern. My proposed amendments simply seek to give the Assembly greater oversight of the regulations that will come forward after the Bill. The Minister has made much of the fact that today is not the end of the journey for the Bill, but neither

is Final Stage or even Royal Assent. Much of the Bill is an enabling power for the Department to put in place regulations on welfare.

I accept that I have chosen a somewhat crude approach by seeking to amend the Bill so that a draft affirmative resolution is required for any regulations. However, proposing an amendment to every regulation for which I believed a draft affirmative resolution was required would have meant many more amendments today. I am therefore putting forward a principle that the Assembly should have maximum oversight of the regulations. We cannot simply pass a Bill that, in much of what it will do, enables the Department to put in place regulations with little Assembly scrutiny. Those of us who sit on Committees know how quickly, and with how little scrutiny, negative resolutions, like the many under this Bill, and, indeed, affirmative resolutions, are passed. If you look at some of the enablements in the Bill and some of the areas that it covers, you will understand why I have such concern and, particularly, why I have concern that increased Assembly oversight is subject to a petition of concern.

Section 9 will decide through regulations the amount of universal credit to be awarded; the level at which universal credit is set will therefore be decided after we debate the Bill and it has received Royal Assent. The amount of children's disability additions will go through under regulations, as will the amount to be awarded under the new employment support allowance components of universal credit. I could go on at length, Mr Principal Deputy Speaker, but this stage has already gone on at length; therefore I do not intend to cite every regulation that causes me concern. My proposal is that draft regulations should be brought before the Assembly before being implemented. I think that that is good practice. I accept that my proposal would include all regulations, and perhaps some do not need that level of oversight.

As drafted, however, the Bill leaves too much responsibility to the Department and insufficient oversight by the Assembly. I ask the Minister to bear that in mind and to look at it in more detail. Indeed, I ask Members to insist today that the Assembly have full scrutiny of regulations under what is undoubtedly one of the most important pieces of legislation in the Assembly, certainly in my time, given the direct impact that it will have on the lives and well-being of many of our constituents. I will wait to hear the Minister's rationale for the technical amendments, but, at this point, I do not have concerns about their content.

*Amendment No 21 not moved.*

**Mrs O'Neill:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. This group of amendments mostly tidies up elements of the welfare Bill, reflecting what has been agreed by the parties and changes to other legislation or positions that have been agreed by the Executive.

The Executive paper provides a calling mechanism for forthcoming regulations. Given the sensitivities about the issue, I welcome the agreement that the Executive will have the facility to scrutinise fully and agree the regulations following on from the legislation.

In light of that, and the given the time that Members have been in the Chamber debating the issues, I am content to indicate that we support the Minister's amendment.

**Mr Attwood:** Michelle O'Neill knows, the Minister now knows, and I certainly knew that a big burden falls on Ministers in the passage of a Bill over a couple of days. I acknowledge that there has been no light touch from the Minister, and his responses have been comprehensive. Whilst those responses were manifestly lacking in multiple areas, I nonetheless acknowledge the Minister, his officials and others who had an input to his contributions. I also acknowledge all other Members because, whilst reckless approaches have been adopted to the management of business in the Chamber, which sent out an entirely negative and anti-democratic message to our people, the character of much of this debate might have sent out a slightly different message.

*(Mr Speaker in the Chair)*

More than anybody else, we should acknowledge Mr Agnew. He is a lone Member representing the Green Party, but a great burden of amendments and contributions fell to him. Of all MLAs, he should be acknowledged for that reason. Given that the SDLP is sympathetic to his proposals in amendment No 21 and in other amendments, can further consideration be given, over the next couple of weeks, as to how to manage the regulations to maximise the level of accountability in terms of what the Minister might want to say this evening or later?

The Committee of the Scottish Parliament that I referred to does not have only a general oversight role in the implementation of the Welfare Reform Bill. Unless I am wrong, it is also responsible for looking at the regulations, so, if you were minded to go in the direction of a Committee, there is an opportunity to enhance its role for the regulations.

I have no doubt that the Minister will shortly present an argument that you do not want to overload and put disproportionate demands on the Committee and the House —

**Mr Storey:** I would not be too sure of that.

**Mr Attwood:** I expected you to be inclined to make that argument, but one way to mitigate the situation would be to enhance the role of a new Committee for welfare reform, including welfare reform regulations. If the Minister is inclined to go in that direction, it could be a win-win situation.

Save for those matters, the substance of the rest of the amendments seems to be technical in nature, and we will support them.

**7.15 pm**

**Mr Beggs:** I welcome this opportunity to comment on the fifth and final group of amendments to the Bill. There have long been concerns about the scope of the Bill, not least because so much of it is simply enabling legislation. Much of the detail and the real policy changes are yet to be disclosed. That is why a number of amendments that could have been addressed in subordinate regulations were tabled at this stage. However, once the Bill passes Final Stage, the Assembly will have much less opportunity for direct input.

It is important that we recognise that the Committees have an important role to play in the process, and that the Social Development Committee, which I have recently

been appointed to, will have a particularly important role. It is essential that the Minister and his Department adopt a cooperative attitude. There will be occasions when the Committee will seek further briefings or clarification from the Department and, as onerous as that may be, I hope that any requests will be met obligingly and in a spirit of cooperation.

I turn to some of the amendments in the group. Mr Agnew is, effectively, seeking to change the Assembly's control of all the subordinate legislation flowing from the Bill from confirmatory to affirmative resolution. I have to say that I have a degree of understanding and sympathy for that position. The problem with the confirmatory method is that the regulations can be brought into operation months before the Assembly formally confirms them. You could argue in such cases that this has been a deficit of democratic engagement with what are effectively new laws. The regulations will be just as strong, and will, in many cases, have a greater impact than anything that may have been written into the Bill itself.

I accept that the Committees normally have an important role to play in the process when it comes to correcting or changing any elements of what has been proposed, but we have to recognise that, ultimately, the power remains with the Departments. Amendments can be sought but they do not necessarily have to be adopted.

I would be concerned if Mr Agnew's amendments were made. Let us reflect on our experiences. Look at the recent experience of two years of deadlock and the financial penalties that preceded the Bill before it reached this stage. I have genuine concerns that we could reach similar stand-offs that could very easily build up regarding many of the key regulations. Such stalemates would only lead to further breaches of parity, further frustrations from the Treasury and further reductions of public expenditure in Northern Ireland. Again, fines — possibly tens of millions of pounds — could occur, with the likelihood of in-year budget clawbacks, as happened in the current financial year. Look at the emergency closures and reductions in public services that resulted. I do not think that I am stretching imagination too far; this could very easily happen again were we to adopt that approach. It is my natural inclination to go in that direction but I can see, given the experience of this Assembly in dealing with these difficult issues, very practical problems that might contribute to adverse relations within the Assembly once more, causing even greater problems than the possible financial difficulties.

The Ulster Unionist Party will not support amendment Nos 21 and 40 as long as the Minister gives a commitment in his comments that he will ensure that the relevant Committee, whether the Social Development Committee or some new Ad Hoc Committee, will be afforded whatever number of briefings by the Department is deemed necessary.

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

**Mr Beggs:** Certainly.

**Mr Storey:** I am quite happy to give that commitment now. I trust that that has been the case both previously and since I came to office. I have not at any time, nor will I, put any impediment before the Committee in ensuring that it has timely and appropriate information. I think that the Chair will bear record to the fact that the officials

have been amenable and available for this, and I give the commitment that that will be the case. I take the Member's point, because it is vital that we do that — I will maybe cover some of this as I conclude — but it is also vital that I have confidence that the information that is necessary for the Committee to fulfil its role is placed before it in a way that means that it can carry out its function and statutory responsibility to the House.

**Mr Beggs:** I welcome that commitment, and it is equally important that there is sufficient time for the Committee to feed into and give feedback to what is being proposed. A responsibility will also fall on the Committee, which will have to demonstrate similar good faith in return by carefully avoiding putting any unnecessary delays or obstacles in place. If the Committee wishes to keep that positive working relationship, there will be a responsibility on it to do everything that is reasonable, and in a timely fashion. That will be a huge ask of the Committee. I suspect that there is much work ahead on this issue.

I do not intend to comment on the rest of the amendments in the group. I see them as largely technical in nature and reflecting the many changes that have occurred over the past two years during the very long period in which the Bill was sitting on the shelf. I am pleased that we seem to be moving forward constructively. I hope that the dialogue and cooperation will continue so that we can enable the legislation to go through its next stage and that, as a result, we in Northern Ireland will avoid potential fines costing hundreds of millions of pounds that will adversely affect our public services and our citizens.

**Mr Storey:** I am sure that there are many Members who are glad that we have, I trust, got to this stage and that we are now in group 5, which is the final group of amendments. As other Members have done, let me give a word of thanks to those who have contributed today and yesterday. Let me also give a word of appreciation to my staff, who have been and continue to be available. I appreciate all the work that they have done to ensure that I have the necessary information. I place on record my appreciation of all that hard work.

Let me move to the amendments. I again underscore the fact that some of them have a technical nature about them; they are about the procedures of the House. Sometimes it becomes a challenge for us all to ensure that we have got our head around all these things.

Amendment No 21 changes the Assembly control from confirmatory to affirmative, and amendment No 22 removes the explanation of the confirmatory procedure. Clause 44 provides for the procedure by which the Northern Ireland Assembly can control the making of regulations for universal credit. The Assembly controls for the universal credit regulations will, in the main, follow the more common form of control, ie the negative resolution procedure. That follows the conventional approach to delegated legislation in this area. However, regulations that introduce new concepts to the benefits system will be subject to the confirmatory procedure in the first instance. That will ensure a debate on any areas of concern. It will also maintain the flexibility to amend the legislation quickly in the future to respond to changes without making disproportionate demands on the legislature.

I am proposing that the form of Assembly control to be applied to regulations remains as it is in the Bill. That will

enable the subordinate legislation to make timely progress. It means that the first set of regulations that introduce major policy changes will be made using the confirmatory procedure. The alternative approach suggested by these amendments is affirmative, which provides for consideration before the regulation comes into effect, and is rarely applied to social security legislation as it could lead to delays in implementation. On Mr Beggs's point, bearing in mind the need to implement welfare reform legislation as quickly as possible for the fines to the Northern Ireland block grant to cease, I urge Members to reject amendment Nos 21 and 22. I have considered and appreciate the comments that Mr Beggs made about that issue.

Amendment Nos 30, 31 and 32 all relate to clause 63. They are technical amendments that result from the Work and Families Act (Northern Ireland) 2015, which received Royal Assent on 8 January 2015. The Act provides a legislative framework that enables the modernisation of arrangements for statutory pay and leave following the birth or adoption of a child, and it renames what were previously known as ordinary statutory paternity pay and additional statutory paternity pay as statutory paternity pay. To take account of that, I have tabled amendment Nos 30, 31 and 32 to clause 63. These take account of the name change, and I urge Members to accept them.

The Work and Families Act (Northern Ireland) 2015 provides the basis for new rights to shared parental leave and pay in Northern Ireland. Those new rights will come into effect for babies that are due, or for children placed for adoption, on or after 5 April 2015. The Act provides for the introduction of shared parental leave and pay in Northern Ireland. It is anticipated that shared parental leave and pay will give families greater choice in how they arrange childcare in the first year by allowing working mothers the option of ending their maternity pay and maternity leave early, and to share untaken leave and pay with their partner. An adopter will similarly be able to bring their adoption leave and pay to an early end to opt into shared parental leave and pay with their partner. Amendment No 33 inserts clause 63A, which ensures that only parents entitled to work in the United Kingdom are entitled to shared parental pay. I urge Members to accept amendment No 33.

Amendment Nos 40 and 41 relate to the Assembly control for certain regulations that introduce aspects of the personal independence payment. Perhaps it would assist the House if I reiterated what clause 93 does. This provision, which is that the first set of regulations made in relation to the assessment criteria for both working-age adults and children, or for determining whether the claimant meets the required period condition, will be by confirmatory procedure. That means that the regulations are subject to debate and the agreement of the Assembly within six months of coming into operation. In all other cases, regulations made under this Part of the Bill will be subject to negative procedure. Amendment No 40 proposes to change the Assembly process for these regulations to the draft affirmative procedure. That means that the regulations would be laid in draft form and cannot be made and become operative unless approved by the Assembly. Amendment No 41 is a technical amendment that is consequential to amendment No 40 and would remove a reference to the definition of the confirmatory procedure.



The rationale for the form of Assembly control is that negative resolution is usually applied to non-controversial, minor and routine amendment regulations, whilst the confirmatory procedure, for the first detailed set, applies to regulations made using the affirmative procedure in Westminster. The confirmatory procedure is used to facilitate the need for parity of timing whilst safeguarding the Assembly's right to approve the regulations and have greater scrutiny of regulations that are either deemed controversial or have significant policy changes. That is important, and, in light of that detail, it is necessary that we have those procedures and assurance in place.

The confirmatory procedure is proposed for regulations that bring in any new scheme or benefit, or that are considered controversial, such as all of the universal credit regulations and the main PIP regulations.

### 7.30 pm

As proposed in the Bill, the procedure applies only to the first set of regulations to be made. Subsequent amendment regulations would usually be categorised as non-controversial and routine and would be made using the negative procedure. I have no doubt that Members followed all that and are clearly across the procedure, so that we ensure that we cover all these issues in a way that, I trust, satisfies the Assembly.

Affirmative procedure is almost never used in social security legislation. Currently, within the social security field, it is applied only to certain regulations for which DSD inherited responsibility from DEL. Instead, social security regulations are subject to the confirmative procedure, where the Assembly votes on whether to approve the regulations after they are made. That is designed to facilitate parity of timing whilst ensuring that the Assembly has the opportunity to debate the regulations and to decide whether to approve them. As a general rule, the affirmative procedure would be applied to regulations that are unique to Northern Ireland, that is, they are not parity based, outside of social security, provide for something controversial or deal with financial assistance, such as the discretionary support scheme. This is the only set of regulations that will fall out of the Bill that the affirmative procedure will apply to.

It is important to highlight that, if the regulations falling under clause 93 were to be made using the affirmative procedure, there would inevitably be delays in introducing the personal independence payment to Northern Ireland. That, in turn, would increase the potential for a financial penalty to be incurred to the Northern Ireland block grant. I trust that that is what Members wish to avoid. It is important. I have given commitments on processing all this and will ensure that my Department works constantly to bring forward all these issues in a timely manner so that we can avoid any further penalties. For those reasons, I urge Members to reject amendment Nos 40 and 41.

I will turn to the last amendments, which are amendments Nos 58 to 72. Clause 133 would provide for provisions of the Bill to come into force. The provisions specified in subsection (1) come into force on Royal Assent, and the Act's remaining provisions will be brought into force by commencement orders. Clause 133(3) sets out how the commencement orders can be used, for example, to appoint different days for different purposes and for different areas in certain cases. Amendment Nos 58 to 72

are to clause 133(1) and result from the commencement date for the new sanctions regime being aligned with universal credit; the deferral of the commencement date for the rate relief scheme being deferred; and the inclusion of commencement dates, where appropriate, for provisions that have already commenced in Great Britain. I urge Members to accept amendment Nos 58 to 72.

Amendment Nos 76 and 78 would move repeals from schedule 12. The repeals were included in schedule 12 because of the changes being brought in by clause 112, which relates to civil penalties. As clause 112 no longer stands part of the Bill, those repeals are no longer required, so there is no need for them to be removed. I urge Members to accept amendment Nos 76 and 78.

Amendment No 77 would remove the need to report on income support sanctions when income support is abolished and replaced completely by universal credit. I urge Members to accept amendment No 77.

That brings my remarks on the Consideration Stage of the Welfare Reform Bill to a conclusion.

**Mr Speaker:** I call Mr Agnew to make his winding-up speech. I ask him, for my benefit, because I was not in the Chair when this session began, to clarify his position on the amendment.

**Mr Agnew:** To be clear, it is not my intention to move amendment No 21. It was very much a probing amendment that was designed to make the point that the Assembly should have maximum oversight.

When I introduced the group, I acknowledged that it was a blunt amendment. I had hoped, although I did not hear it from the Minister, that it may be a spur for him to come back, perhaps, with some amendments on specific aspects where the draft affirmative measure could, instead, apply. Mr Beggs referred to the oversight of the Committee. Some support has been given to the role of the Committee, but it is very much the role of the Chamber that I wish to highlight. I may come back at Further Consideration Stage with more specific amendments as to where I believe the Assembly should have maximum oversight on any proposed regulations.

I understand the point that Mr Beggs made, in that, should specific aspects of the Bill come back to the Assembly, there is the possibility of further disagreement. Equally, I do not think that we should live under threat of being unable to debate it for fear that the Assembly would collapse. We have shown the five-party group —

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

**Mr Agnew:** Sure.

**Mr Beggs:** Does the Member accept that, under the confirmatory method, it will come back to the Assembly and there will be a requirement for debate and discussion, but at least that will happen without delays that bring about additional financial burdens?

**Mr Agnew:** I thank the Member for his intervention. The alternative side of that coin is that we give the Department the power to make the regulations and then, at the time of its choosing, we debate them. It is a bit cart before horse for me in terms of some of the provisions, although not the whole Bill. There are different levels of secondary legislation — subordinate legislation — for a reason. I think that, for some aspects of the Bill, confirmatory is

appropriate, but I think that there are aspects of the Bill that are too important to be decided in advance of the Assembly seeing the draft.

It would be remiss of me not to pay credit, as others have done, to a few people, most notably my legislative team, such as Ross Brown is. Note has been made of the number of amendments that we have brought forward, and I should pay due regard to a member of my staff who has worked tirelessly on the Bill and also, as always, to the assistance of the Bill Office for helping us to bring forward legislatively competent amendments. I stand over our policy ideas, but we are not legal drafters, and its support and guidance on the amendments has been invaluable.

It is the closing of a long debate. I think that it has been largely temperate. We have disagreed, of course, but that is the essence of democracy — disagreement, but disagreement with respect — and I think that that has largely been carried through in the debate.

**Mr Speaker:** As amendment No 21 has not been moved, amendment No 22 will not be called, as it is consequential to amendment No 21.

*Clause 44 ordered to stand part of the Bill.*

*Clauses 45 and 46 ordered to stand part of the Bill.*

#### **Clause 47 (Sanctions)**

*Amendment No 23 made:* In page 25, line 29, leave out “3 years” and insert “18 months”.— [*Mr Storey (The Minister for Social Development).*]

**Mr Speaker:** I will not call amendment No 24 as it is mutually exclusive with amendment No 23, which has been made.

*Clause 47, as amended, ordered to stand part of the Bill.*

*Clauses 48 and 49 ordered to stand part of the Bill.*

#### **Clause 50 (Claimant responsibilities for jobseeker’s allowance)**

*Amendment No 25 made:*

*In page 35, line 14, leave out “3 years” and insert “18 months”.— [Mr Storey (The Minister for Social Development).]*

**Mr Speaker:** I will not call amendment No 26 as it is mutually exclusive with amendment No 25, which has been made.

*Clause 50, as amended, ordered to stand part of the Bill.*

*Clause 51 ordered to stand part of the Bill.*

#### **Clause 52 (Period of entitlement to contributory allowance)**

*Amendment No 27 not moved.*

*Clause 52 ordered to stand part of the Bill.*

*Clause 53 ordered to stand part of the Bill.*

#### **Clause 54 (Condition relating to youth)**

*Amendment No 28 not moved.*

*Clause 54 ordered to stand part of the Bill.*

#### **New Clause**

*Amendment No 29 not moved.*

*Clauses 55 to 60 ordered to stand part of the Bill.*

**Mr Speaker:** Opposition to clause 61 has already been debated.

*Clause 61 ordered to stand part of the Bill.*

**Mr Speaker:** Opposition to clause 62 has already been debated.

*Clause 62 ordered to stand part of the Bill.*

#### **Clause 63 (Entitlement to work: maternity allowance and statutory payments)**

*Amendment No 30 made:*

*In page 53, line 3, leave out “ordinary”.— [Mr Storey (The Minister for Social Development).]*

*Amendment No 31 made:*

*In page 53, line 10, leave out “ordinary”.— [Mr Storey (The Minister for Social Development).]*

*Amendment No 32 made:*

*In page 53, line 17, leave out subsections (6) and (7).— [Mr Storey (The Minister for Social Development).]*

*Clause 63, as amended, ordered to stand part of the Bill.*

#### **New Clause**

*Amendment No 33 made:* After clause 63 insert

##### **“Entitlement to work: statutory shared parental pay**

**63A.—**(1) *Part 12ZC of the Contributions and Benefits Act (inserted by section 5 of the Work and Families Act (Northern Ireland) 2015) is amended as follows.*

*(2) In section 167ZU(2) (entitlement: birth) after paragraph (c) there is inserted—*

*“(ca) that at the end of that prescribed week the claimant mother was entitled to be in that employment.”.*

*(3) In section 167ZU(4) (entitlement: birth) after paragraph (d) there is inserted—*

*“(da) that at the end of that prescribed week the claimant was entitled to be in that employment.”.*

*(4) In section 167ZW(2) (entitlement: adoption) after paragraph (c) there is inserted—*

*“(ca) that at the end of that prescribed week claimant A was entitled to be in that employment.”.*

*(5) In section 167ZW(4) (entitlement: adoption) after paragraph (d) there is inserted—*

*“(da) that at the end of that prescribed week claimant B was entitled to be in that employment.”.— [Mr Storey (The Minister for Social Development).]*

*New clause ordered to stand part of the Bill.*

*Clauses 64 to 68 ordered to stand part of the Bill.*

**Clause 69 (Housing benefit: determination of appropriate maximum)**

**Mr Speaker:** Opposition to clause 69 has already been debated.

*Question put, That the clause stand part of the Bill.*

*The Assembly divided:*

*Ayes 75; Noes 12.*

**AYES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, 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 McGimpsey, Mr M McGuinness, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.*

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

**NOES**

*Mr Agnew, Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers, Ms Sugden.*

*Tellers for the Noes: Mrs McKevitt and Mr McKinney.*

*Question accordingly agreed to.*

*Clause 69 ordered to stand part of the Bill.*

*Clauses 70 to 76 ordered to stand part of the Bill.*

**New Clause**

*Amendment No 34 made:*

*After clause 76 insert*

**"Pilot scheme**

**76A.** *The Department shall arrange for the operation of at least one pilot scheme in relation to this Part for the purposes of testing the effectiveness of arrangements for making personal independence payments and the outcomes for claimants.*"— [Mr Beggs.]

*New clause ordered to stand part of the Bill.*

*Clauses 77 and 78 ordered to stand part of the Bill.*

**Clause 79 (Ability to carry out daily living activities or mobility activities)**

*Amendment No 35 made:*

*In page 60, line 27, at end insert*

*"(2A) Any person determining a question mentioned in subsection (1) or (2) shall take account of relevant medical evidence."*— [Mr Beggs.]

*Amendment No 36 not moved.*

*Amendment No 37 not moved.*

*Clause 79, as amended, ordered to stand part of the Bill.*

**Clause 80 (Required period condition: further provision)**

*Amendment No 38 not moved.*

**Mr Speaker:** I will not call amendment No 39 as it is consequential to amendment No 38, which was not made.

*Clause 80 ordered to stand part of the Bill.*

*Clauses 81 to 92 ordered to stand part of the Bill.*

**Clause 93 (Regulations)**

*Amendment No 40 not moved.*

**Mr Speaker:** I will not call amendment No 41 as it is consequential to amendment No 40, which was not made.

*Clause 93 ordered to stand part of the Bill.*

*Clause 94 ordered to stand part of the Bill.*

**Clause 95 (Benefit cap)**

**Mr Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three-minute rule and move straight to the Division. Amendment No 42 proposed:

*In page 66, line 30, at end insert*

*"(5) Notwithstanding subsections (1) and (4) the benefit cap shall not be applied to child benefit or to any benefits a claimant receives for caring responsibilities, carer's allowance or additional amounts received within Universal Credit for claimants with regular and substantial caring responsibilities under section 10 or section 12."*— [Mr Attwood.]

*Question put.*

*The Assembly divided:*

*Ayes 12; Noes 75.*

**AYES****Nationalist**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

**Unionist**

*Ms Sugden.*

**Other**

*Mr Agnew.*

*Tellers for the Ayes: Mrs McKevitt and Mr McKinney.*

**NOES****Nationalist**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay,*

*Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

#### Unionist

*Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.*

#### Other

*Mr Dickson, Mr Ford.*

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

<i>Total Votes</i>	<i>87</i>	<i>Total Ayes</i>	<i>12</i>	<i>[13.8%]</i>
<i>Nationalist Votes</i>	<i>38</i>	<i>Nationalist Ayes</i>	<i>10</i>	<i>[26.3%]</i>
<i>Unionist Votes</i>	<i>46</i>	<i>Unionist Ayes</i>	<i>1</i>	<i>[2.2%]</i>
<i>Other Votes</i>	<i>3</i>	<i>Other Ayes</i>	<i>1</i>	<i>[33.3%]</i>

*Question accordingly negatived (cross-community vote).*

*Clause 95 ordered to stand part of the Bill.*

#### 8.15 pm

**Mr Speaker:** We had better unfasten the doors before we proceed, in case somebody wants to join us at this hour.

*Clauses 96 to 98 ordered to stand part of the Bill.*

#### Clause 99 (Payments to join claimants)

**Mr Speaker:** The opposition to clause 99 has already been debated.

*Clause 99 ordered to stand part of the Bill.*

*Clause 100 ordered to stand part of the Bill.*

#### New Clause

*Amendment No 43 not moved.*

*Clause 101 ordered to stand part of the Bill.*

#### New Clause

*Amendment No 44 not moved.*

*Clause 102 ordered to stand part of the Bill.*

#### Clause 103 (Recovery of benefit payments)

*Amendment No 45 not moved.*

*Clause 103 ordered to stand part of the Bill.*

*Clauses 104 to 108 ordered to stand part of the Bill.*

#### Clause 109 (Penalty in respect of benefit fraud not resulting in overpayment)

**Mr Speaker:** The opposition to clause 109 has already been debated.

*Clause 109 ordered to stand part of the Bill.*

#### Clause 110 (Amount of penalty)

**Mr Speaker:** The opposition to clause 110 has already been debated.

*Clause 110 ordered to stand part of the Bill.*

#### Clause 111 (Period for withdrawal of agreement to pay penalty)

**Mr Speaker:** The opposition to clause 111 has already been debated.

*Clause 111 disagreed to.*

#### Clause 112 (Civil penalties for incorrect statements and failures to disclose information)

**Mr Speaker:** The opposition to clause 112 has already been debated.

*Clause 112 disagreed to.*

*Clauses 113 and 114 ordered to stand part of the Bill.*

#### Clause 115 (Cautions)

**Mr Speaker:** The opposition to clause 115 has already been debated.

*Clause 115 ordered to stand part of the Bill.*

*Clause 116 ordered to stand part of the Bill.*

#### Clause 117 (Information-sharing in relation to welfare services etc)

*Amendment No 46 made: In page 88, line 9, at end insert*

*"( ) the Department of Justice;".— [Mr Storey (The Minister for Social Development).]*

*Clause 117, as amended, ordered to stand part of the Bill.*

*Clauses 118 to 120 ordered to stand part of the Bill.*

#### New Clause

*Amendment No 47 made: After clause 120 insert*

#### "Reports by Department

**120A.***In Article 76 of the Social Security (Northern Ireland) Order 1998 (reports by Department) for paragraph (1) substitute—*

*"(1) The Department shall prepare, either annually or at such times or intervals as may be prescribed, a report on—*

*(a) the standards achieved by the Department in the making of decisions against which an appeal lies to an appeal tribunal constituted under Chapter 1 of Part 2; and*

*(b) the operation of sanctions.*

*(1A) For the purposes of paragraph (1)(b) a sanction is—*

*(a) the reduction in the amount of an award of universal credit, a jobseeker's allowance, income support or an employment and support allowance on account of a failure by a person to comply with any requirement or any other conduct of a person;*



(b) the loss of, or reduction in the amount of, any sanctionable benefit under the Social Security Fraud Act (Northern Ireland) 2001.

(1B) A report under paragraph (1)(b) must contain details of—

- (a) the number of persons affected by sanctions;
- (b) the periods for which such persons are affected;
- (c) the reasons for which sanctions are imposed;
- (d) the benefits or allowances which are reduced or lost.”.— [Mr Storey (The Minister for Social Development).]

New clause ordered to stand part of the Bill.

#### **New Clause**

Amendment No 48 not moved.

#### **New Clause**

Amendment No 49 not moved.

#### **New Clause**

Amendment No 50 not moved.

Clauses 121 to 128 ordered to stand part of the Bill.

#### **Clause 129 (Orders of Secretary of State under Administration Act)**

**Mr Speaker:** The opposition to clause 129 has already been debated.

Clause 129 disagreed to.

Clause 130 ordered to stand part of the Bill.

#### **New Clause**

Amendment No 51 made:

After clause 130 insert

##### **“Discretionary support**

**130A.**—(1) The Department may, in accordance with regulations under this section—

- (a) make payments by way of grant or loan to prescribed persons;
  - (b) provide, or arrange for the provision of, goods or services to prescribed persons.
- (2) Anything done under subsection (1)(a) or (b) is referred to in this section as the provision of discretionary support.
- (3) Regulations may make provision—
- (a) for the Department to provide discretionary support only in prescribed circumstances;
  - (b) conferring a discretion on the Department (subject to any provision made by virtue of paragraph (c) or (d))—
  - (i) as to whether or not to provide discretionary support in a particular case; and
  - (ii) as to the nature of the discretionary support and (in the case of support by way of payments) as to

the amount of the payments and the period for or in respect of which they are made;

(c) imposing a limit on the amount of the discretionary support that the Department may make in any particular case;

(d) restricting the period for or in respect of which the Department may provide discretionary support in any particular case;

(e) for claims for discretionary support to be made in the prescribed form and manner and for the procedure to be followed in dealing with and disposing of such claims;

(f) imposing conditions on persons claiming or receiving discretionary support requiring them to provide to the Department such information as may be prescribed;

(g) for the disclosure of information relating to discretionary support in prescribed circumstances or to prescribed persons;

(h) authorising the Department in prescribed circumstances to recover by prescribed means discretionary payments made under this section;

(i) requiring or authorising reviews (whether by the Department or a prescribed person) of decisions made by the Department with respect to the provision of discretionary support or the recovery of payments made under this section;

(j) for such other matters as appear to the Department to be necessary or expedient in connection with the provision of discretionary support, including provision creating criminal offences and provision amending or applying (with or without modification) any statutory provision.

(4) In this section “prescribed” means prescribed by, or determined in accordance with, regulations under this section.

(5) Discretionary support is not to be regarded as a social security benefit; but regulations under this section may provide for any statutory provision relating to a social security benefit (or to such benefits generally) to apply with prescribed modifications to discretionary support.

(6) Regulations shall not be made under this section unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(7) The Department shall, in respect of each financial year, prepare and lay before the Assembly a report on the operation of regulations made under this section.”.— [Mr Storey (The Minister for Social Development).]

New clause ordered to stand part of the Bill.

#### **New Clause**

**Mr Speaker:** Amendment No 52 is consequential to amendment No 51. Amendment No 52 made:

After clause 130 insert

##### **“Discretionary support Commissioner**

**130B.**—(1) There shall be an officer known as “the discretionary support Commissioner”.

(2) *The discretionary support Commissioner shall be appointed by the Department on such terms and conditions as the Department may determine.*

(3) *The discretionary support Commissioner—*

(a) *shall appoint such discretionary support inspectors; and*

(b) *may appoint such staff for the Commissioner and for discretionary support inspectors,*

*as the Commissioner thinks fit but with the consent of the Department.*

(4) *Appointments under subsection (3) shall be made from persons made available to the Commissioner by the Department.*

(5) *Discretionary support inspectors have such functions as are conferred or imposed on them—*

(a) *by regulations under section 130A, or*

(b) *by any other statutory provision,*

*in relation to the review of decisions of the Department.*

(6) *It shall be the duty of the discretionary support Commissioner—*

(a) *to monitor the quality of decisions of discretionary support inspectors and give them such advice and assistance as the Commissioner thinks fit to improve the standard of their decisions;*

(b) *to arrange such training of discretionary support inspectors as the Commissioner considers necessary;*

(c) *to carry out such other functions in connection with the work of discretionary support inspectors as the Department may require;*

(d) *to report annually in writing to the Department on the standards of reviews by discretionary support inspectors.*

(7) *The Department shall publish any report made under subsection (6)(d).*

(8) *In Part 1 of Schedule 4 to the Administration Act after the entries under the heading “The social fund” there is inserted—*

*“Discretionary support officers*

*The discretionary support Commissioner.*

*A discretionary support inspector.*

*A member of any staff appointed under section 130B(3)(b) of the Welfare Reform Act (Northern Ireland) 2015.”*

(9) *In the Freedom of Information Act 2000, in Part 7 of Schedule 1 after the entry relating to the social fund Commissioner there is inserted—*

*“The discretionary support Commissioner appointed under section 130B of the Welfare Reform Act (Northern Ireland) 2015.”.— [Mr Storey (The Minister for Social Development).]*

*New clause ordered to stand part of the Bill.*

#### **New Clause**

**Mr Speaker:** Before I put the Question, I remind Members that amendment No 53 requires cross-community support

due to a valid petition of concern. Amendment No 53 proposed:

After clause 130 insert

#### **“Impact of Regulations on Victims and Survivors**

**130C.***The Department must ensure that regulations under this Act are prepared with due regard for the impact on victims and survivors of the past in consultation with the Northern Ireland Commission for Victims and Survivors.”.— [Mr Attwood.]*

*Question put.*

*The Assembly divided:*

*Ayes 21; Noes 66.*

#### **AYES**

##### **Nationalist**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

##### **Unionist**

*Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

##### **Other**

*Mr Agnew.*

*Tellers for the Ayes: Mrs McKeivitt and Mr McKinney.*

#### **NOES**

##### **Nationalist**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

##### **Unionist**

*Mr Allister, Mr Anderson, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Weir.*

##### **Other**

*Mr Dickson, Mr Ford.*

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

<i>Total Votes</i>	<i>87</i>	<i>Total Ayes</i>	<i>21</i>	<i>[24.1%]</i>
<i>Nationalist Votes</i>	<i>38</i>	<i>Nationalist Ayes</i>	<i>10</i>	<i>[26.3%]</i>
<i>Unionist Votes</i>	<i>46</i>	<i>Unionist Ayes</i>	<i>10</i>	<i>[21.7%]</i>
<i>Other Votes</i>	<i>3</i>	<i>Other Ayes</i>	<i>1</i>	<i>[33.3%]</i>

*Question accordingly negatived (cross-community vote).*

**New Clause**

**Mr Speaker:** Before I put the Question, I remind Members that amendment No 54 requires cross-community support due to a valid petition of concern. Amendment No 54 proposed:

After clause 130 insert

**“Annual Report by Department**

**130D.** *The Department shall be required to table a report in the Assembly on the implementation of this Act as it affects welfare provision in Northern Ireland and on the financial arrangements governing and applicable to welfare expenditure in Northern Ireland within six months of the commencement of this Act and on an annual basis thereafter.”— [Mr Attwood.]*

Question put.

The Assembly divided:

Ayes 12; Noes 74.

**AYES****Nationalist**

Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.

**Unionist**

Mr Allister.

**Other**

Mr Agnew.

Tellers for the Ayes: Mrs McKeivitt and Mr McKinney.

**NOES****Nationalist**

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

**Unionist**

Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

**Other**

Mr Dickson, Mr Ford.

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

Total Votes	86	Total Ayes	12	[14.0%]
Nationalist Votes	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	45	Unionist Ayes	1	[2.2%]
Other Votes	3	Other Ayes	1	[33.3%]

Question accordingly negatived (cross-community vote).

**New Clause**

**Mr Speaker:** Before I put the Question, I remind Members that amendment No 55 requires cross-community support due to a valid petition of concern. Amendment No 55 proposed:

After clause 130 insert

**“Welfare Reform Committee**

**130E.** *There shall be established a committee of the Assembly which shall monitor the implementation of this Act as it affects welfare provision in Northern Ireland and to consider relevant Northern Ireland legislation and other consequential arrangements.”— [Mr Attwood.]*

Question put.

The Assembly divided:

Ayes 11; Noes 76.

**AYES****Nationalist**

Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.

**Other**

Mr Agnew.

Tellers for the Ayes: Mrs McKeivitt and Mr McKinney.

**NOES****Nationalist**

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

**Unionist**

Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

**Other**

Mr Dickson, Mr Ford.

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

Total Votes	87	Total Ayes	11	[12.6%]
Nationalist Votes	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	46	Unionist Ayes	0	[0.0%]
Other Votes	3	Other Ayes	1	[33.3%]

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

### **New Clause**

*Amendment No 56 not moved.*

*Clause 131 ordered to stand part of the Bill.*

### **Clause 132 (General interpretation)**

**Mr Speaker:** I will not call amendment No 57 as it is consequential to amendment Nos 10 and 37, neither of which was made.

*Clause 132 ordered to stand part of the Bill.*

### **Clause 133 (Commencement)**

*Amendment No 58 made:*

In page 95, line 1, leave out "46 to" and insert "section".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 59 made:*

In page 95, line 3, leave out paragraph (b) and insert "( ) sections 51 and 56 (employment and support allowance);".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 60 made:*

In page 95, line 5, leave out paragraph (c).— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 61 made:*

In page 95, line 6, at end insert "( ) sections 65, 67 and 68 (industrial injuries benefit); ( ) section 69 (housing benefit determinations);".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 62 made:*

In page 95, line 8, at end insert "( ) sections 95 and 96 (benefit cap regulations);".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 63 made:*

In page 95, line 9, leave out paragraphs (f), (g) and (h).— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 64 made:*

In page 95, line 23, leave out "section 109 to 111" and insert "sections 109 and 110".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 65 made:*

In page 95, line 24, leave out paragraph (l).— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 66 made:*

In page 95, leave out lines 27 and 28 and insert "( ) sections 121 and 124 to 126 (child support maintenance);".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 67 made:*

In page 95, line 31, leave out paragraph (q).— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 68 made:*

In page 95, line 32, leave out paragraph (r).— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 69 made:* In page 95, line 32, at end insert "( ) sections 130A and 130B (discretionary support);".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 70 made:* In page 95, leave out line 34 and insert "(t) in Schedule 7, paragraphs 2, 6, 8 and 13(1) and".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 71 made:* In page 95, leave out lines 39 and 40 and insert "(ii) in Part 3 the entries relating to paragraph 27(3)(b) of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 and to Part 3 of Schedule 4 to the Welfare Reform Act (Northern Ireland) 2010;".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 72 made:* In page 96, line 9, leave out subsection (5).— *[Mr Storey (The Minister for Social Development).]*

*Clause 133, as amended, ordered to stand part of the Bill.*

*Clause 134 ordered to stand part of the Bill.*

### **Schedule 1 (Universal credit: supplementary regulation-making powers)**

*Amendment No 73 not moved.*

*Amendment No 74 not moved.*

*Amendment No 75 not moved.*

*Schedule 1 agreed to.*

*Schedules 2 to 11 agreed to.*

### **Schedule 12 (Repeals)**

*Amendment No 76 made:* In page 134, leave out lines 31 to 40.— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 77 made:* In page 139, line 20, column 2, at end insert

"In Article 76(1A)(a), the words 'income support'".— *[Mr Storey (The Minister for Social Development).]*

*Amendment No 78 made:*

In page 153, leave out lines 4 to 8.— *[Mr Storey (The Minister for Social Development).]*

*Schedule 12, as amended, agreed to.*

*Long title agreed to.*

**Mr Speaker:** That concludes the Consideration Stage of the Welfare Reform Bill. The Bill stands referred to the Speaker.

*Adjourned at 9.14 pm.*





# Committee Stages



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# Northern Ireland Assembly

Committee for the Environment

22 January 2015

## Road Traffic (Amendment) Bill [NIA 35/11-15]

### Members present for all or part of the proceedings:

Ms Anna Lo (Chairperson)  
Mrs Pam Cameron (Deputy Chairperson)  
Mr Cathal Boylan  
Mr Colum Eastwood  
Mr Alban Maginness  
Mr Ian McCrea  
Lord Morrow  
Mrs Sandra Overend  
Mr Peter Weir

### Witnesses:

Mr Iain Greenway	<i>Department of</i>
Ms Nicola McEvoy	<i>the Environment</i>
Mr Donald Starritt	

**The Chairperson (Ms Lo):** I welcome the usual members of the team: Iain, Donald and Nicola. Do you want to brief us on this?

**Mr Iain Greenway (Department of the Environment):** Of course. Thank you, Chair and Committee. Following last Thursday's session, we spoke to the Minister on Monday about the three areas that the Committee had asked the Minister to consider. The area that we had most discussion with him about was clause 17 and the reduction of the minimum mandatory learning period from 12 months to six months. The Minister is broadly content that we can achieve much of the road safety benefit of the minimum mandatory learning period in that reduced period, and it will be reflected in the syllabus and logbook. As Peter indicated last week, it should enable a much more restricted exemption regime around the shorter period than around the 12 months. So, the Minister is broadly content and, at Consideration Stage, subject to Executive clearance, can explain that more fully to the House.

You had asked us to step through the three substantive amendments and a small number of technical amendments. If you are content, I will ask Donald to take you through those.

**Mr Donald Starritt (Department of the Environment):** As Iain said, there are basically two groups of amendments. There are the substantive policy amendments and a small number of technical amendments. There are three policy amendments, all of which are being brought forward by the Department at the request of the Committee. Clause 3, as it stands, applies

the statutory option to the new lower limits. So, now that we are removing the statutory option, clause 3 will go from the Bill completely, and we will bring in a new clause simply to remove the statutory option from the statute books. That is fairly straightforward.

The second one is an amendment to retain the minimum age for a provisional licence at 17 rather than reducing it to 16, and that simply entails removing clause 16. It leaves things as they are.

The third amendment is reducing the minimum period for holding a provisional licence to six months rather than 12 months. That involves redrafting clause 17 to substitute "six-month period" for "12", and there are some consequential changes in schedule 1 simply to follow on from that. The precise wording of those will be down to the Office of the Legislative Counsel (OLC), but we anticipate no difficulty and that they will be very straightforward amendments.

The other group is the technical amendments. We discussed those with the Committee over the last two sessions. One of those is a minor numbering amendment in clause 18, and that simply entails the paragraph that is currently numbered "13A" becoming "13B". Again, it is a straightforward change.

The only technical changes are being made in response to the Examiner of Statutory Rules's request, and that provides that any subordinate legislation is subject to draft affirmative procedure rather than affirmative procedure. Again, it is a technical change and seems to be consistently requested by the Examiner.

**The Chairperson (Ms Lo):** It seems that we are now going for draft affirmative resolution rather than affirmative.

**Mr Starritt:** That is right. It does not change the fundamentals, where there is provision for the debate in the Assembly. It does not alter Assembly control. It is basically more procedural for us as civil servants and affects how much of the process we go through before the debate.

**The Chairperson (Ms Lo):** Are members content? Are there any questions for the officials?

**Mr Boylan:** Thanks for the clarification. I am trying to think what the youth groups and all said about the original proposal. Clearly, there is no consultation period. Will you clarify exactly what they said? I think that the Committee



indicated last week that it is happy enough to move to 17, which is grand. I know a number of young people who took their test two, three, four or five weeks after their seventeenth birthday. I have often said since the start of the process that it is about driver ability. The only difference is that we are adding on a period of six months before they can do that test. They should be fit to do the test. Can you remember the responses of the youth groups as part of the consultation? How many were in agreement with the 16-and-a-half proposal?

**Mr Greenway:** In the figures that the Research and Information Service (RaISe) presented last week for the Committee's engagement with children and young people, 67·7% of young people and 73·5% of youth organisations felt that it was a good idea to reduce the age of licensing to 16 and a half. In terms of the one-year minimum mandatory learning period, 36·6% of young people thought that that was a good idea, compared with 51·2% who thought that it was a bad idea. For youth organisations, 39·4% thought that it was a good idea, and 51·5% thought that it was a bad idea. That was reasonably evenly split. Indeed, I think that Nicola pointed out to me that it was much more so than when the Department consulted on it as part of the development of the policy in late 2011, when there was a stronger majority against a 12-month mandatory minimum learning period.

In effect, the two amendments to clauses 16 and 17 will retain the minimum age at which somebody can take a practical test at 17 and a half. The Bill still creates that arrangement and moves to it; it does it by making two changes that increase the minimum age to 17 to hold a provisional licence. It was reasonably broadly split on the minimum mandatory learning period of 12 months between being and not being a good idea. One anticipates that, if you had said, "What about six months?", the numbers probably would have changed in support, potentially to create a majority in support, but that is conjecture from the figures. A shorter period is more likely to have been positively received by more people.

**The Chairperson (Ms Lo):** The thing is that, if people need more than six months, they can take a year or two years —

**Mr Greenway:** That may be because they need longer to learn. It may be that they have to stop for a period and not proceed with their learning because of personal circumstance.

**The Chairperson (Ms Lo):** Or, if they fail, they have to do it all again. Sometimes, it takes a whole year.

**Ms Nicola McEvoy (Department of the Environment):** We want to promote the mandatory learning period as the minimum. Six months is the absolute minimum. We want to encourage people to take up as much practice as they can.

**The Chairperson (Ms Lo):** Absolutely. I am very pleased that the Minister and the Department are happy to go along with our suggestions to amend the three clauses. Members, are you content that the Department is going to make the amendment? Do you need to have sight of the wording of the amendment before we go on —

**Mr Eastwood:** I trust the Minister.

**The Chairperson (Ms Lo):** — to the formal clause by clause? Are you happy?

**Mr Weir:** You would. I want it written in blood. *[Laughter.]*

**Mr Boylan:** Or carved in stone.

**The Chairperson (Ms Lo):** OK. I wanted to ask just in case you said that I did not ask.

**Mr Weir:** To be fair, it is very publicly on the record.

**Mr Greenway:** As Donald indicated, these are, in drafting terms, straightforward amendments. We had hoped to be further on in the process, but the individual in OLC who drafted the Bill is off at the moment. Understandably, her colleagues would rather that she looked at it rather than them trying to understand the structure of the Bill. However, it is a mechanical piece rather than an operational difficulty.

**The Chairperson (Ms Lo):** It is very straightforward.

**Mr Starritt:** The only thing, Chair, is that there is potential that the order and numbering of the clauses could change. However, that will be a minor change, nothing substantive.

**The Chairperson (Ms Lo):** Members, are you content with the consequential amendment proposed?

*Members indicated assent.*

**The Chairperson (Ms Lo):** Members, I just want to check whether you want any further amendments. No. OK. Members, you have indicated that you are content with the proposed amendments, including clause 3.

We can now proceed to formal clause-by-clause consideration of the Bill. I remind members that formal clause-by-clause consideration is your last opportunity to discuss the clauses, and any decisions will be final. I will read out the clauses, one by one.

Members, we previously indicated that we were broadly content with clauses 1 and 2.

*Question, That the Committee is content with clauses 1 and 2, put and agreed to.*

### **Clause 3 ("The prescribed limit": further provision)**

**The Chairperson (Ms Lo):** The Department proposes a small technical amendment to clause 3 to comply with the Examiner's recommendation that the regulation-making power shall be subject to draft affirmative resolution rather than affirmative resolution as presently drafted. We have previously indicated that we have no objection to the amendment. Members have asked the Department to bring forward an amendment to remove the statutory option, as discussed earlier in the meeting.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

**The Chairperson (Ms Lo):** We previously indicated that we were broadly content with clauses 4 to 15.

*Question, That the Committee is content with clauses 4 to 15, put and agreed to.*

### **Clause 16 (Minimum age for licence: small vehicle)**

**The Chairperson (Ms Lo):** The Department has agreed now to remove the clause so that the minimum age remains at the current statutory age of 17.

*Question, That the Committee is content with clause 16, put and negated.*

**Clause 17 (Provisional licence to be held for minimum period in certain cases)**

**The Chairperson (Ms Lo):** The Department has agreed to bring forward an amendment to reduce the minimum required period of learning to six months.

*Question, That the Committee is content with clause 17, subject to the proposed amendment, put and agreed to.*

**Clause 18 (Approved programmes of training: category B motor vehicles and motor bicycles)**

**The Chairperson (Ms Lo):** The Committee proposes a technical amendment to clause 18. Members have already indicated that they have no objection to the amendment.

*Question, That the Committee is content with clause 18, subject to the proposed amendment, put and agreed to.*

**Mr Boylan:** Chair, you will now have to give some thought to clarification in relation to the programmes of training and guidance on it, because it was for over a period or 12 months and over different conditions and everything else. You will have to reconsider some of that, yes?

**Mr Greenway:** Yes, and we have previously made the commitment to give the Committee sight of that as early we can before we go through the formal regulation-making process.

**Mr Boylan:** No problem.

**The Chairperson (Ms Lo):** We will put that in our report.

**The Chairperson (Ms Lo):** Members previously indicated that they were broadly content with clauses 19 to 22.

*Question, That the Committee is content with clauses 19 to 22, put and agreed to.*

**New Clause**

**The Chairperson (Ms Lo):** Clause 22A is a further amendment to the Order of 1995. The Department proposes to insert a new clause to comply with the Examiner's recommendation that certain regulation-making powers should be subject to draft affirmative resolution. The proposed clause would read as follows:

*"22A In Article 110 of the Order of 1995 (general provision as to orders and regulations) in paragraph (4) (regulations), for 'be subject to affirmative resolution' substitute 'not be made unless a draft has been laid before, and approved by a resolution of, the Assembly'."*

No issues were raised with officials on that clause during the initial consideration.

*Question, That the Committee is content with the new clause, put and agreed to.*

**Clause 23 (Supplementary, incidental and consequential etc. provision)**

**The Chairperson (Ms Lo):** Although no issues were previously raised with officials on clause 23, the Department now proposes to bring forward a consequential amendment, as discussed earlier in our meeting.

*Question, That the Committee is content with clause 23, subject to the proposed amendment, put and agreed to.*

**The Chairperson (Ms Lo):** We previously indicated that we were broadly content with clauses 24 to 27.

*Question, That the Committee is content with clauses 24 to 27, put and agreed to.*

*Question, That the Committee is content with schedule 1, put and agreed to.*

**Schedule 2 (Repeals)**

**The Chairperson (Ms Lo):** The Department is proposing a consequential amendment to part 2 of schedule 2.

*Question, That the Committee is content with the schedule, subject to the proposed amendment, put and agreed to.*

**The Chairperson (Ms Lo):** That concludes the formal clause-by-clause consideration of the Road Traffic (Amendment) Bill. Thank you very much to Iain, Donald and Nicola for working through that with us. A draft report of the Committee Stage will be produced for members' consideration as soon as possible.

Before you go, Pam Cameron, Deputy Chair, has brought to my attention —

**Mr Greenway:** Could I just talk about the Bill before you go on, Chair? The Department has found it a pleasure to work with the Committee on the Bill. We may have our differences on other matters, but we have been very happy with the engagement and the seriousness with which the Committee has taken what we, in the Department, feel is an important Bill to save lives on our roads. Particular thanks to the Committee for advancing its schedule beyond that which had been agreed by the Assembly of the end of March for the report. The Minister will seek to move forward through the Executive process to agree amendments at Consideration Stage sooner rather than later.

**The Chairperson (Ms Lo):** OK. Good.



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# Northern Ireland Assembly

## Committee for Social Development

5 February 2015

### Pensions Bill [NIA 42/11-16]

#### Members present for all or part of the proceedings:

Mr Alex Maskey (Chairperson)  
Mr Mickey Brady (Deputy Chairperson)  
Mr Jim Allister  
Ms Paula Bradley  
Mr Gregory Campbell  
Mr Maurice Devenney  
Mrs Dolores Kelly  
Mr Fra McCann

#### Witnesses:

Mr Seamus Cassidy	<i>Department for</i>
Mr Gerry McCann	<i>Social Development</i>
Ms Doreen Roy	

**The Chairperson (Mr Maskey):** I welcome formally Gerry McCann, Seamus Cassidy and Doreen Roy. You are very welcome to the Committee again. The Department has provided clarification on a number of outstanding issues that we sought information on during the consideration process. They are contained at page 8 of members' tabled items. Additionally, Cruse has provided a follow-up paper to their briefing, which is included at page 10. This paper clarifies some of the issues that they raised in their briefing; you will remember there was a lack of certainty on one or two issues. The paper that they have very helpfully provided does not seek changes to the Pensions Bill, but it reflects ongoing issues that they have in relation to pensions. Obviously, that will help to inform our commentary through the clause-by-clause consideration. I invite Gerry to make any additional clarifications before we proceed with the clause-by-clause scrutiny.

#### Mr Gerry McCann (Department for Social Development):

Good morning, everybody. Does everyone have a copy of the paper from Cruse? I am going to speak to it. First, I repeat the point that what has been asked for in this paper is not actually part of the Bill. All that the clauses in the Bill do is to set out that there shall be a scheme, with the scheme itself to be set out in regulations. There are only four or five points in the Bill itself. Really, we are just talking about how this might work in practice.

Who will be worse off under the Bill? The Cruse paper provides a number of figures at paragraph 8. We accept that, overall, someone with a child, who can no longer receive payments for a period of 18 or 19 years, will obviously get less. However, under the new system, money will be aimed more at less well-off people who fall into

the lower end of the income scale, and they will end up getting far more than they do under the existing system. On average, according to the figures that we have, there is a notional gain for the poorest income quartile of the order of about £17,000. Again, money has been taken from the pot and used differently from how it is used in the current system. Those who gain most will be the poorest. That is one of the underpinning issues. Those who lose will be the better off; they will lose if they have children. Anybody who has no children and is aged under 45 gets absolutely nothing at the moment, so they will gain from this as well. Are we happy enough that we have identified the losers and the winners?

I move on to paragraph 10, which is about the cost of funerals. The figure given for NI is £5,893. From what we have been able to find out from the reference, that figure has been issued by a company that advises people to take out some insurance to help cover the cost of a funeral. That also covers things like the wake, for example, which is part of the overall cost but is not something that the state has ever provided for. The last day, I mentioned some of the figures that we got from phoning around undertakers for the cost of a funeral, and they were quoting under half that figure. There is also the extra help available for those entitled under universal credit (UC). People will be able to get help with the costs of the burial etc. There will be extra help available.

**Mr Brady:** The non-discretionary social fund goes nowhere near to covering the cost of an average funeral. You get about £700 or £800, when the average funeral costs about £2,500. That is without wakes or flowers or anything like that. It is an expensive business.

**Mr G McCann:** As I understand it —

**Mr Brady:** On the issue of insurance, people are reluctant to take out insurance for something like that. If you are on benefits, you cannot afford it anyway.

**Mr G McCann:** I am not arguing that people should take out insurance. I am just saying as part of the background to the report that this is how they came up with the figures and costings. I was only saying that by way of background. I certainly am not saying that people should take out insurance cover for funeral costs; that is not what I mean. I was only saying that to explain the background to the report.

**Mr Brady:** The majority of people cannot afford to take out insurance.



**Mr G McCann:** As I understand it, you can get £700, plus the costs for the opening up of the grave etc. The burial costs are separate from that £700. I do accept that it may not cover the costs totally.

**Mr Brady:** It would probably cover about a third.

**The Chairperson (Mr Maskey):** These are important issues, but we are dealing with —

**Mr Brady:** I was just making a point.

**The Chairperson (Mr Maskey):** Fair enough, but we will be making points for the rest of the day. We need to stick to the clause-by-clause scrutiny.

**Mr G McCann:** After the meeting, when I was having a quick word with the people from Cruse and the Childhood Bereavement Network, it seemed to me that what they were looking to do was to change it for the whole of the UK; they were not looking for anything for Northern Ireland only. That seemed to be what they were saying to me.

Let us move on to paragraph 18 of their paper. What they say here is:

*“It would be important that these three year instalments were still disregarded from Universal Credit, and not taxed.”*

All their costings work on the basis that these two things would not happen. This week, I went back to our colleagues in Britain to check that nothing has changed and that our understanding is correct. What those colleagues said to us is that, if these were to be over a three-year period, and it were to be done for the whole of the UK, they would have to be taken into account for UC, and they expect that they would also end up having to be taxed. If they are taken into account for UC, the people who would lose out would be those at the very bottom of the income scale; people who need the income support aspect of it. So, to do this would take away from the poorest people.

**The Chairperson (Mr Maskey):** That is, if they accede to paragraph 18 of the recommendations from Cruse.

**Mr G McCann:** All of Cruse's costings are based on these payments not being taken into account for UC and not being taxed. Having spoken to GB, our GB colleagues say that they would be. If they were to be extended in that way, they think that they would have to take them into account for UC and that they would be taxed.

**The Chairperson (Mr Maskey):** So what you are saying is that, if you were to get it changed in the way in which Cruse suggests or hopes for, it would actually be disadvantageous to the least well off.

**Mr G McCann:** Yes.

**The Chairperson (Mr Maskey):** OK, fair enough.

**Mr Allister:** In paragraph 19, however, Cruse challenges the suggestion that they would be seen as long-term benefits.

**Mr G McCann:** I was about to come to that. I do not think that an outside charity would dictate whether or not it is viewed as a long-term benefit. I may have my views on things, but, at the end of the day, these will be taken into account. All I am saying is in terms of what we are being told by Britain. Certainly, when the Bill was going through

at Westminster, Lord Freud, who took the Bill through the House of Lords, was very explicit on these points. I note that Cruse also challenges on the point about EU law — we can talk about that when we come to it. Again, all I can say is that I do not think that the ruling on this issue would fall to an outside charity.

**The Chairperson (Mr Maskey):** However, the point has been made. Cruse made it here in a presentation, and it has reiterated it, so it would not be outside our gift to add that as a concern.

**Mr G McCann:** You could certainly say in the report that it was a concern. However, I come back to the point that these issues are not part of the Bill itself; they are to do with how the scheme itself would end up being developed. Certainly, if the Committee thought that it should be done that way, and if it wished to make a recommendation, we would take it back to GB and explore the issue further, if that is what the Committee wants.

**The Chairperson (Mr Maskey):** Obviously, members would be concerned if there was a disadvantageous consequence from that, be it part of the Bill or otherwise.

**Mr Brady:** I think that Cruse makes a valid point about the emerging costs for children. I have been in that position, prior to survivors or widowers benefit being payable. It is a valid enough point. Cruse argues for a three-year period. There is a technicality involved then in whether it is a benefit or a survivors benefit. I am not sure what the case law is. Survivors benefit in most European countries is a relatively recent development. It was only introduced in Britain because somebody was prepared to take the British Government to the European Court. Prior to that, a widower could not get benefit. I am not sure what the case law in Europe is.

**Mr G McCann:** I can ask Seamus to speak on that. Let me come back to the three years. Really, all that Cruse is doing is asking for the amount to be spread over the three years.

**Mr Brady:** That seems to be a reasonable request.

**Mr G McCann:** That is what Cruse is saying, which, in itself, implies that Cruse does not think that people who are being paid inside year 1 can budget. That is what you are saying: that these people are not fit to budget for themselves.

**Mr Brady:** The point that Cruse is making is that there may be costs that you are not aware of initially, but which may emerge. That seems to be a reasonable enough argument because that can happen.

**Mr G McCann:** I accept that, but it is all part of budgeting. Really, what we are saying is that, from our point of view as officials, we cannot see how it would be worth the risk of those other things happening — for example, for the benefit to end up being taxed — when we can pay those people the same amount of money inside year 1 and it is not taxed and it is not taken into account for UC. Surely, it is better to get all that money to them, as opposed to it being spread out over three years, being taken into account for UC and being taxed, which means that they end up losing.

**Mr Brady:** Yes, but if they invested that in the first year and there was interest or notional income, that would affect your benefit eventually.

**Mr G McCann:** For the amount of money that we are talking about and the level of interest rates at the moment, you would not —

**Mr Brady:** When you are on benefit, any amount of money —

**The Chairperson (Mr Maskey):** With respect, I think that we need to make progress. Gerry, you are giving us clarification on some of the outstanding issues that we were not terribly sure about. That was one of the issues that members were concerned about; whether it would have a knock-on negative effect on people who are less well off. It may well; it may not, as you are saying. I ask that as we proceed — I need to be rigid on this — if you are giving us clarification, you need to say clearly that this will not be part of the Bill and will not be part of any one of these clauses. We are here to deal with the clause-by-clause scrutiny. All the other issues, which are important and which we will have views on, we will add on afterwards, after we complete the clause-by-clause scrutiny. Let us proceed on the basis that you are telling us what we need to hear by way of clarification, but you will say very clearly that we can set that to one side for the moment because it is not in a clause.

**Mr G McCann:** OK. Following those parameters, I do not have much more to say. Perhaps it might be helpful if I just clarify again for the members what the main planks of these are.

**The Chairperson (Mr Maskey):** It is important that people will want to comment on aspects of the Bill that they are concerned about or where they are worried about there being some inadvertent consequences or impacts. However, if they are not in the clauses, we have to separate them out.

**Mr G McCann:** I will do this very quickly. Let me just confirm again that we have been talking to colleagues in Britain this week and have clarified that the main planks are that this benefit shall only be paid for one year — it is a one-year benefit — and it will be split into two bits — one for people who have children, and one for people who do not. Last week, Mr Brady raised the case of people over pension age. Category B pensions are going; they are being axed, except for the one case, which is where the independent spouse, as it were, is over the state pension age prior to 2016, and the other spouse hits pension age after 2016. They shall still be paid an amount equal to the Cat B(L) or the Cat B rate, as appropriate. That summarises it for you.

The other issues are not inside the Bill.

**The Chairperson (Mr Maskey):** OK. I hope that the Committee Clerk and the other clerks present are in a position to capture some of the concerns that have been raised through the evidence sessions and this morning. We have to deal with the clause-by-clause scrutiny of the Bill and then come back with a draft report. We may well wish to make all that commentary.

Are members content? You heard the clarification we got there and have raised issues.

We move to the formal clause-by-clause scrutiny. Members know the procedure. I have to go through the routine of reading each clause, and members should indicate whether they are content or otherwise. Let me reiterate that, if members have other concerns, we can add them into the report as observations or recommendations.

*Question, That the Committee is content with clauses 1 to 54, put and agreed to.*

*Question, That the Committee is content with schedules 1 to 20, put and agreed to.*

*Question, That the Committee is content with the long title, put and agreed to.*

**The Chairperson (Mr Maskey):** That concludes the Committee's clause-by-clause consideration of the Bill. As I noted at the beginning, the Committee may want to make further representation on a range of issues, a number of which we have already covered. The Committee Clerk has captured those, and the Committee will bring them forward in the draft report. The officials will draft a Bill report based on all the discussions and will include the Committee's concerns and how they may be addressed and any recommendations made by the Committee.

Gerry and colleagues, I thank you for your attention on this matter and your support for the Committee in addressing the Pensions Bill. Thank you very much for your very solid support to the Committee and the conduct of our business.

**Mr G McCann:** Thank you very much.



# Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.





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# Northern Ireland Assembly

Friday 23 January 2015

## Written Answers to Questions

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

**Mr Kinahan** asked the First Minister and deputy First Minister when they will answer AQW 32083/11-15 which was tabled on 14 March 2014.

**(AQW 35010/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** We would refer the member to the answer to AQW 32083/11-15 which was provided on 8 January.

**Mr D Bradley** asked the First Minister and deputy First Minister whether they will continue to progress the Legislative Consent Motion on the Childcare Payments Bill, given the concerns that the ensuing parity may be detrimental to local recipients.

**(AQO 6747/11-15)**

**Mr P Robinson and Mr M McGuinness:** On 4 November 2014, the Assembly approved a Legislative Consent Motion to extend the Childcare Payments Bill to Northern Ireland. This will enable eligible working families who live here to claim support from government with their childcare costs in the same way as those living in England, Scotland and Wales. However we aim to look at the issue of affordability more generally with respect to childcare within any new childcare strategy.

**Mrs Dobson** asked the First Minister and deputy First Minister, in relation to the Social Investment Fund, for their assessment of the impact on social enterprises in Upper Bann of delays in providing funding.

**(AQW 39962/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Social Investment Fund has committed funds to capital clusters, New Directions and Sustaining the Infrastructure, both of which contain projects in Upper Bann. Officials are working closely with the Lead Partners for these projects to ensure that they can start as soon as possible. Officials have also liaised closely with the Steering Groups throughout to ensure that all parties are aware of the status of their application.

The Community Sports Programme which contains an Upper Bann project is still in the SIF assessment process.

### Department of Agriculture and Rural Development

**Mr Allister** asked the Minister of Agriculture and Rural Development what are the definite dates for the winter grazing period which is mentioned on the departmental website but not defined.

**(AQW 40303/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Single Farm Payments applications There are no definite dates in relation to winter grazing.

The reference to winter grazing on the DARD website is contained within the question and answer document for farmers and landowners, which provides information on the reformed CAP support measures.

Under Regulation (EU) 639/2014, to be allocated entitlements in 2015 under the new Basic Payment Scheme (BPS), a farmer must be able to demonstrate that he enjoys the decision making power, benefits and financial risks in relation to the agricultural activity on each parcel of land for which an allocation of entitlements is requested. This assessment is based on all agricultural activity carried out on the land parcel throughout 2015. All three elements - decision making power, benefits and financial risks - must be fulfilled by the applicant.

The effect of winter grazing on the ability to meet these requirements will depend on individual circumstances. For example, a dairy farmer who has the land at his disposal on 15 May, takes three cuts of silage from a field plus some aftermath grazing, and then allows another farmer to graze sheep on that field for a month or two over the winter, will be able to establish entitlements on that field. That is because the dairy farmer (who has the land at his disposal on 15 May) will be able to

demonstrate that he enjoys the decision making power, benefits and financial risks for the majority of the agricultural activity being carried out in 2015.

However, where a landowner carries out very little or no agricultural activity on the land during 2015 and lets the field to another farmer for winter grazing by sheep, the only or primary agricultural activity undertaken on that land will have been by that farmer and so it will be extremely difficult for the landowner to demonstrate that he meets the requirements to be allocated entitlements.

In both these examples, precise dates of the winter grazing activity would not affect the outcome.

**Mr Swann** asked the Minister of Agriculture and Rural Development what steps she is taking to replicate the success her Department has had in processing Single Farm Payments applications through to payment, to that of Country Side Management applications.

**(AQW 40427/11-15)**

**Mrs O'Neill:** In January and February 2015, farm businesses which declared their intention to claim for the NI Countryside Management Scheme (NICMS) on the 2014 Single Application Form (SAF), will receive a claim pack, including a pre-populated claim form and a guide on how to complete the form. Farmers will be encouraged to return the form within two weeks to allow DARD to begin processing of payments as early as possible. It is anticipated that payments will commence in May 2015, with 90% of claimants to be paid by the end of July 2015, in line with 2013 payments.

Legacy Countryside Management Payments, including the Countryside Management Scheme and the Environmentally Sensitive Areas Scheme are issued throughout the year, with claims being sent out to scheme participants four weeks before the relevant claim date. At present approximately 94% of 2014 legacy claims have been processed for payment.

**Ms Lo** asked the Minister of Agriculture and Rural Development (i) how many calls were made to the departmental public helpline for breaches of cross-compliance rules, in each of the last five years; (ii) to detail the nature of the reports or queries made; (iii) how many reports were inspected; and (iv) how many financial penalties were imposed.

**(AQW 40474/11-15)**

**Mrs O'Neill:**

- (I) The Department does not record the nature of calls made to the public helpline. Breaches of Cross Compliance are reported through a variety of channels such as telephone to any of the DARD offices, face to face contact, by email and also by letter. These reports are commonly referred to as 'whistleblower' cases.
- (II) Cross Compliance whistleblower inspections cover two aspects. The first of these is compliance with specific articles contained within European regulatory requirements covering the environment, climate change, public health, animal health, plant health and animal welfare. These are known as the Statutory Management Requirements (SMRs). The second aspect of Cross Compliance is a requirement that all those in receipt of payments in respect of the schemes covered by Cross Compliance maintain all their land in Good Agricultural and Environmental Condition (GAEC). The GAEC Measures have been developed from a framework set out by the European Commission to address the following issues: Protection and management of water, Protection of soil and carbon stock and Minimum level of maintenance. Based on the total number of whistleblower inspections carried out over the last five years 52% of these inspections were in respect of the GAEC framework and the remaining 48% of inspections were carried out in association with the SMR's.
- (III, IV) The following table details the total number of whistleblower Cross Compliance Inspections carried out in each of last five years and the total businesses that have incurred a financial penalty in each year.

Year	Inspections	Penalties
2014	451	131
2013	526	146
2012	354	144
2011	328	186
2010	362	175

**Mr Cree** asked the Minister of Agriculture and Rural Development for details of the business case used to support the relocation of her departmental headquarters to Ballykelly; and whether she will place a copy in the Assembly Library.

**(AQW 40556/11-15)**

**Mrs O'Neill:** An Outline Business Case (OBC) has been completed for the relocation of my departmental headquarters to Ballykelly. Work is ongoing to address a number of assumptions within this document that will feed into a Full Business Case (FBC) which is due to be completed by end November 2015. I will then place a copy of this document in the Assembly Library.

**Mr Agnew** asked the Minister of Agriculture and Rural Development whether landowners were advised that the planting of native trees under the Countryside Management Scheme could result in the loss of Single Farm Payments; and what is being done to assist landowners who find themselves in this situation.

**(AQW 40561/11-15)**

**Mrs O'Neill:** Under the Rural Development Programme 2007-2013, many farmers in agri-environment schemes received grant aid to plant small areas of their farms with native trees. These small areas, recommended to be no greater than 0.1ha, were often in field corners and awkward areas for farming. These native tree plantings were undertaken voluntarily by farmers who received grant aid for materials, fencing and gates as required, and an annual payment during the period of the scheme. Farmers were advised that any plantings made post 2008 on land on which Single Farm Payment (SFP) was paid in 2008 remained eligible for SFP and the successor Pillar 1 payments while the agri-environment scheme was still active.

As entitlements will be re-allocated in 2015, many farmers will find that they can retain, in these newly allocated entitlements, the value of the 2014 entitlements that were activated on the land that was planted with trees. This is because the total value of entitlements held by a farmer on 15 May 2014 will be divided by the eligible area declared by the farmer in 2015. In this way the value of the entitlements held on 15 May 2014 may be consolidated over the land that remains eligible provided the minimum claim size of 3 ha is met.

**Ms Sugden** asked the Minister of Agriculture and Rural Development for her assessment of the success of her Department's policies to address the needs of ethnic minority groups in rural areas.

**(AQW 40564/11-15)**

**Mrs O'Neill:** Whilst ethnic minority groups are employed across the whole economy of the north of Ireland, large numbers have secured gainful employment in the agri-food sector and continue to make a positive contribution both in economic and social terms to the fabric of our society. My Department supports these groups through sponsorship of the Agricultural Wages Board (AWB) and funding of Gangmasters Licensing Authority (GLA) enforcement activity. The AWB sets the rate of pay and some other conditions of employment for all agricultural workers, including ethnic minorities, which are published in Polish, Portuguese and Russian. In addition, the GLA operates a Britain and north of Ireland-wide licensing scheme for gangmasters (labour providers) with the primary objective of curbing the activities of those gangmasters who exploit their workers and/or act illegally, including ethnic minority workers.

As well as this specific support for workers an overarching budget of up to £623 million has been agreed with the Executive for the 2014-2020 Rural Development Programme. Up to £80m of this has been allocated to support a range of schemes that will help to develop the economic development of our rural areas. Support will be provided to improve or maintain the living conditions and welfare of those living in rural areas. An Equality Impact Assessment has been carried out on the Programme to ensure that it is as inclusive as possible to all rural dwellers including those from ethnic minority groups.

In addition, under my department's Tackling Rural Poverty and Social Inclusion Framework, a budget of around £20m from 2011-2016 is in place to support a wide range of initiatives aimed at improving the quality of life of all vulnerable rural dwellers, including those from ethnic minorities.

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 34461/11-15, for an update on the number of participants in the Farm Safe Awareness programme.

**(AQW 40610/11-15)**

**Mrs O'Neill:** Since my last reply, an additional 678 people have been trained and some 442 people have completed the FarmSafeNet online course.

To date 4,723 people have participated in the Farm Safe Awareness Programme since it started in December 2012.

**Mr McNarry** asked the Minister of Agriculture and Rural Development what percentage of the Military Covenant her Department has adopted as policy; and what percentage has been implemented.

**(AQW 40636/11-15)**

**Mrs O'Neill:** DARD has no specific policies in relation to the implementation of the Military Covenant. However, my Department is committed to ensuring that equality and good relations are central to our business and policy development processes. We are working hard to deliver better services for our customers; and where we can do so, to address inequalities where they continue to exist and to work to make a real difference for the whole rural community.

**Ms Boyle** asked the Minister of Agriculture and Rural Development what funding streams are available within her Department for sports groups to apply for in 2015.

**(AQW 40649/11-15)**

**Mrs O'Neill:** The Rural Development Programme does not provide core funding to sports clubs. Under the current programme where such organisations wished to promote a project of benefit to the wider rural community, and which was separate from their primary activity, they were considered for funding in competition with other applications received within a call.

However Axis 3 has now reached 100% commitment for this programme and as the programme enters its closure phase it is unlikely that there will be any further calls for applications for grant aid.



The 2014-2020 Rural Development Programme has been formally submitted to the EU Commission for consideration. Approval of the Programme is expected in mid 2015 and my officials are working to develop the schemes to enable programme implementation to commence following EU approval.

**Mr Lunn** asked the Minister of Agriculture and Rural Development for an update on progress on the proposed move of her departmental headquarters to Ballykelly.  
(AQW 40688/11-15)

**Mrs O'Neill:** An Outline Business Case (OBC) has now been completed that details the options for relocating my headquarters to Ballykelly. The preferred option points to a phased approach to construction with 400 workstations being completed in 2017 and a further phase of around 200 workstations being completed in 2020.

Discussions are ongoing with OFMDFM, as site owners, regarding the transfer of land that is required for the construction of the new headquarters. A Transportation Assessment is currently being undertaken which will inform the exact location of the proposed new access road. Negotiations are continuing with the private landowner, through Land and Property Services, to acquire the necessary land to enable this development.

A number of site clearance works are being taken forward on the area of land that is required for the new DARD HQ at Ballykelly. These works, which are required in order to achieve a successful planning application, commenced in October 2014 and will take around 6 months to complete.

**Mr Lunn** asked the Minister of Agriculture and Rural Development for the net cost over the financial years 2015/16 to 2018/19 of the proposed move of her departmental headquarters to Ballykelly.  
(AQW 40689/11-15)

**Mrs O'Neill:** The estimated net costs over the financial years 2015/16 to 2018/19 are £21.2 million. These are made up of Capital costs of £15.3 million and Resource costs of £5.9 million. These costs have been inflated to recognise the spend in the year it incurs. The costs will continue to be refined and scrutinised as we move through the various stages of the project.

**Mr Lunn** asked the Minister of Agriculture and Rural Development for the percentage of her Department's overall Current Resource Expenditure allocated to staff wages in (i) 2013/14; and (ii) the 2014/15 draft budget.  
(AQW 40690/11-15)

**Mrs O'Neill:** Core Department staff costs in 2013/14 were 51% of DARD's total 2013/14 Resource Expenditure, rising to 64% when AFBI staff costs were factored into the calculation.

The latest forecast Core Department staff costs in 2014/15 are 56% of DARD's closing 2014/15 Resource Expenditure budget, rising to 71% when AFBI is factored into the calculation

**Mr Elliott** asked the Minister of Agriculture and Rural Development, in relation to her Department's commitment to inshore fisheries management, (i) how; and (ii) when the measures identified in the Sustainable Development Strategy for Northern Ireland's Inshore Fisheries will be implemented, particularly the setting up of a representative Inshore Fisheries Advisory Group.  
(AQW 40698/11-15)

**Mrs O'Neill:** One of the priorities within the Inshore Fisheries Strategy is the creation of a Partnership Group to inform future inshore fisheries policy. My officials are currently in the process of writing to industry stakeholders seeking nominations to serve as members of this Partnership. The first meeting of the Partnership will be held during March 2015.

One of the Group's early first tasks will be to consider how, and in which priority, other key measures within the strategy (such as improving data, increasing the use of technology, enhancing economic returns and safer fisheries) should be progressed.

**Mrs Dobson** asked the Minister of Agriculture and Rural Development what steps she is taking to prevent Porcine Epidemic Diarrhea virus affecting the pig industry.  
(AQW 40721/11-15)

**Mrs O'Neill:** While Porcine Epidemic Diarrhoea (PEDv) is regarded as a serious threat it is a production disease and is not notifiable here. It is not covered by any legislative requirement and no active surveillance in terms of testing is undertaken. Industry are aware of this and understand that they have the primary role in ensuring that biosecurity guidelines are met and that importers need to be mindful of the importance of responsible sourcing of replacement livestock.

Assessing epizootic disease threats is a key feature of my Department's ongoing animal disease surveillance programme. My Department's veterinary and epidemiology staff undertake this task in conjunction with colleagues in the Department for Environment, Food and Rural Affairs (Defra), the Agri-Food and Biosciences Institute (AFBI) and the broader scientific community through international Disease Monitoring, Emerging Threat Assessments and Veterinary Risk Assessments. Predicting epizootic threats through this continual surveillance is a key activity as it provides information to facilitate assessment of the level and nature of the government measures that are required to prevent, detect and respond to epizootic disease threats.

My Department considers PEDv to be one of the major threats to the pig industry here at the present time. While, as I have made clear, PEDv is not a statutory disease, many of the actions being taken to prevent the entry or spread of statutory diseases in the north are also useful with regard to PEDv, including things like:

- a) The application and enforcement of international Animal Health Certificate arrangements;
- b) Portal inspection of imported livestock and meat;
- c) Effective biosecurity measures during transport, at animal gatherings and at the farm gate;
- d) Pre and post import quarantine and testing;
- e) Investigation of any suspect disease case;
- f) Preparing contingency plans; and
- g) Testing and exercising contingency plans.

My officials met with Pig Industry representatives on 1 September 2014 to discuss a number of current pig disease threats including PEDv. At the meeting, officials reiterated advice that pig keepers remain vigilant for signs of disease, and maintain good biosecurity. Advice on this is also provided in the Biosecurity Code for NI Farms which is available on the DARD website.

My officials are also participating in a PEDv working group in conjunction with Defra, the Scottish and Welsh administrations and the pig industry on a regular basis to consider the threat posed by PEDv and the actions that can be taken to protect against disease or deal with an outbreak. My officials are also maintaining regular contact with the Department of Agriculture, Food and the Marine (DAFM) in Dublin to consider North/South aspects of this issue.

As regards future steps, my Department will continue to monitor the spread of PEDv, to liaise with DAFM and the three British jurisdictions and will take appropriate measures to support industry in proportion to the level of risk.

**Mr Swann** asked the Minister of Agriculture and Rural Development for an update on the figures supplied in her answer to AQW 31973/11-15.

**(AQW 40755/11-15)**

**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 April 2014 until March 2015 are collated and presented up to 31/12/2014 in Table 1.

**Table 1: Missing/stolen cattle**

Divisional Veterinary Office	2012/13	2013/14	01/04/2014 - 31/12/2014
Armagh	389	631	352
Ballymena	143	209	109
Coleraine	210	265	151
Dungannon	625	608	234
Enniskillen	296	267	149
Derry	56*	153	57
Mallusk	242*	257	131
Newry	406	946	335
Newtownards	240	376	156
Omagh	407	535	263
<b>Totals</b>	<b>3,014</b>	<b>4,247</b>	<b>1,937</b>

\* Please note that in the table of data within AQW 31973/11-15, the data for Mallusk (56) and Derry (242) were transposed incorrectly. This administrative error has now been corrected and does not affect the overall total in 2012/2013.

**Mrs Dobson** asked the Minister of Agriculture and Rural Development how many Single Farm Payments have yet to be paid to applicants; and to provide the reasons for the delay.

**(AQW 40940/11-15)**

**Mrs O'Neill:** 926 claims remain to be finalised.

It is anticipated that all remaining inspection cases will be processed for payment by the end of March 2015. This will be earlier than in any previous scheme year. A number of claims are outstanding due to factors such as probate proceedings, disputes between farmers and information, such as bank account details, not being provided by farm businesses.

This is a record payment performance for the 2014 Single Farm Payment year. In December 2014, 95% of claims were finalised for payment, exceeding a target of 93%. A total of £234.6 million was paid to local farmers in December.

To date, 97% of claims have been finalised for payment and £241 million has been paid out. This is the lowest number ever at this stage in the year. Last year, 2,523 claims remained outstanding at this stage.

My Department will complete the remaining claims as quickly as possible.

**Mr Craig** asked the Minister of Agriculture and Rural Development how her Department is reducing the flood risks in Lagan Valley.

**(AQO 7293/11-15)**

**Mrs O'Neill:** As a general approach to flooding across the north, my Department focuses on 3 key areas, Prevention, Protection and Preparedness. Firstly, we aim to prevent damage from flooding by providing advice to the public and the planning authority to avoid inappropriate development in areas at risk from flooding. Secondly, we provide protection to existing property at flood risk through the ongoing maintenance of existing drainage, flood defence infrastructure and, where viable, the construction of new infrastructure. Thirdly, we prepare for flooding by working with key organisations to develop flood risk management plans and a coordinated response to flood emergencies.

In relation to the Lagan Valley, a study examining options to reduce the risk of flooding to a number of commercial properties at Knockmore, Lisburn, will be completed shortly, and subject to viability, will be included in Rivers Agency's capital works programme.

**Mrs Hale** asked the Minister of Agriculture and Rural Development for an update on the work of the Forest Service.

**(AQO 7295/11-15)**

**Mrs O'Neill:** The Forest Service Business Plan for 2014/15 sets out the Agency's strategic objectives and associated targets for the 2014/15 business year. Policy aims for forestry and plant health are captured in 7 key targets and associated supporting targets.

In support of our aim to encourage forest expansion, and before schemes closed in December 2014, I am pleased to say that we authorised the planting of 195 hectares of new woodland involving expenditure of nearly £1.2 million of rural development funding.

Managing forests sustainably to produce an income, protect the environment and promote social use remains a priority. We have generated receipts of over £7 million, spent £900,000 on our forestry fund works to underpin forest recreation development, and continue our work to deliver recreation services with operating parties drawn from local government, charitable trusts and private sector interests.

I updated colleagues on implementation of the all island strategic plant health programme at NSMC meetings in April and October last. We have commissioned a scientific evidence review to appraise options to contain and eradicate ash dieback disease. We continue to identify and fell larch trees infected with *P. ramorum* disease on a prioritised basis.

Work is progressing well on taking forward a programme to exploit wind energy opportunities on the forest estate. I look forward to publishing a strategy this year.

Plans to relocate Forest Service Headquarters from the Stormont Estate to Co. Fermanagh in June of this year are also progressing well. The works to refurbish Inishkeen House to accommodate the Forest Service Headquarters will begin this month.

## Department of Culture, Arts and Leisure

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure for an update on the redevelopment of Casement Park stadium.

**(AQW 37734/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Ulster Council GAA have received funding of £62.5 million for the Casement Park Project which will involve the upgrade of venue from approximately 32,000 to a 38,000 capacity fully inclusive all seated stadium.

The Funding Agreement was issued to the Ulster Council GAA and the successful contractor (Heron Buckingham JV) was appointed in December 2013.

Design development and pre-construction works are complete.

The main construction work at Casement Park is currently delayed temporarily due to the Judicial Review against DOE's decision to grant planning approval for the Casement Park project.

A Judicial Review hearing against planning approval started on 9th September and completed on 13th October and is currently in the ruling period. A decision is expected in November 2014.

The Construction Notice will be held until the outcome of the Judicial Review is known in November 2014. If a start for construction is achieved in November/December 2014, planned completion of construction would be October 2016.

**Mrs D Kelly** asked the Minister of Culture, Arts and Leisure whether a full equality impact assessment was carried out on the Sports Council capital build programme; and whether the budget will remain at £17.5m.

**(AQW 39536/11-15)**

**Ms Ní Chuilín:** I can advise that Sport NI is currently finalising its Corporate Plan which will cover the period 2015 to 2020. The Plan, when completed, will be subject to a full Equality Impact Assessment. That assessment will cover all planned capital investment including Sport NI's new £17.5 million Lottery sports facility capital programme.

Sport NI has confirmed that this Lottery budget will be maintained at £17.5 million.

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure for her assessment of the Bille na dTeangacha Oifigiúla that she received recently.

**(AQW 40252/11-15)**

**Ms Ní Chuilín:** Thank you for sharing your Bille na dTeangacha Oifigiúla with me. I remain committed to an Irish Language Act and, as I announced in the Assembly on Tuesday 13 January, I will be putting proposals for an Irish Language Bill out to consultation in February.

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure how her Department intends to improve facilities for Gaelic Games in County Fermanagh.

**(AQW 40285/11-15)**

**Ms Ní Chuilín:** Under the Recreation and Youth Services (NI) Order 1986, responsibility for the provision of sports and leisure facilities, including for Gaelic Games, rests in the first instance with District Councils. In addition, responsibility for improving existing facilities rests with the owners and operators of sports facilities.

My Department, through its arms-length body, Sport NI, has provided both financial and practical support to sport governing bodies, including the Gaelic Athletic Association (GAA), District Councils and sports facility owners/operators. Recent Sport NI investment in the area includes £245,000 Exchequer capital funding which was provided in 2013/14 to St Joseph's Gaelic Athletic Club in Ederney for Gaelic Games facilities. Sport NI has advised that one GAA Club in the County Fermanagh area has applied to the current round of Sport NI's Active Awards for Sport Programme. This application is currently being assessed by Sport NI and applicants will be advised of the outcome of their applications by the end of January 2015.

Looking ahead, Sport NI is working with the existing District Councils and the Shadow District Councils to develop a Sports Facilities Strategy and eleven District Council Area Reports, which will include County Fermanagh. This work will define existing sports facilities, and identify future needs, at both a regional and local level, and will take account of Gaelic Games within County Fermanagh.

**Mr Weir** asked the Minister of Culture, Arts and Leisure what initiatives her Department is pursuing to increase cycling amongst females.

**(AQW 40315/11-15)**

**Ms Ní Chuilín:** Cycling Ireland, the sport's Governing Body, recently launched a Strategic Plan "A Pathway for Cycling Excellence 2015-2019". The plan sets a strategic objective to "develop women's cycling with specific focus on supporting an increase in women's participation levels." Sport NI, an arms length body of my Department, will work with Cycling Ireland to explore how it can support the governing body achieve this objective.

In recent years, Sport NI has provided £646,590 Exchequer and Lottery funding to promote the sport of cycling, including female cycling. In addition, Sport NI plans to invest £120,000 up to March 2017 to Cycling Ireland through its PerformanceFocus programme.

Furthermore, the Sports Institute NI provides Performance analysis support to Cycling Ireland. This work has benefited the female Team Pursuit, which includes Lydia Boylan from the north of Ireland.

As part of the Giro d'Italia legacy work, Sport NI has recently identified opportunities to target women in cycling. These proposals are subject to funding availability and are being developed in partnership with NI Tourist Board and Sustrans.

As part of the legacy of the 2013 World Police and Fire Games, my Department provided funding of £10,000 to deliver a successful children's cycle training and participation programme, which included females, in the Shankill and Colin areas.

With regard to encouraging people to become more active particularly through cycling I can advise that my Department and Sport NI are both represented on the Department for Regional Development's Cross-sectoral Cycling Group and are contributing to the development of the draft Bicycle Strategy for Northern Ireland.

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 39221/11-15, will she now publish the report.

**(AQW 40382/11-15)**



**Ms Ní Chuilín:** The report is now available on the DCAL website and I have arranged for a copy of the report to be sent to you.

**Mr Milne** asked the Minister of Culture, Arts and Leisure for an update on the steps her department is taking regarding the re-development of Casement Park  
(AQO 7312/11-15)

**Ms Ní Chuilín:** DCAL has been allocated One Hundred and Ten million pounds (£110m) by the Executive to deliver the Stadia projects which include the redevelopment of Casement Park. The Stadia Programme is part of the Programme for Government and is a priority for the NI Executive. The funding remains ring-fenced and cannot be used by the Department for other capital projects. It is part of a decision that was made by the Executive going back as far as March 2011 and I am committed to ensuring that this project becomes a reality.

There is a strong resolve within the Ulster GAA to submit a new planning application in 2015 to develop a regional stadium in Ulster at Casement Park.

Any new planning application will take account of the learning points raised in the judgment and I and my department will fully support them during the new planning process.

My Department and I remain committed to the re-development of Casement Park and we will work with all parties to facilitate this becoming a reality.

The spend profile against the Stadium Programme for 2014/15 was Twenty Eight Million, Two Hundred Thousand pounds (£28.2 million), which includes a figure of Seven Million, Nine Hundred Thousand pounds (£7.9 million) for the Casement Park project.

The assessment of this remaining spend of Seven Million, Nine Hundred Thousand (£7.9 million) on the Casement Park project assumed a successful outcome of the Judicial Review.

As a result of the quashing of the planning approval on the Casement Park project an easement of Six Million, Two Hundred and Fifty Thousand pounds (£6.25 million) has now been declared through January monitoring for 2014/15.

The impact of this on 2015/16 is that it will create a corresponding pressure across the remainder of the programme. Officials have and continue to liaise with DFP with regards to spend profile allocations.

**Mr Elliott** asked the Minister of Culture, Arts and Leisure what impact the recent decision on the development of Casement Park will have on her Departmental spending plans in 2015/16.  
(AQO 7313/11-15)

**Ms Ní Chuilín:** DCAL has been allocated One Hundred and Ten million pounds (£110m) by the Executive to deliver the Stadia projects which include the redevelopment of Casement Park. The Stadia Programme is part of the Programme for Government and is a priority for the NI Executive. The funding remains ring-fenced and cannot be used by the Department for other capital projects. It is part of a decision that was made by the Executive going back as far as March 2011 and I am committed to ensuring that this project becomes a reality.

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## Department of Education

**Mr Agnew** asked the Minister of Education whether his Department has carried out further analysis on conflict related costs with the education sector from the 2007 Deloitte 'Research into the Financial Cost of the Northern Ireland Divide'; and if not, whether he plans to do so.  
(AQW 40342/11-15)

**Mr O'Dowd (The Minister of Education):** An analysis of the report was undertaken at the time of its publication. The report itself accepted that comparative analysis of education expenditure is extremely complex and no reliable conclusions can be drawn as to the impact of the divide on education spend in the north of Ireland at a macro-level.

The report took a very simplistic approach to costing, using the management related costs across the various sectors, the Community Relations budget and an estimate of savings relating to unquantifiable costs. Little evidence was provided to support how the suggested costs had been calculated.

Given the number of significant changes since 2007 that relate to areas identified within the report, its conclusions are less relevant to the current educational structure and policy framework.

**Mr Agnew** asked the Minister of Education to detail the staff costs (i) each Education and Library Board; and (ii) the Council for Catholic Maintained Schools, in each of the last five financial years.

**(AQW 40379/11-15)**

**Mr O'Dowd:** The staff costs in (i) each Education and Library Board; and (ii) the Council for Catholic Maintained Schools, in each of the last five financial years is as follows:

	2009/10	2010/11	2011/12	2012/13	2013/14
BELB	£17,803,286	£17,276,295	£15,948,939	£14,643,210	£15,200,775
WELB*	£22,681,903	£22,038,702	£20,585,446	£19,599,220	£19,493,602
NEELB	£18,506,956	£17,607,556	£15,453,060	£15,330,567	£15,146,521
SEELB	£16,158,354	£15,125,447	£14,359,648	£13,787,908	£14,492,677
SELB	£24,222,644	£23,795,721	£22,406,956	£22,057,625	£22,178,022
CCMS	£2,893,222	£1,538,005	£3,102,426	£1,955,510	£1,952,462

\* WELB figures include costs relating to C2K. This is an earmarked initiative which is a regionalised service and where the staff costs are solely borne by the WELB. This would therefore make it difficult to draw comparisons with other ELB's.

The figures shown above include:

- costs for Headquarter staff, out centre and youth club staff. School based staff are not included.
- employers National Insurance and Pension Contribution costs.

**Mr Weir** asked the Minister of Education what discussions he has had with his counterpart at Westminster to ensure that the reassessment of vocational courses in England will not devalue similar courses in Northern Ireland.

**(AQW 40455/11-15)**

**Mr O'Dowd:** I can confirm that while I have had no discussions with my counterpart at Westminster on this issue, my officials are in regular contact with their counterparts in England and Wales. In addition, formal meetings involving the respective government officials and regulators in these jurisdictions are held on a quarterly basis. These meetings provide a platform to discuss shared issues for GCSEs, A levels and vocational qualifications.

**Mr Weir** asked the Minister of Education to detail the criteria for a nursery school to qualify for integrated status.

**(AQW 40517/11-15)**

**Mr O'Dowd:** Pre-school education is non-sectoral. All funded settings are open to children of all backgrounds and all follow the same curriculum guidance which helps children to learn to respect different cultures, beliefs and lifestyles.

Decisions on development proposals for new pre-school provision are made on a case by case basis. When a development proposal is published, it must be looked at in the context of the overall level of need in the local area.

Where a need for additional pre-school provision is established, in line with the Department's statutory duty to encourage and facilitate the development of integrated education, parents' wishes are taken into account where strong evidence is provided of parents' preference for formally integrated pre-school provision.

**Lord Morrow** asked the Minister of Education to detail (i) the date of the last (a) software; and (b) hardware upgrade of computers for pupils in post-primary schools; and (ii) the total cost of each upgrade, broken down by Education and Library Board.

**(AQW 40540/11-15)**

**Mr O'Dowd:** As part of the C2k Education Network (ni) contract which commenced in April 2012 all post-primary schools have received various software and hardware upgrades as component parts of their C2k school transformation.

All pupils and staff now have personalised desktop software, MySchool, providing 24/7 access to a range of new local and cloud based services. There have been significant software upgrades deployed as part of EN (ni) transformation across a spectrum of C2k services such as Curriculum software, productivity tools, video conferencing and desktop operating systems..

In post-primary schools many significant hardware components were upgraded during transformation. These included replacement of school file servers and ICT infrastructure such as switches, routers and wireless access points. Prior to this upgrade, new C2k managed access devices (desktop and laptop equipment) were provided during 2009.

The software and hardware costs are not differentiated within the EN(ni) contract in terms of Education and Library Board areas. The total cost of the EN(ni) contract for all schools in the north of Ireland (primary, post primary and special) is £170 million over a 5 year period.

**Mr McKay** asked the Minister of Education, pursuant to AQW 40232/11-15, to detail how many pupils (i) entered ranganna 1 in each bunscoil; (ii) attended Irish-medium units in post-primary schools; (iii) entered ranganna 1 in each primary level Irish-medium unit; and (iv) entered ranganna 1 in each post-primary meánscoil and Irish-medium unit in the last five years.

**(AQW 40549/11-15)**

**Mr O'Dowd:** The tables overleaf shows Irish medium enrolments from 2010/11 – 2014/15. Please note that the 2014/15 figures are provisional. Finalised figures will be available at the end of February 2015.

**(i) Number of pupils in year 1 in each Irish medium primary school, 2010/11 – 2014/151**

School	2010/11	2011/12	2012/13	2013/14	2014/151
Bunscoil an Lúir	12	13	13	9	11
Bunscoil an Traonaigh	8	3	10	8	6
Bunscoil An tSléibhe Dhuibh	15	14	21	28	28
Bunscoil Bheann Mhadagáin	21	19	12	21	19
Bunscoil Bheanna Boirche	11	19	16	12	14
Bunscoil Cholmcille	26	13	12	17	10
Bunscoil Mhic Reachtain	11	9	10	10	18
Bunscoil Phobal Feirste	34	37	39	43	44
Gaelscoil an Chaistil	8	10	13	18	15
Gaelscoil an Lonnain	3	5	9	13	10
Gaelscoil an tSeanchaí	12	12	18	15	18
Gaelscoil Aodha Rua	-	12	20	18	19
Gaelscoil Éadain Mhóir	21	17	14	15	20
Gaelscoil Éanna	16	22	34	32	28
Gaelscoil Eoghain	-	-	13	10	21
Gaelscoil Ghleann Darach	9	15	15	15	10
Gaelscoil Léim an Mhadaidh	-	12	13	8	17
Gaelscoil na bhFál	22	23	27	26	27
Gaelscoil na Daróige	8	11	11	12	13
Gaelscoil na gCrann	15	17	16	23	19
Gaelscoil na mBeann	-	-	12	11	12
Gaelscoil na Móna	11	12	15	21	16
Gaelscoil na Spéiríní	3	5	8	4	8
Gaelscoil Neachtain	-	-	14	22	14
Gaelscoil Uí Dhochartaigh	22	24	20	26	21
Gaelscoil Uí Néill	23	19	24	24	25
Scoil An Droichid	23	22	22	24	23
Scoil na Fuisioige	16	19	22	23	18

(ii) **Number of pupils that attended Irish-medium units in post-primary schools, 2010/11 – 2014/15<sup>1</sup>**

School	2010/11	2011/12	2012/13	2013/14	2014/15 <sup>1</sup>
St Brigid's College	14	8	3	1	7
St Catherine's College	130	165	169	188	196
St Joseph's Grammar School	15	34	56	78	101
St Malachy's High School	-	5	-	-	28

(iii) **Number of pupils in year 1 in each Irish medium unit in primary schools, 2010/11 – 2014/15<sup>1</sup>**

School	2010/11	2011/12	2012/13	2013/14	2014/15 <sup>1</sup>
Christian Brothers' Primary School	25	19	22	28	31
Our Lady and St Patrick Primary School	-	14	15	13	21
St Brigid's Primary School, Tirkane	12	14	14	21	20
St Canice's Primary School, Dungiven	8	5	-	-	-
St Columbkille's Primary School, Omagh	6	8	5	12	9
St Francis Primary School, Lurgan	25	25	23	27	25
St John the Baptist Primary School, Craigavon	8	6	9	9	10
St Patrick's Boys' Primary School	14	-	-	-	-
St Patrick's Primary School, Crossmaglen	17	13	13	17	25

(iv) **Number of pupils that entered year 8 in each post-primary Irish medium school and Irish-medium unit, 2010/11 – 2014/15<sup>1</sup>**

School	2010/11	2011/12	2012/13	2013/14	2014/15 <sup>1</sup>
Coláiste Feirste	86	76	75	94	111
St Brigid's College	-	-	-	-	7
St Catherine's College	28	32	34	35	40
St Joseph's Grammar School	15	19	22	20	23
St Malachy's High School	-	5	-	-	12

**Source:** NI school census

**Notes:**

- Figures relating to 2014/15 are currently provisional.
- Figures for primary include nursery, reception and year 1 - 7 classes.

**Mr Agnew** asked the Minister of Education to detail the (i) primary; and (ii) post-primary schools, broken down by sector, with surplus places in Lagan Valley since 2011.

**(AQW 40562/11-15)**

**Mr O'Dowd:** The information requested is detailed in the tables below. The information provided is based on the 2011/12 – 2013/14 school censuses. Unfilled places data for 2014/15 will be available in April 2015.

**Unfilled places in schools in Lagan Valley constituency, 2011/12 – 2013/14****Primary schools**

School	Management type	2011/12	2012/13	2013/14
Anahilt Primary School	Controlled	179	182	177
Ballinderry Primary School	Controlled	30	32	18
Ballymacash Primary School	Controlled	24	21	0
Brownlee Primary School	Controlled	31	25	29



School	Management type	2011/12	2012/13	2013/14
Carr Primary School	Controlled	54	46	48
Downshire Primary School, Hillsborough	Controlled	26	3	18
Dromara Primary School	Controlled	20	18	26
Dromore Central Primary School	Controlled	7	0	16
Dunmurry Primary School	Controlled	128	116	112
Fair Hill Primary School	Controlled	10	8	16
Fort Hill Integrated Primary School	Controlled Integrated	31	37	34
Harmony Hill Primary School	Controlled	59	77	40
Killowen Primary School, Lisburn	Controlled	68	60	66
Knockmore Primary School	Controlled	135	122	115
Largymore Primary School	Controlled	133	126	110
Lisburn Central Primary School	Controlled	89	105	106
Maghaberry Primary School	Controlled	34	31	31
Meadow Bridge Primary School	Controlled	41	35	31
Moir Primary School	Controlled	25	21	27
Oakwood Integrated Primary School	GMI	8	8	6
Old Warren Primary School	Controlled	215	225	229
Pond Park Primary School	Controlled	34	14	5
Riverdale Primary School	Controlled	14	12	11
Rowandale Integrated Primary School	GMI	0	0	15
Seymour Hill Primary School	Controlled	76	82	91
St Aloysius Primary School, Lisburn	Catholic Maintained	180	166	130
St Colman's Primary School, Dromore	Catholic Maintained	59	63	48
St Colman's Primary School, Lisburn	Catholic Maintained	19	6	12
St Joseph's Primary School, Lisburn	Catholic Maintained	29	20	11
St Michael's Primary School (Finnis)	Catholic Maintained	46	45	43
Tonagh Primary School	Controlled	36	31	19

**Post-primary schools**

School	Management type	2011/12	2012/13	2013/14
Dromore High School	Controlled	6	0	0
Dunmurry High School	Controlled	246	-	-
Fort Hill College	Controlled Integrated	0	3	16
Friends' School	Voluntary	1	0	0
Laurelhill Community College	Controlled	135	150	215
Lisnagarvey High School	Controlled	89	51	33
St Patrick's High School, Lisburn	Catholic Maintained	109	84	91
Wallace High School	Voluntary	2	0	1

**Source:** NI school census

**Notes:**

- The unfilled places figures exclude pupils in receipt of a statement of special educational needs, and pupils admitted on appeal or by direction (post-primary schools only) of the Exceptional Circumstances Body, as they are admitted over

and above a school's approved enrolment number in the year of their admission to the school. Some of these pupils attend full and oversubscribed schools which have no unfilled places so subtracting the total number of these pupils from the total unfilled places figure will not give a new accurate surplus places figure. The figures therefore cannot be used in this way. They do however give more contextual information about further pupils who are attending school and who are not taken into account in the unfilled places figure.

- 2 If a school is operating at over-capacity then the number of unfilled places is taken to be zero, rather than as a negative number of unfilled places to be netted off in totalling (i.e. if a school has an approved enrolment capacity of 200 and an actual enrolment of 205, the difference is "minus" 5 but the number of unfilled places is taken as zero).
- 3 Unfilled places data is unavailable for prep schools.

**Mr Lyttle** asked the Minister of Education for an update on the progress of the roll out of the Together: Building a United Community buddy scheme in all publicly funded nursery and primary schools; and what date has been set for the completion of this target.

**(AQW 40587/11-15)**

**Mr O'Dowd:** Work is continuing to develop a buddy scheme in DE funded pre-school settings in line with the action in Together: Building a United Community.

My officials have engaged with colleagues in the statutory and community sectors to draw on best practice and are developing a business case. No additional funding has, however, been identified for this project and pending confirmation of the costs and the availability of funding, it is not possible to confirm a date for completion.

**Mr McKay** asked the Minister of Education how many Special Educational Needs assessments are carried out per hundred pupils in each Education and Library Board area.

**(AQW 40590/11-15)**

**Mr O'Dowd:** The number of statutory assessments of special educational needs, completed from 1 January 2014 – 31 December 2014, per hundred pupils of the total school population\* in each Board area were as follows:

BELB	0.86
NEELB	0.59
SEELB	0.83
SELB	0.53
WELB	0.78

\* School census 2014/15

**Mr McKay** asked the Minister of Education how each Education and Library Board prioritises Special Educational Needs assessments.

**(AQW 40591/11-15)**

**Mr O'Dowd:** Education and Library Boards do not employ any method of prioritisation in the completion of the statutory assessment process. Requests are actioned upon receipt in line with the statutory timeframes outlined in the Education (NI) Order 1996 and the Code of Practice on the Identification and Assessment of Special Educational Needs.

**Mr Weir** asked the Minister of Education to detail the number of nursery school (i) applications; and (ii) places available in North Down, in each of the last five years.

**(AQW 40616/11-15)**

**Mr O'Dowd:**

**(i) Number of applications to pre-school places**

Applications	2010/11	2011/12	2012/13	2013/14	2014/15
Number of 1st Preference Applications for target age children	802	837	899	888	943

**(ii) Number of pre-school places**

Providers	2010/11	2011/12	2012/13	2013/14	2014/15
Statutory nursery sector	468	468	468	468	513
Voluntary/private sector*	346	390	409	423	434

Providers	2010/11	2011/12	2012/13	2013/14	2014/15
<b>Total Number of Places</b>	<b>814</b>	<b>858</b>	<b>877</b>	<b>891</b>	<b>947</b>

\* Number of places in the voluntary/private sector varies during the process.

**Mr Agnew** asked the Minister of Education to detail the number of schools in each Education and Library Board which are (i) supported; and (ii) not supported by multi agency support teams in each year since their inception.

**(AQW 40662/11-15)**

**Mr O'Dowd:** The North Eastern and Southern Education and Library Boards have advised that the number of schools supported, and those not supported, by formal Multi Agency Support Teams for Schools (MASTS) in relation to special educational needs (SEN) since their inception is as follows:

#### NEELB

Academic Year	Total Number of Schools in Receipt of MASTS Support	Total Number of Schools who Applied for MASTS Support who were not Supported
2007 - 8	92	33
2008 – 9	92	20
2009 – 10	92	15
2010 – 11	92	11
2011 – 12	122	10
2012 – 13	131	3
2013 - 14	131	8
2014 - 15	141	4

#### SELB

Academic Year	Total Number of Schools in Receipt of MASTS Support	Total Number of Schools who Applied for MASTS Support who were not Supported
2007 - 8	11	4
2008 – 9	11	3
2009 – 10	11	0
2010 – 11	11	2
2011 – 12	15	0
2012 – 13	18	0
2013 - 14	18	0
2014 - 15	18	0

The BELB also operates a MASTS service but does not hold data in relation to their operation as these are funded by the local health trusts.

To date, the SEELB and WELB have not operated formal MASTS service. Both boards are however, as is the case across all boards, involved in multi agency collaboration at school level in relation to SEN including work in connection with the SEN capacity building programme.

**Mr Agnew** asked the Minister of Education to detail the primary schools and post-primary schools, broken down by sector, with surplus places in the Belfast area since 2011.

**(AQW 40664/11-15)**

**Mr O'Dowd:** The information requested is detailed in the tables below. The information provided is based on the 2011/12 – 2013/14 school censuses. Unfilled places data for 2014/15 will be available in April 2015. Data is based on schools in the Belfast Education and Library Board.

**Unfilled places in schools in BELB, 2011/12 – 2013/14****Primary schools**

School	Management type	2011/12	2012/13	2013/14
Avoniel Primary School	Controlled	238	228	234
Ballygolan Primary School	Controlled	244	240	-
Ballysillan Primary School	Controlled	197	202	196
Belmont Primary School	Controlled	10	2	3
Blackmountain Primary School	Controlled	183	172	162
Blythefield Primary School	Controlled	431	432	435
Botanic Primary School	Controlled	41	41	28
Bunscoil An tSléibhe Dhuibh	Other Maintained	56	60	52
Bunscoil Bheann Mhadagáin	Other Maintained	62	72	68
Bunscoil Mhic Reachtain	Controlled	26	26	26
Bunscoil Phobal Feirste	Other Maintained	187	179	171
Carr's Glen Primary School	Controlled	189	163	139
Cavehill Primary School	Controlled	2	1	9
Cliftonville Integrated Primary School	Controlled Integrated	173	145	124
Cranmore Integrated Primary School	GMI	29	26	15
Currie Primary School	Controlled	65	59	55
Donegall Road Primary School	Controlled	162	145	121
Dundela Infants School	Controlled	33	14	7
Edenbrooke Primary School	Controlled	217	202	192
Edmund Rice (CB) Primary School	RC Maintained	172	175	-
Elmgrove Primary School	Controlled	78	66	38
Euston Street Primary School	Controlled	146	138	128
Fane Street Primary School	Controlled	329	310	299
Finaghy Primary School	Controlled	60	50	47
Forge Integrated Primary School	Controlled Integrated	0	0	0
Forth River Primary School	Controlled	35	30	29
Gaelscoil an Lonnain	Other Maintained	31	27	22
Gaelscoil na bhFál	Other Maintained	136	131	135
Gaelscoil na Móna	Other Maintained	29	35	33
Glenwood Primary School	Controlled	138	153	140
Greenwood Primary School	Controlled	6	7	6
Harding Memorial Primary School	Controlled	28	17	19
Harmony Primary School	Controlled	214	217	212
Hazelwood Primary School	GMI	14	4	8
Holy Child Primary School, Belfast	RC Maintained	300	298	287
Holy Cross Boys' Primary School, Belfast	RC Maintained	158	136	117
Holy Cross Girls' Primary School, Belfast	RC Maintained	318	320	327
Holy Family Primary School, Belfast	RC Maintained	8	0	0
Holy Rosary Primary School, Belfast	RC Maintained	257	203	154



School	Management type	2011/12	2012/13	2013/14
Holy Trinity Primary School, Belfast	RC Maintained	9	10	0
John Paul II Primary School	Catholic Maintained	-	-	24.00
Knocknagoney Primary School	Controlled	323	277	262
Ligoniel Primary School	Controlled	12	13	21
Lowwood Primary School	Controlled	27	24	23
Malvern Primary School	Controlled	223	223	227
Mercy Primary School	RC Maintained	482	475	475
Nettlefield Primary School	Controlled	131	112	118
Orangefield Primary School	Controlled	29	19	11
Our Lady of Lourdes Primary School, Belfast	RC Maintained	61	47	67
Our Lady's Girls' Primary School, Belfast	RC Maintained	175	160	156
Rosetta Primary School	Controlled	238	228	201
Sacred Heart Primary School, Belfast	RC Maintained	282	297	296
Scoil An Droichid	Other Maintained	10	26	15
Seaview Primary School, Belfast	Controlled	119	103	80
Springfield Primary School	Controlled	70	49	35
Springhill Primary School	Controlled	165	194	199
St Aidan's Christian Brothers Primary School, Belfast	RC Maintained	357	377	-
St Anne's Primary School, Belfast	RC Maintained	66	64	58
St Bernadette's Primary School, Belfast	RC Maintained	391	395	-
St Bride's Primary School, Belfast	RC Maintained	23	13	7
St Clare's Primary School, Belfast	RC Maintained	217	191	185
St John the Baptist Primary School, Belfast	RC Maintained	19	11	33
St Joseph's Primary School, Belfast	RC Maintained	155	119	91
St Joseph's Primary School, Belfast Slate Street	RC Maintained	166	153	148
St Kevin's Primary School, Belfast	RC Maintained	146	130	94
St Malachy's Primary School, Belfast	RC Maintained	113	98	69
St Mary's Primary School, Belfast	RC Maintained	39	0	1
St Mary's Star of the Sea Primary School, Belfast	RC Maintained	246	246	236
St Matthew's Primary School, Belfast	RC Maintained	194	183	173
St Michael's Primary School, Belfast	RC Maintained	2	2	0
St Oliver Plunkett Primary School, Belfast	RC Maintained	260	250	222
St Patrick Primary School, Belfast	Catholic Maintained	-	-	24.00
St Paul's Primary School, Belfast	RC Maintained	182	183	174
St Peter's Primary School, Belfast	RC Maintained	279	280	278
St Teresa's Primary School, Belfast	RC Maintained	270	244	233
St Therese of Lisieux Primary School, Belfast	RC Maintained	2	3	1
St Vincent de Paul Primary School, Belfast	RC Maintained	108	97	89
Star of the Sea Girls' Primary School, Belfast	RC Maintained	66	71	-
Strandtown Primary School	Controlled	71	55	53

School	Management type	2011/12	2012/13	2013/14
Stranmillis Primary School	Controlled	14	14	10
Taughmonagh Primary School	Controlled	30	25	23
Victoria Park Primary School	Controlled	84	102	75
Wheatfield Primary School	Controlled	208	201	207

**Post-primary schools**

School	Management type	2011/12	2012/13	2013/14
Aquinas Diocesan Grammar School	Voluntary	0	0	1
Ashfield Boys' High School	Controlled	0	0	0
Ashfield Girls' High School	Controlled	0	0	0
Belfast Boys' Model School	Controlled	21	11	12
Belfast Model School For Girls	Controlled	68	40	56
Belfast Royal Academy	Voluntary	1	21	19
Bloomfield Collegiate	Voluntary	0	4	16
Campbell College	Voluntary	64	63	73
Christian Brothers School	RC Maintained	250	264	305
Coláiste Feirste	Other Maintained	55	65	60
Corpus Christi College	RC Maintained	160	202	232
De La Salle College	RC Maintained	2	0	9
Dominican College	Voluntary	48	41	25
Grosvenor Grammar School	Controlled	0	0	0
Hazelwood College	GMI	15	14	14
Hunterhouse College	Voluntary	0	7	2
Little Flower Girls' School	RC Maintained	0	0	0
Malone Integrated College	GMI	128	129	189
Methodist College	Voluntary	44	40	74
Orangefield High School	Controlled	555	315	463
Our Lady of Mercy Girls' School	RC Maintained	272	287	238
Rathmore Grammar School	Voluntary	0	0	12
St Dominic's High School, Belfast	Voluntary	0	0	0
St Gemma's High School, Belfast	RC Maintained	264	314	-
St Genevieve's High School, Belfast	RC Maintained	0	0	0
St Joseph's College, Belfast	RC Maintained	162	178	143
St Louise's Comprehensive College, Belfast	RC Maintained	769	779	787
St Malachy's College, Belfast	Voluntary	49	41	19
St Mary's Christian Brothers' Grammar School	Voluntary	1	0	0
St Patrick's College, Belfast	RC Maintained	45	46	111
St Rose's High School, Belfast	RC Maintained	185	205	237
Strathearn School	Voluntary	10	2	0
The Royal Belfast Academical Institution	Voluntary	12	16	32
Victoria College	Voluntary	9	6	0

School	Management type	2011/12	2012/13	2013/14
Wellington College	Controlled	0	3	0

**Source:** NI school census

**Notes:**

- 1 The unfilled places figure exclude pupils in receipt of a statement of special educational needs, and pupils admitted on appeal or by direction (post-primary schools only) of the Exceptional Circumstances Body, as they are admitted over and above a school's approved enrolment number in the year of their admission to the school. Some of these pupils attend full and oversubscribed schools which have no unfilled places so subtracting the total number of these pupils from the total unfilled places figure will not give a new accurate surplus places figure. The figures therefore cannot be used in this way. They do however give more contextual information about further pupils who are attending school and who are not taken into account in the unfilled places figure.
- 2 If a school is operating at over-capacity then the number of unfilled places is taken to be zero, rather than as a negative number of unfilled places to be netted off in totalling (i.e. if a school has an approved enrolment capacity of 200 and an actual enrolment of 205, the difference is "minus" 5 but the number of unfilled places is taken as zero).
- 3 Unfilled places data is unavailable for prep schools.

**Miss M McIlveen** asked the Minister of Education to detail the total cost of producing the Home to School Transport Review. (AQW 40672/11-15)

**Mr O'Dowd:** The total cost of the Home to School Transport Review (excluding Secretariat salary costs) was £151,077 ie £78,575 in 2013/14 and £72,502 in 2014/15.

**Miss M McIlveen** asked the Minister of Education how many pupils in each Education and Library Board area are supported by the Middletown Centre. (AQW 40678/11-15)

**Mr O'Dowd:** The Middletown Centre for Autism has advised that the number of pupils who have received direct support from the Centre, following referral from the relevant Education and Library Board, from 1 April 2014 to 14 January 2015, was as follows:

BELB	12
NEELB	9
SEELB	9
SELB	10
WELB	9

**Lord Morrow** asked the Minister of Education what concerns have been raised in relation to software upgrade incapability with existing hardware in post-primary schools; and whether this is reflected across all Education and Library Boards. (AQW 40695/11-15)

**Mr O'Dowd:** C2k has advised that they are not aware of any significant hardware issues related to software upgrades to the C2k devices provided for all schools as part of the core C2k service.

All C2k-provided software is extensively tested for operation on managed-service computers and C2k has upgraded a number of software titles within the post-primary sector including Microsoft Office and Adobe Photoshop.

The Department is aware that over the years, schools have purchased additional equipment to enhance the core provision from C2k. The upgrade of such devices and any associated software would be a matter for the schools concerned.

Any concerns from schools relating to the operation of C2k-provided software should be logged with the Service Desk where they will be investigated.

**Mr Rogers** asked the Minister of Education for his assessment of whether (i) all supply contracts released by his Department for tendering have strictly adhered to Government Public Procurement Policy; and (ii) this tendering process, including a current substantial tender process, has followed the procurement framework adopted in RM1599. (AQW 40709/11-15)

**Mr O'Dowd:** The Department of Education carries out its procurement activities by means of a documented Service Level Agreement with Central Procurement Directorate. Under this arrangement, I am satisfied that any procurement undertaken by my Department adheres to Public Procurement Policy.

The framework agreement RM1599 was commissioned by the Crown Commercial Service and is available for use by the public sector.

The Education and Library Boards are currently engaged in a tender exercise for the purchase / rental of photocopiers and this competition is being taken forward separately to the RM1599 framework. As such, it is open to all suppliers who can fulfil the requirements. As this is a live exercise I do not propose to comment any further.

**Mr McKinney** asked the Minister of Education to detail the number of (i) primary school places available; and (ii) oversubscribed primary school places, in South Belfast, broken down by each primary school, over the last three years. (AQW 40739/11-15)

**Mr O'Dowd:** The admission numbers of schools in the South Belfast constituency, and the number of first preference Primary One applications received by each of those schools across the last three years, are set out in the table below:

School	Admission	1st Preference Applications		
	Number	2012/13	2013/14	2014/15
<b>BELB Schools</b>				
Rosetta Primary School	59	30	39	25
Harding Memorial Primary School	30	29	23	31
Nettlefield Primary School	54	39	39	45
Taughmonagh Primary School	25	20	23	25
Stranmillis Primary School	60	59	88	75
Finaghy Primary School	66	64	73	69
Donegall Road Primary School	45	38	29	24
Fane Street Primary School	71	26	27	26
Blythefield Primary School	73	17	11	7
Botanic Primary School	30	20	25	37
Holy Rosary Primary School	79	48	37	61
St Anne's Primary School	120	111	141	123
St Bride's Primary School	118	115	125	130
St Michael's Primary School	60	60	64	76
St Malachy's Primary School	55	43	57	58
Scoil An Droichid	21	23	25	23
Forge Integrated Primary School	36	45	47	60
Cranmore Integrated Primary School	29	27	36	25
<b>SEELB Schools</b>				
Knockbreda Primary School	30	17	28	27
Belvoir Park Primary School	53	32	26	29
Cairnshill Primary School	83	64	66	61
Carryduff Primary School	48	26	30	22
St Joseph's Primary School	60	60	62	66
St Bernard's Primary School	60	71	60	61
St Ita's Primary School	75/82 (*)	82	105	95
Loughview Integrated Primary School	58	73	64	77

\* The admissions number of St Ita's PS was permanently increased from 75 to 82 from the 2013/14 school year following approval of a Development Proposal

**Notes:**

- The numbers do not include children with statements of special educational need (SEN) as such pupils are supernumerary;



- 2 Figures of first preference applicants are as at the conclusion of the admission process ie when placement letters were issued;
- 3 The Department will consider requests from schools for a temporary (ie for one year) increase of their admission number where there are no alternative schools available of the same management type within reasonable travelling distance of the applicant's home address.

**Mr McKinney** asked the Minister of Education to detail the action his Department is taking to alleviate the number of oversubscribed primary school places in South Belfast.

**(AQW 40740/11-15)**

**Mr O'Dowd:** In April 2013, I approved a development proposal to increase the enrolment and admissions numbers at St Ita's Primary School, Carryduff.

In May 2014, I also approved a development proposal to increase the enrolment and admissions numbers of Millennium Integrated Primary School, Carryduff to become a two stream entry school. A development proposal is also currently under consideration to increase the enrolment at Forge Integrated Primary School in South Belfast.

However, I am aware of the continued concerns in this area and I would want to see all the sectors working together to plan a sustainable schools estate in South Belfast. Responsibility to review demand for places is a matter for the planning authorities and I would expect them to carry out reviews on a regular basis as part of the area planning process. Therefore, I would expect that if the indications are that additional places are needed then Development Proposals will be brought forward for my consideration.

**Mr Swann** asked the Minister of Education, pursuant to AQW 39497/11-15, what support was given to the pupils at Ballee who were being supported by the Jigsaw worker after the school was closed on the 31 August 2014.

**(AQW 40753/11-15)**

**Mr O'Dowd:** The North Eastern Education and Library Board have informed me that the post primary role within the Jigsaw project ended following the school closure on 31st August 2014.

The post primary schools that Ballee pupils moved to provided transition support packages for pupils and Board Services were also made available to the receiving schools including Education Psychology, Education Welfare Service, Behaviour Support and the Youth Service.

**Mr Agnew** asked the Minister of Education to detail the (i) primary; and (ii) post-primary schools in Carrickfergus with surplus places in each year since 2011, broken down by sector.

**(AQW 40778/11-15)**

**Mr O'Dowd:** The information requested is detailed in the tables below. The information provided is based on the 2011/12 – 2013/14 school censuses. Unfilled places data for 2014/15 will be available in April 2015.

#### Unfilled places in schools in Carrickfergus LGD, 2011/12 – 2013/14

##### Primary schools

School	Management type	2011/12	2012/13	2013/14
Acorn Integrated Primary School	GMI	3	2	2
Carrickfergus Central Primary School	Controlled	184	204	147
Carrickfergus Model Primary School	Controlled	5	2	6
Eden Primary School	Controlled	3	3	4
Greenisland Primary School	Controlled	11	1	0
Oakfield Primary School	Controlled	58	70	81
Silverstream Primary School	Controlled	127	136	133
St Nicholas' Primary School, Carrickfergus	Catholic Maintained	93	88	67
Sunnylands Primary School	Controlled	176	177	172
Victoria Primary School, Carrickfergus	Controlled	138	129	116
Whitehead Primary School	Controlled	15	16	23
Woodburn Primary School	Controlled	2	5	0
Woodlawn Primary School	Controlled	55	28	22

**Post-primary schools**

School	Management type	2011/12	2012/13	2013/14
Carrickfergus College	Controlled	226	238	255
Carrickfergus Grammar School	Controlled	0	0	4
Downshire School	Controlled	32	88	142
Ulidia Integrated College	GMI	0	0	0

**Source:** NI school census

**Notes:**

- 1 The unfilled places figures exclude pupils in receipt of a statement of special educational needs, and pupils admitted on appeal or by direction (post-primary schools only) of the Exceptional Circumstances Body, as they are admitted over and above a school's approved enrolment number in the year of their admission to the school. Some of these pupils attend full and oversubscribed schools which have no unfilled places so subtracting the total number of these pupils from the total unfilled places figure will not give a new accurate surplus places figure. The figures therefore cannot be used in this way. They do however give more contextual information about further pupils who are attending school and who are not taken into account in the unfilled places figure.
- 2 If a school is operating at over-capacity then the number of unfilled places is taken to be zero, rather than as a negative number of unfilled places to be netted off in totalling (i.e. if a school has an approved enrolment capacity of 200 and an actual enrolment of 205, the difference is "minus" 5 but the number of unfilled places is taken as zero).
- 3 Unfilled places data is unavailable for prep schools.

**Lord Morrow** asked the Minister of Education, pursuant to AQW 40541/11-15, as the information provided refers only to a Code of Practice, whether he will now provide, or place in the Assembly library, the policy or legally binding document as requested in the original question.

**(AQW 40795/11-15)**

**Mr O'Dowd:** Article 4 (1) of The Education (Northern Ireland) Order 1996 states that "The Department shall issue, and may from time to time amend, a code of practice giving practical guidance in respect of the discharge by boards and the Boards of Governors of grant-aided schools of their functions under this Part."

Article 4 (2) states that "It shall be the duty of –

- (a) boards and Boards of Governors of grant-aided schools exercising functions under this Part, and
- (b) any other person exercising any function for the purpose of the discharge by boards and Boards of Governors of grant-aided schools of functions under this Part,

to have regard to the provisions of the code."

Copies of the Education (Northern Ireland) Order 1996 and the Code of Practice on the Identification and Assessment of Special Educational Needs are available in the Assembly library.

**Mr Weir** asked the Minister of Education to detail the percentage of pupils taking at least one STEM subject for GCSE at schools that are (i) single sex (a) male; and (b) female; and (ii) co-educational.

**(AQW 40814/11-15)**

**Mr O'Dowd:** The answer is contained in the table below;

**Year 12 pupils with 1 or more examination entries in STEM subject GCSEs, 2012/13**

	Number of year 12 pupils with 1+ examination entries in a GCSE STEM subject <sup>1</sup>	Number of year 12 pupils <sup>2</sup>	% of year 12 pupils with 1+ examination entries in a GCSE STEM subject
Girls Schools	3214	3417	94.1
Boys Schools	3029	3192	94.9
All Single Sex Schools	6243	6609	94.5
Mixed Schools	16565	17734	93.4
<b>Total</b>	<b>22808</b>	<b>24343</b>	<b>93.7</b>

**Source:** RM Education1, Annual School Census2

**Mr Agnew** asked the Minister of Education to detail the (i) primary; and (ii) post-primary schools in Newtownards with surplus places in each year since 2011, broken down by sector  
(AQW 40832/11-15)

**Mr O'Dowd:** The information requested is detailed in the tables below. The list of schools is based on those situated in Ards LGD. The information provided is based on the 2011/12 – 2013/14 school censuses. Unfilled places data for 2014/15 will be available in April 2015.

#### Unfilled places in schools in Ards LGD, 2011/12 – 2013/14

##### Primary schools

School	Management type	2011/12	2012/13	2013/14
Abbey Primary School	Controlled	48	47	45
Alexander Dickson Primary School	Controlled	53	64	60
Andrews Memorial Primary School	Controlled	214	42	30
Ballykeigle Primary School	Controlled	38	-	-
Ballyvester Primary School	Controlled	24	13	0
Ballywalter Primary School	Controlled	34	43	34
Carrickmannon Primary School	Controlled	8	7	4
Carrowdore Primary School	Controlled	61	58	48
Castle Gardens Primary School	Controlled	162	142	168
Comber Primary School	Controlled	129	90	86
Donaghadee Primary School	Controlled	96	92	72
Grey Abbey Primary School	Controlled	0	12	3
Killinchy Primary School	Controlled	36	6	9
Kircubbin Primary School	Controlled Integrated	32	13	0
Kirkistown Primary School	Controlled	0	7	4
Londonderry Primary School	Controlled	5	0	0
Loughries Primary School	Controlled	35	39	51
Millisle Primary School	Controlled	85	66	54
Newtownards Model Primary School	Controlled	20	10	7
Portaferry Integrated Primary School	Controlled Integrated	48	42	46
Portavogie Primary School	Controlled	35	20	25
St Anne's Primary School, Donaghadee	RC Maintained	43	30	23
St Finian's Primary School, Newtownards	RC Maintained	75	66	79
St Mary's Primary School, Comber	RC Maintained	16	10	18
St Mary's Primary School, Kircubbin	RC Maintained	165	160	159
St Mary's Primary School, Portaferry	RC Maintained	183	186	197
St Patrick's Primary School, Portaferry	RC Maintained	4	0	0
Victoria Primary School (Ballyhalbert)	Controlled	30	34	49
Victoria Primary School, Newtownards	Controlled	91	83	71
West Winds Primary School	Controlled	97	86	98

##### Post-primary schools

School	Management type	2011/12	2012/13	2013/14
Glastry College	Controlled	0	0	0
Movilla High School	Controlled	466	217	267

School	Management type	2011/12	2012/13	2013/14
Nendrum College	Controlled	8	0	4
Regent House School	Controlled	18	1	27
St Columba's High School, Portaferry	RC Maintained	330	344	360
Strangford Integrated College	GMI	0	14	11

**Source:** NI school census

**Notes:**

- 1 The unfilled places figures exclude pupils in receipt of a statement of special educational needs, and pupils admitted on appeal or by direction (post-primary schools only) of the Exceptional Circumstances Body, as they are admitted over and above a school's approved enrolment number in the year of their admission to the school. Some of these pupils attend full and oversubscribed schools which have no unfilled places so subtracting the total number of these pupils from the total unfilled places figure will not give a new accurate surplus places figure. The figures therefore cannot be used in this way. They do however give more contextual information about further pupils who are attending school and who are not taken into account in the unfilled places figure.
- 2 If a school is operating at over-capacity then the number of unfilled places is taken to be zero, rather than as a negative number of unfilled places to be netted off in totalling (i.e. if a school has an approved enrolment capacity of 200 and an actual enrolment of 205, the difference is "minus" 5 but the number of unfilled places is taken as zero).
- 3 Unfilled places data is unavailable for prep schools.

**Ms Sugden** asked the Minister of Education, pursuant to AQW 40276/11-15, to detail any plans his Department has to fulfil the priorities for Education, as outlined in the Department of Health, Social Services and Public Safety led draft Domestic Violence and Sexual Abuse Strategy, by introducing an awareness programme for use in post-primary schools.

**(AQW 40855/11-15)**

**Mr O'Dowd:** The Department is committed to fulfilling its priorities under the Domestic Violence and Sexual Abuse Strategy.

In respect of post-primary programmes, Relationships and Sexuality Education (RSE) is a statutory component of both the Personal Development and Home Economics statements of requirement for Key Stage 3. At Key Stage 4, RSE is a statutory component of the Personal Development strand of Learning for Life and Work. RSE provides the opportunity for specific attention to be given to a pupil's emotional wellbeing, health and safety, relationships and the development of a moral thinking and value system. The strand also offers a vehicle for exploring with children and young people sensitive issues such as domestic violence and sexual abuse in an age appropriate way.

**Mr Weir** asked the Minister of Education to detail the percentage of pupils taking at least one STEM subject for A-level at schools that are (i) single sex (a) male; and (b) female; and (ii) co-educational.

**(AQW 40891/11-15)**

**Mr O'Dowd:** The answer is contained in the table below:

**Year 14 pupils with 1 or more examination entries in STEM subject A-levels, 2012/13**

	Number of year 14 pupils with 1+ examination entries in an A-level STEM subject <sup>1</sup>	Number of year 14 pupils <sup>2</sup>	% of year 14 pupils with 1+ examination entries in an A-level STEM subject
Girls Schools	1012	2676	37.8
Boys Schools	975	2014	48.4
All Single Sex Schools	1987	4690	42.4
Mixed Schools	4573	9076	50.4
<b>Total</b>	<b>6560</b>	<b>13766</b>	<b>47.7</b>

**Source:** RM Education1, Annual School Census2

**Ms Ruane** asked the Minister of Education to detail the (i) percentage; and (ii) number of children that achieved at least five GCSEs at grades A\* - C in each year from 1990 to 1999, broken down by (a) gender; (b) religious background; and (c) socio-economic background.

**(AQW 40920/11-15)**



**Mr O'Dowd:** The information contained in the following tables refers to the achievement of pupils leaving mainstream grant aided post-primary schools during the academic years 1989/90 to 1989/99. For some of the earlier years the religion and the socio-economic background of a pupil were not collected. In such instances the earliest year of available data is reported. A pupil's socio-economic background has been derived using free school meal entitlement.

**Number and percentage of school leavers achieving at least five GCSEs at grades A\*-C, by gender, 1989/90 to 1989/99<sup>(1,2)</sup>**

	Boys		Girls	
	Number	%	Number	%
1989/90	4569	36.6	5564	46.2
1990/91	4790	39.7	5800	49.9
1991/92	4789	39.8	5907	51.6
1992/93	4883	43.1	6167	56.1
1993/94	5270	44.1	6568	57.6
1994/95	5735	45.7	7235	60.3
1996/97	6307	48.1	7662	60.8
1997/98	6017	46.9	7701	60.2
1998/99	6337	48.8	8172	65.7

**Source:** School Leavers Survey

**Notes:**

- 1 Please note that in 1995/96 the School Leavers Survey was not published due to missing data.
- 2 Includes equivalent qualifications.

**Number and percentage of school leavers achieving at least five GCSEs at grades A\*-C, by religion of pupil, 1996/97 to 1998/99<sup>(1,2)</sup>**

	Protestant		Catholic		Other <sup>(3)</sup>	
	Number	%	Number	%	Number	%
1996/97	5768	54.2	6963	53.6	1238	59.5
1997/98	5809	54.5	6872	52.0	1037	59.3
1998/99	5928	55.8	7451	56.8	1130	67.0

**Source:** School Leavers Survey

**Notes:**

- 1 Please note that in 1995/96 the School Leavers Survey was not published due to missing data.
- 2 Includes equivalent qualifications.
- 3 Other religion category includes Other Christian, No Religion and Non-Christian.

**Number and percentage of school leavers achieving at least five GCSEs at grades A\*-C, by free school meal entitlement, 1991/92 to 1998/99<sup>(1,2)</sup>**

	Not entitled to free school meals		Entitled to free school meals	
	Number	%	Number	%
1991/92	9692	52.1	1004	20.5
1992/93	9952	56.2	1098	23.9
1993/94	10459	57.6	1379	26.6
1994/95	11649	60.0	1321	25.9
1996/97	12259	61.8	1710	29.0
1997/98	12074	60.5	1644	28.9

	Not entitled to free school meals		Entitled to free school meals	
	Number	%	Number	%
1998/99	12908	64.1	1601	30.3

**Source:** School Leavers Survey

**Notes:**

- 1 Please note that in 1995/96 the School Leavers Survey was not published due to missing data.
- 2 Includes equivalent qualifications.

**Miss M McIlveen** asked the Minister of Education for an update on the implementation of recommendations contained in Kathleen Marshall's Inquiry Report into Child Sexual Exploitation in Northern Ireland.

**(AQW 40924/11-15)**

**Mr O'Dowd:** I have already welcomed and broadly accepted the relevant recommendations from this important report and my Department is considering how best to take these forward. I expect to be able to set out in the coming weeks further detail on the actions that the education service will take in response to the report.

**Miss M McIlveen** asked the Minister of Education to detail the average length of his response time for making a decision to development proposals since May 2011, including the longest and shortest response time achieved.

**(AQW 40925/11-15)**

**Mr O'Dowd:** I have taken decisions on 162 development proposals since 1 May 2011 to 16 January 2015.

The average time taken between the date the statutory objection period ended on each proposal and the date of my decision was 97 days. The longest and shortest response times were 352 days and 3 days from the end of the statutory objection period respectively.

While I endeavour to complete this process as quickly as possible the time taken can vary depending on the individual circumstances of each proposal.

A record of decisions made since May 2011 is available on my Departments website.

A summary of DP decisions for each complete calendar year is available to download. These excel documents contain details of the date each development proposal was published, the date the statutory objection period ended and the date of my decision. The table of decisions for the current calendar year also includes this information.

A link to the current table and summary record for each of the four previous years is provided below:

- [http://www.deni.gov.uk/dp\\_decisions\\_2015-2.htm](http://www.deni.gov.uk/dp_decisions_2015-2.htm)
- [http://www.deni.gov.uk/dp\\_decisions\\_2014.xls](http://www.deni.gov.uk/dp_decisions_2014.xls)
- [http://www.deni.gov.uk/dp\\_decisions\\_2013-2.xls](http://www.deni.gov.uk/dp_decisions_2013-2.xls)
- [http://www.deni.gov.uk/dp\\_decisions\\_2012.xls](http://www.deni.gov.uk/dp_decisions_2012.xls)
- [http://www.deni.gov.uk/dp\\_decisions\\_2011.xls](http://www.deni.gov.uk/dp_decisions_2011.xls)

**Miss M McIlveen** asked the Minister of Education to detail the schools in which his Department has not filled its nominations to the Board of Governors, including the reasons for the delays.

**(AQW 40926/11-15)**

**Mr O'Dowd:** My Department nominates governors to controlled and maintained schools under Schedules 4 and 5 to the Education & Libraries (NI) Order 1986. School Boards of Governors are reconstituted every 4 years and the process generally takes some 12 to 18 months to complete. Reconstitution was due to commence in early 2013 but was delayed for 6 months pending a decision on the establishment of the Education and Skills Authority.

Good progress has been made and the nomination process for controlled and maintained schools is substantially complete. My Department continues to consult a wide range of stakeholders in relation to nominations to the following controlled and maintained schools:

School Name	School Reference Number
Tudor Lodge Nursery School	111-0025
Shaftesbury Nursery School	111-0038
Old Park Nursery School	111-6159
Bethlehem Nursery School	113-0027

School Name	School Reference Number
Holy Family Nursery School	113-6230
St Vincent de Paul Primary School	103-6042
St Mary's Primary School	103-6388
Sacred Heart Primary School	103-6471
St Kevin's Primary School	103-6565
St Peter's Primary School	103-6620
Gaelscoil na bhFál	104-6571
Bunscoil An tSléibhe Dhuibh	104-6593
Bunscoil Bheann Mhadagáin	104-6596
St Patrick's College	123-0026
Coláiste Feirste	124-0291
Mitchell House Special School	131-0016
Park Education Resource Centre	131-6500
Clarawood Special School	131-6584
Strathfoyle Nursery School	211-6232
Trench Road Nursery School	211-6348
Newtownstewart Model Primary School	201-6262
Rosemount Primary School	203-0364
St Patrick's Primary School	203-1874
St John the Baptist Primary School	203-1887
St Mary's Primary School	203-1895
Joint Board of Governors; St Macartan's and Tummery Primary Schools	203-2687 and 203-2603
Altishane Primary School	203-2722
St Mary's Primary School	203-6095
Collegiate Grammar School	241-0040
Ballymena Nursery School	311-0037
Sunnylands Nursery School	311-6150
Ballysally Nursery School	311-6263
St Joseph's Nursery School	313-6183
St Anthony's Nursery School	313-6332
St Mary's Primary School	303-0588
New Row Primary School	303-2109
Anahorish Primary School	303-2257
St John's Primary School	303-3317
Rosstulla Special School	331-0018
Thornfield special School	331-6547
King's Road Nursery School	411-6216
Knockbreda Nursery School	411-6239
Pond Park Nursery School	411-6418
St Colmcille's Nursery School	413-6211
Convent of Mercy Nursery School	413-6212

School Name	School Reference Number
Holy Trinity Nursery school	413-6317
St Luke's Nursery School	413-6368
Kircubbin Community Nursery School	413-6626
Christ the King Primary School	403-1328
Joint Board of Governors; St Joseph's and St Patrick's Primary Schools	403-1663and 403-1671
St Mary's Primary School	403-1672
St Joseph's Primary School	403-3037
St Brigid's Primary school	403-3040
Sacred Heart Primary School	403-6133
St Malachy's Primary School	403-6148
Annsborough Primary School	405-3009
Glenlola Collegiate	441-0097
Killard House Special School	431-0013
Tor Bank Special School	431-6517
Fivemiletown Nursery School	511-6198
The Grove Nursery School	511-6223
College Farm Nursery School	513-6607
Lurgan Model Primary School	501-0992
Mullavilly Primary School	501-1095
St Joseph's Primary School	503-1138
St Patrick's Primary School	503-1158
St Teresa's Primary School	503-1160
Killowen Primary school	503-1318
St Patrick's Primary School	503-1667
St Mary's Primary School	503-1695
Blessed Patrick O'Loughran Primary School	503-1463
St Patrick's Primary School	503-2717
Joint Board of Governors; St Joseph's and St Mary's Primary Schools	503-6463 and 503-6363
St Dallan's Primary School	503-6583
St Patrick's Primary School	503-6605
St Bronagh's Primary School	503-6673
Gaelscoil Uí Néill	504-6637
St Paul's High School	523-0157
St Patrick's College	523-0293

## Department for Employment and Learning

**Mr Agnew** asked the Minister for Employment and Learning (i) how the number of places on courses in each of the two universities are determined; (ii) the extent to which the number of places on each course is demand led; and (iii) how the number of places on these courses reflects the qualifications required for the job vacancies in the economy.

**(AQW 40162/11-15)**



**Dr Farry (The Minister for Employment and Learning):**

- (i) The number of places on courses and the content of qualifications are influenced by a number of factors, including the needs of the economy, but they are largely determined by the universities.
- (ii) Some courses are quota controlled rather than demand led. For example the number of places available for courses such as Medicine, Dentistry, Nursing and Midwifery are determined by the Department of Health, Social Services and Public Safety in line with workforce plans. Similarly PGCE numbers are determined by the Department of Education.

The Universities have advised that subject intake targets are generally allocated to each subject area based on a number of factors – these include Student application data (using UCAS statistics) as an indicator of student demand; my Department's strategic priorities; employment statistics for those graduating from the course in recent years (as an indicator of current employer demand/labour market) discussions with Invest NI and Employer forums (as an indicator of employer demand); as well as the academic plans of the particular institution.

Additionally, post year one entry numbers at the University of Ulster are estimated using data from numbers on Foundation Degrees in their partner colleges. Places for non-EU students, who fall outside the MaSN, are determined by student demand.

- (iii) The universities have stated that qualifications required for the job vacancies in the economy are evolving to increasingly meet the needs of employers. The higher education sector works in partnership with industry to both reflect the qualifications required for the job vacancies and the skills required.

**Mr Easton** asked the Minister for Employment and Learning how much funding his Department provided to Trade Unions in the last financial year.

**(AQW 40245/11-15)**

**Dr Farry:** The overall total funding provided to trade unions in the last financial year by the Department was £689,819.57.

This included funding of £596,952.33 allocated to trade unions via the Northern Ireland Union Learning Fund (NIULF) which is managed by the Northern Ireland Committee of the Irish Congress of Trade Unions (NICICTU) on behalf of the Department.

In addition the Department funds Civil Servants on secondment to NIPSA to carry out full-time trade union duties. In the financial year 2013/14, the total cost of funding the Civil Servants on secondment to Northern Ireland Public Service Alliance (NIPSA) was £92,867.24.

**Mr Flanagan** asked the Minister for Employment and Learning, pursuant to AQO 6698/11-15, whether the joint report on cross-border student flows has been completed; and whether he will place a copy in the Assembly library.

**(AQW 40282/11-15)**

**Dr Farry:** A draft version of the joint report on cross-border student flows has been completed and is scheduled to be considered at a high level meeting at the end of January between officials in the Department of Employment and Learning and their counterparts in the Department of Education and Skills in the Republic of Ireland. I have met with Minister O'Sullivan in order to maintain momentum in addressing the issue of student flows.

**Mr Weir** asked the Minister for Employment and Learning what action is being taken to protect the value of vocational courses, particularly in terms of university admission criteria for the rest of the UK.

**(AQW 40371/11-15)**

**Dr Farry:** I maintain regular and close contact with my counterparts in the rest of the UK, as do my officials, to ensure that the integrity of vocational qualifications delivered in Northern Ireland continue to be valued by learners, employers and universities. My department has been working to ensure Northern Ireland qualifications retain the rigour and robustness to guarantee parity with their counterparts across the UK.

Criteria have been developed to certify that the vocational qualifications available to 16-19 year olds in England and Northern Ireland are on a par with the academic qualifications that are also available. The Universities and Colleges Admissions System (UCAS) bases its university entrance tariff on the level and size of the qualification whether that be vocational or academic; indeed UCAS does not differentiate between academic and vocational.

However, universities are responsible for their own policies and procedures including admissions criteria. My department has no remit in this matter particularly in relation to universities in other UK jurisdictions.

What is vital is that the qualifications studied in Northern Ireland have integrity, are offered by recognised awarding organisations, properly regulated and are in line with the requirements for further study, training and/or employment. To this end my department is currently developing a professional and technical qualifications strategy which will take into account these complex and interconnected issues.

**Ms Sugden** asked the Minister for Employment and Learning (i) how WorldHost customer service training programmes are being promoted to businesses in the tourism, hospitality, trade and retail sectors; and (ii) how many businesses are currently engaged in these programmes.

**(AQW 40450/11-15)**

**Dr Farry:** These programmes are primarily promoted by NITB (Northern Ireland Tourist Board) and People 1st who have the UK licence for World Host. Promotion of programmes includes via their websites, social media, conferences, road shows, local council and tourism groups partnerships, sector employer groups and by the licensed World Host trainers who promote and deliver the actual training. The World Host programmes are also promoted by my Department's Skills Solutions Service when engaging with employers across the sectors, with a World Host section on the Departmental website.

To date, approximately 2000 businesses across Northern Ireland have participated in World Host.

**Ms Sugden** asked the Minister for Employment and Learning for an update on plans within his Department to carry out a review of the skills needs of the tourism sector.

**(AQW 40453/11-15)**

**Dr Farry:** My Department is in discussions with the Department of Enterprise, Trade and Investment and the Northern Ireland Tourist Board about the need to scope out the skills challenges facing the local tourism industry. These discussions are in the very early stages and I hope to be able to update you further in due course.

There is already a number of ways in which the Department for Employment and Learning supports the local tourism industry. For a number of years my Department has offered WorldHost training to build on the customer service skills of the people working in our hospitality and tourism industry.

To date, approximately 15,500 employees have received this training. In addition, our Further Education College network offers a range of courses in support of this sector with more than 8,600 enrolments in 2013/14.

**Mr Weir** asked the Minister for Employment and Learning what is the budget for the delivery of the Learning Access Engagement Programme.

**(AQW 40458/11-15)**

**Dr Farry:** The budget for the delivery of the Learning Access Engagement Programme is currently £498,000, up to 31 March 2015.

The Learner Access and Engagement programme is delivered by all six Further Education Colleges in collaboration with non-statutory organisations, including voluntary and community groups, to provide learner support for adults through contractual arrangements.

**Ms Sugden** asked the Minister for Employment and Learning, pursuant to AQW 40166/11-15, for his assessment of the Food Engineering Apprenticeship Programme delivered in Southern Regional College; and whether he has plans to introduce this programme in Northern and North Western Regional colleges to promote the food and drink industries in East Londonderry.

**(AQW 40497/11-15)**

**Dr Farry:** The Department established a Future Skills Action Group for the Food and Drink Manufacturing and Processing sector in 2011 to help the industry identify and address the skills issues it faces.

The Group consists of a wide range of members from government, local employers and further and higher education providers who work collaboratively to develop and pilot interventions to ensure employers are getting people with the skills they need to grow this economically important sector.

One such intervention is the Food Engineering Apprenticeship which is currently being delivered by Southern Regional College. This initiative started as a Northern Ireland wide 'pilot' in January 2014 and will see seven apprentices acquire both Level 2 and Level 3 accreditation in Engineering. Southern Regional College were instrumental in working with employers to develop the frameworks. Feedback to date on this programme has been very positive.

This apprenticeship is a four year programme and it is planned to hold an interim review on its progress mid way through the programme. To date there has been no demand in the North and North West. If there was evidence of demand the Department could work with the colleges and local industry to extend the programme.

**Ms Sugden** asked the Minister for Employment and Learning for his assessment of the Collaboration and Innovation Fund to support young people who are not in employment, education or training; and what plans he has to continue this Fund post March 2015.

**(AQW 40499/11-15)**

**Dr Farry:** The Collaboration and Innovation Fund has achieved a number of key objectives. An evaluation of the programme which is close to completion indicates that the initiatives and activities adopted have been successful in identifying and working with marginalised and disadvantaged groups of young people who are not in employment, education or training. This has contributed to the number of young people in this category dropping from 1 in 5 to 1 in 7 in Northern Ireland according to the latest Labour Force Survey figures.

The programme has been effective in fostering a more collaborative and innovative approach that has enabled organisations to learn from each other, share good

practices and establish what works best. Working together or working with partners has contributed to a more effective service and supported many young people who do not avail of mainstream education and training.

The programme has reinforced the use of evidence-based approaches around the action planning process, design of mentoring, joint working between agencies, and the forms of wider support being delivered. Mentoring in particular has proved very effective in providing support to the most disengaged young people who are experiencing extreme difficulties in their lives.

I am pleased with the outcomes achieved under the Collaboration and Innovation Fund which has provided support to over 5,200 young people to date. In addition to the positive outcomes into employment, education and training, projects report many cases where the programme has improved the motivation, confidence and social skills of participants and helped to move them closer to the labour market.

While the Collaboration and Innovation Fund programme will cease at the end of March 2015, as this was a DFP ring-fenced budget to explore new approaches to address the barriers experienced by young people not in employment, education or training (NEET), my Department will continue to support those young people. I have introduced a new investment priority under the European Social Fund (ESF) aimed at achieving sustainable integration of young people into the labour market with particular emphasis on those young people who are at risk of social exclusion or from marginalised communities. Meeting the specific needs of these young people will be a priority for my Department with a particular focus on increasing employability

The new provision will draw upon the good practices tested under the Collaboration and Innovation Fund and reflected in the current evaluation of the Pathways to Success Strategy. I am confident that this approach will provide the training and support required to address the barriers experienced by this group.

**Mr Weir** asked the Minister for Employment and Learning what steps his Department is taking to increase the number of people from North Down enrolling in further education.

**(AQW 40501/11-15)**

**Dr Farry:** The Department is committed to widening access and promoting educational opportunities for all individuals across Northern Ireland. Further education colleges offer a variety of courses across their network of campuses.

My Department has put in place a number of initiatives delivered by the colleges to make education more accessible to all learners across Northern Ireland. These initiatives include the Care to Learn Scheme and the Additional Support Fund. Together, these funding programmes make FE more accessible to a range of learners with potential barriers to participation or who may have not previously considered a route to employment through further education.

South Eastern Regional College (SERC) has responsibility for delivering further education courses in the North Down area and has campuses based in Bangor and Newtownards. SERC employs a wide range of techniques to engage all potential learners. For example, the college has been focusing recently on increasing the number of science, technology, engineering and maths (STEM) and economically relevant enrolments through:

- securing DEL funding of £12m to establish the new Performing Arts and Technology Innovation Centre;
- visiting schools to promote STEM enrolments with an emphasis on increasing female enrolments;
- the continuation of the development of Entitlement Framework provision and the local Area Learning Community which is presently chaired by a manager from SERC;
- the promotion of SERC courses through local advertising, a new prospectus which includes student testimonials and the use of the College's local Radio Station Bangor FM;
- PR stories in the local press, promoting the benefits of carrying out a course at the College;
- engagement with industry including placements for students and industry projects which enhance the benefits of following a course at the College; and
- promotion of Level 3 Apprenticeships (there has been a 25% increase in the number of Level 3 Apprenticeships in 2014/15 over 2013/14)

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning for an update on the proposed sites for teacher training facilities.

**(AQW 40525/11-15)**

**Dr Farry:** Following the publication of *Aspiring to Excellence*, the report produced by the International Review Panel under the stage 2 review of Initial Teacher Education infrastructure in Northern Ireland, I am continuing to engage with the Teacher Education Sector on options for future structures which could move us towards a world-class standard of teacher education. I have advised the sector that options that best achieve that criteria are Options B, a two-university approach with sites in Belfast and the North West, or Option D, a single institution.

The Review Panel acknowledged the importance of having third level education sited on the existing university college sites and I support that view. However, while discussions with the sector are underway, it would not be appropriate for me to comment further on this.

**Mrs D Kelly** asked the Minister for Employment and Learning to detail (i) the costs incurred by the change to the corporate brand of the University of Ulster to the Ulster University; (ii) the rationale for this decision; (iii) the process by which the decision was reached; and (iv) whether costs were attributed to each school or faculty.

**(AQW 40660/11-15)**

**Dr Farry:** My Department provides funding to the Higher Education Institutions for teaching and learning and research purposes. The Universities are responsible for their own policies and procedures, including those relating to branding. As my Department does not hold the information you have requested you may wish to contact Ulster University directly on this matter.

**Mr Dunne** asked the Minister for Employment and Learning for his assessment of the impact of the proposed cuts to the voluntary sector including to Action Mental Health and other agencies that provide employment opportunities for people in need.

**(AQO 7352/11-15)**

**Dr Farry:** My Department will seek to act strategically in order to protect those areas that are most relevant to the economy, as well as looking to those services provided to those who are most vulnerable. The provision of such services is an area in which voluntary and community providers have particular expertise.

Through the Disability Employment Service, my Department offers specialist help and support through a range of specialist pre-employment and in-work programmes, some of which are delivered on behalf of the Department by organisations from the local disability sector. The Department has no plans to reduce this offer of specialist disability provision or the funding associated with these successful interventions.

**Mr Lyttle** asked the Minister for Employment and Learning for an update on his plans for the Northern Ireland Science Festival.

**(AQO 7353/11-15)**

**Dr Farry:** I would like to congratulate the organisers of first the Science Festival in Northern Ireland which will be held from 19th February to 1st March. It will provide an excellent opportunity to showcase science, technology, engineering and mathematics, or STEM. I am pleased that my Department and I have been able to give both financial and practical assistance

The Festival will provide young people, adults and families with a wide range of interactive workshops, inspirational talks and project displays.

In addition to helping implement the recommendations of the STEM Strategy, the festival aims to foster collaboration between science communicators and STEM activity; to promote and maintain science as a key part of our culture and society; and to provide a platform for STEM professionals to gain high-profile exposure.

I have arranged for speakers from the United States to participate in delivering an interactive 'Master-class', in Belfast and Derry. This invitation follows my visit to Massachusetts in March 2014, which also resulted in eight further education students attending a STEM summer camp in Worcester Polytechnic Institute.

Other festival highlights include the first Turing Lecture in Northern Ireland; the 'Celebrating Science' and 'Art and Science of Sound' events at Queens University; 'Engineering Futures' at Ulster University; 'How your Body Works' at W5; 'Lotions and Potions' at the Ulster Museum; 'Exploration of the Outer Fringes of Space' at the Black Box; and 'Astronaut Training' at the Armagh Planetarium.

Further details on all the scheduled events are available on the Festival website at [www.nisciencefestival.com](http://www.nisciencefestival.com) or my officials would be happy to provide further information.

**Mr Ramsey** asked the Minister for Employment and Learning for an update on the progress of the joint Economic Inactivity Strategy.

**(AQO 7354/11-15)**

**Dr Farry:** Following an extensive research, development and public consultation process, a draft strategy is currently being finalised by myself and the Minister for Enterprise, Trade and Investment and will shortly be circulated for Executive consideration.

My Department recently submitted three joint bids with DSD and DETI to the DFP Change Fund to resource several of the proposed key strategic early implementation actions. Only one of these bids was successful.

Therefore, once Executive agreement is secured on a final strategy, additional resources will be required to facilitate the successful implementation of the strategy.

If agreed and adequately resourced, this will be the only dedicated government strategy in the United Kingdom, targeted specifically at addressing the major socio-economic issue of economic inactivity. This is a reflection of the significance placed by myself and my Executive colleagues in seeking to tackle the issue on a sustainable basis across Northern Ireland.

**Mrs D Kelly** asked the Minister for Employment and Learning for his assessment of the success of the Confucius Institute at the University of Ulster.

**(AQO 7355/11-15)**



**Dr Farry:** I understand that the member has recently visited China and will have had the opportunity to observe at first hand, the positive impact of the Confucius Institute on the cultural relationship between Northern Ireland and China.

The Confucius Institute at the Ulster University was launched in April 2012 as a collaborative venture, in partnership with Zhejiang University of Media and Communications in Hangzhou, and supported by the Chinese government via Hanban - the Office of the Chinese Language Council International.

The Institute focuses on developing the teaching of the Chinese language at all levels and on outreach activities to familiarise the general public across Northern Ireland with Chinese culture and heritage.

The first classes in Chinese started in January 2013 and in order to meet high demand, the Institute submitted a proposal to develop, in partnership with Hubei Normal University in Huangshi, a network of Confucius Classroom Hubs. This was approved in July 2013, leading to the creation of 8 hubs, providing support for the teaching of Chinese in 121 schools and regional colleges across Northern Ireland.

The number of students registered with the Institute rose from 269 in 2013 to 6093 in 2014. The number of students who successfully passed the Chinese Proficiency Test or the Youth Chinese Test rose from 103 in 2013 to 1362 in 2014.

The Institute employs 28 teachers from China, organises cultural and educational visits to China for students, teachers, and school principals, supports the teaching of Chinese both as part of broader courses in the area of Modern Languages and in combined programmes and organises a variety of cultural events.

**Mr Rogers** asked the Minister for Employment and Learning to outline the number of student places that would be lost in Northern Ireland's two universities if the proposed budget is agreed.

**(AQO 7356/11-15)**

**Dr Farry:** Based on proposed Departmental reduced allocation in the draft Budget for 15/16, the two universities advised that a 10.8% cut could lead to 1000 places being lost, with Queen's University reporting a potential reduction of 490 places whilst the University of Ulster reported a potential reduction of 500 places.

I have been in discussions over the past number of weeks on how to best mitigate the effects of any cuts in order to preserve as many front-line places as possible. These discussions will intensify in light of the Budget having now been agreed by the Executive.

**Mrs Cameron** asked the Minister for Employment and Learning for an update on his Department's review of higher education funding.

**(AQO 7357/11-15)**

**Dr Farry:** I had intended to issue a consultation on the review of higher education funding towards the end of last year, seeking views on various specific areas of funding, including student finance.

However, we are now operating in a much changed financial environment, with most Departments, including my own, facing challenging reductions to their budgets.

In Northern Ireland we have a very clear plan for rebuilding and rebalancing our economy, and it is crucially reliant on higher education – on the innovation and knowledge transfer generated through internationally excellent research and on the steady stock of high level skills which are so important for attracting potential investors to our shores.

Our universities in Northern Ireland are already underfunded to the tune of £1,000 to £2,500 per student compared to their counterparts in England, making it increasingly difficult for them to remain competitive nationally and internationally.

Reductions to my Department's budget will inevitably compound this issue and exacerbate the funding gap between ourselves and our nearest competitors. It will leave our higher education providers in a simply unsustainable financial position; and it will leave us the only region in the United Kingdom actively disinvesting in higher education.

Once a budget is settled we will need to have a wider debate with all our stakeholders about how we can support a financially sustainable and internationally competitive higher education sector in Northern Ireland. The work that had been undertaken in regard to the higher education funding review will be crucial in informing and facilitating this debate.

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning for an update on the expansion of the University of Ulster's Magee campus.

**(AQO 7358/11-15)**

**Dr Farry:** The 'One Plan' has an aspiration for a university with 9,400 full-time equivalent students by 2020, including 6,000 full-time undergraduates. The Derry~Londonderry Strategy Board commissioned consultants to prepare a business case to support the expansion of the Magee campus. The first full draft of the business case was delivered to my Department on 19 December. The business case is now being scrutinised by officials. My Department does not have the funds to contemplate any further expansion of the higher education sector in the current financial climate. In the context of the restoration of sustainable funding of the existing higher education provision, I will make a bid to the Executive for the expansion of the Magee campus should the business case make the case that this represents good value for money from a Northern Ireland perspective.

**Mr McCartney** asked the Minister for Employment and Learning whether local universities have attempted to increase the numbers of students from other jurisdictions to offset the proposed reductions in their 2015/16 budget allocations.  
(AQO 7359/11-15)

**Dr Farry:** All of our higher education institutions have developed international strategies to increase inward and outward mobility of students and staff and facilitate collaborative partnerships.

Queen's University, Belfast, the Ulster University and Stranmillis University College have indicated that these strategies have a focus on attracting international fee paying students and this will help them to offset some of the proposed reductions in their 2015/16 budget allocations.

However, as a small, specialist institution, St Mary's has advised that it is not positioned to take additional action to attract students from other jurisdictions.

In addition, the Ulster University has advised that it is seeking to increase the recruitment of students from other UK jurisdictions. In this context it should be noted that until recently such students counted against the MaSN and the University concentrated on students from Northern Ireland. Since the change in the regulations applications from GB students have increased.

## Department of Enterprise, Trade and Investment

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment to detail the number of jobs created in each constituency in (i) 2012/13; and (ii) 2013/14.  
(AQW 40239/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The table below details the number of jobs created by Invest NI assisted projects in each parliamentary constituency in (i) 2012-13; and (ii) 2013-14.

PCA	2012-13	2013-14
Belfast East	723	852
Belfast North	296	350
Belfast South	887	832
Belfast West	136	198
East Antrim	140	124
East Londonderry	141	201
Fermanagh & South Tyrone	408	637
Foyle	323	434
Lagan Valley	150	209
Mid Ulster	505	495
Newry & Armagh	732	371
North Antrim	154	272
North Down	63	128
South Antrim	737	413
South Down	167	288
Strangford	117	157
Upper Bann	254	482
West Tyrone	261	327

**Note:** Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.

It should be noted that there will be other jobs created in each constituency by businesses not directly supported by Invest NI.

**Mr Easton** asked the Minister of Enterprise, Trade and Investment how much funding her Department provided to Trade Unions in the last financial year.  
(AQW 40300/11-15)

**Mrs Foster:** In the 2013/14 financial year my Department did not provide funding directly to any Trade Union organisation. The Department did pay £25,729 in 2013/14 to meet the salary cost of 1 full-time member of staff who is seconded to a Northern Ireland Public Service Alliance role in the Department.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment (i) who are the Licence Partners of Petroleum Licence PL1/10; (ii) whether full due diligence has been carried out with regard to the Licence Partners of PL1/10; (iii) whether her Department has received copies of the audited accounts of the Licence Partners, including that of the company with the largest interest, Larne Oil & Gas Ltd, as regulations require; and (iv) if the licence interest assignments have not been approved by her Department, as regulations require, why the licence has not been revoked.

**(AQW 40329/11-15)**

**Mrs Foster:**

- (i) Petroleum Licence PL1/10 is held by a consortium of companies as follows:
  - InfraStrata plc (operator) 45%
  - Brigantes Energy Limited (40% owned by InfraStrata plc) 45%
  - Terrain Energy Limited 10%.
- (ii) Yes
- (iii) DETI has seen the audited accounts of each of the current Licence holders. Larne Oil and Gas Limited is not one of the Licence Holders of Petroleum Licence PL1/10.
- (iv) The interest share of each of the current Licence holders in PL1/10 was approved by DETI by means of a formal deed of assignment executed on 22 July 2014.

At time of writing DETI has not received nor processed any request to include Larne Oil and Gas Limited on Petroleum Licence PL1/10.

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment whether she has any plans to review the number of local tourism organisations that exist.

**(AQW 40386/11-15)**

**Mrs Foster:** I commissioned an independent review of the Northern Ireland Tourist Board and wider tourism structures in 2014 and plan to make a statement to the Northern Ireland Assembly on the outcome of that Review on 20 January. I have no plans to review the number of local tourism organisations. The delivery of local tourism functions is principally a matter for Local Councils.

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 39957/11-15, to list the groups or individuals who have funded the Gobbins project in Larne; and the financial package each funder delivered.

**(AQW 40409/11-15)**

**Mrs Foster:** I refer the member to my answer to AQW 36309/11/15.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 35898/11-15, for a breakdown of the £509,144.00 spent by Invest NI on hospitality in 2013/14.

**(AQW 40425/11-15)**

**Mrs Foster:** The cost of hospitality for Invest NI for 2013/14 was £509,144, detailed as follows: -

- £243,000 – This relates to the costs of business meetings and events held in Northern Ireland for a range of local companies and visiting foreign companies.
- £196,000 – This relates to the costs associated with executive dinners and round table events focused on specific industry sectors.
- £70,000 – This relates to the cost of overseas business networking events. These events are targeted at companies that are considering investment projects in Northern Ireland.

A number of networking and business events are organised as a key part of our sales and marketing activity. These events are a means of interacting with key global decision makers in order to attract inward investments. Corporate hospitality forms a very important element of the Invest NI's agreed sales strategy.

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment for her assessment of the potential economic benefits arising from the new service to Amsterdam from Belfast City Airport.

**(AQW 40434/11-15)**

**Mrs Foster:** The announcement of KLM to commence a new service to Amsterdam from Belfast City Airport in May 2015 is very good news and I wish to congratulate the airport in securing this route. It will not only serve to strengthen business links

between Northern Ireland and the Netherlands, but will improve Northern Ireland's access to important business and tourism markets in Europe, North America, Asia and the Middle East as Amsterdam is an important hub airport. Equally, the new service will also provide these markets with greater access to Northern Ireland for those who wish to visit or do business here.

**Mr Dallat** asked the Minister of Enterprise, Trade and Investment what are the implications for rural areas of Phase 2 of the UK Superfast Rollout Programme; and whether match funding has been achieved.

**(AQW 40440/11-15)**

**Mrs Foster:** My Department carried out a public consultation on a proposed intervention for superfast broadband last year and subsequently issued an Invitation to Tender seeking proposals for delivering a solution. The implications for which specific areas will be impacted will be dependent on the response to the Invitation to Tender.

DETI is continuing to secure the match funding which will be dependent on the outcome on the Executive's 2015/16 budget deliberations.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment for an update on the plans to publish an updated Strategy for Tourism; and how an enforced strategy will contribute to continued growth in this sector.

**(AQW 40449/11-15)**

**Mrs Foster:** I commissioned an independent review of the Northern Ireland Tourist Board and wider tourism structures in 2014 and plan to make a statement to the Northern Ireland Assembly on the outcome of that Review on 20 January. A key recommendation from the review was that the Northern Ireland Executive should publish an updated Strategy for Tourism at an early date.

The Hunter Review indicates that a new strategy would aid the development of collaborative partnerships across the industry, in government and beyond, which are the building blocks for future progress. An updated overarching tourism strategy would help tourism partners to work together and understand their role in the achievement of common goals and in the realisation of important synergies. A new strategy would set stretching targets and identify key priorities for action taking account of the emergence of new developments, initiatives and trends in tourism.

Continued growth in tourism is vital to the rebalancing of the local economy and I will ensure that the necessary action is taken to deliver on my and the industry's aspiration to make tourism a £1billion industry by 2020.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment for a breakdown of the (i) overall annual; and (ii) individual unit cost implications for consumers of the additional 250MW of capacity margin of electricity capacity commissioned by SONI.

**(AQW 40462/11-15)**

**Mrs Foster:** Provision of the additional 250MW capacity margin to be provided by AES Corporation will cost £8.9million per year over a 3 year period from 2016. The impact on electricity consumers is estimated at 0.1 pence per kWh. This and other information is set out in the joint DETI/Utility Regulator update paper on security of electricity supply which was published on 22 December 2014.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment for her assessment of the appropriateness of the salary and performance related payments to Senior Executives within Mutual Energy, given the ongoing issues with the Moyle Interconnector and that all of these costs are covered by electricity customers.

**(AQW 40463/11-15)**

**Mrs Foster:** Remuneration and bonuses are a matter for the Remuneration Committee within Mutual Energy, based on a remuneration policy which is approved annually by the Mutual Energy Members.

**Mr McElduff** asked the Minister of Enterprise, Trade and Investment for an update on the involvement of the Health and Safety Executive in investigating the collapse of a wind turbine at the Screggagh Wind Farm site, County Tyrone on Friday 2 January 2015.

**(AQW 40550/11-15)**

**Mrs Foster:** I can confirm that HSENI was notified of the incident on Saturday 3 January and contact was made with the manufacturers of the wind turbine and owner of Screggagh Wind Farm.

Since the incident, I understand that the site has been secured and the other turbines have not been operational. Follow-up contact by HSENI Inspectors was made with the manufacturers on Monday 5 January and a site visit arranged for Thursday 8 January. The visit was organised to coincide with key personnel being on site; this included the manufacturers' technicians along with the relevant safety personnel. Discussions are ongoing with the manufacturers as part of the investigation.

Determining the reason for the collapse of the wind turbine is likely to be a technically complex matter and may take some time. HSENI's role is to carry out an independent investigation into the incident, to establish the facts of the incident and if there is any learning that could apply to this operation or to the operation of similar wind turbines in the future.



This is the first incident of its kind involving large scale wind turbines in Northern Ireland. Given the low frequency rates of failure in the United Kingdom, alongside the independent research undertaken by the Health and Safety Executive in Great Britain, I consider the risk of such incidents to the public to remain low, relative to other societal risks commonly experienced.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment to detail the number of jobs created in (i) 2012/13; and (ii) 2013/14; and of this number, how many were part-time positions.

**(AQW 40563/11-15)**

**Mrs Foster:** Support offered by Invest NI has helped to create (i) 6,194 new jobs in 2012-13 and (ii) 6,785 new jobs in 2013-14.

Invest NI offers of support towards job creation projects are calculated on a full-time equivalent basis therefore our systems do not hold the information requested.

Invest NI continues to promote new jobs across Northern Ireland with recent support in East Londonderry for S.J.C. Hutchinson (Engineering) Limited to promote 36 new jobs and Ballyrashane Co-Operative Agricultural and Dairy Society Limited to promote 20 new jobs.

**Mr Ramsey** asked the Minister of Enterprise, Trade and Investment for an update on the progress made on the Programme for Government 2011-15 target of 40 per cent of electricity consumption from renewable energies within five years,

**(AQW 40567/11-15)**

**Mrs Foster:** The Programme for Government 2011-15 target is to "Encourage achievement of 20% of electricity consumption from renewable sources by 2015". The Executive's Strategic Energy Framework includes a target to achieve 40% of electricity consumption from renewable sources by 2020.

A new bi-annual statistical publication to aid reporting against the Programme for Government 2011-15 target was first published by DETI on 25th September 2014. This showed that for the 12 month period April 2013 to March 2014, 19.5% of total electricity consumption in Northern Ireland was generated from renewable sources located in Northern Ireland.

The next publications are due by March 2015 (covering the period January 2014 to December 2014) and June 2015 (covering the period April 2014 to March 2015).

**Mr Ramsey** asked the Minister of Enterprise, Trade and Investment when consultation responses on the proposed changes to the Northern Ireland renewables obligation will be available.

**(AQW 40570/11-15)**

**Mrs Foster:** We have been working through over 330 responses received as part of the consultation. I expect to issue a response in the next fortnight or so.

In recognition of the impact that any delay on confirming revised Renewables Obligation Certificate (ROC) levels might have on solar photovoltaic (PV) installers and prospective generators, consultees were informed in December of my decision to retain existing ROC levels until 1 October 2015 rather than the planned change on 1 April 2015.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment for her assessment of the success of the BT Northern Ireland Broadband Improvement project in improving access to basic and superfast fixed-line broadband services for rural areas.

**(AQW 40713/11-15)**

**Mrs Foster:** The Northern Ireland Broadband Improvement Project is being delivered in eight phases with an overall completion date of 31 December 2015. The project is progressing according to schedule and by 31 December 2014 almost 17,500 premises across Northern Ireland had benefitted from the improvements being delivered.

By project completion, it is anticipated that improvements will have been delivered for at least 45,000 premises resulting in the provision of basic wire-line broadband services of at least 2 Megabits per second in areas that previously had no service and improvements in the availability of superfast fixed-line broadband services (24 Megabits per second or higher) in areas where choice is poor or broadband speeds are low.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment for an update on a proposed intervention area for improvements to broadband provision through Phase 2 of the UK Superfast Rollout Programme; and whether she plans to award a supply contract.

**(AQW 40715/11-15)**

**Mrs Foster:** The proposed intervention area for the Superfast Roll-out Programme Phase 2 in Northern Ireland was published by my Department on 26 August 2014 for full public consultation. The response to the consultation feedback is available on the Department's website at [www.deti.gov.uk/index/what-we-do/deti-telecoms-index/telecoms-srp.htm](http://www.deti.gov.uk/index/what-we-do/deti-telecoms-index/telecoms-srp.htm).

An Invitation to Tender to find a suitable supplier was issued on 12 November 2014 with a closing date of 26 January 2015. The final intervention area is dependent on the response to the Invitation to Tender. Assuming that an acceptable bid is received, it is anticipated that contract award will be made towards the end of February 2015 with implementation commencing immediately thereafter.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 35358/11-15, how many premises have benefited from more choice and improved broadband speeds through the BT Northern Ireland Broadband Improvement project. (AQW 40718/11-15)

**Mrs Foster:** I can confirm that to 31 December 2014, the availability of broadband services has been improved to almost 17,500 premises through the implementation of the Northern Ireland Broadband Improvement Project.

**Mr D Bradley** asked the Minister of Enterprise, Trade and Investment what was the cost of the investigation into the Northern Ireland Events Company. (AQW 40788/11-15)

**Mrs Foster:** The total cost of the investigation was £1.24 million.

**Mr Lyttle** asked the Minister of Enterprise, Trade and Investment how much of the £2.2m allocated to her Department to meet pressures in Invest NI and the Northern Ireland Tourist Board will be allocated for a Tourism Events Fund 2015-16. (AQW 40969/11-15)

**Mrs Foster:** Events play a key role in driving tourism to Northern Ireland and therefore I am delighted to announce that I have secured £1million for the Northern Ireland Tourist Board's (NITB) Tourism Events Funding Programme in the final budget settlement for 2015/16.

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment how she is ensuring that the recently announced Enterprise Zone for Coleraine is being progressed as a matter of urgency. (AQO 7368/11-15)

**Mrs Foster:** My Department's role in establishing the pilot Enterprise Zone in Coleraine has been as a facilitator to ensure designation of the Enterprise Zone by Treasury once all negotiations have concluded between relevant stakeholders.

Those discussions have not yet concluded. However, both I and my officials have facilitated a number of meetings with the relevant parties in recent months to highlight the importance of resolving any outstanding issues quickly. My Department remains fully committed to seeing the pilot Enterprise Zone established as soon as possible.

**Mr McCartney** asked the Minister of Enterprise, Trade and Investment how many jobs were created in the Derry City Council area in 2013/14. (AQO 7367/11-15)

**Mrs Foster:** During the 2013-14 financial year, Invest NI support has helped create almost four hundred and forty new jobs in the Londonderry Council area.

Invest NI continues to promote new jobs across Northern Ireland with recent support in Londonderry for Convergys to promote three hundred and thirty three new jobs and Fujitsu to promote one hundred and seventy seven new jobs.

**Mr Dunne** asked the Minister of Enterprise, Trade and Investment for her assessment of the safety of wind turbines, following the recent incident at the Screggagh wind farm in County Tyrone. (AQO 7369/11-15)

**Mrs Foster:** No one was injured in this event, but naturally it has generated some concerns. I would like to assure you and members of the Assembly that an independent investigation is being undertaken by the Health and Safety Executive for Northern Ireland.

The Health and Safety Executive Northern Ireland's role will include monitoring and reviewing the investigation carried out by the company who operates the wind farm. However, it will also involve looking at the acceptable standards within the wind industry as a whole and current research on the safety of wind turbines.

The outcome of Health and Safety Executive Northern Ireland's investigation will be to determine if the company has complied with appropriate standards of safety in its operation and should any additional safety measures be required, that these will be implemented. In addition, part of Health and Safety Executive Northern Ireland's role will also involve determining if there are any wider consequences as a result of the incident itself and ensuring that all appropriate bodies are informed.

**Mr G Robinson** asked the Minister of Enterprise, Trade and Investment for her assessment of a reduction in the level of VAT for the local hospitality sector. (AQO 7370/11-15)

**Mrs Foster:** VAT is not a devolved matter, and as such, it is for the Treasury to determine VAT rates. I will continue to lobby the Exchequer to reduce VAT rates.

Any reduction in the VAT rate for the accommodation and hospitality sectors, if passed on to consumers by way of reduced costs, could result in increased demand for our tourism offerings.

A report of the impact of the VAT rate reduction for the tourism sector in the Republic of Ireland indicated that the introduction of the reduced VAT rate appears to have met its original aims of driving employment and stimulating activity in the sector and has achieved this without placing a significant burden on the Irish exchequer.

**Lord Morrow** asked the Minister of Enterprise, Trade and Investment for an update on the Gas to the West project.  
(AQO 7371/11-15)

**Mrs Foster:** In November 2014 the Utility Regulator confirmed Mutual Energy and Scotia Gas Networks as the 'preferred applicants' for new licences to develop natural gas infrastructure in the West. The Regulator is currently consulting on draft licences which are expected to be formally awarded next month. Initial works to provide the new gas networks could commence later in 2015 with the main network development beginning in 2016.

**Mrs McKevitt** asked the Minister of Enterprise, Trade and Investment to outline any discussions she has had with the Minister for Jobs, Enterprise and Innovation in relation to the Irish Open 2015 to maximise the tourism boost not only for South Down, but also across the island.

(AQO 7372/11-15)

**Mrs Foster:** The Northern Ireland Tourist Board will be working with key partners to plan for and deliver the 2015 Irish Open event, including hosting an industry workshop to encourage the tourism businesses in South Down to maximise opportunities arising from The Irish Open.

Experience of the last Irish Open highlighted that the event will present an opportunity for the tourism sector not only in South Down, but Newry & Mourne, Belfast and further afield as visitors attending are unlikely to be troubled by a short journey time.

Tourism Ireland will be working in the important golf markets to capitalise on the potential of the Irish Open in showcasing Northern Ireland as a location for golfing breaks and holidays.

As regards engagement with the Irish Government on tourism issues, I engage with my counterpart through the mechanism of the North South Ministerial Council on the promotion and marketing of the island of Ireland and areas of mutual benefit and collaboration. I have had no specific discussion in relation to the Irish Open 2015.

## Department of the Environment

**Mr Agnew** asked the Minister of the Environment whether he will release urgently the pre action protocol letter by Tamboran Resources, in accordance with the requirements under the Aarhus convention which sets out their case for judicial review, to those third party groups who have made requests for this information.

(AQW 38205/11-15)

**Mr Durkan (The Minister of the Environment):** In so far as the Department has not disclosed the Pre action protocol letter from Tamboran to individuals or groups who have made requests for these documents, the Department did so in accordance with its legal obligations of disclosure under the Environmental Information Regulations 2004.

Tamboran UK Limited, the company which has challenged the decision of the Minister on 11 August 2014, has made disclosure of this pre action protocol letter to those who have requested it and who have made an application to the Court with a view to becoming parties to the proceedings in accordance with the directions of the Court.

In the case of any other interested party who wishes to understand the grounds on which Tamboran has challenged the decision of the Minister, these are fully set out in the judicial review papers which Tamboran has now filed in the High Court and which can be inspected through the High Court office in accordance with the Rules of Court.

**Mr Easton** asked the Minister of the Environment how much funding his Department provided to Trade Unions in the last financial year.

(AQW 40246/11-15)

**Mr Durkan:** My Department does not provide funding to Trade Unions.

However, it does pay the salary costs of one DOE full time employee seconded to the Northern Ireland Public Service Alliance (NIPSA) in relation to the Assistant Departmental Trade Union Side Secretary position. The cost for this position in 2013-14 was £31,304.

**Mr Flanagan** asked the Minister of the Environment (i) for his assessment of the current requirement of Article 97a of the Road Traffic Order (Northern Ireland) 1981 which states that evidence of a valid insurance policy must be produced upon licensing a vehicle, given the success of the Motor Insurance Database; (ii) what impact the removal of Article 97a of the Road Traffic Order (Northern Ireland) 1981 would have on the process of online vehicle licensing; and (iii) whether he intends to amend Article 97a of the Road Traffic Order (Northern Ireland) 1981.

(AQW 40281/11-15)

**Mr Durkan:** Advances in technology and the development of the Motor Insurance Database mean that, in many cases, a valid insurance policy certificate does not need to be physically presented upon licensing a vehicle. This is due to the computer checks which can take place by matching vehicle details to the Motor Insurance Database during the renewal process. This facility is not however available to those who renew their vehicle tax at the Post Office and as such is still a requirement under the cited Act.

The impact of the removal of provision on the process of online vehicle licensing will be minimal as the checks already happen seamlessly from the user perspective.

The removal of the provision is being taken forward in the context of the implementation of the Continuous Insurance Enforcement (CIE). In essence CIE continuously carries out checks on the validity of insurance policies of vehicles rather than solely at the time of vehicle licence renewal. The necessary legislative amendments to bring this forward are being progressed and will remove the anomaly whereby those renewing their vehicle tax in the Post Office have to present their insurance documents.

**Mr Flanagan** asked the Minister of the Environment to detail the leasing arrangements at Enniskillen Castle which relate to the Inniskillings Museum, including annual rent, the length of the lease and under what grounds one side can terminate the lease. (AQW 40283/11-15)

**Mr Durkan:** The rent for the lease to the Inniskillings Museum is £0.05 (if demanded by the Department). The lease is for a term of 25 years which commenced in 2007. There is no termination clause but the Department can re-enter the premises if lease covenants are broken. The covenants include: to keep the premises in good order, to pay taxes; and to use the premises as a Regimental Museum and associated offices. The lessee can terminate by applying to the Department for a formal termination.

**Mrs Overend** asked the Minister of the Environment for his assessment of the efficacy of the current legislation surrounding tachograph usage in preventing haulage vehicle drivers from breaking EU and UK drivers' hours rules. (AQW 40338/11-15)

**Mr Durkan:** The European Commission is responsible for developing regulations governing tachograph and drivers' hours requirements, which are enforced by Member States throughout the European Union. These are regularly reviewed by the Commission to ensure they can be easily interpreted and applied by the road transport industry and the enforcement authorities.

Vehicles that fall out of scope of EU drivers' hours requirements may be subject to Northern Ireland domestic rules which have been developed by my Department.

Responsibility for enforcement of the regulations rests with my Department and the PSNI and I am satisfied with the efficacy of the current legislation in this regard.

**Mrs Overend** asked the Minister of the Environment for his assessment of the work undertaken by haulage vehicle operators to ensure that their responsibilities with regard to tachograph and drivers' hours rules are met. (AQW 40339/11-15)

**Mr Durkan:** Section 12C (2) of the Goods Vehicles (Licensing of Operators) Act (NI) 2010 requires that goods vehicles operators must have satisfactory arrangements for securing that Article 56 of the Road Traffic (NI) Order 1981 (drivers hours) and the applicable community rules governing tachographs and drivers' hours are complied with.

The Driver and Vehicle Agency routinely carries out operator compliance audits and roadside checks to ensure haulage vehicle operators comply with tachograph and drivers' hours rules.

Where offences are detected, DVA can impose a range of sanctions including advice and warning, fixed penalty notices, prohibitions or may pursue matters through the Courts. Serious infringements relating to Northern Irish operators may also be referred to the Transport Regulation Unit for regulatory action to be considered.

Through these measures I am satisfied that there is a robust system in place for ensuring that haulage operators are complying with their responsibilities.

**Mrs Overend** asked the Minister of the Environment to outline the work undertaken by his Department, in conjunction with the Department for Justice, to ensure that EU and UK haulage vehicle drivers' hours rules are enforced fully. (AQW 40340/11-15)

**Mr Durkan:** The Department in compliance with Directive 2006/22/EC organises a system of appropriate and regular checks on the correct and consistent implementation of the rules relating to tachographs and drivers' hours both at the roadside and at operators premises.

Through its enforcement activities, the Driver & Vehicle Agency has checked 3,532 of goods vehicles and 23,196 of tachograph records in 2013/14. The PSNI carry out similar activities.

In those instances where an offence is discovered a range of enforcement action may be taken that includes advice and warning, issuing fixed penalty notices, prohibitions or in some cases matters may be pursued through the Courts by the Public



Prosecution Service. Serious infringements relating to Northern Irish operators are also referred to the Transport Regulation Unit for regulatory action to be considered.

Information on relevant offences is also shared with other EU Member States to consider follow up action as required.

I am satisfied that this approach ensures that tachograph and drivers' hours rules and regulations are robustly enforced.

**Mr Flanagan** asked the Minister of the Environment to detail (i) the occasions on which NIEA monitored waste water treatment works discharges against the consented standards in Garrison; (ii) whether concerns were identified that adversely impacted the environment; and (iii) whether an enforcement notice was issued to NI Water on any of these occasions.

**(AQW 40394/11-15)**

**Mr Durkan:** The discharge from Garrison Wastewater Treatment Works (WWTW) is consented under the Water (Northern Ireland) Order 1999. Compliance with the requirements of the Consent is assessed by Northern Ireland Environment Agency (NIEA) based on self-monitoring data supplied by Northern Ireland Water (NIW) according to an agreed sampling programme. The effluent is sampled 12 times a year to assess compliance.

Annual inspections have been carried out at the works by NIEA since 2011 and there has been no visual impact of an adverse environmental impact at the discharge point into Lough Melvin.

Since 2007, this works has been compliant for seven years out of eight years. It was non-compliant in 2012, due to the failure of a sample lifted on 10 May 2012 exceeding the consent conditions for biochemical oxygen demand (BOD), suspended solids and phosphorus. For BOD and suspended solids, two exceedances are permitted within 12 samples but phosphorus compliance is assessed as an annual average and resulted in a failure of the sample.

NIW were cautioned as a result of the failure and this works has remained compliant since this date.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 38206/11-15, (i) whether inspections have taken place; (ii) if so, when they took place; (iii) whether the operations have now ceased; and (iv) if not, what action is to be taken by his Department.

**(AQW 40435/11-15)**

**Mr Durkan:** My officials have visited Lough Neagh on 20 March 2014, 26 June 2014 and 5 August 2014. Correspondence was subsequently issued to the operators.

Further visits will take place as soon as practically possible.

**Mr Dickson** asked the Minister of the Environment, as part of his Department's responsibility to develop policy and legislation to facilitate the transition from 26 to 11 councils, what advice has been given to councils on what would be considered the legal status quo if a council should fail to adopt a policy on the flying of flags.

**(AQW 40454/11-15)**

**Mr Durkan:** My Department has provided no advice to councils, in the context of the local government reform programme.

The policy on the flying of flags on council property is a matter for each council as a local democratically elected body. This position was reinforced by the Assembly's rejection of proposals to legislate on the matter at the Consideration Stage of the Local Government Act (Northern Ireland) 2014.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 38711/11-15, why there has been a delay in answering this question; and when it will be answered.

**(AQW 40465/11-15)**

**Mr Durkan:** AQW 38711/11-15 was answered on Friday 9 January 2015.

**Mr Kinahan** asked the Minister of the Environment what actions are in place to ensure that odour is not emitted from the Biffa Cottonmount site in Mallusk.

**(AQW 40485/11-15)**

**Mr Durkan:** The Biffa Cottonmount landfill in Mallusk, Newtownabbey is regulated by the Northern Ireland Environment Agency (NIEA) under a waste permit. To meet the conditions of the permit, the operator has been required to develop and implement a Gas Management Plan and Odour Management Plan. The key actions to prevent odour emanating from the landfill are set out in these plans.

Odour from landfill gas is managed by a gas extraction system. Gas wells at various depths are used to extract gas to a central system where it is used to run 3 engines generating 3 MW of power. Areas of the site that have reached their final level are covered with a permanent impermeable cap designed to prevent gas escape. Other areas of the site that are below final level, and which will require further waste deposits in the future to achieve final level, are covered with a temporary cap to minimise gas release and enable gas extraction in these areas as well.

To minimise odours from fresh waste disposal, the disposal activities are confined to one active disposal area within the site at any one time. The disposal area is kept as small as practicable. At the end of the working day, this area is covered with 'daily cover' using inert materials designed to minimise odour escape.

The site operator conducts odour checks on a daily basis. If an odour problem is detected an odour suppression system may be utilised to combat odour while the issue is resolved. NIEA inspectors conduct sites inspections on a very regular basis. NIEA inspectors also respond to complaints from local residents. If a persistent odour likely to cause annoyance is detected outside the boundary, NIEA will take appropriate enforcement action.

It is recognised that odour management at a large landfill site is a complex and dynamic issue as the site is infilled. Changes to the disposal area, capping activities and installation of additional gas wells are ongoing on a very regular basis. NIEA are currently engaged with the operator in the implementation of a gas action plan and will continue to monitor activities at the Cottonmount landfill very closely to ensure compliance with the waste permit.

**Mr Kinahan** asked the Minister of the Environment how odours, flies and other matters affecting the residents close to the Biffa Cottonmount site in Mallusk are monitored.

**(AQW 40487/11-15)**

**Mr Durkan:** Biffa Cottonmount landfill in Mallusk, Newtownabbey is regulated by the Northern Ireland Environment Agency (NIEA) under a waste permit. To meet the conditions of the permit, the operator is required to develop and implement a Site Management Plan, which includes procedures to prevent and also monitor for these amenity issues.

The site operator is required to conduct checks on amenity issues that may affect residents around the site on a daily basis and these records are maintained for future inspection. If an issue is detected, this should be addressed by the operator following the procedures in the site management plan.

Specifically on the issue of flies, the operator employs a specialist company to regularly monitor flies at monitoring points around the site and maintain records. During Spring/Summer, regular treatment is employed to minimise the risk of any impact from flies.

NIEA inspectors conduct sites inspections on a very regular basis. NIEA inspectors also respond to complaints from local residents. If an amenity issue that is likely to cause annoyance is detected outside the site boundary, NIEA will take appropriate enforcement action.

**Mr Weir** asked the Minister of the Environment how many companies or organisations from Northern Ireland have taken advantage of the Energy Saving Opportunity Scheme.

**(AQW 40518/11-15)**

**Mr Durkan:** The Energy Savings Opportunity Scheme (ESOS) is mandatory for large organisations which meet the required threshold of employing 250 or more people, or with an annual turnover in excess of €50 million (circa £39 million), and an annual balance sheet total in excess of €43 million (£33.5million). Those organisations must notify the Environment Agency (UK scheme administrator), that they have met the requirements of ESOS by 5 December 2015. It is anticipated that ESOS will apply to between 200-250 organisations in Northern Ireland. To date none of those organisations have notified the Environment Agency of their compliance.

My department has worked in conjunction the Department for Energy and Climate Change (DECC), the Environment Agency (EA) and Department of Enterprise Trade and Investment (DETI), who are the sponsoring department for this policy in NI, to develop the ESOS legislation and guidance.

A number of seminars to promote the scheme for the organisations affected have been held, and around 230 letters were sent to NI based organisations to explain the scheme. Details on the scheme and links to further information, including the notification page are available on the NIEA website, and to date the webpage has been accessed 367 times. NIEA officials have responded expeditiously to all requests for information on the scheme.

**Mr Weir** asked the Minister of the Environment how his Department, or the NIEA, advertise or promote the availability of the Energy Saving Opportunity Scheme in Northern Ireland.

**(AQW 40519/11-15)**

**Mr Durkan:** The Energy Savings Opportunity Scheme (ESOS) is mandatory for large organisations which meet the required threshold of employing 250 or more people, or with an annual turnover in excess of €50 million (circa £39 million), and an annual balance sheet total in excess of €43 million (£33.5million). Those organisations must notify the Environment Agency (UK scheme administrator), that they have met the requirements of ESOS by 5 December 2015. It is anticipated that ESOS will apply to between 200-250 organisations in Northern Ireland. To date none of those organisations have notified the Environment Agency of their compliance.

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**Mr Weir** asked the Minister of the Environment what actions have been taken to implement the Energy Savings Opportunity Scheme in Northern Ireland.

**(AQW 40520/11-15)**

**Mr Durkan:** The Energy Savings Opportunity Scheme (ESOS) is mandatory for large organisations which meet the required threshold of employing 250 or more people, or with an annual turnover in excess of €50 million (circa £39 million), and an annual balance sheet total in excess of €43 million (£33.5million). Those organisations must notify the Environment Agency (UK scheme administrator), that they have met the requirements of ESOS by 5 December 2015. It is anticipated that ESOS will apply to between 200-250 organisations in Northern Ireland. To date none of those organisations have notified the Environment Agency of their compliance.

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**Mr Dunne** asked the Minister of the Environment what discussions he has had with the Secretary of State for Transport to help reduce the turnover time for the re-registration of Northern Ireland Vehicles through the Driver and Vehicle Licensing Agency in Swansea.

**(AQW 40530/11-15)**

**Mr Durkan:** Despite my appeals to the Secretary of State for Transport, vehicle registration and licensing services were centralised within the Driver and Vehicle Licensing Agency (DVLA) in Swansea on 21 July 2014. From that date, responsibility for the delivery of vehicle registration and vehicle excise duty in Northern Ireland transferred to DVLA.

The transfer of the function resulted in the closure of the local motor tax offices which effectively removed the over the counter services for those more complex transactions, such as vehicle re-registrations, which cannot be completed via the Post Office and have to be posted to the DVLA in Swansea for processing. From the date of transfer, access to DVLA's computer systems and the Northern Ireland records contained within it, was withdrawn from Driver & Vehicle Agency (DVA) staff removing any capacity for my Department to monitor any issues raised.

Whilst I am sympathetic to the issues now being faced by local motorists, I must refer you to DVLA to address any specific query in relation to the delivery of this service.

Should you need to highlight a particular issue on behalf of a constituent you can raise it directly with the DVLA at the address below:

Mr Oliver Morley  
Chief Executive  
Driver and Vehicle Licensing Agency  
Swansea  
SA6 7JL

There is also a dedicated telephone number and email address for MPs and other elected representatives, including MLAs, to contact DVLA on behalf of their constituents. Emails should be sent to [dvla\\_ministerials@dvla.gsi.gov.uk](mailto:dvla_ministerials@dvla.gsi.gov.uk), or alternatively the telephone number is 01792 788585.

**Mrs Overend** asked the Minister of the Environment why the decision was taken not to allow the option to display the Union Flag and the European Union Flag on new driving licences in Northern Ireland.

**(AQW 40553/11-15)**

**Mr Durkan:** Driver licensing is a transferred matter under the Northern Ireland Act 1998. Under the provisions of the Road Traffic (Northern Ireland) Order 1981, my Department has responsibility for a broad range of matters relating to the licensing of vehicle drivers, including the form of the driving licence.

In 2012, when the UK Government announced its intention to include the Union flag on Great Britain driving licences, Department for Transport Minister Mike Penning wrote to my predecessor to advise him of this intention. Minister Penning's letter noted that driver licensing is a devolved matter but that DVLA prints our driving licences under contract. Minister Penning indicated his intention that DVLA would continue to print Northern Ireland driving licences without change to the existing design. He asked for a view on this.

Further to this correspondence, officials in my Department engaged with DVLA to ascertain whether it would be possible to provide individuals with an option to choose whether to include or exclude the flag. DVLA however indicated that this would not be possible, as the costs involved in making the system and associated changes required to offer such a choice were prohibitive. The same approach has, I note, been taken in Britain – the flag will be applied to all GB driving licences, with no ability for individuals to opt in or opt out.

Having considered the issue, a response was made to DfT, in December 2012, confirming agreement with DfT's intention to continue to print NI driving licences without any change to the existing design. Given that no change was brought forward, no further consultation occurred.

My Department heard no more of the UK Government's plans for GB driving licences until a letter from DfT Minister John Hayes to me dated 23 December 2014, indicating that the plans for GB licences would be announced over the Christmas period, and that Northern Ireland driving licences would continue to be issued without the Union flag.

The EU flag must, under Directive 2006/126/ EC (the Second European Union Directive on Driving Licences), be displayed on all driving licences issued by EU Member States.

**Mr I McCrea** asked the Minister of the Environment why he has excluded drivers from Northern Ireland from receiving the new UK design of driving licences containing the Union Flag when renewing their licence.  
**(AQW 40554/11-15)**

**Mr Durkan:** Driver licensing is a transferred matter under the Northern Ireland Act 1998. Under the provisions of the Road Traffic (Northern Ireland) Order 1981, my Department has responsibility for a broad range of matters relating to the licensing of vehicle drivers, including the form of the driving licence.

In 2012, when the UK Government announced its intention to include the Union flag on Great Britain driving licences, Department for Transport Minister Mike Penning wrote to my predecessor to advise him of this intention. Minister Penning's letter noted that driver licensing is a devolved matter but that DVLA (Swansea) prints our driving licences under contract. Minister Penning indicated his intention that DVLA would continue to print Northern Ireland driving licences without change to the existing design. He asked for a view on this.

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**Mr Hussey** asked the Minister of the Environment how much extra, in comparison to other UK driving licences, Northern Ireland driving licences will cost to produce following the decision not to include the Union Flag.  
**(AQW 40588/11-15)**

**Mr Durkan:** Northern Ireland driving licences are produced by the Driver and Vehicle Licensing Agency (DVLA) in Swansea, on behalf of the Driver & Vehicle Agency (DVA). The costs for producing licences, based on estimated volumes of licences issued annually, are contained within a Service Level Agreement (SLA) between DVA and DVLA. The SLA, which came into effect in June 2011 and is valid until 2016, is reviewed annually.

There is no proposal to amend the unit costs contained within the SLA arising from the GB decision to include the Union Flag on GB licences.

**Mr Weir** asked the Minister of the Environment why, under the proposed single tier taxi arrangements, private hire taxis are not required to use tested and sealed meters, whereas this is a requirement for all public hire taxis.  
**(AQW 40699/11-15)**

**Mr Durkan:** I would refer the member to the answer I gave to AQW 40266/11-15, AQW 40267/11-15, AQW 40268/11-15, AQW 40269/11-15 and AQW 40270/11-15.

**Mr Weir** asked the Minister of the Environment why his Department has been unable to construct a template for approved taxi meter centres.  
**(AQW 40702/11-15)**

**Mr Durkan:** I would refer the member to the answer I gave to AQW 40266/11-15, AQW 40267/11-15, AQW 40268/11-15, AQW 40269/11-15 and AQW 40270/11-15.



**Mr Weir** asked the Minister of the Environment whether his Department will set the benchmark for taxi meters using the Measuring Instruments Directives specifications as a base line.

**(AQW 40703/11-15)**

**Mr Durkan:** I would refer the member to the answer I gave to AQW 40266/11-15, AQW 40267/11-15, AQW 40268/11-15, AQW 40269/11-15 and AQW 40270/11-15.

**Mr Weir** asked the Minister of the Environment whether his Department will provide a list of approved meters for use in the taxi industry.

**(AQW 40704/11-15)**

**Mr Durkan:** I would refer the member to the answer I gave to AQW 40266/11-15, AQW 40267/11-15, AQW 40268/11-15, AQW 40269/11-15 and AQW 40270/11-15.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 39218/11-15, whether the processed aggregate required to be compliant was tested for compliance with the Waste and Resources Action Programme (WRAP) protocol prior to being deposited on site.

**(AQW 40711/11-15)**

**Mr Durkan:** As the material deposited was processed aggregate, and not waste, it was not subject to the Waste and Resources Action Programme (WRAP) compliance protocol prior to deposition.

## Department of Health, Social Services and Public Safety

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to provide a timetable for the closure of the Minor Injury Unit at Bangor Hospital, including the length of time it is due to be closed.

**(AQW 38133/11-15)**

**Mr Wells (The Minister of Health, Social Services and Public Safety):** A communication error with the Assembly Business Office has led to the delayed receipt of this question by my Private Office on 6 January 2015. The Member will be aware of my announcement on 28 November 2014 that the Bangor Minor Injuries Unit was to remain open.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to provide a timetable on the closure of the Bangor GP ward at Bangor Hospital, including the length of time it is due to be closed.

**(AQW 38134/11-15)**

**Mr Wells:** A communication error with the Assembly Business Office has led to the delayed receipt of this question by my Private Office until 6 January 2015. The South Eastern Health and Social Care Trust's contingency plan indicates that the temporary closure of the GP Ward at Bangor Community Hospital is intended to run until 31 March 2015, as one of several measures to achieve financial break-even in 2014/15. However, the Member will be aware of the ongoing Judicial Review regarding this decision. The Court's decision not to grant interim relief means that the Ward will remain closed at present. A substantive hearing is due to commence in late February.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the operational costs of Northfield House Residential Home in Donaghadee, in each of the last two years.

**(AQW 38531/11-15)**

**Mr Wells:** The South Eastern Trust have provided the operational costs of Northfield House in the last two years. The information is set out in the table below.

	2013/14 £	2012/13 £
Pay	489,540	519,845
Non-Pay	86,437	89,959
<b>Total</b>	<b>575,976</b>	<b>609,804</b>

**Source:** South Eastern HSC Trust

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety, in relation to the six public consultations entitled 'Delivering High Quality Congenital Cardiac Services', why it was decided that clinicians attending each venue would be chosen on the basis of proximity to their homes, rather than the contribution they might make; and whether this may have influenced the outcome of the consultation events.

**(AQW 39141/11-15)**

**Mr Wells:** It is not the case that clinicians have been invited to participate in the consultation meetings on this basis. The dates of the meetings were arranged primarily with a view to ensuring the availability of the Belfast Health and Social Care Trust's Consultant Paediatric Cardiologist. This Cardiologist has taken the time to attend all six events, four of which have now taken place.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what screening for disease or contamination is carried out on organs donated under the Organ Donor Scheme.

**(AQW 39583/11-15)**

**Mr Wells:** NHS Blood and Transplant (NHSBT) is the organ donation organisation for the UK and is responsible for identifying and characterising deceased donors in the UK and offering organs for transplantation to surgeons in the designated transplant units, as well as matching and allocating donated organs.

Potential donors are screened for a number of infections, such as HIV, Hepatitis B and C, syphilis, human T-cell lymphotropic virus and cytomegalovirus. Furthermore, organs are routinely evaluated prior to retrieval, during retrieval and before implantation by both the retrieval team and the transplantation clinical team.

Trained Specialist Nurses in Organ Donation will review the donor's clinical notes and contact the GP or relevant health professional to obtain the medical history. In order to build an accurate background of the donor's social and medical history, the Specialist Nurse will approach the family to gather information about the potential donor, as records may not cover all lifestyle choices, travel history and other factors that may impact on whether or not a donor's organs are appropriate for transplantation, using a validated proforma to ensure that all relevant history is asked for.

The decision whether or not to accept an organ for a patient is ultimately made by the transplant surgeon, using their clinical expertise and the information collected to carefully weigh up the risks associated with an organ.

In line with NHSBT and British Transplant Society guidance, the transplant team should discuss with the potential recipient any known risks associated with the organ which could affect its function in the short and long term before obtaining consent.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety what consideration was given to rurality and Northern Ireland Statistics and Research Agency statistics when the Western Health and Social Care Trust were asked to review their budget by his Department.

**(AQW 39817/11-15)**

**Mr Wells:** The Western Health and Social Care Trust has advised that its Contingency Plan was based on those savings that could actually be delivered in the remaining months of the financial year, whilst also ensuring that the safety and integrity of services was safeguarded.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether consideration is being given to an allocation from the £8.9 bn annual allocation from the Barnett Formula to General Practice.

**(AQW 40238/11-15)**

**Mr Wells:** In 2013/14, £234m was spent on General Medical Services in Northern Ireland as reported in the HSCB annual accounts and a similar amount is forecast to be spent in 2014/15.

The allocation of the funding allocated to Northern Ireland as a consequence of the Barnett Formula is a matter for the Executive to determine. Clearly, I will want to access as much funding as possible to help alleviate some of the difficult financial restraints being placed on the health service and to help meet the increasing demands on health and social care services.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what proportion of the 2015/16 health budget (i) is contractually committed; (ii) is legally committed; and (iii) remains unallocated for Ministerial discretion.

**(AQW 40241/11-15)**

**Mr Wells:** A significant proportion of the Department's revenue budget is subject to contractual/legal commitments (including salaries and wages). The latest available split of the Department's revenue expenditure is from the 2012/13 financial returns and is summarised in the table below.

Revenue Del (RDEL)	£m	% of total DHSSPS budget	Notes
Salaries and Wages	2,293	51%	Approx 2/3rds of trust expenditure is spent on salaries and wages
Demand led expenditure and utilities costs	1,467	33%	Independent Sector, drugs, utilities
Other contractual and legal commitments	549	12%	Family Health Services, Clinical Negligence

Revenue Del (RDEL)	£m	% of total DHSSPS budget	Notes
Other expenditure	341	8%	Includes committed and uncommitted expenditure
External income	-251	-6%	Private patients, client contributions to residential/nursing home care
<b>Total Non Ring-Fenced RDEL budget</b>	<b>4,399</b>		
Non Cash (committed)	107	2%	Depreciation, impairments
<b>Total Ring-Fenced RDEL budget</b>	<b>107</b>		
<b>Total RDEL budget</b>	<b>4,506</b>	<b>100%</b>	

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 39524/11-15, and given that some Health and Social Care Trusts no longer held contracts with the Northern Trust for MS respite provision, how people from other Trust areas were allowed to make their personal choice if this facility was not made known to them.

**(AQW 40251/11-15)**

**Mr Wells:** I refer the member to the responses provided by the Health and Social Care Trusts at Annex A.

#### **Annex A**

##### **Western HSC Trust**

On completion of a service user and carer assessment and it has been identified that respite is required to meet that assessed need, the social worker involved will discuss a range of options available to meet this need. Those clients with Multiple Sclerosis will be informed of the respite service provided in Dalriada.

##### **Southern HSC Trust**

SHSCT reduced its contract with Dalriada over the last 10 years as the demand from service users reduced.

The Trust always had access criteria for Dalriada and it was offered to our MS service Users whose needs were most complex. Service Users and carers increasingly found the Journey to Dalriada, 90miles for some, challenging as the condition progressed and health deteriorated. Service users who availed of Dalriada Respite were fully engaged with and opted to have respite in facilities closer to where they lived or were supported through Direct Payment if they wished.

##### **South Eastern HSC Trust**

This specific information is not available as no one from this Trust has accessed Dalriada for at least 7 years

Prior to this very few people accessed the service given the distance the facility is away from the Trust area.

The Trust currently does not have a contract with Dalriada and should we wish to recommission a respite bed we would have to step down a respite bed in Thompson House Hospital to release the necessary funding.

##### **Belfast HSC Trust**

Belfast Trust has had a long standing contract with the MS Respite Centre at Dalriada and, until recent events, had a contract to provide 49 bed days per annum at a cost of £10,454.64. The Trust has reduced the number of bed days in recent years due to lack of demand for the service, despite social workers and care managers promoting the service.

A survey of MS service users undertaken by the Trust some time ago to assess the views of service users highlighted that younger people with MS want to source alternative respite provision options either through Direct Payments or other placements. A small number of service users, all over 65 years, who used the facility on a regular basis, expressed satisfaction with the service and requested ongoing use of the facility for respite. The Trust has endeavoured to meet the needs of this reducing cohort of regular users and also encourage new service users to utilise the facility.

Following a recent bereavement of one of the regular attendees and announcement of closure, one remaining regular service user was left, whose care manager is seeking alternative respite provision for them.

The Trust also has a recurrent contract totalling £103,532 with the MS Centre at Annadale to provide a range of day care services for adults with MS. All the service users attending Annadale are aware of the respite facility in Dalriada.

In line with other Trusts, the promotion of Self Directed Support, independence and choice, as outlined in Transforming Your Care as the future strategic direction for health and social care in Northern Ireland, has resulted in service users choosing to decline Trust contracted services in favour of seeking their own alternative respite options.

All Trust contracted services are monitored and promoted by Trust staff in order to meet contractual obligations and the Trust is confident that MS services users known to them have been made aware of the service and are able to make a personal choice about use of the service.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 35677/11-15, for a breakdown of the £5.67m spent in relation to Service Changes in respect of Transforming Your Care from 2012/13 to August 2014. (AQW 40290/11-15)

**Mr Wells:** A breakdown of the Service Change costs over the period 2012/13 - August 2014 is provided in the table below:

<b>Analysis of TYC Service Change investment 2012/13 – August 2014</b>	<b>£'000</b>	<b>Notes:</b>
Stroke Services	410	To secure the longer term benefits of increasing the numbers of patients admitted to a stroke unit as the ward of first admission. Includes recruitment costs.
Reablement	1,940	To recruit reablement teams, develop new single access point for clients and expand the capacity of the community and voluntary sectors
PCI/Cardiac Catheterisation Services	1,470	To expand cath lab capacity to address the growing demand and develop a regional primary PCI service model. Includes recruitment costs.
Self Directed Support	40	Initiative is for a number of posts in each of the 5 Trusts to develop and implement the Self Directed Support approach
Specialist Foster Carers	260	Initiative is for recruitment of additional foster carers and associated support staff
Telecare	60	Initiative is to increase the number of Managed Patient Days (MPD) in both the BHSCT and SEHSCT
ICT & Information Support	60	Improvements to Community Information Reporting systems
Increased Access to Renal Home Therapies	14	Additional patients availing of peritoneal dialysis as opposed to hospital based dialysis
Review of Current Mental Health Day Care	40	Review Adult Mental Health Day Care provision and recommend new service model for delivery
Respiratory Pathway Virtual Clinic	140	Initiative is to reduce outpatient appointments and unscheduled inpatient bed days for respiratory patients.
Elective Day of Surgery	440	Recruitment of staff including specialty doctors, nurses, nursing assistants, pharmacists, pharmacy technicians, porters, domestic and catering staff. To reduce GP surgical referral admissions and average length of stay for non-elective admissions
Reform of Dementia Services	440	To reform the challenging behaviour service with recruitment achieved for a number and range of posts
Sepsis Screening, Early Detection & Intervention	60	To improve outcomes for Sepsis patients
New Ambulance Response Models	60	Initiative is for temporary staff to work on new Ambulance response models and to ensure that paramedic training is in line with these new models
Early Intervention Transformation Programme	20	To benefit vulnerable children across NI
Marie Curie - Delivering Choices Programme	130	Initiative is for a Project Team consisting of Project Managers and a Coordinator to develop and implement service models for palliative care
Day Opportunities	50	To enable additional service users to avail of Day Opportunity placements
Review of Social Care Contracts	40	Review and streamlining of Domiciliary Care Procurement contracts
<b>Total</b>	<b>5,674</b>	



**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 37207/11-15, to detail the successful bids included in the £18m bid for pharmacy which were considered in the 2014 October Monitoring Round.  
(AQW 40291/11-15)

**Mr Wells:** Unfortunately, none of the £18m bid for Pharmacy was met.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, considering the announcement in relation to establishing genomic medicine centres in England, whether he has considered the establishment of such a centre.  
(AQW 40293/11-15)

**Mr Wells:** My Department is considering the possibility of establishing a regional Genomic Medicines Centre in Northern Ireland subject to available funding and business case approval.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail his Department's definition of Front-line Services.  
(AQW 40295/11-15)

**Mr Wells:** The 'front-line' in health, social care and public safety is a complex concept which comprises a closely integrated team of staff who have direct contact with patients, clients and families, together with other staff who provide a wide range of critical support activities to facilitate that direct.

I classify frontline care as the health and social care services provided directly to patients and clients.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what departmental projects will be submitted under the Change Fund.  
(AQW 40296/11-15)

**Mr Wells:** The Department's Change Fund bids are set out in the table below:

Proposal	Description
Project ECHO NI (Extension for Community Healthcare Outcomes)	The mission of Project ECHO is to expand the capacity to provide best practice care for common and complex diseases in rural and underserved areas and to monitor outcomes.
Acute Hospital Outpatients Modernisation	The objectives of the project are to modernise outpatient service delivery models and pathways in order to e.g.:- <ul style="list-style-type: none"> <li>■ Reduce waiting times for new and review appointments;</li> <li>■ Reduce Hospital cancellations;</li> <li>■ Reduce DNA rates; and</li> <li>■ Reduce the number of face to face appointments required.</li> </ul>
RAID (Rapid Assessment Interface Discharge)	With increasing societal levels of mental ill health, dementia and substance abuse, the RAID model provides the capacity to impact on all of these. It has been demonstrated that RAID can contribute to efficiency and cost avoidance in the context of growing pressures on health and social care budgets.
Diabetes Navigation System for Patient Self-Management	The service will reduce the occurrence of complications that diabetics experience such as ulcers and amputations
Liaison Psychiatry and Psychological Medicine Team (LPPMT)	The project is expected to deliver a reduction in the time patients spend in general hospital beds, optimising medical investigation and the more efficient use of medical and surgical facilities. This to be achieved by the reduction of inappropriate admissions to hospitals and reducing the length of time that a patient stays in a general hospital.
Supporting Medicines Optimisation	This includes a regional model for medicines optimisation in older people, progressing the SBRI initiative and development of a regional innovation hub.
Alcohol-Substance Misuse Liaison	By reducing in-patient length of stay/enabling earlier discharge, and also reducing the likelihood of future hospital admissions, this initiative provides a significant opportunity to improve the efficiency of acute hospitals. Alcohol/substance misuse 'Screening & Brief Intervention' programmes have been endorsed by the Government/NHS in England as a key initiative to improve public sector efficiency.
Communities Active Travel Programme	Active Travel is an easy way for people to build physical activity into their daily lives

Proposal	Description
Joint DHSSPS/DoJ care proceeding pilot	This project would contribute to a reduction in the number of court hearings held and the time spent on cases involved in care proceedings by a range of professionals including social workers, guardians and expert witnesses. It will also reduce time spent by the legal profession and the judiciary which will also lead to savings for the NICTS.
All Island Congenital Cardiac Service Model	This involves commissioning surgical services on the island rather than in GB. Longer term health benefits include improved waiting times, emergency transfers and patient experience.
Delivery Improvement Hub	The project aims to secure changes in waiting list management and staffing needs assessments. Longer term health benefits include improved waiting times and patient experience.
My Mobile Health	The project will create new and innovative solutions to solve the problem of transferring clinically useful information from the patient/ service user to their clinician/ practitioner to enable improved care, user empowerment and self-care.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety what procedures are in place in Health and Social Care Trusts to manage an in-patient who becomes a threat to staff or other in-patients on a ward.

**(AQW 40347/11-15)**

**Mr Wells:** My Department takes the issue of staff and patient safety very seriously. Each HSC Trust operates a robust zero tolerance policy, overseen by a senior director. The policy requires the provision of a working environment where staff can undertake their duties without fear of abuse or violence from patients or visitors.

Each Trust must ensure that where staff are placed in imminent danger, immediate action is taken to minimise or remove the danger and provide timely and appropriate support, including counselling, to staff who have been victims of abuse/violence.

In-patients who become a threat to staff or other in-patients can be removed from the premises by hospital security staff or the PSNI, provided there is no medical reason not to do so. Such persons may be subject to prosecution under the Offences Against the Person Act 1861.

Perpetrators may be required to give a written undertaking as to their future behaviour, or they may be issued with a warning as to the consequences of any repetition of their unacceptable behaviour, or, in the final resort, they may be excluded for receipt of all non-emergency treatment.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, considering the implementation of the Transforming Cancer Follow Up Programme in relation to breast cancer, whether his Department has any immediate plans to open up such a process for other cancer types.

**(AQW 40354/11-15)**

**Mr Wells:** The "Transforming Cancer Follow Up" project is being implemented in prostate and colorectal cancer follow up.

The Health and Social Care (HSC) Board and Public Health Agency are working with all HSC Trusts to ensure the principles are further extended to other cancer types, including Gynaecology, Dermatology, Head and Neck and Haematology, as well as to specialties other than cancer which involves the need for outpatient follow up.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the sick absence amongst staff in the Health Service as a result of mental health in the last three years.

**(AQW 40356/11-15)**

**Mr Wells:** The information requested has been supplied by the HSC Organisations, and is presented in the tables below. It has not been possible for organisations to provide a figure for the 2013/14 year yet, so the preceding three years are included. Not every organisation was able to provide the number of working days lost; instead, the number of calendar days lost is shown for these cases. Please note that this prevents the summation of all organisations and also absence rates calculated on the basis of calendar days lost should not be directly compared with those calculated on the basis of working days lost. Trusts are shown separately in the tables below, and Regional Services relates to the separate organisations of NI Ambulance Service, HSC Board, Business Services Organisation, Public Health Agency, Patient Client Council, NI Blood Transfusion Service, NI Guardian Ad Litem Agency, NI Social Care Council, NI Practice & Education Council and the Regulation Quality Improvement Authority.

**Belfast HSC Trust**

<b>Year</b>	<b>Number of working days available</b>	<b>Number of Calendar days lost due to mental health</b>	<b>Calendar days lost as a percentage of working days available</b>
2010/2011	4,361,824	76,230	1.7%
2011/2012	4,346,861	69,064	1.6%
2012/2013	4,427,927	69,164	1.6%

**Northern HSC Trust**

<b>Year</b>	<b>Number of working days available</b>	<b>Number of working days lost due to mental health</b>	<b>Percentage of working days lost due to mental health</b>
2010/2011	2,489,956.2	40,156.0	1.6%
2011/2012	2,450,155.4	42,585.4	1.7%
2012/2013	2,507,088.4	26,369.9	1.1%

**South Eastern HSC Trust**

<b>Year</b>	<b>Number of working days available</b>	<b>Number of working days lost due to mental health</b>	<b>Percentage of working days lost due to mental health</b>
2010/2011	1,995,240.6	37,635.5	1.9%
2011/2012	2,031,357.7	36,481.0	1.8%
2012/2013	2,114,110.4	40,311.8	1.9%

**Southern HSC Trust**

<b>Year</b>	<b>Number of working days available</b>	<b>Number of calendar days lost due to mental health</b>	<b>Calendar days lost as a percentage of working days available</b>
2010/2011	2,080,304.0	42,381.0	2.0%
2011/2012	2,078,740.0	50,919.0	2.4%
2012/2013	2,116,101.0	54,481.0	2.6%

**Western HSC Trust**

<b>Year</b>	<b>Number of working days available</b>	<b>Number of working days lost due to mental health</b>	<b>Percentage of working days lost due to mental health</b>
2010/2011	2,627,552	30,121.5	1.1%
2011/2012	2,719,648	34,755.3	1.3%
2012/2013	2,373,923	35,253.0	1.5%

**Regional Services**

<b>Year</b>	<b>Number of working days available (all staff)</b>	<b>Number of working days lost due to mental health</b>	<b>Percentage of working days lost due to mental health</b>
2010/2011	863,053.1	8,604.9	1.0%
2011/2012	843,761.5	8,824.4	1.0%
2012/2013	948,339.3	9,727.0	1.0%

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, considering the recent positive reports regarding a scheme whereby GPs offer health checks to patients with a learning disability in England, whether he has considered instigating such a scheme.

**(AQW 40357/11-15)**

**Mr Wells:** Annual health checks for adult patients with severe learning difficulties are currently being provided by GPs in Northern Ireland as a primary medical care enhanced service. This service was initially introduced in 2008 as a Directed Enhanced Service; since 2010 it has been commissioned as a Departmental Clinical Priority.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety to detail (i) the independent members of the Northern Commissioning Group; and (ii) the claims, per member, for locum cover less of earnings, broken down by (a) loss of earnings; and (b) travel and subsistence, in each year of the current term.

**(AQW 40372/11-15)**

**Mr Wells:** As at January 2015, there are 2 General Medical Practitioners, 1 Community Pharmacy Member and 1 Dentist who are independent contractor members of the Northern Local Commissioning Group. The interim Chair of the Northern Local Commissioning Group is an independent contractor who took up this post in June 2013. In accordance with the HSCB recruitment process, appointments to 2 vacant General Medical Practitioner posts are currently being considered. Full details of membership of the Northern LCG are available on the HSCB website.

The total amount paid to independent members of LCGs for locum cover and for travel and subsistence is in each of the last four years is set out in the table below.

Year	Total Locum Cover and Travel Expense claims
2011/2012	£7756.00
2012/2013	£6648.00
2013/2014	£6925.00
2014/2015	£2908.50 (received end of December)

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of applications for adoption from same-sex couples; and (ii) the number of people adopted by same-sex couples, since December 2013.

**(AQW 40378/11-15)**

**Mr Wells:** The information requested is not routinely collected and has therefore been provided for the period 27 June 2013 (the date on which the judgement relating to existing adoption law and guidance was handed down by the Court of Appeal) to 31 December 2014. The Health and Social Care Trusts and voluntary adoption agencies in Northern Ireland have reported that, during that period, a total of 13 applications for adoption from same-sex couples have been received.

Of the applications received by HSC Trusts and voluntary adoption agencies to date, none have led to adoption orders being granted by a Northern Ireland court.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to detail (i) what ST3-level resident cover in obstetrics, paediatrics and anaesthetics entails; (ii) the minimum medical staffing standard of at least ST3-level resident cover in obstetrics, paediatrics and anaesthetics in the consultant obstetric unit at South West Acute Hospital; (iii) the current staffing standard of ST3-level resident cover in this unit; and (iv) the efforts being made to increase the current staffing standard.

**(AQW 40395/11-15)**

**Mr Wells:** Staffing matters are the responsibility of individual Health and Social Care Trusts and, as such, the Western Health and Social Care Trust has provided the following response:

- i ST3 level resident cover requires that a member of medical staff at ST3 level or above must be on-site to provide resident on call cover for obstetrics, paediatrics and anaesthetics. ST3 level means that the individuals have completed their medical degree, 2 years foundation training (or equivalent) and at least two years specialist training in the relevant specialty.
- ii. Anaesthetics currently meets the standard of at least ST3 level cover.  
Within Obstetrics and Paediatrics to provide ST3 level resident on call cover, a minimum of 8 staff is required for each specialty.
- iii. Currently within Obstetrics, there are 7 staff employed at ST3 level/equivalent or above who are on the resident on call rota. There is one vacant post which has been advertised on a number of occasions. Within Paediatrics, there are currently 2 members of staff at ST3 level or higher who are on the resident on call rota.



- iv. There has been ongoing discussion and communications between the Trust, Health and Social Care Board and Public Health Agency to work towards a long term solution to sustain consultant led services in South West Acute Hospital. The Trust is currently awaiting a response to its most recent submission to the Health and Social Care Board.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 38677/11-15, for an update on the provision of expertise in pain management at the South West Acute Hospital.  
(AQW 40396/11-15)

**Mr Wells:** The position set out in my answer to AQW 38677/11-15 has not changed.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 39123/11-15, whether he has considered the merits of an all-island approach to the delivery of robotic- assisted radical prostatectomy operations.  
(AQW 40397/11-15)

**Mr Wells:** Whilst prostate cancer affects about 1000 men in Northern Ireland each year only around 50 may require radical prostatectomy. Currently therefore Northern Ireland does not have sufficient demand to meet nationally recommended activity for this procedure. Trusts currently refer men who need radical prostatectomy to a GB centre that has the facility to undertake robot assisted surgery and meets the recommended volume of activity. My Department has not considered whether the service could be provided on an all-island approach.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, following the decision to endorse the recommendations put forward in Dr. Mayers International Working Group report, to what extent have parents, charities and voluntary organisations been involved in the on-going inter-departmental discussions concerning the transfer of paediatric cardiac surgery to Dublin.  
(AQW 40405/11-15)

**Mr Wells:** Parents, charities and voluntary organisations are not involved in inter-departmental discussions about the proposed transfer of paediatric cardiac surgery to Dublin, as these discussions would be conducted between officials from my Department and the Department of Health in the Republic of Ireland. Patients, their families and the various organisations which represent them have, however, been actively involved in the seven public consultation meetings held by my Department around Northern Ireland. These meetings, as well as the written responses to the consultation, provide opportunities for their views, based on their first hand experiences, to be relayed directly to those officials and to help shape how both the surgical element and the wider congenital cardiac services will be delivered in future.

The International Working Group's recommendations include the establishment of a Family Advisory Group as "an essential feature of an all Island approach as it will give an on-going voice to patients and families with congenital heart disease and will serve to provide early warning of problems with how the system is functioning." It also recommends patient representation from Northern Ireland and the Republic of Ireland on a governance committee to oversee how the model would operate. The consultation process to date has echoed the importance of these recommendations, and I would wish to ensure that patients and their families have a continuing role to play in such a model through these means.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, in light of the concerns over the mental health of students in other parts of the UK, what action his Department is taking to ensure that students receive the help and support they require.  
(AQW 40407/11-15)

**Mr Wells:** There are currently a number of activities across DHSSPS, the Health and Social Care Board (HSCB) and the Public Health Agency (PHA) aimed at promoting the mental health and wellbeing of students, including:

- the development of a new suicide prevention strategy, which will include the early intervention and promotion of mental health for students;
- the PHA's participation in the UK Healthy Universities Network which aims to offer a facilitative environment for the development of a whole university approach to health and wellbeing. Good practice from the network is shared with the universities in Northern Ireland;
- the distribution by the PHA of the 'Mind your Head' Student Book at Fresher's week in Northern Ireland universities;
- the "Lifeline" helpline, which is publicised in universities and further education colleges and is available 24/7 for any student in crisis;
- the "i-Matter" programme, led by the Department of Education and supported by my Department and other key stakeholders, which focuses on positive prevention by building coping skills in children and young people in schools, and which complements the personal development strand of the curriculum;
- the PHA's "Roots of Empathy" classroom programme which aims to foster the development of emotional resilience among school children; and
- the PHA / Irish Football Association (IFA) schools based programme, which involves the IFA going into schools to discuss mental health promotion, suicide prevention, drugs and alcohol, and healthy eating.

Students also have the same access to mental health services as the rest of the population. Mental health services are tailored to meet each individual's particular needs and are provided through a stepped care model in a variety of settings, depending on the nature and seriousness of the condition. Services range from support through GPs, to more specialist support from community mental health teams, to inpatient care. Services are also available through commissioned community and voluntary sector organisations.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, in light of the recent reports of a record number of people living with cancer in Northern Ireland, for his assessment of the need for a cancer centre of excellence. (AQW 40408/11-15)

**Mr Wells:** The comprehensive programme for the improvement of cancer services

in Northern Ireland has been recognised internationally and nationally for its excellence. The Northern Ireland Cancer Centre at the Belfast City Hospital provides specialist services for people with cancer and does so consistent with best practice and best available evidence. The Centre works in conjunction with the cancer units and acts as a regional centre of excellence in that respect. Where appropriate, patients with very rare or complex tumours who require highly specialised care may be referred to a GB centre for assessment and/or treatment.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety how many of the total number of Emergency Department attendances between 22 of December 2014 and 5 of January 2015 had to wait longer than 4 hours at (i) Antrim Hospital; and (ii) Causeway Hospital. (AQW 40426/11-15)

**Mr Wells:** Information provided by the Northern HSC Trust on the number of attendances at Antrim Area and Causeway emergency care departments between 22nd December 2014 and 5th January 2015 is detailed in the table below, including the number whose care in the EDs took longer than 4 hours to complete.

Emergency Department	Number whose care exceeded 4 hours	Total Number of Attendances
Antrim Area	1,267	3,056
Causeway	496	1,620

**Source:** Northern Health and Social Care Trust

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety to detail his plans for the development of mental health services. (AQW 40445/11-15)

**Mr Wells:** Plans for the development of Mental Health Services in Northern Ireland are set out in the Mental Health section of the Bamford Action Plan, the HSC Board Commissioning Plan and the Department's Mental Health and Wellbeing Service Framework.

In addition, the following strategies detail plans for specific Mental Health issues and conditions:

- Protect Life-Suicide Prevention Strategy;
- Psychological Therapy Strategy;
- Personality Disorder Strategy;
- New Strategic Direction on Drugs and Alcohol; and
- Regional Mental Health Care Pathway-Promoting Recovery Approaches.

These policies and strategies aim to improve the mental health of people in Northern Ireland; reduce the impact of the condition on people with mental health problems; and reduce the stigma associated with mental health conditions.

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety to outline the existing facilities available for mental health in (i) Belfast; and (ii) the rest of Northern Ireland. (AQW 40446/11-15)

**Mr Wells:** Health and Social Care Trusts provide a wide range of mental health services in a wide variety of settings and facilities, according to the individual's particular needs, including:

- Primary Care Talking Therapies Teams – accessed through GP;
- Community Mental Health Services – this involves care provided by one or more professionals such as social workers, psychiatrists, psychologists etc;
- Acute Mental Health Services – these services provide support at a time of crisis and can provide intensive home support and/or admission to hospital; and

- specific services - these usually involve receiving care from a specialist team such as Alcohol/Drug Addiction, Eating Disorders, Psychological Therapies or Trauma, Personality and Forensic Services.

The Belfast Trust also provides regional mental health facilities such as the Medium Secure Unit and the Child and Adolescent inpatient service.

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety what community funding exists to develop mental health projects.

**(AQW 40447/11-15)**

**Mr Wells:** The 2013/2014 recurrent investment in mental health community services was £138m. This recurrent investment is available in 2014/2015 subject to any efficiency savings or new investments yet to be agreed.

This recurrent investment is used to provide community services such as:

- multi-disciplinary teams of psychiatrists, community psychiatric nurses, social workers, occupational therapists etc.;
- day services - centres and treatment units;
- residential homes and supported living schemes;
- psychology services, for example, cognitive behaviour therapy, counselling etc.;
- domiciliary care; and
- grants to voluntary providers.

All new developments in 2015/2016 are dependent on the 2015/16 financial settlement and on the delivery of cash releasing schemes across Trusts.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 38493/11-15, when he will make public the options paper to ensure sustainable medical staffing of the obstetric and paediatric units at the South West Acute Hospital and the follow up paper of July 2014.

**(AQW 40460/11-15)**

**Mr Wells:** I understand that the Options Paper has been prepared by the Western Health and Social Care Trust and in the first instance it would be for the Trust to decide on making public this paper. The Health and Social Care Board is currently in ongoing discussion with the Western Trust regarding the papers.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 40215/11-15, other than community hospitals, whether there are any Northern Health and Social Care Trust facilities where a non-admission policy is currently in place.

**(AQW 40466/11-15)**

**Mr Wells:** The Northern Trust currently has no non-admission policies anywhere in the Trust with the exception of the Statutory Residential Homes which continue to have a non-admissions policy for permanent admissions in place during the current review process by the Health and Social Care Board.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the type of admissions to Pinewood Home, Ballymena over the last 18 months.

**(AQW 40467/11-15)**

**Mr Wells:** The Northern HSC Trust has advised me that admissions to Pinewood residential home in the last 18 months have been for intermediate care, respite and temporary placement.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for a breakdown of domiciliary care provision in relation to (i) the number of clients; (ii) number of client visits; (iii) contact hours; and (iv) the cost of this service annually, broken down by (a) Health and Social Care Trust; and (b) care provider in the last three years.

**(AQW 40484/11-15)**

**Mr Wells:** (i), (ii) & (iii) Information is not available in the format requested.

(iv) Information on the annual cost of domiciliary care during each financial year is available and detailed in the table 3 below:

**Table 3: Domiciliary Care Spend, by Sector and HSC Trust**

	HSC Trust					Northern Ireland
	Belfast	Northern	South Eastern	Southern	Western	
2012/13						
Independent	£20,535,395	£14,617,110	£31,221,515	£16,212,250	£15,690,040	£98,276,309

	HSC Trust					Northern Ireland
	Belfast	Northern	South Eastern	Southern	Western	
Statutory	£16,619,860	£30,137,580	£12,781,411	£25,347,405	£12,837,615	£97,723,871
<b>Total</b>	<b>£37,155,255</b>	<b>£44,754,690</b>	<b>£44,002,926</b>	<b>£41,559,655</b>	<b>£28,527,655</b>	<b>£196,000,181</b>
<b>2011/12</b>						
Independent	£26,286,648	£10,542,293	£28,286,460	£14,086,132	£14,363,908	£93,565,440
Statutory	£19,061,648	£30,888,814	£13,072,333	£25,403,028	£13,401,423	£101,827,246
<b>Total</b>	<b>£45,348,296</b>	<b>£41,431,107</b>	<b>£41,358,793</b>	<b>£39,489,160</b>	<b>£27,765,331</b>	<b>£195,392,687</b>
<b>2010/11</b>						
Independent	£22,501,403	£9,795,645	£26,022,576	£14,835,184	£12,899,432	£86,054,240
Statutory	£20,787,855	£30,625,682	£13,570,208	£24,876,426	£13,822,973	£103,683,145
<b>Total</b>	<b>£43,289,258</b>	<b>£40,421,328</b>	<b>£39,592,784</b>	<b>£39,711,611</b>	<b>£26,722,405</b>	<b>£189,737,385</b>

**Source:** Health and Social Care (HSC) Trust Financial Returns (TFR)

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail the number of hubs, and associated projects, in East Londonderry, as part of the Delivering Social Change Early Intervention Transformation Programme.

**(AQW 40493/11-15)**

**Mr Wells:** Family Support Hubs have not been developed under the Early Intervention Transformation Programme (EITP). They are supported under a separate Delivering Social Change Signature Programme. While not developed under the EITP they will be integral to it. In addition, under Workstream Two of the EITP, an Early Intervention Service aligned to Family Support Hubs will be established, which will provide one-to-one evidence-based support through a consistent regional model. It is important to note that Family Support Hubs are not organised on the basis of Parliamentary constituencies. Constituents within East Londonderry are served by four Family Support Hubs as follows:

- The Waterside Family Support Hub co-ordinated at the Ebrington Centre covers the Claudy Ward of the East Londonderry constituency;
- The Strabane Family Support Hub based at the Strabane Family Centre covers the Banagher Ward;
- The Dry Arch Family Support Hub, based in Dungiven, covers Greysteel, Ballykelly, Glack, Dungiven, Magilligan, Roeside, Greystone, Aghanloo, Forest, Upper Glenshane, Feeny, the Highlands, Enagh, Coolesan and Rathbrady; and
- The Coleraine, Ballymoney and Moyle Family Support Hub, based in Antrim, serves the Wards of Castlerock, Strand, Portstewart, Atlantic, Hopefield, Royal Portrush, Dundooan, Dunluce, Agivey, Kilrea, Garvagh, Ringsend, Macosquin, University, Ballysally, Cross Glebe, Central, Mountsandel, Knocklynn, The Cuts, Churchland, and Waterside.

**Mr Frew** asked the Minister of Health, Social Services and Public Safety to detail any grants or financial support available to cancer patients to heat and adapt their homes.

**(AQW 40503/11-15)**

**Mr Wells:** There are no specific benefits for cancer patients, however there are a range of benefits available to patients and members of the public who experience financial difficulty through illness or disability; further information on these benefits is available from the NI Social Security Agency at the following link [www.dsdni.gov.uk](http://www.dsdni.gov.uk)

The Northern Ireland Housing Executive (NIHE) has a grants scheme to help improve the heating systems and insulation for people who are disabled, on a low income, or over 60. Cancer patients may be eligible for this assistance if they meet the criteria and information is available from the NIHE at [www.nihe.gov.uk](http://www.nihe.gov.uk).

The Northern Ireland Cancer Network (NICaNet) website at [www.cancerni.net](http://www.cancerni.net) contains a section which explains the benefits that are available to cancer patients and how they can get financial help.

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety for an update on the cost of the services inquiry that was to be launched following a judgement against his Department in favour of Community Pharmacy NI.

**(AQW 40510/11-15)**

**Mr Wells:** My Department is currently working diligently to conclude the procurement process so that a suitable tenderer to complete the Cost of Service Investigation can be appointed at the earliest opportunity. It is anticipated that the information gathering phase of the exercise will commence in January 2015 and the exercise will take approximately five months to complete.



**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety how many non-urgent operations of each type were cancelled, broken down by hospital, as a result of pressures affecting Emergency Departments.  
(AQW 40511/11-15)

**Mr Wells:** The number of 1 non-urgent operations postponed by each HSC Trust, between 1st and 9th January 2014, is provided in the table below.

HSC Trust	No. of Elective Patients Cancelled
Belfast	47
Northern	68
South Eastern	18
Southern	1
Western	45
Northern Ireland	179

**Source:** HSC Board.

It should be noted that to protect patient confidentiality, we are unable to provide a breakdown of postponements by procedure and hospital.

1For the purpose of answering this question, it is assumed that 'non-urgent operations' means elective procedures.

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety when he was first informed, and how he was informed, that each Health and Social Care Trust had cancelled non-urgent operations as a result of pressures affecting Emergency Departments.  
(AQW 40512/11-15)

**Mr Wells:** I have been kept fully informed of the developing situation in our Emergency Departments over the Christmas holiday period and into the early weeks of January.

A revised regional unscheduled care escalation plan was issued to Health and Social Care Trusts in November 2014. Each Trust subsequently developed its own escalation plan, which were tested prior to Christmas, taking a stepped approach to escalation during times of increasing demands. These plans were particularly important in responding to the pressures over the Christmas period.

Regrettably, this has meant the postponement of some non-urgent elective operations. Trusts have advised the Health and Social Care Board that they will be doing all they can to ensure that any procedures that have been postponed are rescheduled as soon as possible and those affected kept informed.

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the average waiting time of each type of non-urgent surgery, in each of the last four years.  
(AQW 40513/11-15)

**Mr Wells:** Information in this answer relates to inpatient waiting times for non-urgent surgery, in each of the last four years in Northern Ireland. Inpatient waiting times commence on the date a decision is taken to admit a patient for surgery.

The average waiting time for inpatient admission for non-urgent surgery, by specialty, at the 30th September, in each of the last four years is shown in the table overleaf.

Specialty	Average Waiting Time in weeks for Inpatient Admission			
	30th Sept 2011	30th Sept 2012	30th Sept 2013	30th Sept 2014
General Surgery	16.2	13.0	12.6	14.5
Urology	22.6	17.8	16.9	23.9
T & O Surgery	19.9	18.6	16.7	16.8
ENT	12.2	12.9	13.4	15.0
Ophthalmology	12.6	14.0	13.2	11.3
Oral Surgery	8.9	8.1	7.5	8.8
Restorative Dentistry	-	17.6	5.3	8.9
Paediatric Dentistry	15.9	9.9	16.5	6.8
Neurosurgery	12.9	17.1	13.3	13.0

Specialty	Average Waiting Time in weeks for Inpatient Admission			
	30th Sept 2011	30th Sept 2012	30th Sept 2013	30th Sept 2014
Plastic Surgery	45.0	16.8	12.9	16.4
Cardiac Surgery	11.6	10.8	12.0	15.4
Paediatric Surgery	13.0	18.1	23.5	19.6
Thoracic Surgery	20.4	26.8	11.1	13.5
Pain Management	17.4	19.2	14.9	14.5
General Medicine	13.5	4.0	4.5	6.1
Gastroenterology	18.6	4.3	5.1	7.7
Endocrinology	3.6	4.0	11.8	12.2
Haematology (Clinical)	1.3	1.8	5.6	1.5
Rehabilitation	-	-	10.9	-
Cardiology	12.2	15.9	13.1	9.6
Dermatology	5.1	5.9	5.4	6.4
Thoracic Medicine	6.2	2.9	7.6	11.5
Nephrology	7.3	6.0	4.5	4.4
Medical Oncology	-	-	-	2.3
Neurology	38.4	37.9	11.0	3.6
Rheumatology	11.0	11.7	10.8	7.9
Paediatrics	6.7	14.0	7.2	12.0
Geriatric Medicine	1.4	2.1	1.8	8.1
Gynaecology	11.6	12.5	11.4	12.6
GP Other	3.4	3.7	4.7	6.6
Mental Illness	-	-	-	9.0
Child & Adolescent Psychiatry	-	-	4.6	-
Forensic Psychiatry	-	-	4.6	-
Clinical Oncology	1.1	1.3	1.4	1.2
Radiology	4.2	4.0	12.6	6.7
Other	-	-	-	7.0
<b>Total</b>	<b>16.9</b>	<b>14.4</b>	<b>13.5</b>	<b>14.4</b>

**Source:** DHSSPS Inpatient Waiting Times Dataset

■ No patients waiting during that particular quarter

Figures for non-urgent surgery are based on patients who have been given an urgency description of routine, non-urgent or other. Those with a blank urgency description have been counted as routine. There were 48 patients in September 2013 and 3 patients in September 2014 who had a blank urgency description code.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for an update on plans to bring forward legislation banning smoking in private vehicles carrying children.  
(AQW 40514/11-15)

**Mr Wells:** Earlier plans to consult on options around banning smoking in private vehicles carrying children were put on hold as a result of a substantial programme of tobacco control which included progression of the Tobacco Retailers Act 2014 through the Assembly and proposals to prohibit the sale of e-cigarettes to persons under the age of eighteen.

There may now be an opportunity to include regulation-making powers to restrict smoking in private vehicles carrying children in the draft Health (Miscellaneous Provisions) Bill which is due to be introduced to the Assembly in coming months. I am considering this option at present.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety whether he will carry out an investigation into the reasons why East Antrim continues to have the highest rates of prostate cancer.

**(AQW 40533/11-15)**

**Mr Wells:** I refer to the information previously provided to AQW 28422/11-15 which established at that time that the incidence of prostate cancer in East Antrim was within the range attributable to natural variation and did not meet the criteria to be considered a cancer cluster.

Updated data provided by the Northern Ireland Cancer Registry confirms no change in this position. In the East Antrim assembly area, the incidence of prostate cancer is the third highest in Northern Ireland when a rate per 100,000 is applied; the average number of cases for the region dropped from 138.3 to 134.3 per 100,000 from the period 2007-2011 to 2008-2012.

Incidence rates are monitored as more up to date data becomes available to highlight potential areas for investigation.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether he can provide an assurance that upon the completion of the new Ballymena Health and Care Centre, patients attending GPs located in the new centre will continue to avail of free car parking.

**(AQW 40538/11-15)**

**Mr Wells:** The policy on car parking provision and management in the Health and Social Care (HSC) sector for Northern Ireland makes clear that decisions relating to specific HSC site car parking, including hospitals, rest with each Health and Social Care Trust.

However I can advise that the NHSCT has confirmed there are no current plans to introduce charges at the site of the new Ballymena Health and Social Care Centre and before any such decision could be made the Northern Health and Social Care Trust would clearly have to engage in a full consultation process.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety what steps he is taking to support or enhance the services provided by community pharmacists to alleviate the current pressures on Emergency Departments or GPs.

**(AQW 40543/11-15)**

**Mr Wells:** Community pharmacies already help to alleviate pressures on Emergency Departments or GPs through the provision of commissioned services including the Minor Ailments Service, Manage Your Medicines Scheme and Medicines Use Reviews.

In the coming weeks I will be launching the implementation plan for the 'Making it Better through Pharmacy in the Community Strategy' which will set out the key actions needed over the next five years for pharmacy to help deliver improved health outcomes for patients.

Future service developments relating to alleviating pressures on acute HSC services will be considered during the implementation phase of the 'Making it Better through Pharmacy in the Community Strategy'.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether he will halt plans to reduce respite care services at The Cottages in Derry.

**(AQW 40544/11-15)**

**Mr Wells:** The Western HSC Trust is continuing to keep me and my officials updated regarding its plans to remodel respite provision across its catchment area. In addition, I hope to visit the Cottages in near future.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline the progress on the College of Emergency Medicine recommendations on Emergency Departments.

**(AQW 40546/11-15)**

**Mr Wells:** The Unscheduled Care Task Group, chaired by the Chief Medical Officer and

Chief Nursing Officer, continues to work closely with the College of Emergency Medicine (CEM) in taking forward the findings and recommendations of their report. Considerable progress has been made to date in addressing a number of the recommendations across the HSC, for example in expanding direct access to specialty wards, the development of a directory of services for primary care and particularly in the development of robust escalation procedures to address periods of peak demand. The College is represented on the workstreams of the Task Group.

On 3 December I met with local representatives of the college in which I reiterated my Department's commitment to driving forward improvements in urgent and emergency care. The recommendations of the CEM report are an important part of that process.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety what plans he has to introduce cervical cancer screening on request for people aged 25 and under.

**(AQW 40576/11-15)**

**Mr Wells:** In January 2011, the age to start cervical screening in Northern Ireland was increased to 25. This policy is in line with recommendations made by the UK National Screening Committee following consideration of the best available scientific evidence. This is also the advice of the International Agency for Research on Cancer, part of the World Health Organisation, and is the policy adopted by the majority of EU member states.

In population screening programmes, benefits have to outweigh any potential harms and it is important to get this balance right.

Cervical cancer is rare in young women. Current evidence indicates that screening is not effective in women under the age of 25 because those who develop cervical cancer were as likely to be screened as unscreened.

Cervical abnormalities are common in women under the age of 25. This means screening would pick up a large number of abnormalities that are transient and that would never progress to cancer. However, detection of such abnormalities can cause unnecessary anxiety and lead to further investigations and in many cases to treatment that is not needed. Treating cervical abnormalities, particularly in young women, can also lead to premature births in subsequent pregnancies.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail (i) the policies developed or reviewed under the Directorate of Social Care and Children and Transforming Your Care of the Health and Social Care Board since its establishment; and (ii) how many of these have been subject to public consultation.

**(AQW 40583/11-15)**

**Mr Wells:** As lead commissioner of health and social care services in Northern Ireland, the Health and Social Care Board (HSCB) is not responsible for the development or review of policy. However, where the HSCB leads on the development of new services or undertakes significant service change, it will consult with a wide range of stakeholders, in line with its obligations under the Health and Social Care (Reform) Act (Northern Ireland) 2009 and its consultation scheme.

The Board has advised that, within the Directorates of Social Care and Children and Transforming Your Care, the following have been developed and subject to public consultation since 2010.

- 2010 Delivery of Adult Mental Health Services
- 2011 Community Development Strategy
- 2011 Northern Ireland Children and Young People's Plan 2011-2014
- 2012 CYPSP - Regional Sub-Group Action Plans
- 2012 Improving Outcomes for children, young people and their families
- 2012-2013 Transforming Your Care Vision to Action
- 2013 Black and Minority Ethnic Children and Young People's Action Plan
- 2013 CYPSP Looked After Children -Youth Homelessness 16 plus
- 2013 Northern Ireland Adult Safeguarding Partnership Strategic Plan 2013-2018
- 2013-14 Tier 4 Addiction Services
- 2013-14 Day Opportunities for Adults with a Learning Disability
- 2013-14 Making Choices – Meeting the current and future accommodation needs of older people (Statutory Residential Homes)
- 2014-15 Social Work Research Strategy (current)

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety to detail the number of cases of (i) cervical cancer; (ii) oropharyngeal cancer; (iii) penile cancer; (iv) anal cancer; (v) vaginal cancer; (vi) vulval cancer; (vii) genital warts; and (viii) recurrent respiratory papillomatosis (RRP) in (a) men; and (b) women for the most recent year for which data is available.

**(AQW 40589/11-15)**

**Mr Wells:** The table below shows the number of new cases (incidences) of (i) cervical cancer; (ii) oropharyngeal cancer; (iii) penile cancer; (iv) anal cancer; (v) vaginal cancer; (vi) vulval cancer; diagnosed in Northern Ireland in 2012 by gender.

Site	Male	Female	ICD 10 Code <sup>1</sup>
(i) Cervical	-	93	C53
(ii) Oropharyngeal	122	68	C00-C06,C09-C10, C12-C142
(iii) Penile	17	-	C60
(iv) Anal	8	26	C21
(v) Vaginal	-	5	C52
(vi) Vulval	-	31	C51

**Source:** Northern Ireland Cancer Registry (NICR)

Latest information provided by the NICR is for 2012. Cancer incidence figures for 2013 will be available in March 2015.



- 1 For a listing and explanation of topology or site codes see: International Statistical Classification of Diseases and Related Health Problems, Tenth Revision, World Health Organisation, Geneva. Or view online at: <http://apps.who.int/classifications/icd10/browse/2010/en#/I1>.
  - 2 includes the lip, tongue, mouth, oropharynx, piriform sinus, hypopharynx and other and ill-defined sites of the lip, oral cavity and pharynx.
- (vii) The number of new episodes of anogenital warts recorded for 2013 in Northern Ireland is detailed in the table below:

	Number of new episodes of anogenital warts
Male	1,173
Female	816
Total	1,989

**Source:** Public Health Agency

- (viii) Information on the number of cases of recurrent respiratory papillomatosis (RRP) is not available.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the increase in patients admitted to the Ulster Hospital during Christmas 2014 compared to 2013.

**(AQW 40600/11-15)**

**Mr Wells:** Information on the number of admissions to the Ulster Hospital during the Christmas period in 2013 and 2014 is detailed below.

Time period	Admissions
Christmas 2013	2,542
<sup>1</sup> Christmas 2014	2,464

**Source:** Hospital Inpatient System

Figures therefore indicate that there was a decrease of 78 admissions during Christmas 2014 compared with Christmas 2013.

#### Notes

<sup>1</sup> Data for Christmas 2014 are provisional and, as such, are subject to change.

The Christmas period has been defined as running from 22nd December to 4th January inclusive.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the attendances at Emergency Departments at the Ulster Hospital in (i) November; and (ii) December (a) 2013; and (b) 2014.

**(AQW 40602/11-15)**

**Mr Wells:** Information on new and unplanned attendances at emergency care departments is released on a monthly basis, with information for November and December 2013 and 2014 available to view or download from:

<http://www.dhsspsni.gov.uk/index/statistics/hospital/waitingtimes/waitingtimes-emergency.htm>

Please note that information for October, November and December 2014 are provisional and may be subject to change when validated information for the quarter ending December 2014 is published on Thursday 29th January 2015.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety how much has been invested in the Dementia Strategy in 2013/14.

**(AQW 40607/11-15)**

**Mr Wells:** In 2013/2014 the HSC Board invested £1m recurrently across HSC Trusts to support implementation of recommendations in the Dementia Strategy. This funding has been used to develop and enhance memory services, and to increase professional staffing levels and services.

Additional investments have come from Atlantic Philanthropies, investing £300k in a 3 year period from 2014-2017 in the NI Hospice to support end of life care for people with dementia, and a joint investment with PHA of £194k as part of a £2m programme of research in dementia care.

DHSSPS, along with Atlantic Philanthropies has invested £400k over 3years (2011/14) in the Dementia Services Development Centre for the provision of training courses, advice on building design, library facilities and learning opportunities.

There have also been investments by Local Commissioning Groups in 2013/14 in older people's and mental health demography programmes that will have benefited people with dementia, including over £250k by the Western LCG and over £500k by the Northern LCG.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on the actions taken forward as a result of the Regulation and Quality Improvement Authority Review of Fostering.  
(AQW 40609/11-15)

**Mr Wells:** The Regulation and Quality Improvement Authority Review of Fostering made 46 recommendations. Of the 7 recommendations directed to the Department, one was completed in March 2014 through an amendment to Kinship Care Standards. The remaining 6 are linked to the development of Fostering Service Standards. Work has commenced on the development of these standards and the membership of a stakeholder group is currently being confirmed. Further engagement is planned throughout the year to inform drafting of the standards and the draft standards will be subject to public consultation.

The Health & Social Care Board and Trusts were charged with the delivery of 39 recommendations. Sixteen of these have been achieved in full. Adherence to one recommendation is dependent on the development of Fostering Service Standards by the Department. A number of recommendations have been achieved in part. Of those remaining, work is on-going to develop regionally consistent approaches and systems in place of Trust-specific approaches.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the existing facilities available for mental health in (i) North Down; and (ii) the South Eastern Health and Social Care Trust.  
(AQW 40615/11-15)

**Mr Wells:**

(i) Mental health (MH) facilities available in North Down are as follows:

- Ulster Hospital – Mental Health inpatient admission wards, Mental Health at Night Service.
- Ards Hospital – Community Addiction Team (Loch House), Mental Health Assessment Centre, Day Hospital, Home Treatment Team and Community MH Team.
- Community Mental Health Teams at Comber Health Centre, Donaghadee Health Centre and Bangor Health Centre.

(ii) Mental health facilities available in South Eastern HSC Trust include those listed at (i) as well as the following:

- Downshire Hospital - Psychiatric Inpatient Unit (Ward 27), Addictions Ward and Community Addiction Team (Shimna House), Mental Health Assessment Centre, Day Hospital and Home Treatment Team (Finneston House).
- Downe Hospital – Mental Health inpatient admission wards, Community Mental Health Team.
- Lagan Valley Hospital – Mental Health inpatient admission wards, Mental Health Assessment Centre, Day Hospital and Home Treatment Team.
- TSL House, Lisburn - Community Addiction Team.
- Slievegrane – Mental Health Rehabilitation Unit, Ardglass Road, Downpatrick.
- INCH Homes and Stream Street Hostel – accommodation in Downpatrick for former Downshire patients.
- 53 Ardglass Road – Supported Living unit for Mental Health patients discharged from Downshire Hospital.
- Ballymacoss Hostel – Hostel for Mental Health patients in the Lisburn area.
- Community Mental Health Teams at the following health centres: Newcastle, Ballynahinch, Crossgar, Hillsborough, Dunmurry, Lisburn, Stewartstown Road and Saintfield.
- Conditions Management Programme at Moss Road, Ballygowan.
- Derriaghy Day Care Centre.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on the Health and Social Care campus for Derry.  
(AQW 40619/11-15)

**Mr Wells:** You are aware the Health and Social Care Cityside scheme in Londonderry is included within the Health and Social Care Board's Strategic Implementation Plan for future investment in primary care infrastructure.

The Plan remains under consideration alongside other capital investment priorities, and subject to the outcome of future budget exercises and confirmation of value for money and affordability.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety when the construction of the Supportive Living Units at the Rathmoyle Day Care site in Ballycastle will commence.  
(AQW 40630/11-15)

**Mr Wells:** I am advised by the Northern Health and Social Care Trust that its aim is for construction to commence this autumn. However, this is dependent on technical assessments being carried out, which can only take place when the existing building is vacated and sealed, and on a number of other factors, including planning permission and disposal of the site.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety for his assessment of whether the Fire Service is a 'frontline service'.

**(AQW 40631/11-15)**

**Mr Wells:** NIFRS would normally fall under the description of a "frontline service." However for the purposes of the draft Budget for 2015/16, endorsed by the NI Executive, the protection from reductions for frontline services relates solely to the Health and Social Care elements of the DHSSPS budget. The Northern Ireland Fire and Rescue Service (NIFRS), similar to other frontline services such as the PSNI, is not afforded the same protection.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 39935/11-15, in regards to recruitment that was carried out on 5 October 2012, how long the reserve list remained open.

**(AQW 40638/11-15)**

**Mr Wells:** The Northern Ireland Ambulance Service has advised that the waiting list for the 5 October 2012 Paramedic recruitment exercise was active from 30 October 2012 to 31 May 2014.

The length of the contracts for the 8 paramedics appointed temporarily between November and December 2011 are set out in the table below:

Recruitment Date	Applicant	Contract accepted
04/11/2011	Applicant A	Fixed Term Contract 18 months: 03/01/12 – 02/07/13
	Applicant B	Fixed Term Contract 18 months: 03/01/12 – 02/07/13
	Applicant C	Refused offer
16/12/2011	Applicant D	1 year temporary contract: 01/06/12 – 31/05/13
	Applicant E	Bank Contract
	Applicant F	1 year temporary contract: 03/07/13 – 02/07/14
	Applicant G	Bank Contract from 26/03/12 – 31/06/12 1 year temporary contract: 01/07/12 – 30/06/13
	Applicant H	1 year temporary contract: 03/07/13 – 02/07/14

The recruitment which commenced on 5 October 2012 was for permanent, temporary & bank positions and was instigated to allow recent cohorts of Paramedics in training who had graduated, to apply for Paramedic positions within the Trust.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 39935/11-15, in relation to the 8 paramedics appointed temporarily between November and December 2011, to detail (i) the length of contracts; and (ii) why the process opened so soon after 5 October 2012.

**(AQW 40639/11-15)**

**Mr Wells:** The Northern Ireland Ambulance Service has advised that the waiting list for the 5 October 2012 Paramedic recruitment exercise was active from 30 October 2012 to 31 May 2014.

The length of the contracts for the 8 paramedics appointed temporarily between November and December 2011 are set out in the table below:

Recruitment Date	Applicant	Contract accepted
04/11/2011	Applicant A	Fixed Term Contract 18 months: 03/01/12 – 02/07/13
	Applicant B	Fixed Term Contract 18 months: 03/01/12 – 02/07/13
	Applicant C	Refused offer
16/12/2011	Applicant D	1 year temporary contract: 01/06/12 – 31/05/13
	Applicant E	Bank Contract
	Applicant F	1 year temporary contract: 03/07/13 – 02/07/14
	Applicant G	Bank Contract from 26/03/12 – 31/06/12 1 year temporary contract: 01/07/12 – 30/06/13
	Applicant H	1 year temporary contract: 03/07/13 – 02/07/14

The recruitment which commenced on 5 October 2012 was for permanent, temporary & bank positions and was instigated to allow recent cohorts of Paramedics in training who had graduated, to apply for Paramedic positions within the Trust.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 39997/11-15, to detail specific public awareness campaigns by his Department to ensure that older people who fit the criteria of carer are identified.  
(AQW 40653/11-15)

**Mr Wells:** As I have previously advised, all Health and Social Care (HSC) Trusts undertake a high level engagement process across all Programmes of Care (POC) to identify as many 'hidden' carers as possible. As part of this engagement process, HSC Trusts support and promote a range of public awareness campaigns, including the Carers Trust 'Mind the Gap' project, which specifically targets older carers. I refer you to my answer to AQW 39997/11-15, for detail on other ongoing awareness campaigns by individual HSC Trust.

HSC Trust Carer Co-ordinators have been in post since 2008 and drive the policy on support for carers of all ages. Carer Co-ordinators act as the main point of contact for those identified carers availing or looking to avail of the assessment process.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety whether a key point of contact exists within each Health and Social Care Trust to encourage and assist older carers with the carers assessment, review and reassessment.  
(AQW 40655/11-15)

**Mr Wells:** As I have previously advised, all Health and Social Care (HSC) Trusts undertake a high level engagement process across all Programmes of Care (POC) to identify as many 'hidden' carers as possible. As part of this engagement process, HSC Trusts support and promote a range of public awareness campaigns, including the Carers Trust 'Mind the Gap' project, which specifically targets older carers. I refer you to my answer to AQW 39997/11-15, for detail on other ongoing awareness campaigns by individual HSC Trust.

HSC Trust Carer Co-ordinators have been in post since 2008 and drive the policy on support for carers of all ages. Carer Co-ordinators act as the main point of contact for those identified carers availing or looking to avail of the assessment process.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety how his Department ensures that services and support identified in carers assessments for older carers are implemented.  
(AQW 40656/11-15)

**Mr Wells:** All HSC Trusts use the Northern Ireland Single Assessment Tool (NISAT) Carers Support and Needs Assessment to assess the ability of carers to carry on caring. The aim of the assessment is to identify whether the impact of caring on the carer is putting their caring role at risk in the future, and to determine what supports could be put in place to support and sustain the carer in their caring role.

Following the assessment, support services can be offered in line with existing Health and Social Care (HSC) Trust priorities. However, it is important to recognise that a carers' assessment is also about a therapeutic engagement and a recognition of the carer's circumstances and the importance of their role – not only about facilitating the provision of practical supports

The NISAT Carers' Assessment component collects a record of unmet need experienced by carers. Trusts are required to log this information and report to the HSC Board in order to inform the commissioning and future planning of services. It is important that the needs of individual carers are properly understood and that HSC Board and Trusts use this information for service planning to support as many carers as possible.

**Mr McQuillan** asked the Minister of Health, Social Services and Public Safety to detail the total spend on translators to facilitate non-English speaking patients, broken down by Health and Social Care Trust, in the last three years.  
(AQW 40659/11-15)

**Mr Wells:** Expenditure by each Health & Social Care Trust on translation and interpreting services in each of the last three years is set out in the table below:

	2013/14 £	2012/13 £	2011/12 £
Belfast Health & Social Care Trust	755,307	717,799	536,462
Northern Health & Social Care Trust	435,605	364,641	309,832
South Eastern Health & Social Care Trust	158,931	119,151	115,391
Southern Health & Social Care Trust	1,309,514	1,358,177	924,136
Western Health & Social Care Trust	246,952	216,809	220,052
NI Ambulance Service Health & Social Care Trust	658	995	1,268
	<b>2,906,967</b>	<b>2,777,572</b>	<b>2,107,141</b>

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail the number of children on the child protection register in each year since 2011.  
(AQW 40663/11-15)



**Mr Wells:** The number of children on the child protection register is published annually in 'Children's Social Care Statistics for Northern Ireland'. Quarterly figures on the number of children on the child protection register are also available in 'Quarterly Child Protection Statistics for Northern Ireland'. These publications can be found on the Department's website at the following link: <http://www.dhsspsni.gov.uk/index/statistics/socialcare/child-protection-register.htm>

The table below contains the number of children on the child protection register at 31 March from 2011 to 2014.

**Table 1: Children on the Child Protection Register at 31 March (2011 – 2014)**

	2011	2012	2013	2014
No. of Children on the Child Protection Register	2,401	2,127	1,961	1,914

**Source:** Children Order Child Protection Return CPR1

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety what support is provided for sufferers of Huntington's Disease by the Southern Health and Social Care Trust.

**(AQW 40680/11-15)**

**Mr Wells:** Those with Huntington's Disease can access the Southern Health and Social Care Trust's neurological service which is staffed by two Consultants and one Registrar. In addition, the Trust's physical disability teams have ongoing contact with the Huntington's Nurse Specialist from the Belfast Health and Social Care Trust who is regularly involved in clients' reviews and will carry out home visits when required.

Furthermore, if the client's treatment involves a psychiatric component, they can be referred through triage to the Trust's Support and Recovery teams. They would also have access to the Consultant and to the Community Mental Health service. Additionally, as appropriate, they can access the Home Treatment and Crisis Response team, domiciliary care, and residential care.

**Mr Ó Muilleoir** asked the Minister of Health, Social Services and Public Safety to detail (i) the reasons for the lack of MRI Scanning equipment in The Royal Belfast Hospital for Sick Children; and (ii) his plans for installing the equipment.

**(AQW 40723/11-15)**

**Mr Wells:** The business case for a dedicated MRI scanner in the Royal Belfast Hospital for Sick Children (RBHSC) was agreed in November 2012 in response to rising waiting times. It was anticipated then that the scanner would be operational in 2014. However, surveys have since identified the need for additional works including the removal of asbestos as well as complex site service alterations. I can now confirm that the scanner, which due to its complexities is built to order, is to be delivered to the RBHSC in Spring 2015 and commissioned for use shortly after that.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the dialogue between the expert panel established to oversee the Transforming Your Care review and the Health and Social Care Board staff who conducted the review.

**(AQW 40743/11-15)**

**Mr Wells:** The then Minister for Health, Edwin Poots MLA, commissioned a review of health and social care provision in Northern Ireland in June 2011. Whilst the review was not to be fully independent, he wanted to have a strong independent overview to the process to provide challenge to any proposals. A Review Panel, comprising five external advisors, was therefore appointed to support this process.

The Health and Social Care Board (HSCB) have reported that dialogue between the Review Panel and HSCB staff was ongoing and regular throughout the review and included:

- A range of stakeholder engagements, including meetings with Trust, councils and the TUS Partnership Forum;
- Public meetings;
- Clinical Workshops;
- Panel meetings;
- Report planning meetings;
- Literature reviews, and review of evidence and documents;
- Review and challenge of report drafts; and
- Meetings with the Minister.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail the number of people over the age of 65 years who receive publicly funded care in their own homes.

**(AQW 40782/11-15)**

**Mr Wells:** The information requested is not currently available. However, information on clients receiving an intensive domiciliary care service is available.

During a survey week in 2013 6,664 clients aged 65 and over were receiving an intensive domiciliary care service.

**Source:** Domiciliary Care Services for Adults in Northern Ireland (2013) <http://www.dhsspsni.gov.uk/index/statistics/socialcare/domiciliary-care.htm>

Domiciliary Care Services for Adults in Northern Ireland (2014) will be published on 12th February 2015 and will contain information on clients aged 65 and over who were receiving a domiciliary care service during the survey week in 2014.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many Minor Ailments Schemes are operated by pharmacies in North Down.

**(AQW 40802/11-15)**

**Mr Wells:** The Minor Ailments Scheme was introduced in Northern Ireland in 2005. The Health and Social Care Board has confirmed that all 20 pharmacies in North Down provide treatment and advice under the provisions of the Minor Ailments Scheme.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the number of people diagnosed with cancer in each of the last ten years, broken down by cancer type.

**(AQW 40847/11-15)**

**Mr Wells:** The table below shows the number of people diagnosed with cancer in Northern Ireland in each of the last 10 years, for all cancers.

Year	All Cancers combined (C00-C971)	All cancers excluding Non-Melanoma Skin Cancer (C00-C43, C45-C97)
2003	9,286	6,973
2004	9,294	7,124
2005	9,459	7,145
2006	9,913	7,355
2007	10,440	7,759
2008	11,056	8,029
2009	11,292	8,291
2010	10,992	8,230
2011	11,920	8,676
2012	12,417	8,845

**Source:** Northern Ireland Cancer Registry (NICR)

- 1 ICD 10 Codes: For a listing and explanation of topology or site codes see: International Statistical Classification of Diseases and Related Health Problems, Tenth Revision, World Health Organisation, Geneva. Or view online at: <http://apps.who.int/classifications/icd10/browse/2010/en#/I1>.

The table below shows the number of people diagnosed with cancer in Northern Ireland in each of the last 10 years, for common cancers.

Cancer Type	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Bladder (C67)	225	215	192	225	190	215	253	180	204	196
Brain and other CNS (C70-C72,C75.1-C75.3)	124	102	123	141	137	129	134	139	116	130
Breast (C50)	1,041	1,134	1,073	982	1,146	1,155	1,205	1,192	1,258	1,293
Cervix (C53)	74	77	88	104	89	127	119	90	106	93
Colorectal (C18-C21)	992	979	981	1,047	1,148	1,102	1,088	1,179	1,220	1,254
Corpus Uteri (C54-C55)	189	165	178	186	203	221	237	222	228	243
Kidney (C64-C66,C68)	210	188	182	220	238	287	253	267	279	273
Leukaemia (C91-C95)	137	175	185	182	165	205	184	205	201	241
Lip, Oral Cavity & Pharynx (C00-C14) & Larynx (C30-C32)	208	230	239	275	269	238	283	271	313	311

Cancer Type	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Liver & Intrahepatic Bile Ducts (C22)	53	49	67	85	81	78	84	93	108	99
Lymphoma (C81-C86)	298	320	314	299	351	332	342	374	405	431
Malignant melanoma (C43)	212	244	231	255	233	302	284	282	298	344
Multiple myeloma (C90)	107	112	144	148	129	118	131	101	127	114
Non-melanoma skin (C44)	2,360	2,217	2,362	2,621	2,738	3,087	3,063	2,821	3,316	3,683
Oesophagus (C15)	147	160	161	180	198	189	171	185	185	213
Ovary (C56)	198	196	188	185	158	185	166	133	152	174
Pancreas (C25)	158	159	181	206	192	224	211	196	212	244
Prostate (C61)	795	830	838	874	968	1019	1,111	957	1,047	1,024
Stomach (C16)	263	208	211	230	233	237	201	243	234	182
Testis (C62)	56	70	63	50	54	67	57	66	73	67
Trachea, Bronchus & Lung (C33-C34)	900	965	954	943	1,023	1,067	1,079	1,066	1,113	1,143

**Source:** Northern Ireland Cancer Registry (NICR)

Latest information provided by the NICR is for 2012. Cancer incidence figures for 2013 will be available in March 2015. Further official statistics for cancer incidence and survival are available to view or download from the NICR website: <http://www.qub.ac.uk/research-centres/nicr/>.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety why AQW 39817/11-15 has not been answered. (AQW 40875/11-15)

**Mr Wells:** This question has now been answered.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of recipients of the Meals on Wheels service, broken down by Health and Social Care Trust. (AQW 40936/11-15)

**Mr Wells:** Information on the number of persons receiving a meals on wheels service in each Health and Social Care (HSC) Trust at 31 March 2014 is detailed in the table below.

HSC Trust	Persons Receiving Meals on Wheels Service at 31 March 2014 <sup>1,2</sup>
Belfast	982
Northern	437
South Eastern	408
Southern	47
Western	1,227
Northern Ireland	3,101

**Source:** KMW2 community information return

1 Information includes services provided by private contractors.

2 Figures include information on the provision of frozen meals.

This information is published annually in the 'Statistics on Community Care for Adults in Northern Ireland' bulletin which can be found on the DHSSPS website at: <http://www.dhsspsni.gov.uk/index/statistics/socialcare/meals-on-wheels.htm>

**Mr Cree** asked the Minister of Health, Social Services and Public Safety how many community meals are delivered daily to older people in North Down. (AQW 41042/11-15)

**Mr Wells:** Information on the number of community meals delivered daily is not available. However, information is available on the number of persons receiving a meals on wheels service in each Health and Social Care (HSC) Trust at 31 March each year.

At 31 March 2014, 408 persons were in receipt of a meals on wheels service in the South Eastern HSC Trust, 357 of which were aged 65 and over. A breakdown of this information by age group is detailed in the table below.

**Persons Receiving Meals on Wheels Service at 31 March 2014<sup>1,2</sup>**

HSC Trust	Age Group				Total
	Under 65	65 - 74	75 - 84	85 & Over	
South Eastern	51	47	131	179	408

**Source:** KMW2 community information return

1 Information includes services provided by private contractors.

2 Figures include information on the provision of frozen meals.

This information cannot be disaggregated by geographical areas smaller than HSC Trust and is published annually in the 'Statistics on Community Care for Adults in Northern Ireland' bulletin which can be found on the DHSSPS website at:

<http://www.dhsspsni.gov.uk/index/statistics/socialcare/meals-on-wheels.htm>

## Department of Justice

**Lord Morrow** asked the Minister of Justice, in light of a recent rape conviction in Lithuania, whether Paulius Liausas, under separate case number 14/104172 at Dungannon Magistrates Court, has been placed under sexual offences prevention order restrictions, or any other relevant safeguards which would be incurred following a similar conviction in Northern Ireland, since his re-entry to the jurisdiction; and if not, (i) why this is the case; and (ii) will he ensure such restrictions are in place prior to release from the current custodial sentence.

**(AQW 40233/11-15)**

**Mr Ford (The Minister of Justice):** The nature of the offence committed outside the United Kingdom and the sentence imposed means that the individual is subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 for an indefinite period.

This means his case is subject to risk assessment under the public protection arrangements for Northern Ireland. A Local Area Public Protection Panel has completed an assessment and put in place appropriate multi-agency risk management plans for his release from custody. An application by police to the court for a civil Sexual Offences Prevention Order remains as an option which could be considered, if warranted, in light of ongoing risk management.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 39847/11-15, why no agency within his departmental remit will confirm in writing that this was mistaken identity.

**(AQW 40236/11-15)**

**Mr Ford:** No specific instruction, guidance, directive or any other advice has been given to departmental agencies in relation to this matter. As outlined in my previous answers to AQW/38144/11-15, AQW/38779/11-15, AQW/39125/11-15 and AQW/39847/11-15 the Probation Board for Northern Ireland (PBNi) does not provide information on specific cases.

The agencies involved in public protection have offered to facilitate a meeting with public representatives to discuss local concerns raised. To date this offer has not been taken up.

**Mr Easton** asked the Minister of Justice how much funding his Department provided to Trade Unions in the last financial year.

**(AQW 40287/11-15)**

**Mr Ford:** The Department of Justice, including its Agencies but not its arm's-length bodies, supplied no funding directly to Trade Unions in the 2013/14 financial year. However, the Department meets the salary and accommodation costs of union representatives and support staff. In addition, the Department provides:

- a £3,000 contribution to the centrally funded Association of First Division Civil Servants (FDA) trade union representative. The representative is an employee of DFP; and
- a £3,000 contribution to the costs of funding the post of trade Union Side Secretary to Whitley Council. The representative is an employee of DOE.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 39847/11-15, to provide the source and wording of the instruction, guidance, directive or any other advices issued to his departmental agencies indicating that no confirmation of mistaken identity was to be given in writing.

**(AQW 40311/11-15)**



**Mr Ford:** No specific instruction, guidance, directive or any other advice has been given to departmental agencies in relation to this matter. As outlined in my previous answers to AQW/38144/11-15, AQW/38779/11-15, AQW/39125/11-15 and AQW/39847/11-15 the Probation Board for Northern Ireland (PBNI) does not provide information on specific cases.

The agencies involved in public protection have offered to facilitate a meeting with public representatives to discuss local concerns raised. To date this offer has not been taken up.

**Ms Sugden** asked the Minister of Justice for his assessment of the effectiveness of Belfast City Council's Tension Monitoring Model in addressing hate crime; and whether he plans to introduce similar models to other areas through Policing and Community Safety Partnerships and other structures.

**(AQW 40317/11-15)**

**Mr Ford:** The Department of Justice is currently part funding the development of Belfast City Council's Tension Monitoring Model with a view to promoting its extension to other council areas, through PCSPs, to share learning to address local issues of tension and support building community cohesion.

Originally planned for completion by end 2015, I understand the project has been extended to end 2016. Belfast City Council held two workshops in 2014 with stakeholders to discuss the outputs expected, and work streams and timelines required, to deliver the project. A plan is in place to deliver project activities such as developing a manual to capture learning and case studies for addressing community tensions; provision of training and consideration of an IT solution to capture data.

**Ms Sugden** asked the Minister of Justice what support the Hate Incident Practical Action Scheme and the Hate Crime Advocacy Service have provided to, or in the vicinity of, the homes of hate crime victims, in the last twelve months.

**(AQW 40318/11-15)**

**Mr Ford:** The Hate Incident Practical Action Scheme (HIPA), part funded by the Department of Justice, the PSNI and the Northern Ireland Housing Executive, is aimed at providing personal and home protection measures for victims of hate incidents where the incident has occurred at, or in the vicinity of, their home. Examples of such measures include the provision of personal attack alarms; personal, home and vehicle safety advice; securing/replacing doors and windows; graffiti removal; and fitting external bulk lighting with sensors, intercoms to identify callers, secure letter boxes, door viewers and door chains.

For the period January to December 2014, there have been 63 HIPA applications involving 60 addresses forwarded to the Housing Executive by the PSNI.

The Hate Crime Advocacy Service, mainly funded by the PSNI and with funding support from the Department of Justice and Northern Ireland Housing Executive, currently support victims of crime during the reporting and pre and post investigative stages of a hate incident or crime. The advocates are a consistent point of contact for victims who wish to engage with them for practical and/or emotional advice and assistance. Practical advice can include the provision of information on the HIPA scheme; housing issues; and support with communicating with the Housing Executive.

**Mr Anderson** asked the Minister of Justice to list the community voluntary groups in Upper Bann that have received funding from his Department since 2011.

**(AQW 40331/11-15)**

**Mr Ford:** The community voluntary groups in Upper Bann that have received funding from the Department of Justice, including its Agencies but not its arm's-length bodies, since 2011 are shown below:

#### **2011/12**

- NIACRO

#### **2011/12**

- Drumgor Detached Youth Work Project
- St Malachy's Hurling Club
- NIACRO

#### **2012/13**

- Craigavon Intercultural Programme
- Goal Line Youth Centre / Goal Line Youth Trust
- Portadown Youth Football Club
- Scotch Street Youth Club
- St Mary's Youth Centre
- NIACRO

**2013/14**

- Angling First Limited
- St Mary's Youth Centre
- VOYPIC – Southern Area Team
- YMCA Lurgan
- The Y Zone
- NIACRO

**2014/15 to date**

- NIACRO

**Mr Allister** asked the Minister of Justice how much funding has been supplied by his Department to lesbian, gay, bisexual and transgender groups since May 2007.

**(AQW 40345/11-15)**

**Mr Ford:** The Department of Justice, including its Agencies but not its arm's-length bodies, has supplied no funding to lesbian, gay, bisexual and transgender groups since its formation in April 2010.

**Lord Morrow** asked the Minister of Justice, in relation to the temporary parole granted to Samuel McKinley during which he travelled to England and was subjected to a serious assault, (i) whether leave was granted to travel to England as part of the temporary parole conditions; (ii) whether he was unlawfully at large when assaulted; and (iii) for a breakdown of the costs incurred in his return to custody in Northern Ireland.

**(AQW 40364/11-15)**

**Mr Ford:** To release the information requested at (i) and (ii) would be a breach of the person's right under the Data Protection Act. A breakdown of the costs incurred in his return to custody in Northern Ireland is not available.

**Lord Morrow** asked the Minister of Justice what other court houses or hearing centres are being investigated or earmarked for closure by the Northern Ireland Courts and Tribunals Service, aside from the original five already known; and which court houses are being concentrated on as the central hub in each court division or district.

**(AQW 40365/11-15)**

**Mr Ford:** In response to significant budgetary pressures, the Northern Ireland Courts and Tribunals Service is reviewing the court estate to identify potential options for rationalisation. A public consultation exercise on the Rationalisation of the Court Estate will be launched shortly.

**Lord Morrow** asked the Minister of Justice in how many instances over the last five years have sexual convictions, committed outside Northern Ireland, become known to the local relevant agencies and resulted in notification orders or alternative restrictions being imposed, broken down by court division.

**(AQW 40366/11-15)**

**Mr Ford:** The number of defendants who received at least one Sexual Offences Notification Order<sup>1</sup> in each of the last five calendar years is presented by court division in the table below.

Court Division	Year				
	2010	2011	2012	2013	2014 <sup>P</sup>
Belfast	0	1	1	0	0
Londonderry	1	1	0	0	0
Antrim	0	0	1	0	0
Fermanagh and Tyrone	2	1	0	3	0
Armagh and South Down	1	2	0	0	0
Ards	1	0	0	0	0
Craigavon	0	0	1	0	0
<b>Total</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>3</b>	<b>0</b>

**Source:** Integrated Court Operations System (ICOS)

**P** Data are currently provisional and may be subject to change.

**1** Data include Interim Sexual Offences Notification Orders that were not subsequently made Sexual Offences Notification Orders.

The identification of alternative restrictions imposed upon offenders who committed a sexual offence outside Northern Ireland would incur a disproportionate cost.

**Mr Allister** asked the Minister of Justice to detail the total spent on each of the (i) capital; and (ii) other projects which have not proceeded since May 2007, including the loss resulting from each project.

**(AQW 40367/11-15)**

**Mr Ford:** The Department of Justice, including its Agencies but not its arm's-length bodies, has not identified any projects that have not proceeded since its formation in April 2010. This is based on the criteria that a project is considered as a one-off piece of work which had total planned expenditure in excess of £250k.

**Mr Ross** asked the Minister of Justice to detail the number of prisoners who have been transferred to local prisons from other jurisdictions, in each of the last five years; and the cost to the departmental budget.

**(AQW 40387/11-15)**

**Mr Ford:** A total of 52 prisoners transferred to Northern Ireland prisons from other jurisdictions. Details are set out in the table below.

Calendar Year	Intra UK Transfers	Repatriations (from outside the UK)
2010	8	2
2011	8	0
2012	7	3
2013	12	3
2014	6	3
<b>Totals:</b>	<b>41</b>	<b>11</b>

Of the 11 prisoners repatriated to Northern Ireland 10 were from the Republic of Ireland and one from Spain.

It is not possible to quantify costs to the Northern Ireland Prison Service. There are reciprocal arrangements in place for United Kingdom intra-jurisdictional transfers. NIPS pays the transfer costs of prisoners leaving this jurisdiction while the National Offender Management Service (NOMS) and the Scottish Prison Service (SPS) meet costs associated with prisoners transferring to Northern Ireland.

Reciprocal arrangements are also in place with the Irish Prison Service (IPS) for north to south and south to north repatriations. Each service meets the transport costs within its own jurisdiction. Flight costs for the repatriation from Spain were met by the prisoner on his arrival in Northern Ireland.

In addition, the cost of keeping every prisoner in a prison in Northern Ireland is met by NIPS. NIPS does not calculate figures that detail the annual cost of keeping each additional prisoner in custody. Rather a 'cost per prisoner place' figure is published annually. It cannot be used to indicate the cost of keeping one additional prisoner as this must be met from within the existing budget, and the marginal cost will be less than the average cost.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 40181/11-15, what is meant by a reduction in the overheads incurred through ending rental contracts, including with whom, and for what purpose, these contracts exist.

**(AQW 40417/11-15)**

**Mr Ford:** To date in 2014/15, the Probation Board for Northern Ireland (PBNI) has closed 7 offices. The rental agreements with the private landlords of these properties have now ended. Savings were made in rent, rates and utilities (phone, electricity, heat and cleaning). The offices and purpose of these offices are as follows:

- **Learning & Development unit.** This office was used to carry out internal training courses as well as housing PBNI Human Resource Department. These services are now being delivered from the PBNI Ballymena Area office and at PBNI Headquarters North Street respectively.
- **Victims Unit.** This office was used by PBNI Victim Liaison Officers to undertake work with victims. This service is now being delivered from the PBNI Lisburn office.
- **5 reporting centres: Glengormley, Limavady, Lurgan, Cookstown and Argyle.** These offices were used to meet offenders. This service is now being delivered from PBNI local area offices.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 40015/11-15, how many of the individuals who received cautions for drugs offences (i) went on to commit similar offences; or (ii) are within the court system accused of committing similar offences.

**(AQW 40418/11-15)**

**Mr Ford:** Of the 384 individuals specified in the answer to AQW/40015/11-15 who received cautions for drugs offences in the period 2011 - 2013, 31 received a subsequent conviction or out of court disposal in relation to an offence which fell into the drugs category. Of these, 30 were in relation to drug possession offences.

Five of the 384 individuals are currently within the court system accused of committing similar (i.e. drugs category) offences.

**Note:**

1 Information on subsequent convictions or out of court disposals relates to the period to the end of 2013.

**Lord Morrow** asked the Minister of Justice, given the reported increase in domestic violence cases, whether there are plans to expand the listing arrangements in place at Londonderry Magistrates Court, even if only to divisions with noted higher instances of domestic violence cases.

**(AQW 40419/11-15)**

**Mr Ford:** Specialist listing arrangements for domestic violence and abuse cases were introduced in Londonderry Magistrates' Court in November 2011. I note that a positive evaluation of these arrangements has recently been completed which recommends that these measures and initiatives are introduced in other courts.

Officials from the Department and the Northern Ireland Courts and Tribunals Service, therefore, will consider the potential for extending the use of these listing arrangements to other areas. I have also asked my officials to consider whether there is scope for further development of the Londonderry Magistrates' Court arrangements.

**Mr Givan** asked the Minister of Justice to detail the travel and accommodation expenses claimed by the Director General of the Prison Service over the last three years.

**(AQW 40431/11-15)**

**Mr Ford:** The table below sets out the concessionary travel payments relating to (i) travel and accommodation and (ii) living expenses paid to the Director General and Directors of the Northern Ireland Prison Service from April 2011 to December 2014.

	2011/12	2012/13	2013/14	2014/15*
Travel/accommodation	18,692	33,666	49,232	41,654
Living Expenses	740	0	1,749	1,040

\* invoices processed to end of December 2014.

For Data Protection reasons, the figures have not been broken down to an individual level.

**Mr Givan** asked the Minister of Justice to detail the (i) travel and accommodation; and (ii) living expenses claimed by each Director of the Prison Service over the last three years.

**(AQW 40432/11-15)**

**Mr Ford:** The table below sets out the concessionary travel payments relating to (i) travel and accommodation and (ii) living expenses paid to the Director General and Directors of the Northern Ireland Prison Service from April 2011 to December 2014.

	2011/12	2012/13	2013/14	2014/15*
Travel/accommodation	18,692	33,666	49,232	41,654
Living Expenses	740	0	1,749	1,040

\* invoices processed to end of December 2014.

For Data Protection reasons, the figures have not been broken down to an individual level.

**Mr Agnew** asked the Minister of Justice, in relation to Access NI checks submitted in each of the most recent 12 months for which figures are available, (i) what percentage of checks have been processed within four weeks; and (ii) what is the longest time taken to process an application.

**(AQW 40436/11-15)**

**Mr Ford:** The four week target concerns enhanced checks. (Standard and basic checks are being processed within a week of receipt.)

In relation to (i), the table below sets out the percentage of enhanced checks issued by AccessNI within 4 weeks for the last 12 months.

In relation to (ii) the second line of the table shows the number of cases that remain outstanding received in each month since December 2013. These are cases where a certificate has not yet been issued and therefore are still being processed. As at 16 January 2015 the longest outstanding application is 410 days. During the 12 month period the longest time taken to clear



an application was 402 days. This is due to PSNI experiencing delays in returning cases to AccessNI. AccessNI is working closely with PSNI to manage this backlog.

	Dec 2013	Jan 2014	Feb 2014	Mar 2014	Apr 2014	May 2014	Jun 2014	Jul 2014	Aug 2014	Sept 2014	Oct 2014	Nov 2014
Checks issued within 4 weeks (%)	72%	77%	94%	94%	93%	94%	96%	95%	95%	97%	97%	97%
Number of checks still outstanding	10	19	21	34	36	56	78	118	117	178	171	229

**Mr Agnew** asked the Minister of Justice what are the contributory factors to delays in processing Access NI checks; and what is being done to mitigate these delays.

**(AQW 40437/11-15)**

**Mr Ford:** AccessNI is currently processing applications within a week of receipt. There are no delays in processing either basic or standard checks. The position on enhanced checks, in cases which have to be sent to PSNI for consideration, is more difficult.

In these instances, principally because of pressures on PSNI resources, there are currently around 27% of cases which are not being issued within the 4 week target.

PSNI have a recovery plan in place, agreed with Senior Officers, with steps being taken to reduce the number of outstanding cases over the next few months. AccessNI will continue to work with PSNI and to monitor the situation.

**Lord Morrow** asked the Minister of Justice whether he will establish an independent inquiry to examine the conduct of the Police Ombudsman for Northern Ireland in the manner in which he undertook his investigation into the referral by the PSNI Chief Constable into the John Downey case.

**(AQW 40469/11-15)**

**Mr Ford:** I have no plans to establish such an inquiry.

**Lord Morrow** asked the Minister of Justice, in relation to criminal convictions for sexual or violent offences, including murder and manslaughter, which have been committed outside Northern Ireland by non-residents, (i) whether offences can be discovered once the offender is within Northern Ireland and after an arrest on another matter; (ii) whether the offences can only be verified by authorities in the country in which the offences were committed; and (iii) whether there is an obligation on the part of the native country, or country where the offence was committed, to notify a central crime database in order to flag up warnings and to allow measures to reduce risk to be implemented.

**(AQW 40470/11-15)**

**Mr Ford:** There are established processes, underpinned by European Union legislation, which permit the exchange of criminal record information between EU Member States. The two applicable European Council Framework Decisions are 2009/315/JHA and 2009/316/JHA. For non-EU countries, bi-lateral arrangements exist between countries.

Articles 71-73 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (as amended by Section 144 and Schedule 17 paragraphs 16 - 18 of the Coroners and Justice Act 2009) provide for the proving of convictions and acquittals in EU Member States before courts in Northern Ireland.

In Northern Ireland, when a non-resident comes to the attention of the PSNI on other matters, the PSNI can request a copy of the offender's criminal record from the offender's country of nationality. This request is forwarded via the UK Central Authority to the Central Authority for the requested country.

Requests can also be sent to, and verified by, authorities in the country in which offences were committed. Under the Framework, mechanisms are in place for conviction information to be shared between countries.

A central crime database for all countries is not maintained. However, there are mechanisms in place, under the two Framework Decisions, for each country to maintain its own criminal record system and for criminal record information to be updated and shared between countries.

Northern Ireland conviction information is shared to the UK Police National Computer.

**Lord Morrow** asked the Minister of Justice whether Michaela McCollum will be entitled to automatic 50 per cent remission on transfer to Hydebank Wood Women's Prison; and if so, when is she expected to be released, taking into account time served.

**(AQW 40471/11-15)**

**Mr Ford:** I am prevented by Data Protection constraints from disclosing details about an individual case. To release the information requested would be a breach of the person's right under the First Data Protection Principle.

**Mr Allister** asked the Minister of Justice whether a special Youth Court is to be built in Laganside Court; and if so, at what cost.

**(AQW 40475/11-15)**

**Mr Ford:** The Northern Ireland Courts and Tribunals Service will wish to consider the future provision of a Belfast Youth Court within the context of a consultation paper on the Rationalisation of the Court Estate which is due to be issued shortly.

**Mr Allister** asked the Minister of Justice whether the closure of Townhall Street courts is still considered as temporary.

**(AQW 40476/11-15)**

**Mr Ford:** The closure of the Old Townhall building is still considered temporary. The future use of this building will be considered as part of a wider consultation on proposals for the rationalisation of the court estate which Northern Ireland Courts and Tribunals Service plans to commence shortly.

**Lord Morrow** asked the Minister of Justice (i) whether legal aid has been (a) applied for; and (b) granted in relation to any matter pertaining to Michaela McCollum; (ii) if so, to provide the dates and amounts; and (iii) if not, whether applications are anticipated.

**(AQW 40521/11-15)**

**Mr Ford:** Article 24 of the Legal Aid, Advice and Assistance (NI) Order 1981 precludes the release of information in respect of applications for legal aid under the civil legal aid scheme.

**Lord Morrow** asked the Minister of Justice what meetings and discussions he, or his departmental officials, have held concerning Michaela McCollum's proposed transfer from Peru to Hydebank Wood Women's Prison, including the dates and purpose of each meeting.

**(AQW 40523/11-15)**

**Mr Ford:** Neither my officials nor I have had any meetings to discuss this matter. My officials have discussed by telephone the general repatriation process with the National Offender Management Service. In addition they have communicated by email with Foreign and Commonwealth Office (FCO) representatives in Peru following the FCO's direct liaison with the Peruvian authorities on the completion of paperwork concerning the application for repatriation. My officials have also spoken by telephone on one occasion with Michaela McCollum's legal representative about the repatriation process.

**Mr Wilson** asked the Minister of Justice when it is anticipated that Michaela McCollum will be transferred to a prison in Northern Ireland.

**(AQW 40578/11-15)**

**Mr Ford:** I am prevented by Data Protection constraints from disclosing details about individual cases. To release the information requested would be a breach of the person's rights under the First Data Protection Principle.

**Mr Wilson** asked the Minister of Justice for the approximate cost of the transfer of Michaela McCollum from prison in Peru.

**(AQW 40579/11-15)**

**Mr Ford:** I am unable to detail the cost of the transfer of Michaela McCollum from Peru to Northern Ireland given that no agreement has yet been reached with the sentencing state on repatriation and as a result no transport arrangements have been made. However, the Northern Ireland Prison Service does require transferring prisoners to sign an undertaking to repay expenses incurred in connection with their own travel to the UK.

**Mr Wilson** asked the Minister of Justice for the approximate annual cost of keeping Michaela McCollum in prison in Northern Ireland.

**(AQW 40580/11-15)**

**Mr Ford:** The approximate annual cost of keeping an individual prisoner, in prison within Northern Ireland, is known as the Cost per Prisoner Place (CPPP). This is calculated by dividing Operating Expenditure (excluding non-standard costs) by the average total available places defined as Certified Normal Accommodation, which represents the number of available staffed places during the same financial year. However, it cannot be used to indicate the cost of keeping one additional prisoner as this must be met from within existing budgets and the marginal cost will be less than the average cost.

**Lord Morrow** asked the Minister of Justice what is the estimated annual cost to house Michaela McCollum in Hydebank Wood Women's Prison.

**(AQW 40599/11-15)**

**Mr Ford:** The estimated annual cost of keeping an individual prisoner, in prison within Northern Ireland, is known as the Cost per Prisoner Place (CPPP). This is calculated by dividing Operating Expenditure (excluding non-standard costs) by the average total available places defined as Certified Normal Accommodation, which represents the number of available staffed

places during the same financial year. However, it cannot be used to indicate the cost of keeping one additional prisoner as this must be met from within existing budgets and the marginal cost will be less than the average cost.

The CPPP is calculated for Northern Ireland Prison Service as a whole and is not broken down by establishment.

**Lord Morrow** asked the Minister of Justice how many parking spaces are in Dungannon Court House (i) upper; and (ii) lower carpark; and how many disabled bays are in each car park.

**(AQW 40601/11-15)**

**Mr Ford:** There are 50 parking spaces including two disabled parking bays in the upper car park at Dungannon Courthouse and 46 parking spaces including three disabled parking bays in the lower car park.

**Lord Morrow** asked the Minister of Justice to detail the amount claimed in taxi-expenses by Northern Ireland Prison Service Change Managers since they were appointed.

**(AQW 40603/11-15)**

**Mr Ford:** The amount claimed by NIPS Change Managers between December 2011 and December 2014 is as follows:

- in relation to official travel, the total expenditure is £510.45. This is travel between office locations in relation to official business; and
- in relation to concessionary travel, the total expenditure is £7.35. This relates to travel between the home and office and is usually paid in relation to staff on detached duty who are working away from home and / or their normal place of work.

**Mr Moutray** asked the Minister of Justice to outline the amount of money seized by the Criminal Assets Bureau in each of the last five years; and to list the projects and organisations that this money has funded.

**(AQW 40612/11-15)**

**Mr Ford:** There is no Criminal Assets Bureau in Northern Ireland. Responsibility for criminal confiscation falls to the Public Prosecution Service.

2011/12 was the first year in which the full value of assets recovered through criminal confiscation was returned to Northern Ireland following the enactment of Section 94 of the Justice Act (Northern Ireland) 2011. Since then the amounts recovered by the courts have been:

- 2011/12 - £3.02 million
- 2012/13 - £2.16 million
- 2013/14 - £1.54 million
- 2014/15 to date - £2.56 million

Half of the criminal confiscation receipts are returned to the agencies involved in the cases and the other half retained by the Department of Justice and distributed through the Assets Recovery Community Scheme (ARCS). This funds projects aimed at fighting crime or the fear of crime.

There have been four rounds of ARCS funding – the lists of successful projects and the amounts awarded are available on the Departmental website at: <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-policing-community-safety/community-safety/organised-crime.htm>

**Ms Sugden** asked the Minister of Justice for an update on the proposed new build for Magilligan Prison.

**(AQW 40651/11-15)**

**Mr Ford:** The outline business case for the Redevelopment of Magilligan Project was approved by DFP on 9 January 2015 and progress is dependent on securing the capital funding necessary.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 39847/11-15, to provide, or place in the Assembly library, the policy held by the Probation Board for Northern Ireland which precludes answering of questions on this matter.

**(AQW 40694/11-15)**

**Mr Ford:** As outlined in my previous answers to AQW/38144/11-15, AQW/38779/11-15, AQW/39125/11-15 and AQW/39847/11-15, on this matter, the Probation Board for Northern Ireland (PBNI) does not provide information on specific cases.

The relevant policy is the 1998 Data Protection Act. PBNI considers it would be a breach of the individual's data protection rights under this act to comment on whether an offender does or does not live in a particular area.

The agencies involved in public protection have offered to facilitate a meeting with public representatives to discuss local concerns raised. To date this offer has not been taken up.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 37161/11-15 and AQW 38849/11-15 and the subsequent correspondence, to state the contents of the contract of conditions which the person in question signed prior to home leave release.

**(AQW 40696/11-15)**

**Mr Ford:** I am unable to release the specific information requested as to do so would run contrary to the Data Protection Act 1998.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 37161/11-15 and AQW 38849/11-15, whether the establishment of the role of Reducing Reoffending Unit teams tasked with the monitoring of young people on unescorted home leave, is as a direct result of this particular case, or were there other cases of concern; and if so, to specify the number and nature of these cases.  
(AQW 40749/11-15)

**Mr Ford:** The Youth Justice Agency's home leave and mobility policies were reviewed following this case and, given that the PSNI Reducing Offending Unit teams were already being established independently from this, it was deemed appropriate for them to undertake a monitoring role by formally visiting each young person during their period of unescorted home leave. The formalisation of this role will help mitigate the risk of reoffending whilst on home leave in the future.

**Mr McNarry** asked the Minister of Justice what percentage of the Military Covenant his Department has adopted as policy; and what percentage has been implemented.  
(AQW 40771/11-15)

**Mr Ford:** The Department of Justice has not adopted the Military Covenant.

**Mr Easton** asked the Minister of Justice to detail the legislation governing private companies clamping vehicles.  
(AQW 40863/11-15)

**Mr Ford:** My responsibility for vehicle immobilisation is limited to ensuring that those operators who carry out vehicle immobilisation on private land are properly licensed by the Security Industry Authority. The Private Security Act 2001 sets out the legislative requirements for individuals undertaking this activity.

**Mr Hussey** asked the Minister of Justice how many people have been convicted of fuel laundering related offences over the last ten years, detailing (i) the offences committed; (ii) the penalty imposed; (iii) any confirmed paramilitary involvement; (iv) the number of cases not prosecuted; and (v) the money paid back into the public purse as a result of such prosecutions.  
(AQW 40885/11-15)

**Mr Ford:** Fuel laundering is a reserved matter which falls within the remit of HM Revenue and Customs. They have provided the tables below. It is only possible for them to supply figures from 2010/11 onwards. Figures relate to offences involving excise evasion on fuel – this includes fuel laundering but it is not possible to separate that offence from other oil fraud.

In addition, it is not possible to provide information relating to paramilitary involvement. With regards to cases not prosecuted, HMRC will always attempt to prosecute wherever evidence is available to support a criminal prosecution. Criminal prosecution only forms part of HMRC's approach to tackling oil fraud. Other strategies include civil action (for example the seizure of fuel, pumps, vehicles and cash) combined with a strong regulatory control system and civil penalties regime.

**Statistics relating to convictions, penalties and criminal confiscations are set out below.**

Oils 2010/11	Total	Of which:	
	Northern Ireland	GB	
Arrests	18	18	0
Confiscation Orders	£503,788	£20,000	£483,788
Prosecutions (Individuals Charged)	N/K*	N/K	N/K
Convictions	10	4	6
Custodial Sentences	3	0	3
Suspended Sentences	6	3	3
Non - Custodial Sentences	1	1	0
Seizures (Million Litres)	2.74	0.64	2.10
Laundering Plants	23	20	3
Petrol Stations (Retail Sites)	117	55	62
Huckster Sites	68	51	17

\* Not Known (N/K) has been recorded for prosecutions in 10/11 due to the non-availability of data on individuals.



<b>Oils</b>	<b>Total</b>	<b>Of which:</b>	
	<b>2011/12</b>	<b>Northern Ireland</b>	<b>GB</b>
Arrests	15	12	3
Confiscation Orders	£302,405	£0	£302,405
Prosecutions (Individuals Charged)	16	14	2
Convictions	5	4	1
Custodial Sentences	1	0	1
Suspended Sentences	1	1	0
Non - Custodial Sentences	2	2	0
Seizures (Million Litres)	2.44	0.93	1.51
Laundering Plants	32	29	3
Petrol Stations (Retail Sites)	110	65	45
Huckster Sites	103	84	19

<b>Oils</b>	<b>Total</b>	<b>Of which:</b>	
	<b>2012/13</b>	<b>Northern Ireland</b>	<b>GB</b>
Arrests	12	8	4
Confiscation Orders	£47,150	£42,000	£5,150
Prosecutions (Individuals Charged)	11	7	4
Convictions (Inc. Suspended)	11	9	2
Custodial Sentences (Inc. Suspended)	4	3	1
Non - Custodial Sentences	2	2	0
Seizures (Million Litres)	2.69	0.79	1.9
Laundering Plants	26	22	4
Petrol Stations (Retail Sites)	154	74	80
Huckster Sites	76	53	23

<b>Oils</b>	<b>Total</b>	<b>Of which:</b>	
	<b>2013/14</b>	<b>Northern Ireland</b>	<b>GB</b>
Arrests	29	27	2
Confiscation Orders	£113,001	£113,000	£1
Prosecutions (Individuals Charged)	6	6	0
Convictions (Inc. Suspended)	10	9	1
Custodial Sentences (Inc. Suspended)	6	5	1
Non - Custodial Sentences	4	4	0
Seizures (Million Litres)	2.11	0.57	1.54
Laundering Plants	44	38	6
Petrol Stations (Retail Sites)	127	49	78
Huckster Sites	112	79	33

**YTD December 2014**

<b>Oils</b>	<b>Total</b>	<b>Of which:</b>	
	<b>2014/15</b>	<b>Northern Ireland</b>	<b>GB</b>
Arrests	25	13	12
Confiscation Orders			
Prosecutions (Individuals Charged)	10	6	4
Convictions (Inc. Suspended)	3	2	1
Custodial Sentences (Inc. Suspended)	0	0	0
Non - Custodial Sentences	3	2	1
Seizures (Million Litres)			
Laundering Plants			
Petrol Stations (Retail Sites)			
Huckster Sites			

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 40694/11-15 and before any meeting can be agreed, whether he will request that the relevant agencies offer said meeting and the reasons thereof in writing on respective letterheading; and provide an assurance that all matters discussed or disclosed will be backed-up and clarified in writing.

**(AQW 40989/11-15)**

**Mr Ford:** As outlined in my answers to the previous questions on this matter the agencies involved in public protection have offered to facilitate a meeting with public representatives to discuss any concerns and explain the work of the agencies in local communities. This meeting would be facilitated through the Public Protection Arrangements Northern Ireland (PPANI) co-ordinator. The agencies cannot discuss individual cases.

Should public representatives decide to avail of this meeting matters discussed or disclosed will be backed up and clarified to the extent possible taking into account the 1998 Data Protection Act.

## Department for Regional Development

**Mrs Cochrane** asked the Minister for Regional Development how much Translink spends on producing branded diaries and calendars each year; and (ii) for his assessment of this spend given the simultaneous increase in Translink fares.

**(AQW 40257/11-15)**

**Mr Kennedy (The Minister for Regional Development):** The total cost for provision of diaries for 2015 was £29,746 and the amount for calendars for 2015 was £1,395.

Translink has historically produced branded diaries as a communications/ information aide for customers, business partners, elected representatives and other stakeholders. Translink argues that calendars are a vital part of its public safety communication strategy. The calendars carry important safety messages for those working near rail lines, principally farmers / agricultural workers and are distributed to farming entities.

The decision to provide diaries this year was taken before funding restrictions were advised to Translink by the Department. I can advise that Translink has confirmed that diaries for PR purposes will now be discontinued.

**Mr I McCrea** asked the Minister for Regional Development to detail the total spend by Northern Ireland Water on consultants specific to leakages, in each of the last five financial years.

**(AQW 40265/11-15)**

**Mr Kennedy:** Northern Ireland Water has a "Leakage Management Services" contract in place which provides the external resource to carry out a range of work relating to the reduction of leakage. This activity is classified as "Managed Services" and is not consultancy.

The total spend on this contract in each of the last five financial years, is as detailed in the table below:

<b>Year</b>	<b>Total Spend</b>
2009/10	£622k
2010/11	£725k

Year	Total Spend
2011/12	£533k
2012/13	£841k
2013/14	£886k

**Mr Weir** asked the Minister for Regional Development what actions or strategies his Department is pursuing to encourage increased participation in cycling by female pupils.

**(AQW 40289/11-15)**

**Mr Kennedy:** I am committed to ensuring cycling is available to everyone irrespective of gender. To this end I have commissioned an Active School Travel programme to be delivered to 180 schools over the three year period 2013 – 16. This is a broadly based programme which seeks to create a culture of active travel within participating schools and to increase the skill and confidence levels of those pupils who wish to cycle to school on a regular basis.

The selection of schools was conducted to ensure participation on a province wide basis which involved all school types including co-educational and female only schools.

**Mr McCarthy** asked the Minister for Regional Development for an update on the introduction of residents' parking schemes. **(AQW 40313/11-15)**

**Mr Kennedy:** Legislation is currently being finalised for the first residents' parking schemes to be introduced into Northern Ireland.

The draft legislation for the residents' parking schemes in Antrim and the Rossville Street area of Londonderry is being finalised, prior to progressing to the consultation stage. The public consultation period is planned to commence in early 2015.

Officials were also engaged in formal consultation on the implementation of residents' parking schemes in the Lower Malone, and College Park Avenue/Rugby Road areas in South Belfast between 29 October 2014 and 19 November 2014. During this time they received a significant number of objections and representations on the two proposed schemes. Officials are currently considering and dealing with those objections and representations but they cannot complete the remaining part of the legislative process for either scheme until the issues raised have been fully considered and dealt with. I estimate the earliest a scheme could be implemented on the ground in this area would be within the 2015/2016 financial year, although this very much depends on a positive outcome to the consultation process.

Once these schemes are in place they will be reviewed to ensure the legislation fits the purpose of the schemes and that they are operating correctly.

**Mr Weir** asked the Minister for Regional Development, pursuant to AQW 40156/11-15, to detail the corresponding figures for 19 December 2013.

**(AQW 40314/11-15)**

**Mr Kennedy:** The corresponding figures for the number of street lights requiring repairs, as at 19 December 2013, were as follows:

- Ards Borough Council area: 98.
- North Down Council area: 192.

**Mr Clarke** asked the Minister for Regional Development how much Translink has spent on fuel in each of the last three years. **(AQW 40323/11-15)**

**Mr Kennedy:** The table below shows the total fuel costs for Translink for the last three financial years:

Financial Year	2011/12	2012/13	2013/14
Total fuel costs	£34.448m	£37.148m	£37.498m

The above figures are shown before deducting Fuel Duty Rebate grant received from the Department. The net cost of fuel to Translink will be lower.

In 2013/14 Translink received £9.630m of Fuel Duty Rebate. The amount of Fuel Duty Rebate received in 2014/15 will be significantly reduced and may be cut further in 2015/16 because of the budgetary situation.

**Mr Clarke** asked the Minister for Regional Development what effect the recent fall in the price of oil will have on Translink's annual fuel bills.

**(AQW 40324/11-15)**

**Mr Kennedy:** I can advise you that Translink already has a 'fuel forward purchasing' arrangement in place for most of its required volume of fuel, for 2015/16 and 2016/17. The current fall in the cost of fuel will be reflected in fuel costs incurred by Translink beyond those timeframes.

Translink engages in fuel forward purchasing in order to provide certainty around its fuel costs, as part of its corporate planning process, and to prevent both it and its customers from being exposed to sudden significant increases in fuel prices.

**Mr Clarke** asked the Minister for Regional Development how many litres of fuel Translink has used in each of the last three years. (AQW 40325/11-15)

**Mr Kennedy:** The table below shows how many litres of fuel Translink has used in each of the last three financial years:

Financial Year	2011/12	2012/13	2013/14
Total number of litres used	36.918m	37.671m	37.580m

**Mr Clarke** asked the Minister for Regional Development how much Translink has spent on translating English to Irish on buses; and to list the routes in which Irish is used.

(AQW 40326/11-15)

**Mr Kennedy:** I can advise that Translink have spent no money on translating English to Irish on buses since 2011.

The Metro 10 Falls Road corridor services, with the exception of 10H that travels down Blacks Road (including Suffolk Housing Estate), carry destinations in Irish.

On Ulsterbus services 274 and X4 (Londonderry – Dublin) destination signs on the buses are in English and Irish and alternate between the two languages. There is no translation charges associated with this.

**Mr McGlone** asked the Minister for Regional Development how many personal injury claims have been submitted to his Department citing defective street lighting as a contributory factor.

(AQW 40343/11-15)

**Mr Kennedy:** My Department's claims database holds information on personal injury claims involving street lighting, only where defective street lighting is alleged to be the main cause of the injury sustained. The table below details the numbers of such claims received in the financial years since 2009/10:

Financial Year	Number of claims received
2009/10	12
2010/11	9
2011/12	11
2012/13	11
2013/14	6
<b>Total</b>	<b>49</b>

There may be other personal injury claims where defective street lighting is a contributory factor, but it is not possible to identify these claims from the database.

**Mr Easton** asked the Minister for Regional Development what impact the cut to the Translink budget will have on service provision.

(AQW 40359/11-15)

**Mr Kennedy:** In the current financial year there will be no impact on service provision as any pressures on Translink will be addressed by a reduction in Translink reserves and marginally through the fare increase to be implemented in February.

For 2015/16 the currently anticipated impact on service provision is as set out in my Department's budget consultation document available at [www.drndi.gov.uk/spending-and-savings-proposals-draft-budget-2015-16.pdf](http://www.drndi.gov.uk/spending-and-savings-proposals-draft-budget-2015-16.pdf). A detailed set of proposals, set out by Translink were sent to the Committee for Regional Development on 03 December 2014

**Mr Easton** asked the Minister for Regional Development how much has been cut from the NI Railways budget for the remainder of the financial year.

(AQW 40360/11-15)

**Mr Kennedy:** I can advise you that over the current financial year 2014-15 I have planned a reduction in resource funding to the NI Railways budget as originally set out of £6 million.

This is subject to the outcome of January monitoring.



**Mr Easton** asked the Minister for Regional Development what impact the cut to the NI Railways budget will have on service provision.

**(AQW 40361/11-15)**

**Mr Kennedy:** I can advise you that the reduction in funding from Government to the NI Railways budget 2014-15 is not expected to have an impact on services; rather the deficit is expected to be absorbed by the Translink group by increasing the level of expected trading loss for the current year.

However, my Department has issued a consultation paper in response to draft budgets which are proposed from 2015/16 onwards. Depending on the final budget provisions for 2015/16, Translink will then be in a position to firm up plans to meet the new funding landscape. It is possible that the frequency of some rail services will be impacted.

**Mr Easton** asked the Minister for Regional Development how much has been cut from the TransportNI budget for the remainder of the financial year.

**(AQW 40362/11-15)**

**Mr Kennedy:** A budget cut of £6.0m Resource DEL was applied to TransportNI's budget this year as part of my Department's £15 million budget cut to address the 4.4% reduction applied to my Department's budget baseline. In addition the baseline is £12 million less than the objective requirement for roads maintenance. This has been addressed through in-year monitoring in each of the last three years. I have detailed the impact of these budget reductions in my response to AQW 40363/11-15

**Mr Allister** asked the Minister for Regional Development to detail the total spent on each of the (i) capital; and (ii) other projects which have not proceeded since May 2007, including the loss resulting from each project.

**(AQW 40368/11-15)**

**Mr Kennedy:** No major road projects have been cancelled since May 2007 and consequently there have been no resultant losses.

The projects currently in the Major Works Programme emanated from the Regional Strategic Transport Network Transport Plan 2015 and Investment Delivery Plan for Roads (IDP) published in 2008.

With the exception of the A6 Randalstown to Castledawson Dual Carriageway, which is currently being progressed, all the schemes which had a specifically defined delivery timeframe in the IDP have been delivered. The remainder of the schemes included in the IDP are at varying stages of development. Their future progression will be determined by the levels of funding made available by the Executive.

Local Transport Safety Measures capital projects are discretionary spend and are prioritised locally. Projects will only proceed once the funding has been secured and allocated.

**Mr Weir** asked the Minister for Regional Development, pursuant to AQW 40156/11-15, how many of the required repairs are in (i) Donaghadee; and (ii) Millisle.

**(AQW 40385/11-15)**

**Mr Kennedy:** Of the 349 lights requiring repair in the Ards Borough Council area on 9 December 2014, 21 were in Donaghadee and 36 were in Millisle.

**Ms Sugden** asked the Minister for Regional Development what transport provision exists for people with visual impairment; and how cuts to his Department's budget will impact on this provision.

**(AQW 40391/11-15)**

**Mr Kennedy:** I can advise that Translink services are available to all members of the public including those with visual impairments. I understand that making these services as accessible as possible can play a vital role in enabling people with a disability to fully participate in the community. My Department will continue to provide revenue support to Translink and I have been successful in securing additional resource from the Executive which will allow Translink to continue to provide much needed town services.

Additionally the Disability Action Transport Scheme operated by Disability Action and Dial-A-Lift services provided by Rural Community Transport Partnerships, that my Department also funds, offers specialised public transport options for people with all disabilities including those with visual impairments. It is my intention that my Department continues to support these schemes subject to EU rules and licensing arrangements, next year and in later years.

Specifically in regard to people with a visual impairment, I announced in October 2014 my Department's plans to commence the installation of Audio Visual (AV) systems on the Metro bus network in early 2015. The project will involve the installation of AV equipment on 294 Metro buses, including 30 Park and Ride vehicles, and at 191 key bus stops at a total cost of £700k. The Audio Visual (AV) systems will provide all passengers with real time information relating to bus location via a speaking voice and visual display.

**Ms Sugden** asked the Minister for Regional Development what communication his Department has had with the Department of Health, Social Services and Public Safety to ensure that the provision of services for people with visual impairments is protected.

**(AQW 40392/11-15)**

**Mr Kennedy:** My Department has not had any engagement with the Department of Health, Social Services and Public Safety (DHSSPS) dealing specifically with transport services for people with a visual impairment. I have, however, written to Executive colleagues asking them to outline their responsibilities in relation to transport and transport funding with a view to identifying those Government Departments that should sit on an inter-departmental steering group to shape the public consultation document for a new Accessible Transport Strategy. DHSSPS has indicated that it wants to participate in this steering group. The proposed Accessible Transport Strategy will take account of transport issues that impact on a range of users, including older people and people with disabilities. This will include people with visual impairments. I am also pleased to confirm that my Department, in conjunction with Translink and Guide Dogs, is currently planning the initial phase of the implementation of Audio Visual systems on the Metro bus network, including on all buses and at key bus stops. This project will commence in early 2015.

**Ms Sugden** asked the Minister for Regional Development whether it is compulsory for public transport drivers to undertake Disability Awareness Training in respect of service users who are visually impaired.

**(AQW 40393/11-15)**

**Mr Kennedy:** Translink has confirmed that it continues to provide disability awareness training, which covers all forms of disability, to its driving staff as part of their induction process. Equality and diversity issues are also routinely covered in training modules to enable bus drivers to attain the Certificate of Professional Competence which is compulsory for all drivers.

All other customer-facing staff such as Conductors, station staff, customer service co-ordinators and Translink Rail Services staff also receive regular training in these areas and all Translink staff are bound by the company's Dignity at Work and Equal Opportunity policies.

Other transport providers such as the Rural Community Transport Partnerships and Disability Action which are funded by my Department have confirmed that they have provided disability awareness and equality training to all front line staff. Particular issues pertaining to the difficulties experienced by service users with visual impairment are included within this training.

**Mr Flanagan** asked the Minister for Regional Development what is the cost of a single ticket from (i) Enniskillen; (ii) Fivemiletown; and (iii) Ballygawley Park and Ride to Belfast on the 261 Service; and for his assessment of the value for money provided on each journey.

**(AQW 40398/11-15)**

**Mr Kennedy:** Current fares between the various destinations are outlined below:

Belfast To	Cash Single	Cost if using Multi-Journey ticket
Enniskillen	£11.50	£7.60
Fivemiletown	£11.50	£7.60
Ballygawley P&R	£10.00	£6.70

I am satisfied that it remains the case that the cost of public transport in Northern Ireland compares favourably with that in the rest of the UK and the Republic of Ireland. I am clear that public transport provides a high standard of service and as far as practicably possible, meets the needs of all customers.

**Mr Easton** asked the Minister for Regional Development whether any new road projects planned for the remainder of this financial year have been cancelled.

**(AQW 40402/11-15)**

**Mr Kennedy:** I would advise the Member that no new road projects planned for this financial year have been cancelled.

**Mr Easton** asked the Minister for Regional Development whether any new street lighting projects planned for the remainder of this financial year have been cancelled.

**(AQW 40403/11-15)**

**Mr Kennedy:** I can confirm that no new street lighting projects planned for the remainder of this financial year have been cancelled.

**Mr Campbell** asked the Minister for Regional Development what was the total estimated expenditure in repairing faulty street lighting between 1 October and 31 December in (i) 2013; and (ii) 2014.

**(AQW 40416/11-15)**

**Mr Kennedy:** My Department's estimated expenditure on repairing faulty street lighting, between 1 October and 31 December in each of the last two years, was as follows:

- (i) £1,464,000 for 2013; and.
- (ii) £729,000 for 2014.

**Mr McKinney** asked the Minister for Regional Development when the NI Water joint-agency appraisal study into flood alleviation for the Finaghy Road North and Orchardville area of South Belfast will be published.

**(AQW 40483/11-15)**

**Mr Kennedy:** I have been advised by NI Water that a final consultants' report which considers the viability of options to further enhance the sewer networks in the Finaghy Road North and Orchardville areas is expected in mid-February. NI Water will consider the options in terms of economic viability, priority and affordability in order to make an informed decision on any potential capital investment. It is anticipated that NI Water will present its findings to local elected representatives and residents in March 2015.

**Mr Easton** asked the Minister for Regional Development how much revenue was raised by his Department in the last financial year.

**(AQW 40486/11-15)**

**Mr Kennedy:** I refer you to my answer to AQW 37230/11-15.

**Mr Easton** asked the Minister for Regional Development for an update on the proposed start date of the new sewage pumping system for Millisle.

**(AQW 40489/11-15)**

**Mr Kennedy:** The ownership of the site required for the new wastewater pumping station in Millisle is presently split between Ards Borough Council and the Crown Estate. Before NI Water can acquire the entire site, Ards Borough Council must first acquire a strip of land from the Crown Estate. Matters in relation to this initial acquisition are still ongoing and are outside of NI Water's direct control. NI Water's legal department have sought regular updates from the external parties and I understand that the legal processes are still progressing. The contract to construct the new pumping station is presently out to tender and the project will be brought to construction as soon as possible, following completion of the necessary land acquisitions.

**Mr McCallister** asked the Minister for Regional Development what criteria were used to assess the need for a traffic calming scheme on the Banbridge Road, Kinallen.

**(AQW 40545/11-15)**

**Mr Kennedy:** My Department has developed assessment criteria which are used to assess all requests for traffic calming. I can confirm that Kinallen was assessed using this criteria. The assessment considers traffic speed and volume, injury collision history and the nature of the local environment which takes into account the presence of schools, housing etc.

**Mr Dallat** asked the Minister for Regional Development what savings Translink expect to realise as a result of the falling cost of fuel; and how this will be reflected in the cost of travel.

**(AQW 40597/11-15)**

**Mr Kennedy:** I can advise you that Translink already has a 'fuel forward purchasing arrangement in place for most of its required volume of fuel, for 2015/16 and 2016/17. The current fall in the cost of fuel will be reflected in fuel costs incurred by Translink beyond those timeframes.

Translink engages in fuel forward purchasing in order to provide certainty around its fuel costs, as part of its corporate planning process, and to prevent both it and its customers from being exposed to sudden significant increases in fuel prices.

**Mr Anderson** asked the Minister for Regional Development to detail the total cost of the installation of water meters in Upper Bann over the last three financial years.

**(AQW 40666/11-15)**

**Mr Kennedy:** Northern Ireland Water holds water meter installation information according to the nature of the installation, the number of meters, and the type of property (domestic or non-domestic) it serves. It is not operationally practical for the company to hold the information according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information.

## Department for Social Development

**Mr Allister** asked the Minister for Social Development for his assessment of the equitable distribution of Neighbourhood Renewal Funds in terms of community backgrounds.

**(AQW 40261/11-15)**

**Mr Storey (The Minister for Social Development):** I am content that the process for distribution of funds across the Neighbourhood Renewal Areas is implemented fairly and reasonably to meet their community needs.

**Mr Allister** asked the Minister for Social Development to detail the total spent on each of the (i) capital; and (ii) other projects which have not proceeded since May 2007, including the loss resulting from each project.

**(AQW 40349/11-15)**

**Mr Storey:** The table below provides details of the projects closed early and the related costs as per the project closure documentation for the Department for Social Development since May 2007. While the projects did not proceed to full completion, it is not considered that the expenditure was lost, as benefits were achieved on each of the projects.

Project Title	Project Closure Date	Actual Project Costs
Sustainable Printing Services Project	31 July 2010	£610,845
Audit Trail Analysis Service Modernisation Project	31 March 2011	£257,720
Continuous Service Improvement Project	31 July 2011	£1,792,849
Bank Liaison Automation and Customer Contact Project	30 September 2011	£201,000
Jobs and Benefits Project (Final 10 Offices) (Capital project)	30 September 2011	£29,434,000 *
Digital Services Project – My Benefits Online	July 2014	£759,000
Financial Support Services Project	30 November 2014	£231,000
Melvin Bridge, Strabane (Capital Project)	31 May 2011	£200,000

\* Two of the ten offices were built, i.e. Andersonstown and Ballymena

**Mr Agnew** asked the Minister for Social Development to detail the approximate number of people who would move from a mid-rate Disability Living Allowance to the higher rate Personal Independence Payment following its introduction assuming no change in medical conditions.

**(AQW 40380/11-15)**

**Mr Storey:** My Department has published a document entitled 'Northern Ireland Personal Independence Payment Information Booklet' which was updated in November 2014. It reports on the potential impact on DLA claimants who will undergo reassessment between Autumn 2015 and September 2016 and of that total it is estimated that some 3,900 people will receive an increased award under Personal Independence Payment. The information booklet can be found at

<http://www.dsdni.gov.uk/ni-pip-information-booklet.pdf>

**Mr Allister** asked the Minister for Social Development what is the highest level of benefit currently being paid to a family in Northern Ireland; and how many families receive benefits in excess of (a) £26,000; and (b) £23,000 per annum.

**(AQW 40536/11-15)**

**Mr Storey:** In accordance with the code of practice for Official Statistics from the UK Statistics Authority, official statistics must not reveal the identity of an individual or organisation, or any private information relating to them. As a result the highest level of benefit for an individual household in Northern Ireland cannot be provided.

At June/July 2014, it was identified that in Northern Ireland; (a) 6,600 households were receiving benefits in excess of £26,000 per annum and (b) 12,000 households were receiving benefits in excess of £23,000 per annum.

The Information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

**Mr Ramsey** asked the Minister for Social Development which area of Derry will be targeted for Public Realm works after the completion of the Strand Road improvement scheme.

**(AQW 40577/11-15)**

**Mr Storey:** Public Realm works have just commenced on Foyle Road and will shortly begin on Whitaker Street and Limavady Road. Furthermore, consultants have just been appointed to bring forward design proposals for a scheme on Bank Place, Union Hall Place, Magazine Street and Society Street.

**Mr Weir** asked the Minister for Social Development for an update on the number of applicants currently on the waiting list for social housing in North Down.

**(AQW 40614/11-15)**

**Mr Storey:** The Housing Executive has advised that the number of applicants on the waiting list in North Down at 30 September 2014 was 1,837, of which 1,062 were in Housing Stress.



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.

**Ms Boyle** asked the Minister for Social Development what funding streams are available within his Department for community groups to apply for in 2015.

**(AQW 40646/11-15)**

**Mr Storey:** The Department for Social Development does not have any funding streams open for new applications.

**Mr Allister** asked the Minister for Social Development what is the current position and timeline on the implementation of the reported policy decision to dissolve the Northern Ireland Housing Executive.

**(AQW 40706/11-15)**

**Mr Storey:** No decisions have been made with regard to social housing reform. The Social Housing Reform Programme has a mandate to explore the potential for reform of housing structures and policies in NI which includes the Northern Ireland Housing Executive. It will present a range of proposals for consultation throughout 2015.

**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 40284/11-15, whether he intends to resolve the anomaly that affect places such as Drumbo Park Greyhound Stadium and to include an amendment to the existing legislation so that general permitted hours for liquor licensing, in respect of a place of public entertainment, also extend to Sundays.

**(AQW 40762/11-15)**

**Mr Storey:** A Licensing and Registration of Clubs (Amendment) Bill is currently being drafted based on the Executive approval of previously published proposals. I do not intend to make any changes to general permitted hours for racetracks however, as you are aware, an opportunity exists during the Assembly process to put forward amendments and I will consider any amendments at that time.

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# Northern Ireland Assembly

Friday 30 January 2015

## Written Answers to Questions

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

**Mr Allister** asked the First Minister and deputy First Minister in light of their responsibilities for victims' issues, what matters they plan to draw to the attention of the review of the administration scheme for dealing with on-the-runs, headed by Lady Justice Hallett.

**(AQO 5825/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** OFMDFM co-operated fully with the inquiry conducted by Lady Justice Hallett and raised a range of issues.

**Mr Allister** asked the First Minister and deputy First Minister (i) what is the annual cost of operating and using the G Heyn Building in Belfast; (ii) to what use is it put; and how regularly it is used.

**(AQW 40477/11-15)**

**Mr P Robinson and Mr M McGuinness:** Headline Buildings (G Heyn Building) is currently occupied on a full-time basis by the Northern Ireland Judicial Appointments Commission (NIJAC) and the Commission for Victims and Survivors Northern Ireland (CVSNI). Details of Operating Costs are included in NIJAC's Annual Report and Accounts, which also records the contribution made by the CVSNI in respect of rent, rates and other premises costs.

### Department of Agriculture and Rural Development

**Mr Lunn** asked the Minister of Agriculture and Rural Development for her assessment of the savings to be made by her Department from the public sector voluntary exit scheme, over each of the four financial years commencing 2014/15.

**(AQW 40691/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** I understand that the public sector Voluntary Exit Scheme (VES) is on target to launch in early March 2015. Given the timing of this, there will be no savings made by my Department from the VES in 2014-15.

My Department's Draft Budget 2015-16 proposals included a staff reductions savings proposal of £5.6m as a result of the VES. This was based on an estimated reduction of around 300 posts next year from the Core Department. This position is also reflected in the Final Budget recently agreed by the Executive.

The VES savings in financial years 2016-17 and 2017-18 will be determined whenever the parameters for overall departmental savings for the next Budget period are agreed by the Executive and the scope of the VES is available.

**Mr Easton** asked the Minister of Agriculture and Rural Development what is the level of sheep smuggling across the border reported to her Department.

**(AQW 40796/11-15)**

**Mrs O'Neill:** Sheep smuggling is invariably associated with the substitution of false domestic identities into the illegally imported or exported sheep. Smuggling may occur in either direction across the border. However the availability of a VAT rebate for slaughter lambs in the south is considered a major attraction to move northern sheep across the border without appropriate health certification, and re-identify them as southern sheep. The Department of Agriculture, Food and the Marine (DAFM) and the Office of Revenue Commissioners are responsible for investigating such cases in the south. DARD's own Veterinary Service Enforcement Branch cooperates closely with their investigators. Although accurate and reliable reporting or recording of smuggling is difficult, DARD does keep a record of illegal sheep import and export cases that can be verified or where there was sufficient evidence to undertake an investigation. In the period 2012-14 DARD investigated seven such cases.

**Mr Easton** asked the Minister of Agriculture and Rural Development what is the level of cattle smuggling across the border reported to her Department.

**(AQW 40797/11-15)**

**Mrs O'Neill:** Cattle smuggling is invariably associated with the substitution of false domestic identities into the illegally imported or exported cattle. As such, accurate and reliable reporting or recording of smuggling is difficult and in the absence of verification, DARD does not classify or record cases under the category of smuggling. DARD does however keep a record of illegal cattle import and export cases that can be verified or where there was sufficient evidence to undertake an investigation. In the period 2012-14 DARD investigated eighteen such cases.

**Mr Lunn** asked the Minister of Agriculture and Rural Development for the percentage of her Department's overall Current Resource Expenditure allocated to staff wages in (i) 2013/14; and (ii) the 2014/15 draft Budget.

**(AQW 40826/11-15)**

**Mrs O'Neill:** I refer you to my response to AQW 40690/11-15.

**Mr Kinahan** asked the Minister of Agriculture and Rural Development how many farms in South Antrim (i) rent; or (ii) let out land in conacre.

**(AQW 40932/11-15)**

**Mrs O'Neill:** Analysis of the June 2014 Agricultural and Horticultural Census indicates that (i) 552 farms rented in and (ii) 107 let out land in conacre in the South Antrim constituency.

**Mr Weir** asked the Minister of Agriculture and Rural Development what action her Department has taken to establish a common definition of rural with the Department for Social Development.

**(AQW 40974/11-15)**

**Mrs O'Neill:** The system of settlement classification is currently subject to review by a cross-departmental working group led by NISRA. DARD and DSD are represented on the group. It is expected that the review findings and technical documentation will be published later this year. It is unlikely that the recommendations will be prescriptive regarding an urban/rural population threshold and users will be advised, as with the current classification framework, to define urban and rural areas in ways which are consistent with the policy aims of projects and programmes. However, in keeping with the existing approach, a default urban/rural boundary is likely to be provided.

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 40610/11-15, whether the 442 people who completed the FarmSafeNet online course are included in the 678 people who have been trained.

**(AQW 41058/11-15)**

**Mrs O'Neill:** The 442 people who completed the FarmSafeNet online course are separate to and not included in the 678 people trained through FarmSafe awareness training.

**Ms McGahan** asked the Minister of Agriculture and Rural Development for an update on negotiations that are on going with the European Commission regarding the exact definition of a young farmer.

**(AQW 41212/11-15)**

**Mrs O'Neill:** Regulation (EU) 1307/2014 provides a clear definition that a young farmer must not exceed 40 years of age in the year of first application to the Basic Payment Scheme and be setting up as head of an agricultural holding for the first time, or have had already set up as such during the five years preceding his/her first application.

Discussions have just concluded between my officials and the European Commission on a number of detailed issues relating to the practical implementation of this definition for the purposes of administering the Young Farmers' Payment and the Regional Reserve. The Department will very shortly be publishing detailed guidance on this and the evidence that will need to be provided by prospective applicants to the Young Farmers' Payment and Regional Reserve.

## Department of Culture, Arts and Leisure

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 33554/11-15, whether the investigation by Inland Fisheries Ireland into the death of hundreds of thousands of elver on Lough Erne in 2014 has been completed.

**(AQW 40461/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** In view of the magnitude of the fish kill and in line with existing Inland Fisheries Ireland (IFI) policies, IFI undertook an investigation and referred the matter to its legal advisers.

It would be inappropriate to comment further on the matter at this time. I will keep you advised of developments.

**Mr Easton** asked the Minister of Culture, Arts and Leisure what funding opportunities are available through her Department for the restoration of historical items and artefacts.

**(AQW 40490/11-15)**

**Ms Ní Chuilín:** DCAL does not directly provide a grant funded programme for individuals or groups to restore historical items and artefacts. My Department's investment in this area is primarily directed to the NI Museums Council (NIMC), National Museums and the Public Record Office (PRONI).

The NIMC provides grant support to local museums in the north of Ireland to assist with the conservation and restoration of objects held in their collections. It provides two grant programmes for local museums – the Accredited Museums Grant Programme and the Acquisition Fund. The former supports projects at local museums including conservation and restoration needs. The latter gives assistance for the purchase of objects for local museum collections. In 2012-13 the NIMC provided a total of £18,738 in grants through the Accredited Museum Grant Programme, of which £15,637 was provided to 11 projects concerned with the conservation of artefacts and 1 restoration project. In 2013-14 the Council provided £45,293 in grants through the same programme, of which £30,480 was given to 10 conservation projects and 2 restoration projects. In 2014-15, grants totalling £11,782 have been offered to seven projects with a conservation focus.

Neither National Museums nor PRONI provide funding to third parties for the restoration of historical items and artefacts. The investment they receive is used to assist in meeting their respective statutory obligations.

**Mr Easton** asked the Minister of Culture, Arts and Leisure what responsibility museums, that receive funding from her Department, have to restore historical items and artefacts.

**(AQW 40492/11-15)**

**Ms Ní Chuilín:** My Department's investment in the museums sector is primarily directed to National Museums and the NI Museums Council (NIMC).

National Museums' responsibility for the treatment of historical items and artefacts is set out in Article 4 (1) of The Museums and Galleries (NI) Order 1998. Under Article 4 (1) National Museums is required "so far as practicable" to "care for" and "preserve...objects in its collections". This can include restoring historical items and artefacts in its collections if National Museums consider this appropriate, practicable and the funding is available.

There is no statutory responsibility on local museums to conserve or restore items in their collections. However, the Museum Code of Ethics places a responsibility upon such accredited museums to act as guardians of the long-term public interest in the collections they hold. As a result there is an expectation that accredited museums will publish, implement and regularly review a forward-looking collections management policy, approved by their governing body, which specifies standards of care and defines the level of care appropriate for the different parts of their collection.

**Mr Lunn** asked the Minister of Culture, Arts and Leisure for an update on the Líofoa campaign; and to outline the activities planned for the campaign during the 2015/16 financial year.

**(AQW 40692/11-15)**

**Ms Ní Chuilín:** The success of the Líofoa campaign clearly demonstrates the need for this support for learners of Irish, and the upward revision of the target, on 4 occasions of the number of people signing up to the challenge, reinforces the motivational value of the campaign.

Currently over 9,000 people have signed up to the challenge and, if recent trends continue, the 10,000 target will be achieved shortly. Given this proven success, I am minded to continue with the Líofoa campaign post 2015 taking account of the findings from the recent survey of Líofoa participants.

Given that the Executive has now agreed the Departmental allocations for 15/16, I will confirm the position of the Líofoa campaign and planned activities in the near future.

## Department of Education

**Mr McKinney** asked the Minister of Education to detail the number of children in foster care who have access to classroom assistants in the educational setting, broken down by Education and Library Board.

**(AQW 40581/11-15)**

**Mr O'Dowd (The Minister of Education):** Access to classroom assistant support is not determined by whether or not a child is in foster care; rather it is determined by the individual needs of the pupil, for example special educational needs.

The Department and the Education and Library Boards do not hold information on classroom assistant support that is accessed by foster children.

When a pupil enters the care system, it is the responsibility of the Health and Social Care Trust who looks after them to ensure that their school is notified. The October 2013 school census showed that schools had been notified of 723 pupils in foster care.



**Mr Lyttle** asked the Minister of Education to detail the rationale of the 100 per cent cut to his Department's Community Relations, Equality and Diversity in Education (CRED) budget for 2015/16; and what impact this will have on the requirement on statutory early years' providers to contribute to improved community relations.

**(AQW 40586/11-15)**

**Mr O'Dowd:** The proposal to end earmarked Community Relations Equality and Diversity (CRED) Funding is a direct consequence of the challenging budget reduction faced by my Department, in which I have sought to protect front line services.

Amongst the mitigating factors which I have taken into account as to the impact of the ending of CRED funding is the introduction of a £25m Shared Education Signature project which seeks to improve educational (including reconciliation) outcomes.

When CRED funding was introduced its purpose was to support and underpin existing curricular requirements, with a focus on capacity building, resources and sharing of good practice, all of which have been significantly progressed since the policy was introduced.

The inclusion of Personal Social and Emotional Development in the Early Years curriculum addresses CRED issues which providers are expected to continue to deliver.

**Mr McKay** asked the Minister of Education to detail the waiting list for Special Educational Needs assessments in each Education and Library Board.

**(AQW 40592/11-15)**

**Mr O'Dowd:** Following receipt of a request for a statutory assessment of a child's special educational needs, Education and Library Boards are required to complete this process within the statutory timeframes outlined in the Education (NI) Order 1996 and the Code of Practice on the Identification and Assessment of Special Educational Needs. Therefore waiting lists do not apply in relation to such assessments.

The Education and Library Boards have advised that the number of pupils for whom a decision has been made to carry out a statutory assessment and who were within the ten week period, allowed by statute, to complete the assessment, as at 31 December 2014, was as follows:

Board	Number of pupils
BELB	203
NEELB	177
SEELB	82
SELB	114
WELB	185

**Mr Weir** asked the Minister of Education to outline the assessed impact on pre-school education in North Down as a result of proposed budget cuts.

**(AQW 40613/11-15)**

**Mr O'Dowd:** Following the additional allocations to the Education budget announced in the Executive's Final Budget on 19 January 2015, I have restored the draft budget reduction to ensure that sufficient funding is available to meet the projected need for pre-school places across the north for the 2015-16 academic year.

**Miss M McIlveen** asked the Minister of Education how many responses his Department received as part of the consultation exercise on the Department of Education's draft budget.

**(AQW 40673/11-15)**

**Mr O'Dowd:** The DE Draft Budget 2015-16 was published on 26 November 2014 and was open for public consultation until Monday 29 December 2014.

Up to and including 29 December 2014, my Department received a total of 23,052 responses. 6,643 were received via e-mail responses, 1,818 signatures submitted via an online petition and 14,591 hard copy responses were received via the post; this included 6,407 petition signatures.

**Miss M McIlveen** asked the Minister of Education to list the numbers of children in each Education and Library Board area supported by the Autistic Spectrum Disorder advisory service; and to detail the cost of the service.

**(AQW 40676/11-15)**

**Mr O'Dowd:** The Education and Library Boards (ELBs) have advised that the number of children supported by each ELB's Autistic Spectrum Disorder advisory service and the cost of that service, for the calendar year 1 January 2014 – 31 December 2014, is as follows:

	Number of Children	Total Cost (£)
BELB*	1,221	620k
NEELB	1,029	354k
SEELB	1,210	428k
SELB	1,161	642k
WELB	1,147	590k

\* 2013/14 academic year and associated staff costs.

**Mr Easton** asked the Minister of Education to detail the proportion of his Department's budget allocated to controlled schools. (AQW 40681/11-15)

**Mr O'Dowd:** The amount spent on Controlled Schools (excluding Controlled Integrated and Controlled Irish Medium schools) in 2013/14 is shown in the table below:

#### Controlled Schools

Financial Year	Total Expenditure £000
2013/14	557,042

**Note:** This is the latest available data (from Board Outturn statements) - unaudited figures pending submission of audited Education and Library Board Outturn Statements to the Department.

**Mr Easton** asked the Minister of Education to detail the proportion of his Department's budget allocated to maintained schools. (AQW 40682/11-15)

**Mr O'Dowd:** The amount spent on Catholic Maintained Schools (excluding Other Maintained and Maintained Irish Medium schools) in 2013/14 is shown in the table below:

#### Maintained Schools

Financial Year	Total Expenditure £000
2013/14	532,729

**Note:** This is the latest available data (from Board Outturn statements) - unaudited figures pending submission of audited Education and Library Board Outturn Statements to the Department.

**Mr Allister** asked the Minister of Education to outline all action taken by his Department in light of the judgement in HR (a minor)'s Application [2013] NIQB 105, which identified shortcomings in the "exceptional circumstances" definition for the allocation of free school transport.

(AQW 40708/11-15)

**Mr O'Dowd:** The judgement identified that Education & Library Boards had not made reference to exceptional circumstances in their application documents and indicated that this situation should be corrected.

The Belfast Education & Library Board against whom the judgement was made, as an interim measure amended their application form for September 2014 to include the following wording;

*"Education boards may divert from the Department of Education's Circular 1996/41 where exceptional circumstances exist".*

The matter was then further considered by the Regional Transport Officers group on behalf of all five Education & Library Boards. Accordingly, the Education & Library Boards' "Transport in Exceptional Circumstances" policy has been reviewed and updated in advance of the new school year starting in September 2015 to reflect the contents of the judgement. Legal opinion has been sought on the redrafted policy, and further to this it is intended that all revisions will be in place to coincide with the 2015 school transport application process which will begin in mid-April.

**Mr McCausland** asked the Minister of Education to detail the spend on youth services in North Belfast in each of the last three years, broken down by (a) capital; and (b) resources for each organisation that has received funding.

(AQW 40725/11-15)

**Mr O'Dowd:** I have arranged for the information requested to be placed in the Assembly Library.

**Mrs McKevitt** asked the Minister of Education what evidence a primary school principal can provide to demonstrate to a parent, who is concerned about their child's education, that the full school curriculum is being taught.

**(AQW 40756/11-15)**

**Mr O'Dowd:** The statutory requirements for the revised curriculum are set out in legislation and cover the areas of learning, cross-curricular and other skills. Assessments are carried out (and reported to parents) in Communication and Using Maths using Levels of Progression at the end of Key Stages 1 and 2 in primary school. These assessments demonstrate (based on the judgment of the teacher in the classroom) the extent to which pupils have mastered, at these key points in their education, the knowledge and skills that our curriculum is designed to deliver.

The Education and Training Inspectorate monitor the quality of teaching and learning and, where appropriate, would raise concerns in an inspection report regarding the breadth and balance of the curricular provision. In demonstrating that the full school curriculum is being taught, a primary school principal may refer to the school's policies and planning and / or information for parents (for example, class newsletters to outline the curriculum for each year).

Where parents have concerns that a school is not providing a full and balanced curriculum, these concerns should be raised with the Principal in the first instance. Where attempts to settle the complaint informally in this manner have failed, parents can make a formal appeal to the Board of Governors.

If, following these processes, a parent remains dissatisfied with the decision of the Board of Governors, they may make a written complaint to the relevant Education Library Board. The Education Library Board should then set up an independent Curriculum Complaints Tribunal to hear the complaint, and when the complaint has been fully investigated and considered, the Tribunal will notify all parties of its determination. If it upholds the complaint, the Tribunal can give a notice for steps to be taken to remedy the matter.

**Mr Rogers** asked the Minister of Education, further to his approval of the development proposal for the lower Mourne primary schools estate, what progress has been made in respect of the economic appraisal.

**(AQW 40805/11-15)**

**Mr O'Dowd:** I approved a development proposal for the amalgamation of St Joseph's PS, Ballymartin, Moneydarragh PS and St Mary's PS, Glassdrumman on 23 September 2014; effective from September 2015. Should the Mourne Primary Schools project be successful in any future major capital investment announcement an economic appraisal will be commissioned at that stage.

**Mrs Dobson** asked the Minister of Education how many school crossing patrols have been (i) established; (ii) withdrawn; and (iii) reinstated in each Education and Library Board in each month of the last three years.

**(AQW 40818/11-15)**

**Mr O'Dowd:** The Education and Library Boards have advised that the number of school crossing patrols that have been (i) established; (ii) withdrawn; and (iii) reinstated in the last three years, is as follows:

Year		BELB	NEELB	SEELB	SELB	WELB
2012	Established	1	0	0	0	0
	Withdrawn	0	1	3	2	2
	Reinstated	0	0	1	0	0
2013	Established	0	1	0	0	0
	Withdrawn	0	1	4	3	0
	Reinstated	0	0	1	0	0
2014	Established	1	0	0	1	1
	Withdrawn	1	2	3	3	2
	Reinstated	0	2	2	1	0

The information is not available for each month for all Boards.

**Mr Frew** asked the Minister of Education to detail (i) North Eastern Education and Library Board Youth Centres in North Antrim; (ii) the level of funding each organisation received last financial year to operate programmes; and (iii) the number of nights each centre was open and utilised.

**(AQW 40822/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below:-

(i) Name of Youth Centre	(ii) Cost in the Financial Year 2013/14	(ii) No. of nights open/utilised
Ballee Community High School	£13,387	150
Ballykeel	£153,694	144
Broughshane	£59,159	78
Waveney	£98,572	212

**Mr Frew** asked the Minister of Education for his assessment of the affect the budget for 2015/16 will have on North Eastern Education and Library Board Youth Centres in North Antrim, including the services that will be reduced in each youth centre.  
(AQW 40823/11-15)

**Mr O'Dowd:** Following the additional allocations to the Education budget announced in the Executive's Final Budget on 19 January 2015, I have restored the £2million draft budget reduction to the Education and Library Boards.

Detailed decisions on allocations to local youth centres will be determined by the Education and Library Boards in due course, but will take account of the final budgetary position.

**Ms P Bradley** asked the Minister of Education for an update on the disposal of land owned by the North Eastern Education and Library Board at Knockenagh Avenue, Newtownabbey.  
(AQW 40837/11-15)

**Mr O'Dowd:** The North Eastern Education and Library Board (NEELB) is currently taking steps to dispose of the land at Knockenagh Avenue, Newtownabbey in accordance with Land and Property Services Central Advisory Unit guidance: Disposal of Surplus Public Sector Property in Northern Ireland (March 2013).

However this disposal is highly complex due to restrictive clauses imposed when the NEELB originally purchased the site from the Housing Executive (NIHE) in 1967. Sale of the land requires joint co-operation between the NEELB and the NIHE. Newtownabbey Borough Council is the sole applicant interested in acquiring the site and is seeking to do so at nil cost.

Transferring assets at less than 'best value' can only be carried out in 'highly exceptional circumstances', in line with Central Advisory Unit's guidance. My Department's officials are currently giving careful consideration to the Council's proposal, based on all available evidence, and a decision will issue as soon as is practicable.

**Ms P Bradley** asked the Minister of Education what date the North Eastern Education and Library Board declared land at Knockenagh Avenue, Newtownabbey as surplus to requirement.  
(AQW 40838/11-15)

**Mr O'Dowd:** The North Eastern Education and Library Board (NEELB) declared the land at Knockenagh Avenue, Newtownabbey as surplus to requirement in 1983.

**Ms P Bradley** asked the Minister of Education to outline the public sector trawling process for the disposal of North Eastern Education and Library Board land at Knockenagh Avenue, Newtownabbey.  
(AQW 40839/11-15)

**Mr O'Dowd:** All government bodies, including Education and Library Boards, are required to dispose of surplus assets in accordance with Land and Property Services Central Advisory Unit Guidelines: Disposal of Public Sector Property in Northern Ireland (March 2013). Details are available at: [http://www.dfpni.gov.uk/lps/index/property\\_valuation/valuation-public-sector-bodies/disposal\\_of\\_surplus\\_public\\_sector\\_property.htm](http://www.dfpni.gov.uk/lps/index/property_valuation/valuation-public-sector-bodies/disposal_of_surplus_public_sector_property.htm)

Land and Property Services (the responsible Government Agency) has confirmed that the public sector trawl of the land at Knockenagh Avenue, Newtownabbey issued on 23 July 2014.

Parties interested in the said land were then required to register an interest with Land and Property Services who in turn liaised with the North Eastern Education and Library Board and the Housing Executive (NIHE) (who is involved in the disposal process due to a restrictive clause on the site).

**Ms P Bradley** asked the Minister of Education to list the expressions of interest received following the public sector trawl process for the disposal of North Eastern Education and Library Board land at Knockenagh Avenue, Newtownabbey, including the dates on which any expressions of interest were received.  
(AQW 40840/11-15)

**Mr O'Dowd:** Land and Property Services (LPS) is responsible for all aspects of the public sector trawl process. LPS has confirmed that one expression of interest was received following the public sector trawl of the land at Knockenagh Avenue, Newtownabbey. This was from Newtownabbey Borough Council on 28 July 2014.



**Mr McKay** asked the Minister of Education when the work to St Louis Grammar School in Ballymena under the School Enhancement Programme will be completed.

**(AQW 40870/11-15)**

**Mr O'Dowd:** The project for St Louis Grammar School, Ballymena to refurbish and extend the existing convent building to provide a creative and expressive arts facility, is well advanced in planning.

The Design Team is currently preparing the final designs for the project. Once the designs are complete they will be submitted to my department for review.

Once approval for the final design is given by the Department, the project will advance to the procurement phase subject to the necessary funding being available.

Given the budget constraints in FY15/16, SEP projects will be allocated budget at the point they are ready to be released for procurement of construction therefore the timescale for progressing the St Louis Grammar School project will be dependent on the point at which the design for the project has been completed and approved.

The speed of implementation of the project would then be dependent on availability of budget at monitoring rounds or in future years. The availability of capital budget beyond March 2016 is currently unknown.

**Mr McKay** asked the Minister of Education to detail the status of all projects that are receiving funding under the School Enhancement Programme.

**(AQW 40871/11-15)**

**Mr O'Dowd:** There are currently 50 schemes progressing under the School Enhancement Programme. To date design teams have been appointed at 49 schemes. The process to appoint the remaining design team is well advanced. Seven SEP projects have either moved on site or are due on site by the end of January 2015 these are:

- |  |  |
|--|--|
| ■ Rainey Endowed School                    | ■ Knockevin Special School             |
| ■ Maine Integrated Primary School          | ■ Acorn Integrated Primary School      |
| ■ Saintfield High School                   | ■ Millennium Integrated Primary School |
| ■ St Joseph's Primary School, Carnacaville |  |

A further 11 schemes are at the tender stage and the remainder of the schemes are progressing well.

**Miss M McIlveen** asked the Minister of Education to detail the timescale for the launch of the policy on the education of looked after children.

**(AQW 40927/11-15)**

**Mr O'Dowd:** Work has commenced on the development of the policy on the education of looked after children. The aim is to have this in place in the 2015/16 school year.

**Mr Lyttle** asked the Minister of Education how he planned to spend the £5.6m originally allocated for Together: Building a United Community expenditure that he returned to the Department of Finance and Personnel.

**(AQW 40965/11-15)**

**Mr O'Dowd:** The Department was allocated £8.4m in 2014-15 as part of the Together Building a United Community (TBUC) Strategy of which £8.0m is for the Lisanelly Shared Education Campus and £0.4m is for the Integrated Schools Project.

At the January Monitoring Round, £5.4m was surrendered from the Lisanelly Shared Education Campus budget for the following reasons - the initial spend profile included estimates in the main for enabling works, design and construction fees. The profile changed throughout the financial year as a result of lower market prices reflected in the tender pricing for enabling works, in particular demolition of the main site, and due to re-phasing of the construction and design timetable resulting in the deferral of expenditure into 2015-16.

Steady and significant progress is being made with demolition of the main site due to take place over the next 12 months and construction of the main Arvalee campus due to commence this financial year. The opening of Arvalee remains on track for September 2016. The main campus comprising the five post-primary schools remains on schedule to open in September 2020.

The original £400k allocated to the Integrated Schools' Projects related to design/planning work at Corran IPS, Portadown IPS and Omagh IPS. The £200k in-year reduced requirement relates to delays on the Portadown project (associated with a development proposal regarding a possible change of size at the school) and the Corran project (discovery of a potential alternative site which is now being considered).

**Ms P Bradley** asked the Minister of Education to detail the maintenance costs associated with North Eastern Education and Library Board land at Knockenagh Avenue, Newtownabbey, in each of the last five years.

**(AQW 40991/11-15)**

**Mr O'Dowd:** The North Eastern Education and Library Board has confirmed the maintenance\* costs, associated with land at Knockenagh Avenue, in each of the last five years to be as follows:

Year	Amount
2009/10	£210.00
2010/11	£3,050.00
2011/12	£1,052.00
2012/13	£1,120.00
2013/14	£1,440.00

\*Maintenance appropriate for this particular asset includes grass cutting, rubbish removal and bonfire clearance.

**Mr Newton** asked the Minister of Education to detail the budget allocation for youth provision in the current Belfast Education and Library Board specifically for detached youth, broken down by constituency.

**(AQW 40993/11-15)**

**Mr O'Dowd:** The Belfast Education and Library Board received an allocation of £730k for outreach/detached youth work in the financial year 2014-2015.

For operational efficiency outreach/detached youth workers are employed within 4 area based youth work teams across the city, these are not co-terminus with parliamentary constituency boundaries. The indicative year-end spend for each of these teams for outreach/detached youth work is:-

- North Belfast £210k
- South Belfast £170k
- East Belfast £160k
- West Belfast £190k

**Mr Newton** asked the Minister of Education what plans he has to address the education and facility requirements of schools for pupils with special educational needs.

**(AQW 40995/11-15)**

**Mr O'Dowd:** The special educational needs (SEN) of children are met through a statutory framework including the Code of Practice on the Identification and Assessment of Special Educational Needs. This involves a range of provision to meet the individual SEN of each child and includes support from the child's school and, where necessary, the relevant Education and Library Board.

ELBs are responsible for children in their area and, where necessary, determine the provision needed to meet a child's individual SEN. Educational provision for pupils with SEN may include placements in special schools, learning support centres in mainstream schools and mainstream classes, delivering a continuum of provision and ensuring that the diverse range of needs are met.

All Minor Works applications are considered and progressed in line with Ministerial priorities and within the context of available resources and competing priorities and pressures for investment across the schools' estate. The requirements of children with SEN tend to be considered under the heading of Health and Safety and Disability Discrimination Act (DDA) issues, which currently receive the highest priority.

The School Building Handbook, which set down standards for new schools, but which also informs consideration of Minor Works applications, makes provision for multi-purpose rooms which serve a wide range of functions, including therapist and healthcare visits.

If a Minor Works application relates to SEN it is supported by a report from an occupational therapist who will make appropriate recommendations. Examples of such Minor Work schemes have included hygiene and quiet rooms and special flooring to improve acoustics for children with hearing problems. DE also meets its statutory obligations under DDA in providing, for example, ramp access to school buildings.

**Miss M McIlveen** asked the Minister of Education why assessment centres are not used as part of the recruitment process for school leaders.

**(AQW 41027/11-15)**

**Mr O'Dowd:** For the purpose of this answer the term school leaders has been taken to mean school principals.

My Department is not responsible for the appointment of school Principals.

Within the controlled sector, each Education and Library Board (ELBs) has an established Teaching Appointments Committee Scheme (TACS), a copy of which is available from each Board.

Within the catholic maintained sector, the Council for Catholic Maintained Schools (CCMS) operates a scheme for the appointment of principals in maintained schools province-wide, a copy of which can be obtained from the Council. In the Voluntary Grammar, Grant Maintained Integrated, Irish Medium and other maintained sectors the Board of Governors of each school, as both the employer and employing authority, is responsible for the criteria, selection and appointment of principals in accordance with relevant employment legislation.

**Mr Hussey** asked the Minister of Education how many temporary posts of Senior Education Officer and above were created in each Education and Library Board in 2014; and of these posts, how many were awarded permanent status up to 31 December 2014, broken down by religious background.

**(AQW 41044/11-15)**

**Mr O'Dowd:** There were no temporary posts of Senior Education Officer and above created in the Education and Library Boards in 2014.

**Mr Clarke** asked the Minister of Education (i) how much his Department pays annually for Trade Union officials; (ii) how many officials this payment covers; and (iii) what is the cost of administering Trade Union's dues.

**(AQW 41062/11-15)**

**Mr O'Dowd:** In the 2013/14 financial year, my Department paid staff costs of £67,025 in respect of 2.5 full-time equivalent (FTE) staff seconded to NIPSA.

HRConnect, as the payroll provider for the NICS, provides the facility to deduct trade union subscriptions from staff salaries. There is no charge levied for this service.

**Ms Sugden** asked the Minister of Education for his assessment of the number of graduates, who have a primary degree in a science discipline, who progress into primary and post-primary teaching positions.

**(AQW 41068/11-15)**

**Mr O'Dowd:** I refer to my answer to AQW 38063/11-15 tabled by Robin Swann and published in the Official Report on 21 November 2014, which details the position for primary school teachers with a science degree.

In relation to post primary school teachers, data held by the General Teaching Council (GTCNI) indicates that there are currently 894 teachers currently employed who hold a degree in which the main specialism is a science subject.

There may also be teachers employed in schools who hold a subsidiary science subject within their degree, or who have not advised the GTCNI of additional qualifications which they may hold over and above those required to teach here..

I am of course conscious of the importance of ensuring adequate appropriately trained science teachers in our schools. Consequently, when setting intakes to courses of initial teacher education my Department has advised the Higher Education Institutions to give priority to enrolling students to STEM subjects. The selection of students for entry to courses of initial teacher education is however a matter for the providing institution.

**Mr Weir** asked the Minister of Education to detail the (i) capital; and (ii) resource spend on youth services in North Down in each of the last three years, broken down by organisation.

**(AQW 41077/11-15)**

**Mr O'Dowd:** I have arranged for the information requested to be placed in the Assembly Library.

**Ms Sugden** asked the Minister of Education how primary school funding per head of child is determined; and for his assessment of funding per head in the Coleraine area.

**(AQW 41121/11-15)**

**Mr O'Dowd:** All grant-aided schools receive a delegated budget under the Local Management of Schools arrangements. The formula funded budgets for schools reflect a range of factors including pupil year groups, additional funding support for smaller schools, funding to reflect social deprivation, premises and above average teaching costs etc. Details of the funding arrangements for schools are set out in the Common Funding Scheme, available on the Department's website: [www.deni.gov.uk/schools](http://www.deni.gov.uk/schools) and [infrastructure/schools/finance/common\\_funding](http://infrastructure/schools/finance/common_funding).

The overall average per capita funding for all primary schools in the Coleraine District Council area in 2014/15 was £3,013. This includes pupils in nursery classes within primary settings where applicable.

This represents recurrent funding delegated to schools in the current year and excludes other programme funds or centrally administered (non-delegated) funding such as home-to-school transport, meals services, statemented pupil costs etc. provided to schools outside of their delegated budgets.

**Ms Sugden** asked the Minister of Education to detail the average size of primary school class in (i) East Londonderry; and (ii) Coleraine, in each of the last three years.

**(AQW 41124/11-15)**

**Mr O'Dowd:** The table overleaf details the average primary school class size for East Derry constituency and Coleraine LGD. The figures relate to 2011/12, 2012/13 and 2013/14. Figures for 2014/15 will be available at the end of February.

**Average primary school class size in East Londonderry constituency and Coleraine LGD, 2011/12 – 2013/14**

	2011/12	2012/13	2013/14
(i) East Derry	23.0	23.6	23.6
(ii) Coleraine	23.3	24.1	24.3

**Source:** NI school census

**Notes:**

- 1 Data excludes learning support centre classes.
- 2 Figures include pupils in years 1 – 7 only.
- 3 Any composite classes including reception pupils have been included, but the class size excludes reception pupils

**Mr Agnew** asked the Minister of Education to list the development proposals (i) that are awaiting Ministerial approval; and (ii) (a) agreed; and (b) rejected in the (i) current; and (ii) previous year.

**(AQW 41154/11-15)**

**Mr O'Dowd:** Information on development proposals is available on my Department's website.

A list of current proposals i.e. those that are awaiting my decision are available using the following link:

[http://www.deni.gov.uk/current\\_development\\_proposals.htm](http://www.deni.gov.uk/current_development_proposals.htm)

A record of decisions made since May 2011 is also available for each complete calendar year. The following links provide the information for the current and previous year, as requested:

[http://www.deni.gov.uk/dp\\_decisions\\_2015-2.htm](http://www.deni.gov.uk/dp_decisions_2015-2.htm)

[http://www.deni.gov.uk/dp\\_decisions\\_2014.xls](http://www.deni.gov.uk/dp_decisions_2014.xls)

**Mr Agnew** asked the Minister of Education (i) how much money has been expended on Community Relations, Equality and Diversity in Education scheme in 2013/2014, 2014/2015 (ii) how much will be allocated in 2015/2016; and to detail the organisations that have received funding.

**(AQW 41155/11-15)**

**Mr O'Dowd:** Total earmarked funding of £1,195,000 in 2013/14 and £1,228,000 in 2014/15 was allocated to the Community Relations Equality and Diversity in Education Enhancement (CRED) Scheme. The organisations that received funding from this budget in each of these years are listed in the tables below.

Following an evaluation of the impact of the CRED policy by the ETI and in the context of the challenging 2015/16 education budget, I am looking at how best to support the further embedding of the CRED policy and to explore the synergies with Shared Education in order to ensure that good work to date is built upon.

I have not yet, therefore, finalised the budget for 2015/16.

**CRED Funded Groups 2013/14**

Group/School	Partner Group/School (Where Applicable)
Hart Memorial Primary School	Presentation Primary School
New-Bridge Integrated College	
St. Mary's Primary School, Cabra	Sperrinview Special School
St. Brendan's Primary School, Craigavon (Nursery Unit)	
St. Anthony's Primary School, Craigavon,	Moyallon Primary School and Ceara Special School
St Malachy's Primary School, Camlough	Markethill Primary School
Edendork Primary School	Howard Primary School
St Mary's Primary School, Stewartstown	Ballytrea Primary School
Banbridge High School	Holy Trinity College, Cookstown
St John's Primary School, Moy	Moy Regional Primary School
Windsor Hill Primary School	St Patrick's Primary School Newry



<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
St Patrick's High School, Keady	Markethill High School
St Teresa's Primary School, Tullyherron	Mountnorris Primary School
St Michael's Grammar, Lurgan	Ceara School, Lurgan
St Michael's Grammar School, Lurgan	
St Paul's High School, Bessbrook	St Joseph's High School Crossmaglen and Newtownhamilton High School
Newmills Primary School	St Mary's Primary School Lisbuoy
Dromore Road Primary School	St Bronagh's Primary School, Rostrevor
Banbridge High School	Newbridge Integrated College
Hart Memorial Primary School (Nursery Unit)	Ballyoran Primary School (Nursery Unit)
Goal Line Youth Club	
Tullygally/Drumgor, CR Project	
Seagoe Youth Group, Sporting Challenge	
Armagh Lithuanian Project	
Dungannon Area CRED Project	
Fivemiletown Outreach	
All Stars Programme, Brownlow	
Keady Area Youth Project	
Lurgan YMCA	
Armagh Area Outreach Programme	
Craigavon & Banbridge Young Carers	
DCLP	
Political & Cultural Awareness Project	
Summer Camp Project	
Cornstore YC, Draperstown	
4th Ballymoney BB	
Grange Youth & Community group	
Mossley Area Project	
St Patrick's NU Rasharkin	Rasharkin Community Play Group
Crumlin Integrated Primary School	
Glengormley Integrated Primary School	Glenann Primary School
Millstrand Integrated Primary School	Damhead Primary School
St Patrick's Primary School Loughguile	BrougHigh Schoolhane Primary School
St James' Primary School Newtownabbey	King's Park Primary School
St John's Primary School Coleraine	Killowen Primary School
St Patrick's & St Brigid's Primary School	DH Christie Memorial Primary School
Carniny Primary School	St Colmcille's Primary School
St John's Primary School , Swatragh	Eden Primary School
St Brigid's Primary School Mayogall	Maghera Primary School
St Columba's Primary School Kilrea	Kilrea Primary School
St Ciaran's Primary School Cushendun	Carrowreagh Primary School

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
St Patrick's Primary School Rasharkin	Rasharkin Primary School
St Paul's Primary School Ahoghill	St Colmcille's Primary School
Cullybackey College	St Mary's College
Downshire School	Downshire Youth Club
Dunclug College	St Patrick's College, Ballymena
Magherafelt High School	
Belfast Boys' Model School	
Black Mountain Primary School (Nursery Unit)	
Clarawood School	
Cranmore Integrated Primary School	
Dominican College	
Donegall Road Primary School	
Euston Street Primary School	
Fane Street Primary School	
Glenbank Nursery School	
Harding Memorial Primary School	
Holy Rosary Primary School	
Little Flower Girls' School	
Lowwood Primary School	
McArthur Nursery School	
Mitchell House School	
Orangefield Primary School	
Ravenscroft Nursery School	
Shaftesbury Nursery School	
St Dominic's High School	
St Joseph's Primary School	
St Louise's Comprehensive College	
St Patrick's College	
St Paul's Primary School	
St Rose's Dominican College	
Taughmonagh Primary School	
The Link Centre	
Tudor Lodge Nursery School	
An Munia Tober (Bryson House)	
Annadale Haywood Residents' Association	
Curriculum Support Unit	
Corpus Christi Youth Centre	
East Belfast Area Project	
East Belfast Youth Forum	
Fortwilliam Youth Centre	
Gay and Lesbian Youth Northern Ireland	

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Holy Trinity Youth Centre	
Inclusion and Diversity Team	
Ledley Hall Boys' and Girls' Club	
North Belfast Area Project	
South Belfast Area Project	
St Michael's Youth Club	
St Peter's Immaculata Youth Centre	
Streetbeat Youth Project	
Wandsworth Community Association	
West Belfast Area Project	
Boys Brigade	Girls Brigade, Catholic Girl Guides, Scout Association, Scouting for Ireland, Ulster Guides
Youthlink	YMCA
Youth Action	Public Achievement
Include Youth	
St Joseph's Primary School, Lisburn	Harmony Hill Primary School
Beechlawn Special School	Pond Park School
St Columba's College	Glastry College
Derryboy Primary School	St Caolan's Primary School
St Malachy's High School	The High School Ballynahinch & Blackwater Integrated College
CSK Area Project	
East Down Rural Project	Lecale & Ards Rural
Newcastle Youth Provision (NCD)	Langley Youth Project
Brooklands Youth Centre	North Down, Down & Ards Inclusion Project
Brooklands Youth Centre	Wandsworth Community Centre
Lisburn BME	Lisburn Rural
Ballynahinch Youth Office	
Laurelhill Youth Centre	
Lagan College	Our Lady & St Patrick's College & Grosvenor Grammar School
St Patrick's Academy, Lisburn	Lisnagarvey High School
St Joseph's Primary School	Newcastle Primary School
Glencraig Integrated Primary School	Hazelwood Integrated Primary School
St Mary's High School, Downpatrick	Down High School
Nendrum College	St Colmcille's High School
Cumran Primary School	St Macartan's Primary School
Clifton Special School	St Comgall's Primary School
Regent House	Assumption Grammar School
St Malachy's High School	Laurelhill Community College
Kircubbin Integrated Primary School	
Ballinderry Primary School	

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Ballyvester Primary School	St Anne's Primary School
St Colmcilles High School	
Moirra Primary School	Rowandale Integrated Primary School
Holy Family Primary School	Academy Primary School
Downpatrick Scouting Ireland Venture Group	South East Down Explorer Scouts
29th Belfast Venture Scout Group	37th Belfast Explorer Scout Unit
Aghadrumsee Primary School	St Tierney's
Ardstraw Jubilee Primary School	Gortnagarn Primary School
Drumachose Primary School	Termoncanice Primary School
Foyle View School	Hollybush Primary School
Gillygooley Primary School	
Good Shepherd Primary School	Foyleview
Gortin Primary School	St Peter's Primary School
Holy Family Primary School	Omagh County Primary School
Jones Memorial Primary School	
Langfield Primary School	
St Mary's Primary School, Altinure (P6)	Cumber Claudy Primary School
St Mary's Primary School, Altinure (P7)	Cumber Claudy Primary School
St Teresa's Primary School, Loughmacrory	
SW Inclusion Unit / Dromore Kilserry	
Omagh / Strabane Good Relations Programme	
WELB Inclusion Unit Omagh Disability Awareness	
WELB Inclusion Unit Omagh / Strabane Autism Buddy Project	

**CRED Funded Groups 2014/15**

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Cloughmills Primary School	St Bridgid's Primary School, St Anne's Primary School & Knockahollet Primary School
Downshire School	
Mount St Michael's Primary School	Riverside Special School
St Brigid's Primary School, Knockloughrim	Knockloughrim Primary School
Woodburn Primary School	
Ballykeel Primary School	St Brigid's Primary School, Broughshane
Broughshane Primary School	St Patrick's Primary School, Loughguile
Carrickfergus Model Primary School	St Nicholas' Primary School and Sunnylands Primary School
Culcrow Primary School	Carhill Primary School
Glenann Primary School	Glengormley Primary School
Kilross Primary School	Gaelscoil na Speirin
Oakfield Primary School	Acorn Primary School
St Ciaran's Primary School	Carrowreagh Primary School
St Columba's Primary School	Kilrea Primary School



<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
St John Bosco Primary School	Bellaghy Primary School
St John's Primary School	Killowen Primary School
St John's Primary School Swatragh	Eden Primary School
St Patrick's & St Brigid's Primary School	D H Christie Memorial Primary School
St Patrick's College	Maghera Primary School
St Patrick's Primary School	Rasharkin Primary School
St Pius X College	Magherafelt High School
Cushendun Young Womens Group	
Portstewart Scouts	
Sunlea Youth Centre	
Diversity Competency Leadership Programme Too	
Vision Summer Camp	
Cheers Youth Centre, Ballymoney	Rasharkin YC
Culnadey Girls Brigade	
Rathcoole YC, Newtownabbey	
Whitehead YC	
Armoy Girls Brigade	
Newmills Primary School	St Mary's Primary School, Lisbuoy
Lurgan Junior High School	St Mary's Junior High School, Lurgan
Newbridge Integrated College	Bridge Integrated Primary School St Francis' Primary School, Aghaderg
Dromore Nursery	Drumnamoe Nursery
St Teresa's Primary School, Tullyherron	
Woods Primary School	St Trea's Primary School, Magherafelt
St Mary's Primary School, Cabra	Sperrinview School
Dromore Road Primary School	St Bronagh's Primary School, Rostrevor
Stewartstown Primary School	Ballylifford Primary School
Ballyoran Primary School	Bocombra Primary School
Hart Memorial Primary School	Presentation Primary School
Integrated College	Windmill Int. Primary School
Derryhale Primary School	
Bush Primary School	Windmill Integrated Primary School
Edendork Primary School	Howard Primary School
St Patrick's College, Dungannon	Drumglass High School
St Malachy's Primary School, Carrickcroppan	Markethill Primary School
Hart Mem. Primary School (Nursery Unit)	Ballyoran Primary School (Nursery Unit)
Edenderry Nursery School	St John the Baptist Nursery School
St Brendan's Primary School (Nursery)	
Lurgan High School	St Mary's High School, Lurgan
Knowing Me	

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Prejudice Awareness Programme	
Peace by Peace	
The Peace Project	
Portadown Interclub CR Project	
Youth Engagement Support (Yes)!	
Let's Get Together	
CRED Action Group	
Lurgan Town Project Peace Camp	
Our Space	
Coming Together	
ID Project	
Sibling Project	
Regent House Grammar School	Assumption Grammar School
Newtownards Model Primary School	St Finian's Primary School
Brooklands Youth Centre	Wandsworth Community Centre
Lisburn Rural Project	
Lisburn BME Youth Project	Lecale Area Youth Project & Ards Youth Club
Assumption Grammar School	Regent House Grammar School
St Mark's Primary School	Ballymacash Primary School
Glencraig Integrated Primary School	Hazelwood Integrated Primary School
Downshire Primary School	
St Joseph's Primary School	Newcastle Primary School
Good Shepherd Nursery School	Stanhope Nursery School
Kircubbin Integrated Primary School	
Ballymacrickett Primary School	Ballinderry Primary School
Dundonald Primary School	Christ the Redeemer Primary School
St Colmcille's High School, Crossgar	
Millisle Primary School	Killard House Special School
Bloomfield Primary School	St Nicholas' Primary School
Beechlawn Special School	
St Anne's Primary School	Ballyvester Primary School
St Macartans Primary School	Cumran Primary School
Moir Primary School	Rowandale Integrated Primary School
Derryboy Primary School	St Caolan's Primary School
Lagan College	Grosvenor Grammar
Castlereagh Youth Office	
Colin Youth Development Centre	
NCD Youth Provision	Cregagh Youth Centre
1st Spa Brownies	Drumaness Girl Guides
Downpatrick Scouting Ireland Venture Group	South East Down Explorer Scouts

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Cregagh Youth Club	
Lagmore Area Project	Old Warren Youth Initiatives
Branial Dreamscheme NI	
Forthill College	SEELB Youth Service, Lisburn (Learning Together Programme)
Ards Rural Project	Ards Estates & Ards West
WELB Inclusion Unit North West	
WELB Inclusion Unit South West	
Long Tower YC	Cathedral YC
Omagh Boys & Girls Club	Hospital Road YC
Top of the Hill	Currynerin Irish Street/Clooney Community Association
Lakeland YC	Cathedral YC Enniskillen
Gaelscoil Leim an Mhadaidh	Rossmar Special School
St Michael's College	Portora Royal
St Cecilia's College	
Portora Royal	St Michael's College
Gortin Primary School	St Peter's Primary School, Plumbridge
Aghadrumsee Primary School	St Tierney's Primary School
St Mary's Primary School Altinure	Cumber Claudy Primary School
Ardnashee School	Hollybush Primary School
Ardnashee School	St Anne's Primary School
St Joseph's Primary School Drumquin	Langfield Primary School
Arellian Nursery School	
Ashfield Boys' High School	
Cedar Lodge School	
Donegall Road Primary School	
Little Flower Girls' School	
Ravenscroft Nursery School	
St Michael's Primary School	
Taughmonagh Primary School	
Ashfield Girls' High School	
Belfast Boys' Model School	
Brefne Nursery School	
Cathedral Nursery School	
Christian Brothers' School	
Cranmore Integrated Primary School	
Fane Street Primary School	
Glenbank Nursery School	
Hazelwood Integrated Primary School	
Lowwood Primary School	
McArthur Nursery School	

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Mitchell House School	
Shaftesbury Nursery School	
St Joseph's Primary School	
St Louise's Comprehensive College	
St Patrick's College	
St Rose's Dominican College	
The Link Centre	
Tudor Lodge Nursery School	
Victoria College	
Victoria Nursery School	Black Mountain Primary and Nursery School
Northern Ireland Deaf Youth Association	
Archway Youth Club	
Ashton Community Trust/Newlodge Youth Centre	
Belfast YMCA	
Corpus Christi Youth Centre	
East Belfast Area Project	
Hammer Youth Club	
Inclusion and Diversity Unit	
John Paul II Youth Club	
Kids Together West Belfast	
Ledley Hall Boys' and Girls' Club	
Ligoniel Improvement Association	
Mountcollyer Youth Centre	
North Belfast Area Project	
South Belfast Area Project	
St Louis House Youth Group	
St Michael's Youth Club	
Streetbeat Youth Project	
Sydenham Methodist Girls' Brigade	
Girl-Guiding Ulster	
The Scout Association	
Girls Brigade NI	
Boys Brigade NI	
Scouting Ireland	
The Catholic Guides of Ireland	
Clubs for Young people	
Headliners	
Northern Ireland Youth Forum	
Include Youth	



**Mr Agnew** asked the Minister of Education whether the Community Relations, Equality and Diversity in Education scheme will be replaced by the mainstreaming of shared education initiatives.

**(AQW 41156/11-15)**

**Mr O'Dowd:** Total earmarked funding of £1,195,000 in 2013/14 and £1,228,000 in 2014/15 was allocated to the Community Relations Equality and Diversity in Education Enhancement (CRED) Scheme. The organisations that received funding from this budget in each of these years are listed in the tables below.

Following an evaluation of the impact of the CRED policy by the ETI and in the context of the challenging 2015/16 education budget, I am looking at how best to support the further embedding of the CRED policy and to explore the synergies with Shared Education in order to ensure that good work to date is built upon.

I have not yet, therefore, finalised the budget for 2015/16.

#### **CRED Funded Groups 2013/14**

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Hart Memorial Primary School	Presentation Primary School
New-Bridge Integrated College	
St. Mary's Primary School, Cabra	Sperrinview Special School
St. Brendan's Primary School, Craigavon (Nursery Unit)	
St. Anthony's Primary School, Craigavon,	Moyallon Primary School and Ceara Special School
St Malachy's Primary School, Camlough	Markethill Primary School
Edendork Primary School	Howard Primary School
St Mary's Primary School, Stewartstown	Ballytrea Primary School
Banbridge High School	Holy Trinity College, Cookstown
St John's Primary School, Moy	Moy Regional Primary School
Windsor Hill Primary School	St Patrick's Primary School Newry
St Patrick's High School, Keady	Markethill High School
St Teresa's Primary School, Tullyherron	Mountnorris Primary School
St Michael's Grammar, Lurgan	Ceara School, Lurgan
St Michael's Grammar School, Lurgan	
St Paul's High School, Bessbrook	St Joseph's High School Crossmaglen and Newtownhamilton High School
Newmills Primary School	St Mary's Primary School Lisbuoy
Dromore Road Primary School	St Bronagh's Primary School, Rostrevor
Banbridge High School	Newbridge Integrated College
Hart Memorial Primary School (Nursery Unit)	Ballyoran Primary School (Nursery Unit)
Goal Line Youth Club	
Tullygally/Drumgor, CR Project	
Seagoe Youth Group, Sporting Challenge	
Armagh Lithuanian Project	
Dungannon Area CRED Project	
Fivemiletown Outreach	
All Stars Programme, Brownlow	
Keady Area Youth Project	
Lurgan YMCA	
Armagh Area Outreach Programme	
Craigavon & Banbridge Young Carers	
DCLP	

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Political & Cultural Awareness Project	
Summer Camp Project	
Cornstore YC, Draperstown	
4th Ballymoney BB	
Grange Youth & Community group	
Mossley Area Project	
St Patrick's NU Rasharkin	Rasharkin Community Play Group
Crumlin Integrated Primary School	
Glengormley Integrated Primary School	Glenann Primary School
Millstrand Integrated Primary School	Damhead Primary School
St Patrick's Primary School Loughguile	Brough High Schoolhane Primary School
St James' Primary School Newtownabbey	King's Park Primary School
St John's Primary School Coleraine	Killowen Primary School
St Patrick's & St Brigid's Primary School	DH Christie Memorial Primary School
Carniny Primary School	St Colmcille's Primary School
St John's Primary School , Swatragh	Eden Primary School
St Brigid's Primary School Mayogall	Maghera Primary School
St Columba's Primary School Kilrea	Kilrea Primary School
St Ciaran's Primary School Cushendun	Carrowreagh Primary School
St Patrick's Primary School Rasharkin	Rasharkin Primary School
St Paul's Primary School Ahoghill	St Colmcille's Primary School
Cullybackey College	St Mary's College
Downshire School	Downshire Youth Club
Dunclug College	St Patrick's College, Ballymena
Magherafelt High School	
Belfast Boys' Model School	
Black Mountain Primary School (Nursery Unit)	
Clarawood School	
Cranmore Integrated Primary School	
Dominican College	
Donegall Road Primary School	
Euston Street Primary School	
Fane Street Primary School	
Glenbank Nursery School	
Harding Memorial Primary School	
Holy Rosary Primary School	
Little Flower Girls' School	
Lowwood Primary School	
McArthur Nursery School	
Mitchell House School	
Orangefield Primary School	

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Ravenscroft Nursery School	
Shaftesbury Nursery School	
St Dominic's High School	
St Joseph's Primary School	
St Louise's Comprehensive College	
St Patrick's College	
St Paul's Primary School	
St Rose's Dominican College	
Taughmonagh Primary School	
The Link Centre	
Tudor Lodge Nursery School	
An Munia Tober (Bryson House)	
Annadale Haywood Residents' Association	
Curriculum Support Unit	
Corpus Christi Youth Centre	
East Belfast Area Project	
East Belfast Youth Forum	
Fortwilliam Youth Centre	
Gay and Lesbian Youth Northern Ireland	
Holy Trinity Youth Centre	
Inclusion and Diversity Team	
Ledley Hall Boys' and Girls' Club	
North Belfast Area Project	
South Belfast Area Project	
St Michael's Youth Club	
St Peter's Immaculata Youth Centre	
Streetbeat Youth Project	
Wandsworth Community Association	
West Belfast Area Project	
Boys Brigade	Girls Brigade, Catholic Girl Guides, Scout Association, Scouting for Ireland, Ulster Guides
Youthlink	YMCA
Youth Action	Public Achievement
Include Youth	
St Joseph's Primary School, Lisburn	Harmony Hill Primary School
Beechlawn Special School	Pond Park School
St Columba's College	Glastry College
Derryboy Primary School	St Caolan's Primary School
St Malachy's High School	The High School Ballynahinch & Blackwater Integrated College
CSK Area Project	
East Down Rural Project	Lecale & Ards Rural

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Newcastle Youth Provision (NCD)	Langley Youth Project
Brooklands Youth Centre	North Down, Down & Ards Inclusion Project
Brooklands Youth Centre	Wandsworth Community Centre
Lisburn BME	Lisburn Rural
Ballynahinch Youth Office	
Laurelhill Youth Centre	
Lagan College	Our Lady & St Patrick's College & Grosvenor Grammar School
St Patrick's Academy, Lisburn	Lisnagarvey High School
St Joseph's Primary School	Newcastle Primary School
Glencraig Integrated Primary School	Hazelwood Integrated Primary School
St Mary's High School, Downpatrick	Down High School
Nendrum College	St Colmcille's High School
Cumran Primary School	St Macartan's Primary School
Clifton Special School	St Comgall's Primary School
Regent House	Assumption Grammar School
St Malachy's High School	Laurelhill Community College
Kircubbin Integrated Primary School	
Ballinderry Primary School	
Ballyvester Primary School	St Anne's Primary School
St Colmcilles High School	
Moirra Primary School	Rowandale Integrated Primary School
Holy Family Primary School	Academy Primary School
Downpatrick Scouting Ireland Venture Group	South East Down Explorer Scouts
29th Belfast Venture Scout Group	37th Belfast Explorer Scout Unit
Aghadrumsee Primary School	St Tierney's
Ardstraw Jubilee Primary School	Gortnagarn Primary School
Drumachose Primary School	Termoncanice Primary School
Foyle View School	Hollybush Primary School
Gillygooley Primary School	
Good Shepherd Primary School	Foyleview
Gortin Primary School	St Peter's Primary School
Holy Family Primary School	Omagh County Primary School
Jones Memorial Primary School	
Langfield Primary School	
St Mary's Primary School, Altinure (P6)	Cumber Claudy Primary School
St Mary's Primary School, Altinure (P7)	Cumber Claudy Primary School
St Teresa's Primary School, Loughmacrory	
SW Inclusion Unit / Dromore Kilserry	
Omagh / Strabane Good Relations Programme	
WELB Inclusion Unit Omagh Disability Awareness	



Group/School	Partner Group/School (Where Applicable)
WELB Inclusion Unit Omagh / Strabane Autism Buddy Project	

**CRED Funded Groups 2014/15**

Group/School	Partner Group/School (Where Applicable)
Cloughmills Primary School	St Bridgid's Primary School, St Anne's Primary School & Knockahollet Primary School
Downshire School	
Mount St Michael's Primary School	Riverside Special School
St Brigid's Primary School, Knockloughrim	Knockloughrim Primary School
Woodburn Primary School	
Ballykeel Primary School	St Brigid's Primary School, Broughshane
Broughshane Primary School	St Patrick's Primary School, Loughguile
Carrickfergus Model Primary School	St Nicholas' Primary School and Sunnylands Primary School
Culcrow Primary School	Carhill Primary School
Glenann Primary School	Glengormley Primary School
Kilross Primary School	Gaelscoil na Speirin
Oakfield Primary School	Acorn Primary School
St Ciaran's Primary School	Carrowreagh Primary School
St Columba's Primary School	Kilrea Primary School
St John Bosco Primary School	Bellaghy Primary School
St John's Primary School	Killowen Primary School
St John's Primary School Swatragh	Eden Primary School
St Patrick's & St Brigid's Primary School	D H Christie Memorial Primary School
St Patrick's College	Maghera Primary School
St Patrick's Primary School	Rasharkin Primary School
St Pius X College	Magherafelt High School
Cushendun Young Womens Group	
Portstewart Scouts	
Sunlea Youth Centre	
Diversity Competency Leadership Programme Too	
Vision Summer Camp	
Cheers Youth Centre, Ballymoney	Rasharkin YC
Culnadey Girls Brigade	
Rathcoole YC, Newtownabbey	
Whitehead YC	
Armoy Girls Brigade	
Newmills Primary School	St Mary's Primary School, Lisbuoy
Lurgan Junior High School	St Mary's Junior High School, Lurgan
Newbridge Integrated College	Bridge Integrated Primary School St Francis' Primary School, Aghaderg
Dromore Nursery	Drumnamoe Nursery

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
St Teresa's Primary School, Tullyherron	
Woods Primary School	St Trea's Primary School, Magherafelt
St Mary's Primary School, Cabra	Sperrinview School
Dromore Road Primary School	St Bronagh's Primary School, Rostrevor
Stewartstown Primary School	Ballylifford Primary School
Ballyoran Primary School	Bocombra Primary School
Hart Memorial Primary School	Presentation Primary School
Integrated College	Windmill Int. Primary School
Derryhale Primary School	
Bush Primary School	Windmill Integrated Primary School
Edendork Primary School	Howard Primary School
St Patrick's College, Dungannon	Drumglass High School
St Malachy's Primary School, Carrickcroppan	Markethill Primary School
Hart Mem. Primary School (Nursery Unit)	Ballyoran Primary School (Nursery Unit)
Edenderry Nursery School	St John the Baptist Nursery School
St Brendan's Primary School (Nursery)	
Lurgan High School	St Mary's High School, Lurgan
Knowing Me	
Prejudice Awareness Programme	
Peace by Peace	
The Peace Project	
Portadown Interclub CR Project	
Youth Engagement Support (Yes)!	
Let's Get Together	
CRED Action Group	
Lurgan Town Project Peace Camp	
Our Space	
Coming Together	
ID Project	
Sibling Project	
Regent House Grammar School	Assumption Grammar School
Newtownards Model Primary School	St Finian's Primary School
Brooklands Youth Centre	Wandsworth Community Centre
Lisburn Rural Project	
Lisburn BME Youth Project	Lecale Area Youth Project & Ards Youth Club
Assumption Grammar School	Regent House Grammar School
St Mark's Primary School	Ballymacash Primary School
Glencraig Integrated Primary School	Hazelwood Integrated Primary School
Downshire Primary School	
St Joseph's Primary School	Newcastle Primary School
Good Shepherd Nursery School	Stanhope Nursery School

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Kircubbin Integrated Primary School	
Ballymacrickett Primary School	Ballinderry Primary School
Dundonald Primary School	Christ the Redeemer Primary School
St Colmcille's High School, Crossgar	
Millisle Primary School	Killard House Special School
Bloomfield Primary School	St Nicholas' Primary School
Beechlawn Special School	
St Anne's Primary School	Ballyvester Primary School
St Macartans Primary School	Cumran Primary School
Moirá Primary School	Rowandale Integrated Primary School
Derryboy Primary School	St Caolan's Primary School
Lagan College	Grosvenor Grammar
Castlereagh Youth Office	
Colin Youth Development Centre	
NCD Youth Provision	Cregagh Youth Centre
1st Spa Brownies	Drumaness Girl Guides
Downpatrick Scouting Ireland Venture Group	South East Down Explorer Scouts
Cregagh Youth Club	
Lagmore Area Project	Old Warren Youth Initiatives
Braníel Dreamscheme NI	
Forthill College	SEELB Youth Service, Lisburn (Learning Together Programme)
Ards Rural Project	Ards Estates & Ards West
WELB Inclusion Unit North West	
WELB Inclusion Unit South West	
Long Tower YC	Cathedral YC
Omagh Boys & Girls Club	Hospital Road YC
Top of the Hill	Currynerin Irish Street/Clooney Community Association
Lakeland YC	Cathedral YC Enniskillen
Gaelscoil Leim an Mhadaidh	Rossmar Special School
St Michael's College	Portora Royal
St Cecilia's College	
Portora Royal	St Michael's College
Gortin Primary School	St Peter's Primary School, Plumbridge
Aghadrumsee Primary School	St Tierney's Primary School
St Mary's Primary School Altinure	Cumber Claudy Primary School
Ardnashee School	Hollybush Primary School
Ardnashee School	St Anne's Primary School
St Joseph's Primary School Drumquin	Langfield Primary School
Arellian Nursery School	
Ashfield Boys' High School	

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Cedar Lodge School	
Donegall Road Primary School	
Little Flower Girls' School	
Ravenscroft Nursery School	
St Michael's Primary School	
Taughmonagh Primary School	
Ashfield Girls' High School	
Belfast Boys' Model School	
Brefne Nursery School	
Cathedral Nursery School	
Christian Brothers' School	
Cranmore Integrated Primary School	
Fane Street Primary School	
Glenbank Nursery School	
Hazelwood Integrated Primary School	
Lowwood Primary School	
McArthur Nursery School	
Mitchell House School	
Shaftesbury Nursery School	
St Joseph's Primary School	
St Louise's Comprehensive College	
St Patrick's College	
St Rose's Dominican College	
The Link Centre	
Tudor Lodge Nursery School	
Victoria College	
Victoria Nursery School	Black Mountain Primary and Nursery School
Northern Ireland Deaf Youth Association	
Archway Youth Club	
Ashton Community Trust/Newlodge Youth Centre	
Belfast YMCA	
Corpus Christi Youth Centre	
East Belfast Area Project	
Hammer Youth Club	
Inclusion and Diversity Unit	
John Paul II Youth Club	
Kids Together West Belfast	
Ledley Hall Boys' and Girls' Club	
Ligoniel Improvement Association	
Mountcollyer Youth Centre	
North Belfast Area Project	



Group/School	Partner Group/School (Where Applicable)
South Belfast Area Project	
St Louis House Youth Group	
St Michael's Youth Club	
Streetbeat Youth Project	
Sydenham Methodist Girls' Brigade	
Girl-Guiding Ulster	
The Scout Association	
Girls Brigade NI	
Boys Brigade NI	
Scouting Ireland	
The Catholic Guides of Ireland	
Clubs for Young people	
Headliners	
Northern Ireland Youth Forum	
Include Youth	

**Mr Dunne** asked the Minister of Education how the current curriculum and quality of teaching will be maintained following the impending redundancies.

**(AQW 41161/11-15)**

**Mr O'Dowd:** The curriculum has been designed to empower school leaders to take decisions at a local level, including investment in CPD to enable teachers and school leaders to continue to be highly effective. School leaders must allocate resources in a way which enables them to deliver the statutory curriculum and meet their students' needs.

**Lord Morrow** asked the Minister of Education whether he will provide, or place in the Assembly Library, a copy of his Department's Child Protection Policy; and if the policy is applicable to all agencies under his remit.

**(AQW 41169/11-15)**

**Mr O'Dowd:** My Department's Child Protection Policy is set out in DE Circular 1999/10 and can be found on the DE website. This Circular sets out who should adhere to this policy.

I have arranged for a copy of DE Circular 1999/10 and 'Pastoral Care in Schools: Child Protection' to be placed within the Assembly Library.

**Mr Easton** asked the Minister of Education how much funding his Department has provided to the GAA in each of the last three financial years.

**(AQW 41180/11-15)**

**Mr O'Dowd:** The Department of Education has made £750,000 available each year to the GAA in the last three financial years (2011/12, 2012/13 and 2013/14) to deliver the Curriculum Sports Programme to participating primary schools. The programme includes an equal payment for the IFA.

**Mr Lunn** asked the Minister of Education whether his Department has provided support to the BT Young Scientist of the year competition or has formally encouraged Northern Ireland schools to participate.

**(AQW 41206/11-15)**

**Mr O'Dowd:** My Department provided funding of up to £36k this year to help cover the cost of accommodation grants, the prize fund and north of Ireland specific marketing activity. My Department also promotes the competition directly to schools and I host an annual reception in Parliament Buildings, prior to the finals in Dublin, in recognition of all north of Ireland schools that entered the competition. My 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.

**Mr Lunn** asked the Minister of Education for his assessment of the importance and long term benefits of the BT Young Scientist of the Year competition, given that this year's event attracted 2,077 entries involving 4,616 students in 550 qualifying projects.

**(AQW 41207/11-15)**

**Mr O'Dowd:** The BT Young Scientist Exhibition is an important event in the calendar for many of our schools and the exhibition stimulates the interest and imagination of everyone who participates or visits each year.

Schools which recognise science and technology as a priority will help us create a workforce that can fill skills gaps in society and help drive our economy. They will also provide our pupils with the skills that they will need to take advantage of the opportunities offered by today's increasingly global economy.

**Mr Agnew** asked the Minister of Education to detail the number of Catholic Maintained Schools in the last five years, including the number with fewer than 60 pupils.

**(AQW 41209/11-15)**

**Mr O'Dowd:** The information below is taken from the annual school census. The figures for 2014/15 are currently provisional and will be finalised at the end of February.

**Number of Catholic Maintained schools, and the number with enrolments fewer than 60, 2010/11 – 2014/15**

**Catholic Maintained Primary schools**

	2010/11	2011/12	2012/13	2013/14	2014/15
All schools	396	392	387	384	381
Schools with fewer than 60 pupils	71	66	61	62	57

**Catholic Maintained Post-primary schools**

	2010/11	2011/12	2012/13	2013/14	2014/15
All schools	71	71	71	68	68
Schools with fewer than 60 pupils	0	0	1	0	1

**Source:** NI school census

**Notes:**

- 1 Figures for 2014/15 are provisional
- 2 Figures for primary include nursery, reception and year 1 - 7 classes.

**Mr Agnew** asked the Minister of Education for an update on the survey on cross-border education.

**(AQW 41211/11-15)**

**Mr O'Dowd:** I am committed to exploring the possibility of cross border schools provision where there is evidence of demand. The most obvious example being where the nearest school for a community is across the border rather than within the particular jurisdiction where pupils reside.

St Mary's High School in Brollagh is a case in point. In refusing to accept a proposal to close the school last summer I recognised that its isolated rural position and setting along the border required me to examine the proposal in a way that recognises these challenges.

I have asked the Western Education and Library Board and the Catholic Council for Maintained Schools to bring forward a pilot scheme which would allow the school to work with schools on the other side of the border. I expect a proposal to be with the Department by the end of February 2015.

This approach is in keeping with the commitment of both Education Ministers to the principle of co-operation on education matters for the mutual benefit of citizens in both jurisdictions.

**Mr Agnew** asked the Minister of Education for a breakdown of the 2013/14 budget and the projected budgets for (i) 2014/2015; and (ii) 2015/16 for each Area Learning Community established to deliver the Entitlement Framework.

**(AQW 41213/11-15)**

**Mr O'Dowd:** My Department allocates the earmarked Entitlement Framework (EF) budget to individual schools rather than Area Learning Communities (ALCs). Each post-primary and special school working in an ALC receives two separate elements of EF funding support. Firstly, they each receive 3 thousand pounds per annum to support collaborative working within the ALC to facilitate the planning of the curricular offer on an area basis. The total amount available to an ALC therefore depends on the number of schools within it. The table below sets out the amount allocated to support collaborative working within each ALC based on the number of schools for the 2013/14 and 2014/15 financial years. It is not possible to provide a breakdown for the 2015/16 financial year as decisions on how the EF budget for 2015/16 will be allocated have yet to be finalised.

Secondly, each school receives a contribution towards the costs associated with the delivery of individual courses on a collaborative basis. The amount received by each school varies depending on the number and type of eligible courses provided.

Area Learning Community	No. of schools	Collaboration 2013/14	Collaboration 2014/15
Antrim Learning Community	4*	15,000	12,000
Armagh Learning Community	9*	30,000	27,000
Ballyclare Learning Community	2	6,000	6,000
Ballymena Learning Community	10* (9 from Aug 2014)	33,000	27,000
Ballymoney Learning Community	3	9,000	9,000
Ballynahinch Learning Community	4	12,000	12,000
Banbridge Learning Community	7*	24,000	21,000
Carrickfergus Learning Community	4	12,000	12,000
Castlereagh Learning Community	4*	18,000	12,000
Coleraine Learning Community	11*	36,000	33,000
Craigavon Learning Community	13*	42,000	39,000
Derg Mourne Learning Community	4*	15,000	12,000
Dungannon and Cookstown Learning Community	13*	42,000	39,000
East Belfast Learning Community	11* (10 from Aug 2014)	39,000	30,000
Fermanagh Learning Community	14	45,000	42,000
Foyle Learning Community	14* (13 from Aug 2014)	48,000	39,000
Larne Learning Community	4*	15,000	12,000
Lecale Learning Community	9*	30,000	27,000
Lisburn Learning Community	9*	33,000	27,000
Magherafelt Learning Community	6*	21,000	18,000
NEELB Rural Learning Community	4	12,000	12,000
Newry and Mourne Learning Community	15	48,000	45,000
Newtownabbey Learning Community	9*	39,000	27,000
North Belfast Learning Community	11*	39,000	30,000
North Down and Ards Learning Community	15*	51,000	45,000
Omagh Learning Community	9*	30,000	27,000
Roe Valley Learning Community	5*	18,000	15,000
South Belfast Learning Community	11*	39,000	33,000
South West Belfast Learning Community	2	6,000	6,000
West Belfast Learning Community	9*	33,000	27,000
		840,000	723,000

\* denotes ALCs with 1 or more participating Special Schools. Note that Special Schools were in receipt of £6k in 2013/14 to support collaborative activities. This was brought fully into line with mainstream payments of £3k per school from 2014/15.

**Mr Agnew** asked the Minister of Education what percentage of development proposals for growth has the Education and Training Inspectorate supported; and what percentage of these has he supported and rejected in the last two years.  
(AQW 41214/11-15)

**Mr O'Dowd:** I have made decisions on 40 development proposals for schools seeking an increase in enrolment in the last two years. The Education and Training Inspectorate (ETI) has supported 34 of these proposals, or 85%. Of the 34 proposals supported by the ETI, I approved an increase in the enrolment at 27 of the schools concerned, or 79.4% and turned down seven, or 20.6% of the proposals supported.

I should add that the ETI provide advice based the quality of education provision at a school and their knowledge of the local area. This advice, however, is only one part of the assessment. All development proposals are considered on their own merit and are assessed against my Department's policies. In addition to the views of the ETI, all relevant comments received during the statutory objection period that follows publication of a DP are taken into account and due consideration is given to my Department's statutory duties in relation to Integrated and Irish Medium education, where appropriate.

**Mr G Robinson** asked the Minister of Education how many meetings he has had with representatives from Epilepsy Action to help inform teachers with pupils who have epilepsy.

**(AQW 41244/11-15)**

**Mr O'Dowd:** To date, I have received no requests for a meeting with representatives of Epilepsy Action to discuss these issues.

**Mr G Robinson** asked the Minister of Education how his Department ensures teachers and classroom assistants are trained to manage pupils with epilepsy.

**(AQW 41245/11-15)**

**Mr O'Dowd:** The Education and Library Boards (ELBs) undertake a needs analysis, on an annual basis, of the training required by schools for the forthcoming academic year.

School principals are responsible for determining the training needs of their teachers and school staff and they can avail of the wide range of courses on all aspects of special educational needs, including epilepsy, through the ELBs.

Training with regard to health conditions, including epilepsy, would be provided by the relevant Health and Social Care Trust and will be in line with the pupil's individual healthcare plan and be subject to on-going review.

**Lord Morrow** asked the Minister of Education, pursuant to AQW 40795/11-15, to detail (i) whether there is no such policy or legally binding order meaning Education and Library Boards can only accept a diagnosis of Asperger syndrome, Autism, Attention Deficit Hyperactivity Disorder and Dyslexia if it is provided by the relevant Education and Library Board or the Educational Psychologist; and (ii) in relation to the Code of Practice, whether this means the decision on the acceptance or non-acceptance of privately obtained diagnosis falls to the individual Education and Library Board, school and/or Board of Governors.

**(AQW 41246/11-15)**

**Mr O'Dowd:** As stated in my response to AQW 40541/11-15, account is taken of private psychologists' assessments as outlined in paragraphs 3.55 and 3.57 of the Code of Practice on the Identification and Assessment of Special Educational Needs.

While the Educational Psychologist (EP) from whom psychology advice is sought must be employed by the Education and Library Board or engaged by it for this purpose, the EP must consult, and record any advice received from any other psychologist, such as a clinical or occupational psychologist, who may have relevant knowledge of or information about the child. He or she should also be asked by the Board to consider any advice which parents may submit independently from a fully qualified educational psychologist.

Therefore, the issue of non-acceptance of private psychologists' assessment does not arise.

**Mrs D Kelly** asked the Minister of Education for an update on the consultation regarding the future of Drumcree College, Portadown.

**(AQW 41296/11-15)**

**Mr O'Dowd:** My Department is not engaged in any consultation regarding the future of Drumcree College.

However, I am advised that the Council for Catholic Maintained Schools is currently analysing responses to its consultation on the future of Drumcree College and that it expects to make a decision on whether or not to bring forward a development proposal for change in March this year.

**Mr Agnew** asked the Minister of Education to detail the budget for the new controlled sector body.

**(AQW 41299/11-15)**

**Mr O'Dowd:** A Working group has been established to support the establishment of the Controlled Schools' Support Council (CSSC). The Working group has submitted a grant application for the establishment and running costs of the CSSC. My officials have requested further information to support this grant application and will progress the necessary appraisals and approvals on receipt of this information.

**Mr Weir** asked the Minister of Education what initiatives his Department is pursuing to encourage female pupils to study STEM subjects.

**(AQW 41339/11-15)**

**Mr O'Dowd:** The Department undertakes a wide range of interventions to promote the uptake in STEM subjects to all pupils. Sentinus, the Department's front line STEM delivery partner, secures in excess of 57,000 primary and post-primary pupil engagements annually across a portfolio of STEM enhancement and enrichment programmes. Sentinus provides



an 'Insight into Engineering' programme which is specifically designed for girls, utilising female role models to help dispel misconceptions regarding engineering careers for females.

**Ms Sugden** asked the Minister of Education what provisions exist, within post-primary secondary level schools, to support young people who have low to moderate disability needs to pursue paid employment opportunities.

**(AQW 41363/11-15)**

**Mr O'Dowd:** The Department recognises the importance of supporting young people with learning difficulties through the transition from school to adulthood, including paid employment opportunities. As such, statutory transition arrangements are well embedded in our post-primary schools for all pupils with statements of special educational needs (SEN).

The Education Transition Co-ordinators in each Education and Library Board (ELB) support the parent and young person through the transition process and work in conjunction with the Department for Employment and Learning's Careers Service and other key agencies, providing a co-ordinated approach and ensuring that connections for access to post-school education, careers advice, employment and health and social care sector supports are made.

For young people with SEN who do not have a statement, under the Code of Practice on the Identification and Assessment of SEN, ELBs and schools should seek to provide appropriate help and guidance during the transition period.

**Miss M McIlveen** asked the Minister of Education where the Education Authority will hold its meetings.

**(AQW 41387/11-15)**

**Mr O'Dowd:** It will be a matter for the Board of the Education Authority to determine where it will hold its meetings. As a regional organisation with a strong local presence, the Authority will wish to ensure that it is accessible to the schools and communities it serves.

## Department for Employment and Learning

**Mr Kinahan** asked the Minister for Employment and Learning whether Northern Ireland has any access to the £30m Change Fund package announced by the Deputy Prime Minister in April 2014.

**(AQW 39370/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The Change Fund referred to in the question is a Cabinet Office led fund and is not available to NI Departments.

However the Executive has announced its own Change Fund, being administered by the Department for Finance and Personnel.

The £30 million fund announced by the Deputy Prime Minister in April 2014 is targeted at helping disadvantaged young people improve their prospects and preventing them from becoming Not in Education, Employment or Training (NEET). This will be delivered through Social Impact Bonds (SIBs).

My Department has a keen interest in promoting participation for all young people into education, including those who are NEET, and actively promotes further and higher education through all DEL programmes. I have submitted bids from across my Department to the Executive's Change Fund to help alleviate current budgetary pressures and to tackle the challenges facing our community.

**Mr McKay** asked the Minister for Employment and Learning how many applications were received for the European Social Fund from the community and voluntary sector; and how many applications were received in total.

**(AQW 40428/11-15)**

**Dr Farry:**

a) 135 applications were received for the European Social Fund (ESF) as follows –

Further education college	6
Local council	5
Government Dept/Agency	0
Health Trust	1
Limited Company	30
Other - Unincorporated Association	1
Other - Social Enterprise	3
Other public sector organisation	1

Registered Charity	68
Voluntary/Community	20
<b>Total</b>	<b>135</b>

- b) All applications to the European Social Fund had to demonstrate how they met the Programme criteria and this will be assessed by independent panels scoring applications against the criteria. This should ensure that the applications enable the Department to deliver the Programme targets and outcomes agreed with the European Commission.
- c) All applicants to the ESF Programme must meet a financial capability assessment for the new Programme including demonstrating the capability of 10% net cash assets in their organisation's most recent set of annual accounts. One of the main reasons for introducing this specific condition is that the new ESF Programme for 2014-2020 has no facility for providing a 30% pre-payment advance. Any pre-payment advance is likely to be limited to 5% in each year of the new programme.

Given that actual ESF expenditure has to be paid out in full by an ESF project before submitting a claim to the ESF Managing Authority, a project must therefore have access to the relevant cash resources.

It is therefore imperative that a project has net cash assets to fulfil this requirement. If a project has no net cash assets, it would not be able to comply fully with the ESF financial claims process specified by the European Commission.

**Mr McKay** asked the Minister for Employment and Learning how he will ensure that European Social Fund criteria will help secure better overall outcomes.

**(AQW 40429/11-15)**

**Dr Farry:**

- a) 135 applications were received for the European Social Fund (ESF) as follows –

Further education college	6
Local council	5
Government Dept/Agency	0
Health Trust	1
Limited Company	30
Other - Unincorporated Association	1
Other - Social Enterprise	3
Other public sector organisation	1
Registered Charity	68
Voluntary/Community	20
<b>Total</b>	<b>135</b>

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It is therefore imperative that a project has net cash assets to fulfil this requirement. If a project has no net cash assets, it would not be able to comply fully with the ESF financial claims process specified by the European Commission.

**Mr McKay** asked the Minister for Employment and Learning why his Department has stipulated that groups applying to the European Social Fund should have 10 per cent of the cash available upfront.

**(AQW 40430/11-15)**

**Dr Farry:**

- a) 135 applications were received for the European Social Fund (ESF) as follows –

Further education college	6
Local council	5
Government Dept/Agency	0
Health Trust	1
Limited Company	30
Other - Unincorporated Association	1
Other - Social Enterprise	3
Other public sector organisation	1
Registered Charity	68
Voluntary/Community	20
<b>Total</b>	<b>135</b>

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It is therefore imperative that a project has net cash assets to fulfil this requirement. If a project has no net cash assets, it would not be able to comply fully with the ESF financial claims process specified by the European Commission.

**Lord Morrow** asked the Minister for Employment and Learning, following a recent media report on the trebling of drugs seizures in schools and education facilities in the last year, what action he is taking both for students and tutors in this matter, particularly in respect of noting signs of potential drug abuse; and what input he is seeking or has received from other agencies and Departments.

**(AQW 40472/11-15)**

**Dr Farry:** Responsibility for pastoral care arrangements lies with governing bodies of Further Education (FE) colleges although my Department fully supports all initiatives undertaken by colleges to address drugs and substance abuse issues.

All six FE colleges have policy statements in place regarding drugs and substance abuse and misuse of alcohol.

The colleges are active throughout the year to make their students aware of the dangers of drugs and substance misuse. Each college has a number of policies in place to raise awareness, which are promoted through student induction, student handbooks, promotional leaflets and websites. The policies provide education on the detrimental effect of drugs and substance misuse and provide guidance to staff and students on the procedures to deal with incidents.

Colleges, in partnership with a range of external organisations, including the PSNI, Health and Social Care Trusts, and voluntary and community organisations, deliver training and awareness sessions for students and staff on drugs and substance misuse. These cover issues such as the implications of drug misuse, detecting the signs of drug misuse and sources of help.

FE colleges also provide support for the students through counselling services and welfare officers.

### **Higher Education**

The four campus based Higher Education Institutions all have policy statements in place regarding drugs and substance abuse and misuse of alcohol.

The universities provide information to students on drugs and alcohol as part of the induction process and throughout the year through a range of media including handbooks, promotional leaflets, websites and wellbeing and health events. Support services are also available to students in the form of counselling, welfare and healthcare.

In addition, the Students' Unions work with a number of drug and alcohol charities and agencies to promote health issues around drugs and alcohol.

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning whether he will make a bid in the January Monitoring round for funding for the Teaching Block at the Magee Campus of the University of Ulster.  
(AQW 40524/11-15)

**Dr Farry:** The economic appraisal for the new teaching block at Magee is nearing the final stages of approval within my Department. It will then need to be approved by the Department of Finance and Personnel as the funding request is in excess of the Department's delegated limit of £5m. I would anticipate having all approvals in place in the near future.

The University of Ulster intends to commence construction during 2015-16 and to complete the development by 2019. Given this timescale, there was no advantage in making a bid for the project in the January monitoring round as any capital funding secured would have had to be spent by 31 March.

I fully support this project and will submit a bid for it during 2015-16 if capital funds cannot be found within my Department's baseline next year.

**Ms Sugden** asked the Minister for Employment and Learning for his assessment of the effectiveness of the Learner Access and Engagement Programme in addressing educational underachievement and social disadvantage.  
(AQW 40783/11-15)

**Dr Farry:** The Learner Access and Engagement (LAE) programme was initially introduced in 2008 as a pilot programme to engage with and encourage those most hard to reach and to provide learner support. The three year pilot was established in the absence of any other focused provision at that time. A longitudinal evaluation of this pilot in 2012 reflected that the programme had been successful on several fronts and demonstrated emerging evidence, at that time, of a need for this type of intervention, and the programme was mainstreamed as a result.

The last full year of the pilot programme recorded a total of 3,359 enrolments. However since mainstreaming, enrolment figures have been steadily declining with 2013/14 activity reflecting a total of 1,698 enrolments against a target of 4,500. Third party providers have not been as successful in attracting and retaining learners on the programme.

One of the significant impacts of the programme has been that further education colleges themselves, outside of LAE and within mainstream provision, have since built the capacity, awareness and expertise in targeting and engaging those most hard to reach into further education provision and increasing retention and delivering successful outcomes.

**Mr Kinahan** asked the Minister for Employment and Learning what support is being offered to the former employees of City Link.  
(AQW 40794/11-15)

**Dr Farry:** Officials from my Department have been in contact with Ernst and Young, the administrators for City Link, who agreed that they would send a letter on behalf of my Department to staff affected by the closure of the company. This letter advises employees about the support DEL can provide and a local contact number is available for people to ring for assistance and further help.

The Department's Steps to Success programme includes opportunities for work experience placements, assistance to become self-employed, opportunities to gain a work related qualification and help with developing the skills needed to search for employment. Further support available includes information about alternative job opportunities, mentoring support, job clubs, assistance to write CVs, assistance with job application forms, help preparing for interviews and careers advice

Further advice is available through other government departments or agencies and DEL will be able to signpost the affected employees to these services which include information and help on benefits and taxation

Rest assured my staff will be available to any of the City Link employees made redundant to assist them in their endeavours to find alternative employment.

**Ms Sugden** asked the Minister for Employment and Learning to list the organisations that received funding from the Collaboration and Innovation Fund, which is due to run out in March 2015.  
(AQW 40852/11-15)

**Dr Farry:** Funding of £9.23 million has been allocated to 24 organisations under the Collaboration and Innovation Fund to support young people aged 16 to 24 who are not in education, employment or training (NEET).

These organisations are as follows:

- |                                    |  |
|------------------------------------|--|
| ■ Action for Children Services Ltd | ■ Fast Track into Information Technology   |
| ■ Artillery Youth Centre           | ■ GEMS NI Ltd                              |
| ■ Barnardos NI                     | ■ Include Youth                            |
| ■ Belfast Metropolitan College     | ■ MACS Supporting Young People             |
| ■ Bryson Charitable Group          | ■ NIACRO                                   |
| ■ Customized Training Services     | ■ NOW Lto                                  |
| ■ Derry City Council               | ■ Start 360                                |
| ■ Extern Organisation Ltd          | ■ South Eastern Health & Social Care Trust |



- |                                  |                                  |
|----------------------------------|----------------------------------|
| ■ South Eastern Regional College | ■ The Appleby Trust              |
| ■ South West College             | ■ The Prince's Trust             |
| ■ Southern Regional College      | ■ Training for Women Network Ltd |
| ■ Sport Changes Life Foundation  | ■ Youth Action NI                |

While funding under the Collaboration and Innovation Fund will cease at the end of March 2015, my department will continue to support young people not in education, employment or training through the new European Social Fund (ESF) Programme commencing in April 2015. Through ESF funding and the contribution from my department which equates to 65%, over £13.5 million will be made available to support this group of young people from April 2015 to March 2018, under the first call for funding. With the required 35% match funding, this will bring the total funding for this group of young people to almost £21 million over the three year period.

**Mr Ramsey** asked the Minister for Employment and Learning whether payments from the European Social Fund, used for projects addressing the needs young people not in education, employment or training, will continue to require match funding. (AQW 40876/11-15)

**Dr Farry:** The intervention rate for the European Social Fund (ESF) in Northern Ireland is 40%. In the 2007-13 Programme, my Department provided 25% match funding to all successful projects, and it will seek to do the same in the 2014-20 Programme.

A further 35% match funding is still a requirement for the new ESF Programme and the responsibility of potential applicants. Match funding should come from a public or private funding source. Applicants were encouraged to engage with potential match funders in advance to discuss their application.

My Department engaged with potential match funders, ahead of the ESF 'Call for Applications' opening, to inform them of the new ESF Programme and ensure that they were open to such approaches.

## Department of Enterprise, Trade and Investment

**Mr Dallat** asked the Minister of Enterprise, Trade and Investment to detail the number of potential inward investors that have visited the Limavady area in each of the last three years.

(AQW 40593/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** During the current financial year Invest NI has facilitated an inward investment visit by a major, US-owned company that included visits to the former Seagate premises at Dowland Road, Limavady, and the former Shackleton Barracks site in Ballykelly.

A potential investor's requirements will vary depending on the nature of the project, but a company will typically look at existing investors in the same business sector (Invest NI's key target sectors being ICT, business and professional services, financial services and renewables); universities and colleges that offer courses relating to that sector; and suitable, available property.

**Mr Dallat** asked the Minister of Enterprise, Trade and Investment what discussions she has had with Firmus Gas on the extension of the gas pipeline to Ballykelly and Greysteel.

(AQW 40594/11-15)

**Mrs Foster:** As Ballykelly and Greysteel lie outside firmus energy's existing development area, extending the gas network to these towns will depend upon identification of sufficient gas loads and require an additional development plan to be approved by the Utility Regulator. firmus energy has advised that it intends to work with the Utility Regulator to obtain agreement on an economically viable proposal.

**Mr Easton** asked the Minister of Enterprise, Trade and Investment to detail the potential number of new jobs that could be created as a result of Corporation Tax being devolved to Northern Ireland.

(AQW 40685/11-15)

**Mrs Foster:** My Economic Advisory Group (EAG) commissioned work back in 2011 that examined the impact of reducing Corporation Tax in Northern Ireland. This work examined a move to a reduced rate of 12.5% and estimated that this would create an additional 58,000 jobs.

Changes since 2011, most notably the further falls in the UK rate of Corporation Tax (to 20% from 2015/16), have already taken us part of the way towards this goal and prompted us to update the work previously undertaken by EAG. That updated work, carried out by the Ulster University Economic Policy Centre (formerly the Northern Ireland Centre for Economic Policy), focused on the economic benefit of moving from the new 20% UK rate to a lower Northern Ireland rate of 12.5%.

Initial findings of this work indicate that approximately 37,500 net additional new jobs could be created by 2033 if a 12.5% rate of Corporation Tax was implemented in 2017. These jobs will be created not only in those sectors that directly benefit from a reduced rate, but across all sectors which will see indirect benefits from the increased spending and jobs in the local economy.

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment for the percentage of her Department's overall Current Resource Expenditure allocated to staff wages in (i) 2013/14; and (ii) the 2014/15 draft budget.  
(AQW 40734/11-15)

**Mrs Foster:**

- (i) The percentage of the overall Current Resource Expenditure allocated to DETI staff salaries in 2013-14 was 30.9%.
- (ii) It is forecast that 30.0% of the overall Current Resource Expenditure will be spent on staff salaries during the 2014-15 budget period.

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment for her assessment of the savings to be made by her Department from the public sector voluntary exit scheme, over each of the four financial years commencing 2014/15.  
(AQW 40737/11-15)

**Mrs Foster:** The public sector Voluntary Exit Scheme (VES) is expected to be launched so as to deliver savings in 2015-16. Therefore savings cannot be delivered from the VES in 2014-15.

It is anticipated that DETI will need to reduce Civil Service posts by around 50 in 2015-16 through a combination of suppressing vacancies, redeployment, and accessing the VES. The actual numbers accessing the VES will be determined once the Scheme has launched and applications have been made.

At present there is no budget or savings target beyond 2015-16.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 39595/11-15, and the reference to restraint on Kilroot production from 2021, to correlate that to the reference in the 22 December 2014 paper from the Utility Regulator and her Department on Security of Electricity Supply in NI to restraint on Kilroot from 2016.  
(AQW 40765/11-15)

**Mrs Foster:** The AES Kilroot plant will be impacted by the EU Emissions Directive requirements from January 2016 as noted in the joint Utility Regulator/DETI update paper on security of supply. The response to AQW 39595/11-15 notes that there will be an increased impact on the Kilroot plant from 2021 when constraints from EU emissions regulations further reduce Kilroot's generating output.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to explain and verify her claim that reducing Corporation Tax will enhance workers' earnings by £3000 per annum.  
(AQW 40766/11-15)

**Mrs Foster:** Research undertaken by the Ulster University Economic Policy Centre demonstrates that a 12.5% rate of Corporation Tax could create approximately 37,500 net additional jobs in Northern Ireland. It is estimated that these jobs would be of higher value added and overall labour productivity in Northern Ireland would increase by around 6% by 2033.

This means that economic output, as measured by Gross Value Added (GVA), would be £3,000 higher per employee than without a rate reduction. GVA is largely made up of wages and profits – so this additional £3,000 will ultimately feed through into employee's wages.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to detail the financial support provided to each organisation by InvestNI in each of the last three years.  
(AQW 40776/11-15)

**Mrs Foster:** Over the past 3 years (2011-12 to 2013-14), Invest NI has made offers of financial support to over 4,700 organisations. The table required to answer the question posed would include this number of entries.

In addition, to prevent Invest NI from releasing commercially sensitive information, the relevant Invest NI Executives would need to consult with each individual company to ensure that they are content to be included in this list. This administrative exercise would incur disproportionate cost.

Perhaps the member would be willing to consider a revised question that would enable Invest NI to supply a more specific list of companies appropriate for his needs.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether there will now be a local Events Fund as a result of the increased allocation to her Department in the revised Budget 2015/16.  
(AQW 40916/11-15)

**Mrs Foster:** Events play a key role in driving tourism to Northern Ireland and therefore I am delighted to announce that I have secured £1million for Tourism Northern Ireland's (Tourism NI) Tourism Events Funding Programme in the final budget settlement for 2015/16.

Tourism NI is currently working up the detail of this, however I expect Tourism NI to open both the International and the National Events Fund in early February and would encourage all tourism events to start developing their applications and proposals for submission to Tourism NI.

In 2014/15 Tourism NI committed approximately £1.2 million to the National Tourism Events Sponsorship Scheme supporting 63 events.

In addition, it committed approximately £1.5 million to the International Tourism Events Fund to cover 12 international events in 2014/15.

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment to detail the (i) number of jobs created; and (ii) financial expenditure provided to businesses by InvestNI in each of the last three years, broken down by constituency.

**(AQW 40937/11-15)**

**Mrs Foster:**

**Table 1: Invest NI Jobs Created by Parliamentary Constituency Area (2011-12 to 2013-14)**

PCA	2011-12	2012-13	2013-14
Belfast East	585	723	852
Belfast North	184	296	350
Belfast South	851	887	832
Belfast West	117	136	198
East Antrim	353	140	124
East Londonderry	174	141	201
Fermanagh & South Tyrone	265	408	637
Foyle	207	323	434
Lagan Valley	257	150	209
Mid Ulster	319	505	495
Newry & Armagh	821	732	371
North Antrim	148	154	272
North Down	91	63	128
South Antrim	214	737	413
South Down	254	167	288
Strangford	79	117	157
Upper Bann	477	254	482
West Tyrone	137	261	327

Table 2 below details the (ii) the amount of financial assistance offered to all Invest NI assisted projects in each of the last three years broken down by constituency area.

**Table 2: Invest NI Assistance Offered (£m) by Parliamentary Constituency Area (2011-12 to 2013-14)**

PCA	2011-12	2012-13	2013-14
Belfast East	12.9	7.9	33.5
Belfast North	2.7	4.2	10.5
Belfast South	21.2	30.2	76.8
Belfast West	2.5	3.2	5.8
East Antrim	1.5	6.4	23.2
East Londonderry	1.9	2.6	3.3
Fermanagh & South Tyrone	3.1	5.2	6.7
Foyle	3.9	7.8	6.1
Lagan Valley	4.2	4.6	6

PCA	2011-12	2012-13	2013-14
Mid Ulster	6.8	10.2	6.5
Newry & Armagh	2.6	3.5	3.6
North Antrim	2.4	7.4	4.3
North Down	2.2	1.4	2.5
South Antrim	4.3	6.8	14
South Down	2.8	2.2	3.5
Strangford	1.1	3.5	2.1
Upper Bann	6.6	11.2	7
West Tyrone	1.6	6.8	3.3

**Note:** There was an additional £0.9m of assistance offered to projects that have not yet identified a location to set up business.

It should be noted that the information in Table 2 is not directly related to the information in Table 1, as Table 2 contains support for all Invest NI interventions, not just those relating to job creation.

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment what policies are in place to assist council areas with lower than average tourist visitor numbers and lower than average tourist spend per visitor.

(AQW 40997/11-15)

**Mrs Foster:** As a named Statutory Partner in the Community Planning process Tourism Northern Ireland has been engaging with the 11 new Council Chief Executives to determine tourism development priorities in each of the new Local Authority areas. These development priorities will be reflected in the respective Council Community Plans as they are progressed.

New Councils will play a leading role in the development of local tourism priorities. Through the community planning process Tourism NI will work with them to define the role of tourism as an investment opportunity within each of their districts.

In terms of evaluating average visitor numbers, the tourism product offering obviously differs across each of the Local Authority areas and as such so will the volume and value of visitors.

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment to list the nine key tourism destinations.

(AQW 41055/11-15)

**Mrs Foster:** The draft Tourism Strategy for Northern Ireland to 2020 identifies nine key destinations:

- Belfast City & Greater Belfast
- Londonderry
- Armagh
- Mourne Mountains
- Strangford Lough
- Causeway Coast and Glens
- Lough Neagh and Its Waterways
- Fermanagh Lakelands
- Tyrone & Sperrins

**Mr Lyttle** asked the Minister of Enterprise, Trade and Investment to detail the amount of funding she is allocating to the (i) International Tourism Events Fund; and (ii) Tourism Events Sponsorship Scheme for 2015/16.

(AQW 41059/11-15)

**Mrs Foster:** I have allocated £1 million to the Tourism Events Funding Programme. The breakdown of that fund is the responsibility of the Northern Ireland Tourist Board (NITB).

I believe NITB is currently working up the detail on the Events Fund and will be communicating this to the events industry over the next week.

## Department of the Environment

**Mr Allister** asked the Minister of the Environment what lessons have been learned from the recent collapse of the wind turbine on Screggagh wind farm; and to detail the consequences for future permissions of the extensive spread of the debris, given the duty of care owed to the public.

(AQW 40478/11-15)



**Mr Durkan (The Minister of the Environment):** I am aware that investigations into the collapse of the turbine at Screggagh Wind Farm are currently being carried out. I look forward to the findings from these investigations which I intend to fully consider in terms of any implications that they may have on my Department's planning policy for Renewable Energy.

Although my Department does not have any responsibility for the physical construction, mechanical integrity or the maintenance of wind turbines, I am committed to working with Executive Colleagues as well as the Renewable Energy Industry on any findings that may arise from the ongoing investigations into this incident at Screggagh wind farm and any implications that there may be for my Department's Renewable Energy Planning Policy.

**Ms Sugden** asked the Minister of the Environment, pursuant to AQW 39802/11-15, of the number of staff who requested an illustration of entitlements under the Northern Ireland Civil Service Administrative Assistant and Administrative Officer Voluntary Exit Scheme, how many submitted a formal application to leave under the terms of the Scheme.

**(AQW 40494/11-15)**

**Mr Durkan:** A total of 783 eligible staff registered an interest in receiving an illustration of entitlements under the Scheme. The closing date for these staff to submit a formal application to exit under the terms of the Scheme was Wednesday 7 January 2015.

The number of eligible staff who submitted a formal application to exit was 223.

**Ms Maeve McLaughlin** asked the Minister of the Environment for an update on timescales for the Factory Girl Sculpture for Derry City.

**(AQW 40542/11-15)**

**Mr Durkan:** My Department has not received a planning application for the erection of the Factory Girls Sculpture in Harbour Square, Derry. I am aware that further pre application discussions have recently taken place. My planning officials have met with officials from Derry City Council and have engaged with Northern Ireland Environment Agency staff in my Department regarding the proposed development and further discussions with TransportNI are required. It is anticipated that a planning application will be forthcoming in the next two months.

**Mr Agnew** asked the Minister of the Environment to detail (i) the cost to his Department of (a) heating; and (a) electricity in 2014; and (ii) the capital costs and details of the five most cost effective projects which his Department could undertake to generate its own energy or reduce energy costs.

**(AQW 40560/11-15)**

**Mr Durkan:** Heating costs for the Department of the Environment for 2013/14 reporting year of (a) heating, which included Gas, Oil and Biomass, were £605,790; and (b) the cost of electricity was £1,141,840.

My Department is committed to the future generation of its own energy and the continuing reduction of its energy costs and recently completed its third report on energy performance, costs and carbon footprint for 2013/14. The report highlights usage trends and, importantly, performance against the Carbon Reduction Commitment Energy Efficiency Scheme, a UK wide mandatory scheme.

In terms of specific projects, the Northern Ireland Environment Agency ( NIEA) has carried out work on the Roe Valley Country Park Hydro Electric Restoration Scheme in two phases which involved restoration of the entire millrace and replacement of the inlet, spillway sections and turbine at costs of £1.2 million and £1.7 million respectively. Once generation commences, it is expected to provide an annual income of £100k which may be invested in other sources of renewable energy.

The energy efficiency measures introduced to the Ness Country Park Visitor Centre, which include rainwater harvesting and Reed Bed Filtration systems to turn sewage into clean water, cost £227,825.

The Biodiversity Education Centre at Peatlands Park cost approximately £230k.

The NIEA is procuring 95% of its electricity needs from green energy sources and following recent investment in voltage optimisation at key sites, usage has decreased by over 10% since 2010/11 despite increased use of the buildings outside normal office hours.

The NIEA participated in the 16th Northern Ireland Environmental Benchmarking Survey which is managed by Business in the Community. This survey assesses the performance of 250 of Northern Ireland's largest organisations. The Agency received a 'Platinum' award in November 2014 showing that the Agency's environmental performance is amongst some of the top performers.

**Mr Clarke** asked the Minister of the Environment whether he addressed Parkgate residents' concerns when considering planning applications (a) T/2005/1054/F; and (b) T/2005/0977/F.

**(AQW 40569/11-15)**

**Mr Durkan:** These applications remain under consideration. All relevant considerations will be taken fully into account before a final decision is made, including the views and representations from local residents.

**Mr Easton** asked the Minister of the Environment how many planning officers will be required to relocate to the new East Coast Borough Council.

**(AQW 40604/11-15)**

**Mr Durkan:** There are 24 specialist planning staff transferring to North Down & Ards Council.

**Mr Easton** asked the Minister of the Environment to detail the number of breaches of Tree Preservation Orders in each of the last three years.

**(AQW 40606/11-15)**

**Mr Durkan:** Table 1 below details the number of breaches of Tree Preservation Orders in each of the last three complete financial years, and up to quarter 2 of 2014/15.

**Table 1**

<b>Year</b>	<b>No of Breaches</b>
2011/12	23
2012/13	11
2013/14	25
2014/15 (Q1&Q2)	13
<b>Total</b>	<b>72</b>

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 38711/11-15, why the questions are mutually consistent.

**(AQW 40608/11-15)**

**Mr Durkan:** The questions you referred to in AQW 38711/11-15 related to two different issues, however, I believe the answers provided are mutually consistent in that they are not contradictory.

**Mr Flanagan** asked the Minister of the Environment to provide details of the Landfill Communities Fund, including (i) the total claimed by each council in each year since the fund was established; (ii) the total paid out in grants by each council since the fund was established; and (iii) the current accumulated balances held by each council.

**(AQW 40626/11-15)**

**Mr Durkan:** Landfill Tax is a reserved matter and is administered by HMRC on behalf of the Treasury.

All of the revenue that is raised through landfill tax in Northern Ireland goes to the UK Exchequer. Since 2003/04, as a Barnett consequential, Northern Ireland has received an allocation from the landfill tax. However, there is no direct link between the area in which the revenue is raised and where it is spent. The use of all funding that is allocated through the Barnett formula is a matter for the Executive.

Some further monies raised through landfill taxes are returned to Northern Ireland through the Landfill Communities Fund (LCF). The Fund (formerly the Landfill Tax Credit Scheme) enables landfill site operators to claim tax credit for contributions they make to approved environmental bodies for spending on projects that benefit the environment. The environmental bodies are those enrolled by ENTRUST, the regulatory body for the scheme.

Only councils that operate landfill sites are eligible to participate in the scheme and they may make contributions to environmental bodies, which will then hold the balance of any unspent funds. Details of the total annual amounts claimed, and the amounts paid out to environmental bodies by councils in each year since the fund was established are contained in the attached tables.

**Mr McNarry** asked the Minister of the Environment what percentage of the Military Covenant his Department has adopted as policy; and what percentage has been implemented.

**(AQW 40634/11-15)**

**Mr Durkan:** I am aware that this matter was addressed in Parliamentary debate on 22 October 2014 where it was reported that at least 93 per cent of all measures under the Covenant had been extended to Northern Ireland or were soon to do so, with liaison arrangements already in place in areas such as healthcare and housing.

As the scope of the Covenant does not directly relate to the services provided by my department it is not practicable, at this time, to adopt the Covenant as departmental policy nor, therefore, to confirm what percentage has been adopted.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 39218/11-15, whether planning approval K/2013/0072/F permitted the deposition of large quantities of processed aggregates on site; and if so, where in the planning approval are the detailed drawings showing the proposed levels and cross-sectional drawings normally required of such proposals.

**(AQW 40667/11-15)**

**Mr Durkan:** My Department is satisfied that the importation of granular fill material for use in the level siting of structures and creation of access paths was included within the planning application submission K/2013/0072/F.

**Mr Anderson** asked the Minister of the Environment to detail the total number of anaerobic digesters operating in Northern Ireland, broken down by constituency.

**(AQW 40668/11-15)**

**Mr Durkan:** The Department does not maintain a record of the total number of anaerobic digesters operating in Northern Ireland broken down by constituency and I am unable to provide any statistics on the numbers of operational anerobic digesters.

However, by way of some assistance, details of the number of planning applications for Anaerobic Digestors received and decided since 2007/8, broken down by constituency, is provided in the table below. It is important to note that the number of applications approved will not necessarily equate to the number of operating Anaerobic Digestors as it is not known whether the permission has been implemented. Since 2007/8 the Department has approved 117 applications for anerobic digesters.

**Anaerobic Digester Applications Decided<sup>1</sup> from 2007/08 to 30th November 2014<sup>2</sup> by Parliamentary Constituency**

	2007/ 2008		2008/ 2009		2009/ 2010		2010/ 2011		2011/ 2012		2012/ 2013		2013/ 2014		2014/2015 (up to 30/11/14 <sup>2</sup> )		Total	
	Approved	Total Decided <sup>3</sup>	Approved	Total Decided <sup>3</sup>	Approved	Total Decided <sup>3</sup>	Approved	Total Decided <sup>3</sup>	Approved	Total Decided <sup>3</sup>	Approved	Total Decided <sup>3</sup>	Approved	Total Decided <sup>3</sup>	Approved	Total Decided <sup>3</sup>	Approved	Total Decided <sup>3</sup>
Belfast East																		
Belfast North																		
Belfast South																		
Belfast West																		
East Antrim																		
East Londonderry			1	1					3	3	4	4	1	3			9	11
Fermanagh and South Tyrone					1	1			1	1	9	9	5	5			16	16
Foyle											3	3	2	2	1	1	6	6
Lagan Valley	2	2							1	1	5	5	3	3		1	11	12
Mid Ulster									2	2	8	8	6	6			16	16
Newry and Armagh							1	1	1	1			2	2			4	4
North Antrim									2	2	3	3	2	3			7	8
North Down											1	1					1	1
South Antrim									2	2	3	3	2	2			7	7
South Down			1	1					2	2	4	4					7	7
Strangford							1	1									1	1
Upper Bann							1	1	2	2	5	5	1	2			9	10
West Tyrone					2	2	1	1	7	7	6	6	6	7	1	1	23	24
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>23</b>	<b>23</b>	<b>51</b>	<b>51</b>	<b>30</b>	<b>35</b>	<b>2</b>	<b>3</b>	<b>117</b>	<b>123</b>

**Notes:**

- Decided applications may not have been received in the same time period. Therefore direct comparisons between these figures cannot be made. Applications decided do not include withdrawn applications.

- 2 Latest available, provisional, renewable energy information.
- 3 Decided applications exclude cases 'withdrawn'.

**Lord Morrow** asked the Minister of the Environment, in relation to a private hire taxi operator illegally parked on double yellow lines in Waring Street, Belfast on the evening of 3 January 2015, whether a booking record has been (i) sought; and (ii) provided for the alleged fare.

**(AQW 40697/11-15)**

**Mr Durkan:** This complaint is currently the subject of an ongoing investigation by the Driver & Vehicle Agency and it would therefore be inappropriate to comment on any aspect of the matter at this time.

**Mr Weir** asked the Minister of the Environment what examination his Department completed of the templates for functioning models of approved taxi meter centres operating in the Republic of Ireland and the rest of Europe.

**(AQW 40701/11-15)**

**Mr Durkan:** My Department conducted extensive online searches to identify robust taximeter approval, calibration, sealing and testing services in the UK, Republic of Ireland and the rest of Europe. On completion of these searches, two Taxi Licensing Authorities were identified as having sufficiently robust systems in place that could inform the development of the Department's solution for taximeter approval, installation, calibration, sealing and testing services. These authorities were Transport for London and the Legal Metrology Service (NSAI) in the Republic of Ireland.

Department officials met with both Transport for London and the Legal Metrology Service to examine their models for taximeter approval, installation and verification.

**Mr Allister** asked the Minister of the Environment how and when he met his Section 75 obligations in respect of his proposal that the Union flag should not appear on Northern Ireland driving licences.

**(AQW 40707/11-15)**

**Mr Durkan:** Driver licensing is a transferred matter under the Northern Ireland Act 1998. Under the provisions of the Road Transport (Northern Ireland) Order 1981. My Department has responsibility for a broad range of matters relating to the licensing of vehicle drivers, including the form of the driving licence.

In 2012, when the UK Government announced its intention to include the Union flag on Great Britain driving licences, Department for Transport (DfT) Minister Mike Penning wrote to my predecessor to advise him of this intention. Minister Penning's letter noted that driver licensing is a devolved matter but that the

Driver and Vehicle Licensing Agency (DVLA) in Swansea prints Northern Ireland driving licences under contract. Minister Penning indicated his intention that DVLA would continue to print Northern Ireland driving licences without change to the existing design. He asked for a view on this.

Further to this correspondence, officials in my Department engaged with DVLA to ascertain whether it would be possible to provide individuals with an option to choose whether to include or exclude the flag. DVLA however indicated that this would not be possible, as the costs involved in making the system and associated changes required to offer such a choice were prohibitive.

The response to DfT, confirming agreement to DfT's proposal, took account of the sensitivities identified in the Good Friday Agreement about the use of symbols and emblems here, and of the Department's responsibilities under Section 75 (2) of the Northern Ireland Act to have regard to the desirability of promoting good relations.

My Department received no further correspondence in respect of the UK Government's plans for GB driving licences until a letter from DfT Minister John Hayes dated 23 December 2014, indicating that the plans for GB licences would be announced over the Christmas period, and that Northern Ireland driving licences would continue to be printed by DVLA without the Union flag.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 39218/11-15, whether the processed aggregate was required to be screened for invasive species prior to being deposited on site; and if so, whether it was screened.

**(AQW 40712/11-15)**

**Mr Durkan:** There is currently no legal requirement to screen processed aggregate for the presence of invasive species. The only proviso is for the operator to ensure that under The Wildlife (Northern Ireland) Order 1985 Schedule 9 part 2, they do not intentionally cause invasive species to spread in the wild by their actions.

The responsibility to ensure this would lie with the site management. If any invasive species was confirmed on the site where the material was extracted from, then the contractor would be obliged to ensure, by whatever means, that they were not spread to another site.

If a landowner wishes to excavate or remove an invasive species from a site, then the removal and disposal of this 'controlled non-hazardous waste' is regulated under the Waste and Contaminated Land (NI) Order 1997 articles 4 (1a) and 4 (1b) and by the Waste Management Licensing (NI) Regulations 2003 schedule 2.



**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 39218/11-15, to detail (i) whether his Department is aware of where the processed aggregate was mined from; (ii) whether this quarry has planning permission and complies fully with environmental regulation; and (iii) what tonnage of processed aggregates were deposited on site.

**(AQW 40716/11-15)**

**Mr Durkan:** My Department understands that the majority of the granular aggregate material is from a quarry site in Cookstown.

This quarry benefits from planning approval for extraction and the Department is not aware of any current enforcement action for non compliance.

It is understood approximately 8,000 tonnes of material was imported across the site for the construction of roads and foundations for buildings and other structures.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 38950/11-15, why a consent to discharge was granted subsequent to planning approval K/2013/0072/F which contradicts planning conditions 25 and 26; and why Northern Ireland Environment Agency Natural Heritage, which insisted on the imposition of these conditions, is now refusing to comment on the proposal to remove them.

**(AQW 40717/11-15)**

**Mr Durkan:** NIEA are content that no conflict exists between the requirements of the Planning Approval and the conditions of the discharge consent relating to this proposed development.

The principle objective of conditions 25 and 26 of the Planning Approval, and that of the discharge consent, are the protection of the integrity of the Owenkillew SAC, and the conditions have been formulated accordingly. The suspended solids level of 10 milligrams per litre stipulated on the Planning Approval has been set in order to maintain favourable condition status for the Freshwater Pearl Mussel present in the catchment. The discharge consent limit of 50 milligrams per litre does not compromise the achievement of this objective. The reasoning for this is due to the dilution effect. The proposed discharge enters the Owenkillew via the Curraghinalt Burn, and as such is diluted firstly by the existing flow in the Curraghinalt Burn, then by that in the Owenkillew upon the confluence of the two waterways.

The NIEA Natural Environment Division did not refuse to comment on the Article 28 application but rather deferred judgment to water quality experts within Water Management Unit.

**Mr Lunn** asked the Minister of the Environment for the percentage of his Department's overall Current Resource Expenditure allocated to staff wages in (i) 2013/14; and (ii) the 2014/15 draft budget.

**(AQW 40735/11-15)**

**Mr Durkan:** For 2013/14 61.2% of my Department's Current Resource Expenditure was allocated to staff wages.

For 2014/15 58.1% of my Department's Current Resource Expenditure has been allocated to staff wages.

It should be noted that an element of both figures are covered by fee income which is not included in the Resource DEL allocations.

**Lord Morrow** asked the Minister of the Environment (i) how many gifts, or offers, of hospitality have been received by staff in the Driver and Vehicle Agency Licencing Department and Enforcement Department, from companies or individuals, per year for the last three years; (ii) what the gifts or hospitality were; (iii) whether the gifts were properly declared; and (iv) who offered the gifts.

**(AQW 40746/11-15)**

**Mr Durkan:** The following table contains answers to each part of the question.

Year		Number of gifts or offers of hospitality	Description of gift or hospitality	Gifts/ hospitality properly declared (Yes/No)	Accepted (Yes/No)	Who offered gift or hospitality
2012	Enforcement	1	Gift bag with bottle	Yes	No	Belfast Bus Company
2013	Licensing	1	Posy of Flowers	Yes	Yes	Customer (name unknown)
	Enforcement	1	Chocolates	Yes	No	Value Cabs
2014	Enforcement	2	Export and Freight Awards dinner	Yes	Yes	Road Haulage Association Ltd
			Box of chocolates and biscuits	Yes	Yes	Cavehill Coaches

**Mr Agnew** asked the Minister of the Environment whether the applicant is in full compliance with condition 14 of planning permission application K/2013/0072/F and planning condition 2 of planning permission application K/2014/0387/F; and what action his Department intends to take if these road safety conditions are being breached.

**(AQW 40779/11-15)**

**Mr Durkan:** Condition 14 of K/2013/0072/F and Condition 02 of K/2014/0387/F require visibility splays to be in place prior to commencement of development. My Department has consulted with Transport NI and is satisfied that acceptable access standards are in place. Accordingly, my Department does not intend to pursue this matter further.

**Mr Agnew** asked the Minister of the Environment why the investigation into illegal landfilling at 91 Glenshane Road, Drumahoe was closed; and whether it is his Department's position that illegal landfilling at the site ceased prior to 1992.

**(AQW 40780/11-15)**

**Mr Durkan:** The investigation carried out by the Northern Ireland Environment Agency was closed because investigations of the site did not yield any evidence of the deposition of recent material or demonstrate the presence of significant quantities of the wastes – metal, plastic etc. – which had allegedly been deposited there.

As regards historic in-filling of the site; the Department has previously reviewed the planning history of the site and available aerial photographs, and is satisfied that any illegal landfilling that may have taken place would have been deposited prior to May 1992. It is therefore immune from enforcement action because the infilling precedes the primary legislation used to regulate and enforce the management of waste in Northern Ireland.

**Mr Weir** asked the Minister of the Environment what role his Department or any of its agencies have in regulating hedge cutting.

**(AQW 40812/11-15)**

**Mr Durkan:** The Department, and its agencies, have no role in regulating hedge cutting, although it has created legislation to require local government to arbitrate in disputes between neighbours over the impact of certain hedges causing a loss of the reasonable enjoyment of property.

**Mr Weir** asked the Minister of the Environment what percentage of planning officers will (i) transfer to new councils; and (ii) be retained centrally.

**(AQW 40817/11-15)**

**Mr Durkan:** Under local government reform proposals my department will, on 1 April 2015, transfer circa 87% of its current specialist planning workforce to the 11 new Council clusters.

This means that circa 13% of the current specialist planning workforce will be retained in the Department.

**Mr Agnew** asked the Minister of the Environment, in relation to Dalradian Resources' Curraghinalt Mine, what requirements are in place to notify local residents of underground mine explosions prior to detonation.

**(AQW 40833/11-15)**

**Mr Durkan:** My Department has strictly conditioned the limits allowed for blasting operations but does not impose requirements on the operator to notify neighbours.

**Mr Agnew** asked the Minister of the Environment why Northern Planning Division withdrew its recommendations to approve planning applications (i) A/2007/0488/F; (ii) A/2007/0530/F; and (iii) A/2013/0400/F from the December 2013 Derry City Council schedule.

**(AQW 40834/11-15)**

**Mr Durkan:** Following receipt of an objection dated 28 November 2014, the Department felt it was necessary to withdraw all three applications from the December 2014 Derry City Council schedule. This was to enable the full consideration of the issues raised. The objection cited concerns with screening for Environmental Impact Assessment and Habitats Regulation Assessment. Procedural queries were also raised. These matters are now being addressed by staff in the Area Planning Office and the Northern Ireland Environment Agency

**Mr Agnew** asked the Minister of the Environment to outline his concerns over the Northern Planning Division presenting recommendations to approve planning applications (i) A/2007/0488/F; (ii) A/2007/0530/F; and (iii) A/2013/0400/F to Derry City Council in December 2014, without first having undertaken Environmental Impact Assessment determinations; and for his assessment of whether this is an indication of procedural inadequacies in the corporate decision making process, so close to the transfer of planning functions to the new council.

**(AQW 40835/11-15)**

**Mr Durkan:** The Area Planning Office made a judgement on receipt of the three applications that screening under the Environmental Impact Regulations was not necessary as the sites were not wholly or partly within a sensitive area and the proposed development did not fall within Schedule 1 or Schedule 2 of the Regulations. I do not consider this to be an indication of procedural inadequacies in the corporate decision making process, but rather a professional opinion made on

the basis of information available at that time. However in considering an objection to the proposals received on 28 November 2014, the Area Planning office and the Northern Ireland Environment Agency are currently reconsidering this issue and the information will be made available to the public and the objector once the Department is in a position to do so.

**Mr Agnew** asked the Minister of the Environment whether planning approvals issued after 1 April 2015 without first having been subject to an Environmental Impact Assessment determination, where one was required by law, will become the responsibility, and liability of the new councils.

**(AQW 40836/11-15)**

**Mr Durkan:** If an application has not been determined by 1 April 2015 and transfers to the appropriate council, it will be determined by that council.

Liabilities arising from the granting of planning permission after 1 April 2015 will rest with the planning authority responsible for granting that permission i.e. the relevant Council or Department.

The Environmental Impact Assessment Regulations both currently and after 1 April 2015 prohibit planning authorities from granting planning permission or subsequent consent for EIA development without consideration of environmental information where appropriate.

**Mr Wilson** asked the Minister of the Environment to detail the number of listed church buildings in East Antrim.

**(AQW 40844/11-15)**

**Mr Durkan:** Based upon the 1974 ward boundaries – which are how the department holds such records – the total number of listed church buildings in the East Antrim area is 35.

You will be aware, however, that there have been boundary changes since 1974. As such, the figures should not be taken as definitive in relation to the current boundaries.

I attach, in response to your question

- 1 A list of the 35 church buildings that are Listed, their address and listing status.
- 2 A list of the 1974 electoral wards that were used to provide the detail in the above list.

#### **NI Buildings Database**

##### **Listed church buildings in East Antrim**

<b>HB Ref No</b>	<b>Address</b>	<b>Survey1</b>	<b>Survey 2</b>	<b>Current Use</b>
HB22/02/002	Church of the Holy Name Station Road Greenisland Carrickfergus BT38 8UP		B2	Church
HB22/06/001	St Patrick's Church of Ireland Victoria Avenue Whitehead Carrickfergus Co Antrim BT38 9QF		B1	Church
HB22/06/002	Methodist Church Balmoral Avenue Whitehead Carrickfergus Co Antrim BT38 9QA		B1	Church
HB22/06/003	Presbyterian Church King's Road Whitehead Carrickfergus Co Antrim BT38 9PU		B2	Church

HB Ref No	Address	Survey1	Survey 2	Current Use
HB22/06/004	Our Lady of Lourdes RC Church Victoria Avenue Whitehead Carrickfergus Co Antrim BT38 9QF		B2	Church
HB22/08/001 A	St. Nicholas' Church of Ireland Church Lancasterian Street Carrickfergus Co. Antrim BT38 7FH		A	Church
HB22/08/010	Joymount Presbyterian Church 6 Joymount Carrickfergus Co. Antrim BT38 7DN		B2	Church
HB22/08/016 A	Carrickfergus Congregational Church Albert Road Carrickfergus Co. Antrim		B2	Church
HB22/09/002	First Presbyterian Church North Street Carrickfergus Co. Antrim BT38 7AE		B1	Church
HB22/12/002	Mortuary Chapel in graveyard North Road Carrickfergus BT38 8LP		B1	Church
HB06/01/021	St Mary's Church of Ireland Church, Largy Road, Carnlough, Ballymena Co Antrim		B1	Church
HB06/01/038	St MacNissi's College Chapel, 25 Tower Road, Carnlough, Ballymena Co Antrim		B1	Church
HB06/02/024	Presbyterian Church 34 Altmore Street Glemarm Ballymena Co Antrim BT44 0AR		B2	Church
HB06/02/037	Former court house (now Glenarm Baptist Church) 43-45 Toberwine Street Glenarm Ballymena Co Antrim BT44 0AP		B+	Church
HB06/02/070	Church of the Immaculate Conception (RC) New Road Glenarm Ballymena Co Antrim BT44 OAA		B2	Church



HB Ref No	Address	Survey1	Survey 2	Current Use
HB06/02/071	St Patricks ((C of I) parish church The Cloney Glenarm Ballymena Co Antrim BT44 0AB		B+	Church
HB06/02/073	Non-subscribing Presbyterian Church Straidkilly Road Cloney Glenarm Ballymena BT44 0AJ		B1	Church
HB06/02/084	Feystown RC Church Feystown Road Deer Park Farms Glenarm Ballymena Co Antrim		B2	Church
HB06/03/016	St Patrick's C of I Church Carncastle Larne Co Antrim		B1	Church
HB06/04/011	St John's C. of I. Church Low Road Ballyharry Islandmagee Larne Co Antrim		B+	Church
HB06/04/012	First Presbyterian Church Low Road Kilcoan More Islandmagee Larne Co Antrim		B2	Church
HB06/05/001	St John's Church of Ireland Church Ballycarry Larne Co. Antrim		B1	Church
HB06/05/018	Magheramorne Presbyterian Church, Magheramorne Larne Co Antrim		B2	Church
HB06/05/026	Raloo Church of Ireland Parish Church  Glencoe  Larne Co Antrim		B+	Church
HB06/06/001	St Cedma's C of I Church Inver Road Larne Co Antrim		B+	Church
HB06/06/012	St John's C of I Church, Glynn Larne Co Antrim		B2	Church

HB Ref No	Address	Survey1	Survey 2	Current Use
HB06/08/003	Methodist Church Curran Road Larne Co Antrim		B2	Church
HB06/12/008	Gardenmore Presbyterian Church, Victoria Road Larne Co Antrim		B2	Church
HB06/14/001	The Old Presbyterian Church (Non-Subscribing), Meeting House Street, Larne, Co Antrim BT40 1LF		B2	Church
HB05/01/007	Church of St. Patrick and St. Brigid Garron Road Milltown Co.Antrim		B	Church
HB05/02/010	St. Mary's R C Church, Gates, Railings and Walling Cushendall Co.Antrim		B	Church
HB05/02/011	Layde Parish Church, Gates and Walling Cushendall Co.Antrim		B	Church
HB05/02/030	Cushendall Presbyterian Church Shore Street Cushendall Co.Antrim		B	Church
HB05/03/028	St. Patrick's RC Church Ardicoan Cushendun Co.Antrim		B	Church
HB21/11/001	Church of St Patrick 113 Jordanstown Road Jordanstown Co Antrim BT37 0NQ	A		Church

This information is based on the following Wards under each council area for East Antrim;

Carrickfergus (22)	-	All wards	-	10
Larne (06)	-	All wards	-	19
Moyle (05)	-	Glenariff (1)	-	1
		Glennaan (2)	-	3
		Glendun (3)	-	1
Newtownabbey (21)	-	Rostulla (8)	-	0
		Monkstown (10)	-	0
		Jordanstown (11)	-	1

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 38630/11-15, for a breakdown of the offences that resulted in a £200 Fixed Penalty Notice.

**(AQW 40873/11-15)**

**Mr Durkan:** As confirmed in my response to AQW 38630/11-15 there were no operators issued with a £200 Fixed Penalty Notice where a driver of a licensed private hire taxi has picked up passengers without a pre-booking within Belfast City limits.

However, I can confirm that from 1 January 2014 to 30 September 2014 the breakdown of offences that resulted in a £200 Fixed Penalty Notice being issued to a taxi operator is as follows:

Offences under the Taxis Act (NI) 2008	Number of Fixed Penalty Notices Issued
Operating a taxi service without a taxi operator licence	24
Operating a taxi service using an unlicensed taxi or a taxi driven by a person who does not hold a taxi driver licence	36
<b>Total</b>	<b>60</b>

**Mr Weir** asked the Minister of the Environment what checks are carried out on working hours of taxi drivers to ensure there is not a breach of the Working Time Directive.

**(AQW 40879/11-15)**

**Mr Durkan:** The Road Transport (Working Time) Regulations (Northern Ireland) 2005 came into effect on 16 June 2005 and apply to mobile workers, including drivers of heavy goods and public service vehicles subject to European Drivers' Hours rules.

Taxi drivers do not fall within scope of these regulations and as such the Department does not carry out checks on their working hours.

**Mr Weir** asked the Minister of the Environment to detail the number of self-employed private hire taxi drivers with operators' licences operating in Belfast, not employed by any taxi firm.

**(AQW 40892/11-15)**

**Mr Durkan:** The following table provides a breakdown of the latest official figures showing the current number of licensed taxi vehicles.

<b>As at 30 September 2014:</b>	
Public Restricted	6,669
Private Hire	1,587
Belfast Public Hire	440
Taxi Bus	208
<b>Total</b>	<b>8904</b>

**Note:** Figures sourced from DOE Official Statistics published as of 30 September 2014.

Information is not stored on the Taxi Licensing IT system in a way that would facilitate your request to detail the number of self-employed private hire taxi drivers with operator's licences operating in Belfast, not employed by any taxi firm.

**Mr G Robinson** asked the Minister of the Environment what role his Department has in overseeing issues affecting the transfer of services since the Driver and Vehicle Agency moved services to Swansea.

**(AQW 40893/11-15)**

**Mr Durkan:** Vehicle licensing is a statutory responsibility of the Department for Transport in Whitehall. Previously these services were delivered in Northern Ireland by the DOE under an agency agreement with the Department for Transport. Despite my appeals to the Secretary of State for Transport, vehicle registration and licensing services were centralised within the Driver and Vehicle Licensing Agency (DVLA) in Swansea on 21 July 2014. From that date, operational responsibility for the delivery of vehicle registration and vehicle excise duty in Northern Ireland transferred to DVLA.

Following the transfer, I was aware that the DVLA were experiencing a number of transitional issues which were affecting local customers. I wrote to the Parliamentary Under Secretary of State, Robert Goodwill MP, on 13 August 2014, on behalf of Northern Ireland customers to express my disappointment that the level of service provided by DVLA was not of the high standard expected in Northern Ireland.

In response to my letter, Claire Perry MP, replied confirming that she was aware that there were issues with a small number of records, reassuring me that these would be rectified as a matter of priority. DVLA have since stated, at official level, that the initial teething problems have been rectified.

From the date of transfer, access to DVLA's computer systems and the Northern Ireland records contained within it, was withdrawn from Driver & Vehicle Agency (DVA) staff removing any capacity for my Department to monitor or resolve any complaints or specific issues raised.

Whilst I am sympathetic to the issues now being faced by local motorists, I must refer you to DVLA to address any specific query in relation to the delivery of this service.

Should you need to highlight a particular issue on behalf of a constituent you can raise it directly with the DVLA at the address below:

Mr Oliver Morley  
Chief Executive  
Driver and Vehicle Licensing Agency  
Swansea SA6 7JL

There is also a dedicated telephone number and email address for MPs and other elected representatives, including MLAs, to contact DVLA on behalf of their constituents. Emails should be sent to [dvaministerials@dvla.gsi.gov.uk](mailto:dvaministerials@dvla.gsi.gov.uk), or alternatively the telephone number is 01792 788585.

**Mr G Robinson** asked the Minister of the Environment to detail the number of meetings he, or his officials, had with the Driver and Vehicle Agency in Swansea to monitor service provision in Northern Ireland following the transfer of services.  
**(AQW 40898/11-15)**

**Mr Durkan:** Vehicle licensing is a statutory responsibility of the Department for Transport in Whitehall. Previously these services were delivered in Northern Ireland by the DOE under an agency agreement with the Department for Transport. Despite my appeals to the Secretary of State for Transport, vehicle registration and licensing services were centralised within the Driver and Vehicle Licensing Agency (DVLA) in Swansea on 21 July 2014. From that date, operational responsibility for the delivery of vehicle registration and vehicle excise duty in Northern Ireland transferred to DVLA.

Following the transfer, I was aware that the DVLA were experiencing a number of transitional issues which were affecting local customers. I wrote to the Parliamentary Under Secretary of State, Robert Goodwill MP, on 13 August 2014, on behalf of Northern Ireland customers to express my disappointment that the level of service provided by DVLA was not of the high standard expected in Northern Ireland.

In response to my letter, Claire Perry MP, replied confirming that she was aware that there were issues with a small number of records, reassuring me that these would be rectified as a matter of priority. DVLA have since stated, at official level, that the initial teething problems have been rectified.

From the date of transfer, access to DVLA's computer systems and the Northern Ireland records contained within it, was withdrawn from Driver & Vehicle Agency (DVA) staff removing any capacity for my Department to monitor or resolve any complaints or specific issues raised.

Whilst I am sympathetic to the issues now being faced by local motorists, I must refer you to DVLA to address any specific query in relation to the delivery of this service.

Should you need to highlight a particular issue on behalf of a constituent you can raise it directly with the DVLA at the address below:

Mr Oliver Morley  
Chief Executive  
Driver and Vehicle Licensing Agency  
Swansea SA6 7JL

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**Mr G Robinson** asked the Minister of the Environment whether he is monitoring the number of complaints made by motorists from Northern Ireland since Driver and Vehicle Agency functions transferred to Swansea.  
**(AQW 40899/11-15)**

**Mr Durkan:** Vehicle licensing is a statutory responsibility of the Department for Transport in Whitehall. Previously these services were delivered in Northern Ireland by the DOE under an agency agreement with the Department for Transport. Despite my appeals to the Secretary of State for Transport, vehicle registration and licensing services were centralised within the Driver and Vehicle Licensing Agency (DVLA) in Swansea on 21 July 2014. From that date, operational responsibility for the delivery of vehicle registration and vehicle excise duty in Northern Ireland transferred to DVLA.

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**Mr Agnew** asked the Minister of the Environment what new environmental information was submitted after 10 September 2014 which has warranted a change in the Northern Ireland Environment Agency's position from one of recommending refusal on the basis of serious environmental concerns, to one of agreeing to approve a licence to abstract water for AIL/2008/0240; and why the Water Management Unit is not prepared to comment on whether such information was received, or make that information available to the public through open file inspection.

**(AQW 40915/11-15)**

**Mr Durkan:** I can confirm that no new environmental information, relating to this application, was received after 10 September 2014.

However NIEA did seek further clarification from the Loughs Agency in relation to their initial consultation response to the application.

The Loughs Agency responded on 17 October 2014 and NIEA subsequently conducted a review of the application documents in light of the Loughs Agency response.

The review concluded that potential environmental impacts resulting from the development could be mitigated through a conditioned Abstraction and Impoundment Licence.

NIEA has not made a final determination on this application as the applicant is now considering the draft conditions.

Under regulation 24 and Schedule 3 of the Abstraction & Impoundment Licensing Regulations NIEA is required to hold a Public Register. These Regulations stipulate and list the documents that must be available on the Public Register. The Register is available to the public to view upon request and includes undetermined abstraction licence applications. NIEA is fully compliant with its statutory duty under these Regulations and with its overall duty to provide access to information as established by the Aarhus Convention.

My own involvement in this application resulted from a complaint to my office by the applicant in relation to the delay in NIEA determining his application.

In response to the complaint I facilitated a meeting between NIEA and the applicant on 30 April 2014. I have also corresponded with the applicant to keep him abreast of progress in the determination of his application by NIEA.

**Mr Agnew** asked the Minister of the Environment to outline the full extent of his involvement in the case of the Ballyarton hydro-electric proposal on the River Faughan Special Area of Conservation which has led to the change in the Northern Ireland Environment Agency's position from one of recommending refusal based on serious environmental concerns to one of being prepared to grant a licence to abstract water for application AIL/2008/0240.

**(AQW 40917/11-15)**

**Mr Durkan:** I can confirm that no new environmental information, relating to this application, was received after 10 September 2014.

However NIEA did seek further clarification from the Loughs Agency in relation to their initial consultation response to the application.

The Loughs Agency responded on 17 October 2014 and NIEA subsequently conducted a review of the application documents in light of the Loughs Agency response.

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**Mrs Overend** asked the Minister of the Environment to detail the impact of the outcome of the 2015/16 Budget, after inescapable spending commitments have been met, on each service and activity currently supported by his Department. (AQW 40938/11-15)

**Mr Durkan:** Under the final Budget for 2015-16, my Department's non ring-fenced Resource DEL budget was reduced by 10.7% to £104.2 million, the highest percentage reduction of all the Departments.

Reductions of such magnitude will mean that 2015-16 will be an exceptionally challenging year for my Department. The financial allocations in the final Budget will have significant adverse implications for the services provided by my Department and for its clients, stakeholders and staff.

In order to deliver on its core statutory obligations and ensure protection of public health the Department will have to reduce activity across a wide range of discretionary functions and withdraw funding to a wide range of external bodies while seeking to implement substantial reductions in staff numbers under central Civil Service voluntary exit schemes.

The Department is actively assessing which discretionary functions will be affected. It is expected that a wide range of grant and other support programmes that are aimed at supporting key environmental programmes will be affected. Further details will be provided to the Environment Committee once final decisions have been taken on the position.

**Mr Weir** asked the Minister of the Environment what equality proofing was completed prior to the decision to deny drivers in Northern Ireland the opportunity to have the Union Flag contained on their driving licence. (AQW 40996/11-15)

**Mr Durkan:** Driver licensing is a transferred matter under the Northern Ireland Act 1998. Under the provisions of the Road Transport (Northern Ireland) Order 1981. My Department has responsibility for a broad range of matters relating to the licensing of vehicle drivers, including the form of the driving licence.

In 2012, when the UK Government announced its intention to include the Union flag on Great Britain driving licences, Department for Transport (DfT) Minister Mike Penning wrote to my predecessor to advise him of this intention. Minister Penning's letter noted that driver licensing is a devolved matter but that the

Driver and Vehicle Licensing Agency (DVLA) in Swansea prints Northern Ireland driving licences under contract. Minister Penning indicated his intention that DVLA would continue to print Northern Ireland driving licences without change to the existing design. He asked for a view on this.

Further to this correspondence, officials in my Department engaged with DVLA to ascertain whether it would be possible to provide individuals with an option to choose whether to include or exclude the flag. DVLA however indicated that this would not be possible, as the costs involved in making the system and associated changes required to offer such a choice were prohibitive.

The response to DfT, confirming agreement to DfT's proposal, took account of the sensitivities identified in the Good Friday Agreement about the use of symbols and emblems here, and of the Department's responsibilities under Section 75 (2) of the Northern Ireland Act to have regard to the desirability of promoting good relations.

My Department received no further correspondence in respect of the UK Government's plans for GB driving licences until a letter from DfT Minister John Hayes dated 23 December 2014, indicating that the plans for GB licences would be announced over the Christmas period, and that Northern Ireland driving licences would continue to be printed by DVLA without the Union flag.

**Mr Agnew** asked the Minister of the Environment why NIEA's Water Management Unit denies public access to inspect undetermined water abstraction licence applications; and how this official policy is compliant with Articles 1, 3(2) and 4 of the Aarhus Convention. (AQW 41029/11-15)

**Mr Durkan:** I can confirm that no new environmental information, relating to this application, was received after 10 September 2014.

However NIEA did seek further clarification from the Loughs Agency in relation to their initial consultation response to the application.

The Loughs Agency responded on 17 October 2014 and NIEA subsequently conducted a review of the application documents in light of the Loughs Agency response.

The review concluded that potential environmental impacts resulting from the development could be mitigated through a conditioned Abstraction and Impoundment Licence.

NIEA has not made a final determination on this application as the applicant is now considering the draft conditions.

Under regulation 24 and Schedule 3 of the Abstraction & Impoundment Licensing Regulations NIEA is required to hold a Public Register. These Regulations stipulate and list the documents that must be available on the Public Register. The Register is available to the public to view upon request and includes undetermined abstraction licence applications. NIEA is

fully compliant with its statutory duty under these Regulations and with its overall duty to provide access to information as established by the Aarhus Convention.

My own involvement in this application resulted from a complaint to my office by the applicant in relation to the delay in NIEA determining his application.

In response to the complaint I facilitated a meeting between NIEA and the applicant on 30 April 2014. I have also corresponded with the applicant to keep him abreast of progress in the determination of his application by NIEA.

**Mrs Hale** asked the Minister of the Environment for an update on the introduction of Single Tier Licensing, that was due to be introduced at the end of January 2015, under the Taxi Vehicle Licensing Regulations.

**(AQW 41034/11-15)**

**Mr Durkan:** The target operative date for the new regulations of 31 January 2015 was set in mid-2014. At that time, January 2015 was seen as the optimum month for implementing the new provisions, both from a legislative timetable point of view and also from the industry perspective.

However, as my Department worked towards making the new regulations, a number of MLAs expressed concerns about some elements of the legislation, primarily the intention to introduce a single tier licensing regime in Belfast. I considered these concerns and listened to all views on matters around single tier and remain of the view that, for the benefit of both the public and the taxi industry, it should be introduced.

To allow time for the full Assembly legislative process to be completed, my Department deferred the operational date of the regulations until 29 June 2015.

The regulations have now been made. They are subject to negative resolution and I understand that a prayer of annulment has been moved.

**Mr Rogers** asked the Minister of the Environment to outline how the Coastal Communities Fund will benefit local communities.

**(AQO 7378/11-15)**

**Mr Durkan:** Over the next two years communities around our coast will benefit from almost £1.5m from the Coastal Communities Fund. The Fund supports the regeneration and economic development of coastal communities through projects that create new jobs and safeguard existing jobs.

The projects all contribute to the Executive's Economic Strategy and come from small and medium size coastal communities facing economic challenges. They promote regeneration and create jobs through investment in tourism, business and the built and natural environments of coastal settlements. They promote training and skills development, and will enable local people to secure jobs in local industry growth sectors.

This year, three rounds of funding from 2014 to 2017 have been brought together into one to enable larger projects to be funded.

Seven projects based around our coast at Coleraine, Bushmills, Ballycastle, Rathlin Island, Carrickfergus and Newcastle will receive grants ranging from £71,000 to £734,000. These projects will create up to 100 jobs.

In the past two years grants in excess of £870,000 have been awarded to four projects in Glenarm, Magheramorne, Kilkeel and Waterfoot in the previous two rounds of funding. These contributed to the creation of 23 jobs and the safeguarding of many more.

These projects are excellent examples of how people can work together to regenerate and support the economic development of their communities. I am very pleased to be able to help them by providing funding that encourages partnership working and which will create and sustain jobs at all skills levels.

**Mr Spratt** asked the Minister of the Environment to outline his current responsibility for driving licences.

**(AQO 7379/11-15)**

**Mr Durkan:** My Department's statutory responsibility for driver licensing is contained in Part 2 of the Road Traffic (Northern Ireland) Order 1981. The Order contains a broad range of provisions relating to the licensing of vehicle drivers, including the requirement for drivers to hold licences, to undertake appropriate tests of competence and to meet specified medical standards.

The responsibilities also include the administration of the driver record, designed to be endorsed with particulars relating to offences under the Road Traffic Orders, and extends to both resident and non-resident drivers.

My Department has a statutory duty to ensure that all persons applying for and holding NI driving licences meet the relevant medical standards. This includes, where appropriate, carrying out medical investigations in conjunction with the Department's medical advisors, the Occupational Health Service. The medical standards are set out in the European Directives on driver licensing, and are further clarified by the Secretary of State for Transport's Honorary Medical Advisory Panel and the NI Regulations.

My Department issues approximately 220,000 licences each year, 26,000 are first time licences and 192,000 are renewed driving licences.

The administration of the driver licensing system in Northern Ireland is an integral part of my Department's responsibilities as regards the promotion of road safety. The primary legislation and the associated regulations, including the requirements of a driving licence application and the form of the Northern Ireland driving licence, are in alignment with the European Directives on driver licensing.

**Mr Hussey** asked the Minister of the Environment why his Department has warned that funding for road safety promotion and associated education activities in schools may be curtailed in 2015/16.

**(AQO 7380/11-15)**

**Mr Durkan:** With your permission, Mr Speaker, I would like to combine the answers to AQ 8 and AQ 10.

The rise in fatalities to a provisional total of 79 in 2014 is of course a serious concern and I extend my sympathy to those who have lost loved ones and those who have suffered life changing injuries.

However, in recent years, there has been an overall downward trend in road casualties. In the five years prior to 2014, the number of people killed on our roads in Northern Ireland halved - from 115 in 2009 to 57 in 2013. Indeed prior to 2009 there had not been a year since fatality records began in 1931 that had recorded fewer than 100 road deaths. The highest number – 372 – was recorded in 1972.

In terms of serious injuries, the 2013 total of 720 was the lowest level since such records began to be collated in 1971. While a total for 2014 is not yet available, serious injuries to the end of October last year were at a comparable level to that at the same time in 2013.

While there is no clear pattern which we can address, I have held a number of discussions on the figures and the reasons for them with road safety partners, including at recent Ministerial Road Safety Group and Road Safety Forum meetings.

It is hard to be certain about the causes, given the range of factors. However it is probable that, in addition to the education, enforcement and engineering measures taken by road safety partner organisations, the recession also played some part in reducing casualties. The economic recovery is therefore likely to make achieving further reductions in road casualty figures more challenging.

The 2015-16 Executive draft Budget proposals add to that challenge. The financial allocations proposed for my Department in the draft Budget would have significant adverse implications for the services provided by my Department and for its clients, stakeholders and staff. As part of my Department's consultation on the draft budget, I therefore set out the very serious implications for road safety activity (and indeed a range of other DOE activity) should the proposed DOE budget be confirmed in the Executive's final Budget. In road safety terms, the implications are likely to include a significant curtailment of road safety promotion and of my Department's road safety education activity in schools.

That said, I will do my very best to ensure that financial pressures do not unduly compromise our ability to tackle road safety issues. At the December meeting of the Ministerial Road Safety Group that I chair, we agreed that our next meeting should focus on what more might be done to address our collective road safety concerns – taking account of budgets for the 2015/16 financial year.

I can assure you that I remain fully committed to continue working with my Executive colleagues, the PSNI and other stakeholders to improve road safety and to reduce casualties. As I have indicated, this will be especially challenging given the very difficult financial position set out in the Executive's draft budget but I will continue to make road safety a high priority.

**Mr Hazzard** asked the Minister of the Environment when he intends to introduce measures to implement a circular economy approach to waste management.

**(AQO 7381/11-15)**

**Mr Durkan:** The circular economy is an economic model that aims to decouple economic development from virgin material. Waste is designed out of the system, and materials or components no longer required in their place of origin are 'metabolised' elsewhere in the economy through such activities as reuse and recycling. My Department has already introduced a number of measures to promote a circular economy approach to waste management.

In October 2013 my Department published a Waste Management Strategy entitled 'Delivering Resource Efficiency'. I see the strategy as a key element in developing and promoting a low carbon, circular economy. The Strategy contains actions and targets aimed at moving waste up the Waste Hierarchy, i.e. prioritising waste prevention, including re-use, to reduce our reliance on finite resources and increasing the amount of waste which we recycle. Actions which are currently being implemented include further legislation to minimise the use of carrier bags, a consultation on measures aimed at increasing the quality of recyclates and the introduction of requirements to separately collect certain dry recyclables and food waste.

On 30 September 2014 I published the Northern Ireland Waste Prevention Programme - "The Road to Zero Waste"; a measure within the Strategy. Waste prevention is central to the circular economy.

The title inclusion of "Zero Waste" expresses my desire to focus on, and work towards, an aspirational end point where materials are used more efficiently and not sent to landfill or other disposal – effectively working towards a circular economy.



Despite the current uncertain financial climate it is important that government continues to provide funding for initiatives that improve the environment, and move society towards a circular economy. In 2014/15, my Department has allocated over £4.3 million to councils and the Third Sector for resource efficiency projects aimed at diverting waste from landfill, and turning waste into a valuable resource.

The annual waste figures show that household recycling continues to increase; 41.3% in 2013/14. This is over a fourfold increase in household recycling since 2002. In the same period household waste arisings fell by 9.7%. For the first time figures for 2013/14 show that less than 50% of household waste went to landfill. A key landmark – but as a society we must maintain this momentum and continue on a “Road to Zero Waste”.

**Mr Ramsey** asked the Minister of the Environment for his assessment of the latest road safety statistics.  
(AQO 7382/11-15)

**Mr Durkan:** With your permission, Mr Speaker, I would like to combine the answers to AQ 8 and AQ 10.

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However, in recent years, there has been an overall downward trend in road casualties. In the five years prior to 2014, the number of people killed on our roads in Northern Ireland halved - from 115 in 2009 to 57 in 2013. Indeed prior to 2009 there had not been a year since fatality records began in 1931 that had recorded fewer than 100 road deaths. The highest number – 372 – was recorded in 1972.

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It is hard to be certain about the causes, given the range of factors. However it is probable that, in addition to the education, enforcement and engineering measures taken by road safety partner organisations, the recession also played some part in reducing casualties. The economic recovery is therefore likely to make achieving further reductions in road casualty figures more challenging.

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That said, I will do my very best to ensure that financial pressures do not unduly compromise our ability to tackle road safety issues. At the December meeting of the Ministerial Road Safety Group that I chair, we agreed that our next meeting should focus on what more might be done to address our collective road safety concerns – taking account of budgets for the 2015/16 financial year.

I can assure you that I remain fully committed to continue working with my Executive colleagues, the PSNI and other stakeholders to improve road safety and to reduce casualties. As I have indicated, this will be especially challenging given the very difficult financial position set out in the Executive's draft budget but I will continue to make road safety a high priority.

**Ms Maeve McLaughlin** asked the Minister of the Environment what plans he has to change the MOT online booking system to allow customers the option of using 'Derry City' in the Town field of the system.  
(AQO 7383/11-15)

**Mr Durkan:** The online system has been in place since January 2007 and currently allows customers the option to enter 'Derry City' into the town field at both the notification stage and payment stage.

On the notification details screen the customer is able to enter the address where their appointment letter should be sent to. On the payment screen the customer is able to enter their debit/credit card details including their card billing address. The 'Town' or 'Town/City' field on these screens is formatted to accept free text; therefore the customer can enter any town/city.

There is therefore no need to change the MOT online booking system to allow this option.

**Mr Brady** asked the Minister of the Environment how he plans to address the increase in the number of road fatalities since January 2014.  
(AQO 7384/11-15)

**Mr Durkan:** The rise in road fatalities in 2014 is a serious concern and I extend my sympathy to those who have lost loved ones and also those who have suffered life changing injuries. The number of road traffic fatalities here has generally been declining since the early 1970s. However, since 2012, fatality figures have increased: to 57 in 2013, and provisionally to 79 in 2014.

My Department continues to take a range of actions to reduce deaths and serious injuries on our roads. We focus on problem areas, such as drink driving, speeding, carelessness and inattention; and on groups which are over-represented in the casualty figures. These are a key focus of the Road Traffic (Amendment) Bill which I introduced into the Assembly in May last year.

I have also commissioned an advertising campaign to tackle rising levels of motorcyclist deaths, and my officials are working with the Health & Safety Executive to produce a guide on driving at work. My Department is also taking forward a fitness to drive review to consider the factors that increase risks for older road users.

The Road Safety Strategy to 2020 includes 224 Action Measures of which over 100 have been completed; they address issues including changes to road engineering, changes to the driving test, and the setting up of a PSNI Collision Investigation Unit.

I should emphasise that implementation of the measures contained in the Road Safety Strategy fall to a number of Departments and agencies working in partnership. The implementation process is monitored by a Strategy Delivery Board which comprises representatives from all of those road safety partner organisations including the Department for Regional Development, Department of Education, PSNI, the NI Fire and Rescue Service and the NI Ambulance Service.

Looking ahead, the draft Executive Budget 2015/16 proposals reflect a very difficult financial position. Once the final Budget for 2015/16 is confirmed, decisions on implications for the Road Safety Strategy will be informed by the resources made available to all of the road safety partner organisations. I am anxious to ensure that financial pressures do not unduly compromise our ability to tackle road safety issues. At the December meeting of the Ministerial Road Safety Group that I chair, we agreed that our next meeting should focus on what more might be done to address our collective road safety concerns – taking account of budgets for the 2015/16 financial year.

Ultimately, however, the vast majority of collisions and casualties on our roads are caused by human error. My Department and our road safety partners can educate, engineer and enforce, but each of us as individuals has to take personal responsibility for our attitudes and behaviours as road users.

I can assure you that I remain fully committed to continue working with my Executive colleagues, the PSNI and other stakeholders to improve road safety and to reduce casualties. This will be especially challenging given the very difficult financial position set out in the Executive's draft budget but I will continue to make road safety a high priority.

**Mr Girvan** asked the Minister of the Environment why a driving licence costs more in Northern Ireland than in the rest of the United Kingdom.

**(AQO 7385/11-15)**

**Mr Durkan:** The administration of driver licensing in Northern Ireland is expected, as far as possible, to be a self-financing service, with costs recovered through fee income. These costs include salaries, maintenance, support and development of the IT system, production of the licence, postage and the payment of fees for certain medical assessments.

The licence fees are varied according to the complexity of individual licences and transactions. Driving licence renewals for those 70 years old and over and those renewals that are required for medical reasons are free of charge.

Following a public consultation, driving licence fees were increased on 18 October 2012 to go some way towards covering the cost of producing all licences, including those issued free of charge.

This increase resulted in a gap across a range of licences between the fees charged in NI compared to those charged in GB. This gap exists largely due to the lack of economies of scale for recovering the costs of processing driver licences locally. I am also aware that DVLA recently introduced a reduction in their fees that has further widened the gap between NI and GB. This reduction to their fees was possible due to developments in technology, with the ability to offer online transactions for customers.

The Driver & Vehicle Agency is currently developing a new driver licensing IT system to be delivered by April 2016. This system will improve the customer experience, deliver service efficiencies and will enable online processing. This will provide an opportunity to review the fees currently charged for the processing of driver licences.

**Mrs D Kelly** asked the Minister of the Environment to outline the recent changes to the Carrier Bag Levy.

**(AQO 7386/11-15)**

**Mr Durkan:** When the levy was first introduced in April 2013 it applied only to single use carrier bags. From 19 January 2015, retailers must add the 5 pence carrier bag levy to all carrier bags with a retail price of less than 20 pence – effectively extending the levy beyond single use bags to include cheap reusable carrier bags.

Data from several retailers indicate that cheap reusable bag sales have jumped by approximately 800% since the single use bag levy was first introduced in 2013. Extending the levy to cheap reusable bags is intended to maximise the environmental benefits by encouraging shoppers to reuse their existing bags rather than buying new ones.

Retailers still have the option to operate a “bag-for-life” policy, replacing worn out reusable plastic bags free of charge – meaning shoppers who actively reuse their carrier bags won't be penalised.

My Department ran a communication campaign including street teams, downloadable posters, online support tools, social media and classified advertising to inform the public and support retailers in the run up to 19 January.

**Ms P Bradley** asked the Minister of the Environment for his assessment of the merits of the extension of the Carrier Bag Levy. (AQO 7387/11-15)

**Mr Durkan:** When the levy was first introduced in April 2013 it applied only to single use carrier bags. From 19 January 2015, retailers must add the 5 pence carrier bag levy to all carrier bags with a retail price of less than 20 pence – effectively extending the levy beyond single use bags to include cheap reusable carrier bags.

Data from several retailers indicate that cheap reusable bag sales have jumped by approximately 800% since the single use bag levy was first introduced in 2013. Extending the levy to cheap reusable bags is intended to maximise the environmental benefits by encouraging shoppers to reuse their existing bags rather than buying new ones.

Retailers still have the option to operate a “bag-for-life” policy, replacing worn out reusable plastic bags free of charge – meaning shoppers who actively reuse their carrier bags won't be penalised.

My Department ran a communication campaign including street teams, downloadable posters, online support tools, social media and classified advertising to inform the public and support retailers in the run up to 19 January. Through this campaign and by way of the recent extension of the levy I believe we can deliver the optimal environmental outcome – avoiding unnecessary resource consumption, pollution and litter.

**Mr Agnew** asked the Minister of the Environment, given that unauthorised extraction operations were witnessed taking place within Lough Neagh Special Protection Area on 19 January 2014, when he will answer AQW 40435/11-15. (AQW 41100/11-15)

**Mr Durkan:** My response to AQW 40435/11-15 dated 22 January 2015 refers.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 38304/11-15, how the continuing unauthorised mineral extraction from Lough Neagh Special Protection Area, witnessed on 19 January 2015, complies with his stated policy that unauthorised mineral extractions require the most rigorous and prompt enforcement action. (AQW 41152/11-15)

**Mr Durkan:** My officials have not been alerted of any alleged breach in respect of unauthorised minerals extraction on Lough Neagh the 19 January 2015. I have asked my officials to investigate and report back to me as a matter of urgency.

## Department of Finance and Personnel

**Mr Copeland** asked the Minister of Finance and Personnel to detail (i) the total level of capital receipts generated by his Department in each year since 2011; (ii) each individual asset; (iii) its location; (iv) when it was sold; (v) by whom it was purchased; and (vi) for how much it was sold. (AQW 39501/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** The level of capital receipts received by Department of Finance & Personnel in the financial years 2011-12, 2012-13 & 2013-14 are as follows:-

- 2011-12      £283k
- 2012-13      £470k
- 2013-14      £852k

The table on the following page provides:-

- Each individual asset
- Its location
- When it was sold
- By whom it was purchased
- For how much it was sold

Asset Category	Location	When sold	Purchaser	Selling Price £k
Land & Buildings	35/37 Slieveban Drive, Belfast	2011-12	Apex Housing Association	575
Land & Buildings	1A Belt Road, Londonderry	2012-13	MKB Co 48 Ltd	500
Land & Buildings	21 Hospital Road, Omagh	2013-14	Not disclosed	152
Land & Buildings	Crown Buildings, 2-14 George Street	2013-14	Silverwood Property Developments Ltd	120
Motor Vehicles	Various	2011-14	Sold through Auction	70

**Mr McCallister** asked the Minister of Finance and Personnel what plans are in place to ensure the Executive can 'claw back' any windfall gains made by banks and major utility providers related to a reduction in Corporation Tax.

(AQW 39698/11-15)

**Mr Hamilton:** The proposed technical design of the Northern Ireland Corporation Tax regime – as detailed in the Bill introduced in the House of Commons on 8th January 2015 – has been carefully designed to encourage genuine investment that will create jobs and growth, while minimising opportunities for profit-shifting and avoidance. And in that regard, it excludes a range of highly mobile banking and insurance activities that will remain subject to the UK main rate of Corporation Tax.

Major utilities are subject to scrutiny by the independent Utility Regulator and the treatment of their costs, and the returns that are allowable, will continue to be determined under regulatory price control procedures.

**Mr Gardiner** asked the Minister of Finance and Personnel how many public servants live in each (a) constituency; and (b) council area.

(AQW 39850/11-15)

**Mr Hamilton:** The Department does not hold information regarding where public servants live.

**Mr Weir** asked the Minister of Finance and Personnel whether the Chancellor of the Exchequer's announcement regarding the changes to Stamp Duty will apply in Northern Ireland; and if so, to detail the implications for house buyers.

(AQW 39858/11-15)

**Mr Hamilton:** The Stamp Duty changes announced in the Autumn Statement will apply in Northern Ireland and these came into effect across the UK as a whole on 4th December 2014.

The new structure of the duty will be beneficial for Northern Ireland house-buyers, and in particular, those whose purchase price would have just breached the thresholds under the old 'slab' structure. These individuals will see significant savings in the duty paid.

**Mr Allister** asked the Minister of Finance and Personnel, should Corporation Tax be devolved, how the amount of relevant profit earned in Northern Ireland will be calculated.

(AQW 40142/11-15)

**Mr Hamilton:** Following the introduction of the Corporation Tax (Northern Ireland) Bill in the House of Commons on 8 January 2015, administrative arrangements need to be agreed with, and put in place by HM Revenue & Customs to identify and collect Corporation Tax receipts on behalf of the Northern Ireland Executive.

Similarly, the precise detail of the block grant adjustment mechanism to be applied has not yet been agreed with the Government. My officials and I will continue to engage with HM Treasury to ensure that the necessary arrangements are put in place prior to the transfer of Corporation Tax rate setting powers.

**Mr Allister** asked the Minister of Finance and Personnel, should Corporation Tax be devolved, whether there will be separate accounting in Northern Ireland, or a formula deployed to apportion the base; and if so, to detail the formula.

(AQW 40143/11-15)

**Mr Hamilton:** Following the introduction of the Corporation Tax (Northern Ireland) Bill in the House of Commons on 8 January 2015, administrative arrangements need to be agreed with, and put in place by HM Revenue & Customs to identify and collect Corporation Tax receipts on behalf of the Northern Ireland Executive.

Similarly, the precise detail of the block grant adjustment mechanism to be applied has not yet been agreed with the Government. My officials and I will continue to engage with HM Treasury to ensure that the necessary arrangements are put in place prior to the transfer of Corporation Tax rate setting powers.

**Mr Allister** asked the Minister of Finance and Personnel, should Corporation Tax be devolved, to detail (i) how; and (ii) by what mechanisms the block grant will be reduced.

(AQW 40194/11-15)

**Mr Hamilton:** Following the introduction of the Corporation Tax (Northern Ireland) Bill in the House of Commons on 8 January 2015, administrative arrangements need to be agreed with, and put in place by HM Revenue & Customs to identify and collect Corporation Tax receipts on behalf of the Northern Ireland Executive.

Similarly, the precise detail of the block grant adjustment mechanism to be applied has not yet been agreed with the Government. My officials and I will continue to engage with HM Treasury to ensure that the necessary arrangements are put in place prior to the transfer of Corporation Tax rate setting powers.

**Mr Kinahan** asked the Minister of Finance and Personnel what percentage of tourism revenue has resulted from overseas tourist business in each year since 2007.

(AQW 40414/11-15)



**Mr Hamilton:** The annual percentage of expenditure on overnight trips in Northern Ireland of (i) Northern Ireland residents; (ii) Great Britain visitors; (iii) Republic of Ireland visitors and (iv) outside UK & Ireland visitors is shown in the table overleaf.

Table: The percentage of expenditure on overnight trips to Northern Ireland of (i) Northern Ireland residents (ii) Great Britain visitors, (iii) Republic of Ireland visitors and (iv) Outside UK & Ireland visitors (2008-2013).

Place of Origin	20081	2009	20102	2011	2012	2013
Northern Ireland residents	27%	36%	34%	28%	29%	27%
Great Britain	40%	34%	29%	37%	35%	38%
Republic of Ireland	9%	12%	15%	9%	10%	8%
Outside UK & Ireland	24%	18%	22%	26%	26%	27%

**Notes:**

- 1 Figures from 2008 to 2009 were collated by the Northern Ireland Tourist Board.
- 2 Figures from 2010 to 2013 were collated by the Northern Ireland Statistics and Research Agency.

**Mr Agnew** asked the Minister of Finance and Personnel, given the requirement for the Executive to pay the cost of the differential between higher levels of social security provision in Northern Ireland compared to Great Britain, what mechanisms exist to enable the Executive to recover benefits which would accrue to central government of implementing other social policies such as free childcare.

**(AQW 40507/11-15)**

**Mr Hamilton:** If the Northern Ireland Executive can clearly demonstrate that savings in AME spending, that accrue directly to the UK Exchequer, have been generated as a direct result of a policy the Executive has implemented then it may make a case to the UK Government that these savings should be returned to the NI Executive. There is however no guarantee that such a request would be successful.

**Mr Allister** asked the Minister of Finance and Personnel to detail (i) how the level of public borrowing by the Executive in May 2007 compares with the current situation; (ii) how much has been repaid each year; and (iii) how much interest has been paid on the loans.

**(AQW 40535/11-15)**

**Mr Hamilton:** Details of public borrowing along with the associated interest and capital repayments are set out in the Public Income and Expenditure Account, as laid before the Assembly on an annual basis.

**Mr Eastwood** asked the Minister of Finance and Personnel to detail the amount of non-domestic rates collected in each of the last five years.

**(AQW 40621/11-15)**

**Mr Hamilton:** The total amount of non-domestic rates collected (receipts) in each of the last five years is provided in the table below.

**Non-Domestic Receipts 2009/10 to 2013/14**

Financial Year	Non-Domestic Receipts
2009/10	£533,525,810
2010/11	£564,917,208
2011/12	£574,730,510
2012/13	£591,394,059
2013/14*	£598,199,929

\*2013/14 figures subject to audit assurance.

**Mr Allister** asked the Minister of Finance and Personnel (i) what are the levels of employer and employee contributions applicable under the North/South Pension (Amendment No.5) Scheme; (ii) how does this compare with the Northern Ireland Civil Service Scheme; and (iii) whether the scheme now applies to all the North/South bodies.

**(AQW 40767/11-15)**

**Mr Hamilton:**

- (i) Amendment 5 resulted in the Loughs Agency joining the North South Pension Scheme from 1 January 2015; this amendment had no impact on employee contributions. Amendment 4 increased employee contributions for staff based in Northern Ireland to an average of 4.7%. Amendments 4 and 5 had no impact on employer contributions.
- (ii) Average employee contribution rates for Northern Ireland members in the North South Pension Scheme are now identical to those of the Northern Ireland Civil Service Scheme. The employee contribution rates will change again in April 2015 for both Northern Ireland and Republic of Ireland members to further align it with the Northern Ireland Civil Service Scheme – the average rate will be 5.6% for all members. It is also intended that the North South Pension Scheme will be reformed to align it with the reforms to be implemented for the Civil Service Scheme from April 2015. These reforms include changing from a final salary scheme to a career average revalued earnings scheme, with scheme pension age linked to the state pension age.
- (iii) Yes, all of the North South bodies now participate in the North South Pension Scheme.

**Mr Allister** asked the Minister of Finance and Personnel, pursuant to AQW 39507/11-15, to detail the occupants of the two units that are exempt from rates.

**(AQW 40827/11-15)**

**Mr Hamilton:** I can confirm the occupants of the two units are as follows:

- 152 Springfield Road, Belfast – West Belfast Economic Forum.
- 152a Springfield Road, Belfast – Clonard Residents Association.

**Mr Beggs** asked the Minister of Finance and Personnel when the guidance, which redirects departments and Public Bodies in providing compensation to home owners as a result of public developments, was last reviewed.

**(AQO 7400/11-15)**

**Mr Hamilton:** The Compulsory Purchase and Compensation Guide to Compensation for Residential Owners and Occupiers published by Land & Property Services, was last reviewed in October 2012. A revision of the guidance is anticipated by April 2015.

**Mr Easton** asked the Minister of Finance and Personnel how he plans to ensure that the Executive spends its full allocation of Financial Transactions Capital.

**(AQO 7395/11-15)**

**Mr Hamilton:** My recent Statement to the Assembly on the January Monitoring Round detailed allocations of Financial Transactions Capital in 2014-15 of £40.6 million meaning that all of the Financial Transactions Capital available to the Executive this year is now allocated. I now expect departments to spend in full the allocations made in this year to ensure that no funding is lost to Northern Ireland.

Looking forward, the Executive's Budget for 2015-16 allocates £88.1 million of Financial Transactions Capital to departments with a further £40.9 million to be allocated to the Northern Ireland Investment Fund.

I will continue to urge Minister's to come forward with suitable proposals to spend ring-fenced Financial Transactions Capital, however creation of the Northern Ireland Investment Fund will provide an effective mechanism for the Executive to spend this funding going forward.

**Mr Swann** asked the Minister of Finance and Personnel to outline the timescale for the remainder of the Budget 2015-16 process.

**(AQO 7396/11-15)**

**Mr Hamilton:** The 2015-16 Budget was agreed by the Executive on 15 January 2015 and announced to the Assembly on 19th January 2015.

The Assembly will debate and vote on the Budget tomorrow (Tuesday 27th January 2015).

**Mr Lyttle** asked the Minister of Finance and Personnel what preparatory work his Department has carried out following the commitment in the Stormont House Agreement to commission work assessing the cost of division.

**(AQO 7397/11-15)**

**Mr Hamilton:** My officials have already started engagement with HMT and NIO counterparts on the many actions points contained within the Stormont House Agreement. Included within this engagement is how to progress the 'medium and longer term reform' actions, one of which calls for an independent audit of departmental spending to identify how divisions in society impact.

My officials will advise me on the outcome of their engagements with NIO and HMT on this specific matter and how any audit might be progressed.

**Mr Buchanan** asked the Minister of Finance and Personnel how the proposed Voluntary Exit Scheme for the Civil Service will operate.

**(AQO 7398/11-15)**

**Mr Hamilton:** Plans to develop a Voluntary Exit Scheme for the NICS are well advanced. The terms of the Scheme have yet to be finalised and agreed and will become clearer after appropriate consultation has been concluded with the Trade Unions. However, the intention is to launch a Voluntary Exit Scheme on an NICS-wide basis in early March 2015 and it is anticipated that it will be open to all staff in all grades and disciplines (up to and including NICS Grade 3 and analogous) in all Departments. Any exceptions to this are expected to be rare.

My officials anticipate those selected to leave under the Scheme will do so in tranches between Autumn 2015 and Spring 2016, however there will not be a provision for staff to select a leaving date when making their application. The Scheme will be in line with provisions in the new Civil Service Compensation Scheme (Northern Ireland) [CSCS(NI)].

My officials hope to be in a position to share more detail ahead of launching a scheme, including details about an online calculator which staff can use to estimate the compensation payment and Frequently Asked Questions.

**Mr Elliott** asked the Minister of Finance and Personnel for an update on the level of funding from Peace IV and Interreg V European Programmes which will be available in Northern Ireland.

**(AQO 7401/11-15)**

**Mr Hamilton:** Draft PEACE IV and INTERREG VA programmes were submitted to the European Commission for consideration on 22 September 2014. The PEACE IV programme has a proposed European Regional Development Fund (ERDF) budget of €229 million plus €40 million match funding. The INTERREG VA programme has a proposed ERDF budget of €240 million plus €42 million match funding.

**Mr Spratt** asked the Minister of Finance and Personnel to outline any engagement his Department has had with the European Commission on public sector reform.

**(AQO 7402/11-15)**

**Mr Hamilton:** On 21st January 2015 I travelled to Brussels to meet with Mr Carlos Moedas, Commissioner for Research, Science and Innovation, who took up post late in 2014.

The meeting highlighted the Commissioner's, and wider EU, thinking on the importance of the public sector as a driver of innovation and competitiveness, a view shared within my Department's agenda and the Executive's own Innovation Strategy.

It was clear from the meeting that Brussels already recognises Northern Ireland as one of the leading regions in Europe in relation to public sector innovation. It is important, therefore, that we continue to engage with the Commissioner, and his officials, as he sets his priorities in this area so that Northern Ireland can not only showcase what we are doing in developing innovative approaches, but also learn from the experience of others.

Previous engagements with the EU Commission have involved both me and my officials. These have included presentations on the approach to Public Sector Reform in Northern Ireland as well as sharing knowledge and learning on European Public Sector Reform and Innovation.

As the reform agenda in Northern Ireland gathers pace, I am keen to build on these developments and encourage continued engagement with the EU Commission on public sector reform and innovation.

## Department of Health, Social Services and Public Safety

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for his assessment of the effectiveness of the commissioning function in the Health and Social Care Board.

**(AQW 40297/11-15)**

**Mr Wells (The Minister of Health, Social Services and Public Safety):** An effective commissioning function is essential to ensure that local populations have access to health and social care services which meet their needs, contribute to improvements in health and wellbeing, are safe and of a high quality, and represent value for money in terms of outcomes delivered and costs incurred. Of course commissioning is only one factor in addressing these issues.

Of the large numbers of patients and clients who access health and social care services here every day, the vast majority receive care and treatment of the highest standard. However, too many people in Northern Ireland still die prematurely or live with conditions that could have been avoided. Too many people have to wait too long to access the services they need. And it is clear that the health and social care system in Northern Ireland cannot continue to meet the growing demand for services within available resources, without significant reform. It is over five years now since the establishment of the commissioning function within the HSC Board, and in that context officials have been asked to develop plans, for my consideration, for a review of the effectiveness of the function.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how much funding has been provided by his Department to the Family Planning Association and any other 'pro-choice' organisations since May 2011.

**(AQW 40346/11-15)**

**Mr Wells:** There is no agreed definition of a 'pro-choice' organisation. The list below details funding provided to organisations, whose responses to the 2013 termination of pregnancy guidance consultation, demonstrated a pro-choice position.

Funding is provided towards central administrative costs.

	2011/12 £	2012/13 £	2013/14 £	2014/15 £
Family Planning Association (NI)	£92,745	£96,045	£89,632	£96,045
Women's Resource and Development Agency	£45,871	£45,871	£45,871	£45,871

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how much funding has been supplied by his Department to lesbian, gay, bisexual and transgender groups since May 2011.

**(AQW 40480/11-15)**

**Mr Wells:** Grant funding has been provided to two organisations as follows:

Name of Organisation	2011/2012	2012/2013	2013/2014	2014/2015
The Rainbow Project	£32,443	£32,443	£32,443	£32,443
Cara-friend	£31,705	£31,705	£31,705	£31,705

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for a breakdown of the cost of performance related bonuses for senior medical staff, broken down by Health and Social Care Trust, in the last five years.

**(AQW 40482/11-15)**

**Mr Wells:** Senior medical staff do not receive performance related bonuses.

They can however apply for a Clinical Excellence Award through an independent committee process managed by the Department. These awards are given to recognise exceptional performance by medical consultants in the services they provide to patients. Clinical Excellence awards are part of the Terms and Conditions of service for medical and dental staff employed by the Trusts.

The cost of the awards over the past 5 financial years is detailed below.

	2009/10	2010/11	2011/12	2012/13	2013/14
Belfast Trust	£8,822,071	£8,624,825	£7,219,753	£6,556,067	£6,160,907
Northern Trust	£1,351,478	£1,319,240	£1,101,000	£946,000	£810,000
Southern Trust	£1,318,913	£1,264,726	£1,121,528	£1,087,018	£1,074,413
South Eastern Trust	£1,164,546	£1,191,087	£1,047,208	£928,607	£926,583
Western Trust	£1,248,336	£1,183,919	£1,166,515	£1,044,163	£1,013,974

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for an update on the introduction of standardised packaging for tobacco products in Northern Ireland; and for his assessment as to whether the powers will be made prior the dissolution of the current Westminster Parliament.

**(AQW 40515/11-15)**

**Mr Wells:** In February 2014, the Assembly agreed to the extension of certain provisions in the Children and Families Act 2014 which would allow the Secretary of State for Health (SoS) to make regulations on a UK-wide basis in relation to the standardised packaging of tobacco products. The provisions in the Act require SoS to obtain the consent of the Office of the First Minister and deputy First Minister before making regulations which would apply in Northern Ireland.

On 21 January the UK Government announced its decision to proceed with plans to introduce standardised packaging in England before the General Election. The legislation is expected to come into force in May 2016 and I will be working with the Executive to secure agreement for the law to apply in Northern Ireland.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an up-to-date breakdown of the £5m spend in additional funding allocated to unscheduled care services to help ease winter pressures.

**(AQW 40532/11-15)**



**Mr Wells:** My Department has allocated an additional £5m of funding to Health and Social Care to address pressures in unscheduled care services this winter. £2.3m of this funding has been allocated to fund a range of measures set out in the table below:

Trust		£000
Belfast	External support	100
	Additional ED Consultant	450
	3 Physicians for AMU	
	Additional AHP/Pharmacy staff	
Northern	External support	100
South Eastern	External support	100
	Introduction of 7-day Allied Health Professional and other services at the Ulster Hospital to improve patient flow.	470
Southern	External support	100
	Implementation of a new model for Acute Medicine in Craigavon Area Hospital. This model has seen a reorganisation of both the Medical Admission Unit (MAU) and base ward medical cover, a strengthening of 7 day working and facilitates direct General Practitioner (GP) admission to in-patient beds. Additional staff includes two consultants.	492 (750 FYE)
Western	External support	121
	2 ED consultants	250
NIAS	Hospital Ambulance Liaison Officers (HALOs) at 4 EDs	150

Of the remaining £2.7m, £600k will be utilised to enhance out of hours capacity in primary and community care; £400k has been allocated to each Health and Social Care Trust and £100k to the Northern Ireland Ambulance Service (NIAS) for winter pressures. In addition following the October monitoring, £750k has been made available from Health and Social Care Board baseline funds and allocated equally to each Hospital Trust to support the delivery of unscheduled care services.

During November Trusts submitted proposals on measures to improve patient flow and to expand capacity, as required, over the winter period. These have been approved and are currently being implemented by individual Trusts. Included in the Trust proposals are a range of service provision including: additional beds, extended working hours in Minor Injury Units, additional weekend radiology services, additional Domiciliary Care packages and additional transport to expedite discharge. Other enhancements include Belfast City Hospital Direct which enables frail elderly patients to be transported by NIAS to Belfast City Hospital, so reducing admissions via the Emergency Department.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether he can provide an assurance that upon the completion of the new Ballymena Health and Care Centre, GPs currently located at Ballymena Health Centre and who move to the new Centre will be able to do so, in terms of rent and rates, on a cost neutral basis.

**(AQW 40539/11-15)**

**Mr Wells:** The HSCB provides premises funding for rent and rates from the General Medical Services (GMS) funding envelope for GPs. However, the funding envelope is cash limited and does not contain separate budgets for elements such as premises. Funding therefore has to be prioritised across differing pressures in both service provision to patients and infrastructure costs.

The HSCB has advised me that it is seeking to include funding to cover the additional costs associated with Ballymena Health and Care Centre in the 2015/16 financial plan.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety to detail (i) how much his Department spent on mobility aid items, in each of the last five years; (ii) whether the items are reusable; and (iii) how his Department addresses people who do not return the items.

**(AQW 40571/11-15)**

**Mr Wells:** I refer the member to the responses provided by the Health and Social Care Trusts which are attached at Annex A.

**DHSSPS AQW 40571/11-15**

**Annex A**

#### **Western HSC Trust**

- (i) This information is not readily available in the format requested.
- (ii) The Western Trust provides a range of mobility aids including walking aids; walking sticks; Zimmer frames and tripods, as well as short-term loan wheelchairs etc. A separate arrangement is in place to retrieve wheelchairs, which are then

decontaminated and re-issued where possible. In addition to this, the Trust has an arrangement with a local Council to collect, clean and re-issue items of equipment, where appropriate, that are retrieved from any of its civic amenity sites.

- (iii) Service users are encouraged to return these aids for re-use where possible.

#### **Southern HSC Trust**

- (i) The Trust does not maintain a separate record of expenditure solely on mobility aids and therefore is unable to provide this information without a manual exercise to extract this.
- (ii) The Southern Health and Social Care Trust (SHSCT) has introduced a new approach to managing Community Equipment, through its Transforming Community Equipment Services (TCES) project. This project reviewed the increasing demands being placed upon community equipment services due to the increasing number of people with complex needs being supported within community settings and it considered how the available budgets could be used in the most cost effective manner. The TCES project recognised a number of categories of equipment, including Simple Aids for Daily Living and Complex Aids for Daily Living. Typically Simple Aids for Daily Living (SADL) are issued to individuals on a permanent basis and are not reusable. This category includes items such as Walking Sticks, Zimmers and Tripods. Complex Aids for Daily Living (CADL) are managed via a loan scheme; this includes items such as Hoists and Beds. These are reusable and are managed in different ways, as detailed below:

##### **Walking Aids (Non Reusable)**

**Sticks, Zimmers and Tripods** – These items are issued to individuals through the issue of a Voucher, which individuals can then redeem at participating retailers. Most individuals require these small items of equipment for a number of years.

Nine out of ten items of equipment issued cost less than £20, however it costs the Trust in excess of that amount to transport, decontaminate/deep clean and re-issue the items of equipment and a high number are not able to be used again.

As these equipment items are designed for single use by individuals, the voucher scheme means that they will own the equipment. Individuals are advised to hold on to the item in case they need it again in the future. In this way they will be helping the Trust use its resources to the maximum.

When individuals no longer have a need for the equipment they are asked to dispose of it thoughtfully. Most or all of the above equipment will fit into normal household waste or can be left at your local amenity centre.

##### **Wheelchairs (Reusable)**

Wheelchairs – The issue of wheelchairs can occur in two ways, either through long-term issue through the Regional Wheelchair Service based in Belfast or for short-term issue from the British Red Cross, who manage a local short-term loan scheme. The SHSCT does not manage a short-term loan scheme.

- (iii) **Management of Individuals who do not return Reusable Items**

As detailed above, the SHSCT categorises items into:

- a) Simple Aids for Daily Living (SADL), which are not returned or deemed as reusable and
- b) Complex Aids for Daily Living (CADL), which are issued as “on loan” with an expectation that they are returned and reusable.

The CADL are larger items of equipment such as hoists, standing frames and community specialist beds. The loan system is managed via a computerised system that facilitates the Trust managing the loan period, related servicing and maintenance of the equipment during the loan period and recall and collection of the equipment when it is no longer required. The Trust does not have a significant problem with non-return of reusable items by individuals.

#### **South Eastern HSC Trust**

- (i) **Expenditure on Mobility aids**

The term mobility aids covers the supply of a variety of walking aids such as walking sticks, crutches, Zimmer frames (with or without wheels), delta rollators. The majority of these items are supplied by BSO PaLS as they are stock items. BSO PaLS would be able to provide the cost of supply of these aids to South Eastern Trust clients.

- (ii) **Return of equipment**

When equipment is issued to clients they are requested to return equipment when it is no longer required. They are provided with a contact number 028 9262 2111, which is answered Monday to Friday. Clients arrange collection of equipment from their home at a time convenient to them. Normally equipment is uplifted within agreed timescales. Equipment is checked when it is returned to the central store (Lissue stores) and if it can be reissued it is decontaminated on site. If it is no longer fit for reissue it is disposed of.

- (iii) **Items not returned**

South Eastern Trust have found that the return of equipment has improved significantly since the arrangements detailed above in (ii) have been introduced a few years ago. A significant amount of equipment is returned and reissued.

**Belfast HSC Trust**

- (i) Our service colleagues have suggested that we would need further clarification on the definition 'mobility aids' before we could adequately respond to this AQ - mobility aids can be simple items like walking sticks and walking frames but depending on interpretation, could also cover wheelchairs - manual and powered, hoists, beds and even lift installations. However, they have also suggested that even with clarification they are not sure whether we could separate out specific items in cost terms.
- (ii) We do not attempt to treat low cost mobility aids such as walking sticks and zimmers as assets, as the cost of managing would exceed their replacement value. The cost of decontamination also means we recycle equipment on the basis of its value, as well as condition.
- (iii) Every effort is taken to have mobility aids, which are effectively on loan, returned to the Trust when no longer required by the patient.

**Northern HSC Trust**

- (i) These figures relate to walking sticks, crutches and walking aids delivered through Community Equipment Stores (CES) and do not include any provided through the Acute sector. It is not possible to provide figures for the Acute sector.

**Number of walking sticks issued through Community Equipment Stores (CES) in the last five years and cost:**

- 2010 - 642 at a total cost of £2,606.70 - £4.06 each
- 2011 - 750 at a total cost of £2,993.36 - £3.99
- 2012 - 809 at a total cost of £3,159.74 - £3.90 each
- 2013 - 836 at a total cost of £3,284.80 - £3.90 each
- 2014 - 1014 at a total cost of £3,346.20 - £3.30 each

**Number of crutches issued through CES in the last five years and cost**

- 2010 - 154 at a total cost of £1,890.39 - £12.27 each
- 2011 - 187 at a total cost of £2,217.57 - £11.85 each
- 2012 - 268 at a total cost of £3,020.93 - £11.27 each
- 2013 - 266 at a total cost of £2,369.52 - £8.90 each
- 2014 - 249 at a total cost of £2,415.30 - £9.70 each

**Number of walking aids**

- 2010 - 1936 at a total cost of £25,168 - £13.00 each
- 2011 - 1640 at a total cost of £21,320 - £13.00 each
- 2012 - 1788 at a total cost of £23,244 - £13.00 each
- 2013 - 1875 at a total cost of £24,375 - £13.00 each
- 2014 - 1486 at a total cost of £19,318 - £13.00 each

- (ii) The Trust use a wheelchair recycling system via the Regional Disability Service (RDS), based in Musgrave Park Hospital. When a client's wheelchair is no longer required, either no longer fit for purpose or the client has passed away, arrangements are made to uplift the chair and bring back to their base. If the chair is economically repairable the chair is serviced and placed on a refurbishment list. The 'Refurb' List is then circulated on a weekly basis to all the health trusts in Northern Ireland to which each trust has the opportunity to purchase manual and powered wheelchairs at a reduced price. For the financial year ending 2013/2014 the Northern Trust saved £53,934 purchasing wheelchairs via this system.
- (iii) The Trust does not record the numbers of equipment returned, however the Trust's Community Equipment Service has set up local centres across the Trust where members of the public are encouraged to return equipment.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to provide a breakdown of the total amount spent on the provision of (i) foster care; and (ii) children's residential care in 2013/14.  
(AQW 40584/11-15)

**Mr Wells:** The total amount spent by the health and social care trusts on payments to foster carers and children's residential care in 2013/14 was as follows:

	<b>2013/14 £m</b>
Payments to foster carers	35.9
Children's residential care <sup>(1)</sup>	40.4
	76.3

**Note(1):** Programme of Care 3 (Family and Childcare) and Programme of Care 6 (Learning Disability).

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many beds were moved from the Bangor Hospital GP Ward to cope with winter pressures in the Ulster Hospital during the Christmas period.  
(AQW 40598/11-15)

**Mr Wells:** Ten beds were temporarily transferred from Bangor Hospital to the Ulster Hospital, where a number of staff have been redeployed.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what support is provided by each Health and Social Care Trust to RNIB.  
(AQW 40611/11-15)

**Mr Wells:** I refer the member to the responses provided by the Health and Social Care Trusts which are attached at Annex A.

#### **AQW 40611/11-15 – Responses from Health and Social Care Trusts**

**Annex A**

##### **Belfast HSCT**

RNIB provides a range of support services for people who are visually impaired. Ophthalmology Services within the Belfast Health and Social Care Trust provides a range of assessment, diagnostic and treatment services for patients with a range of ophthalmic conditions and therefore works in partnership with the RNIB on a number of issues and developments within Ophthalmology. An example of this is the provision of Eye Clinic Liaison Officers; the Health and Social Care Board and the Trust fund a number of these posts which support patients during their attendances at a number of eye outpatient services such as the Macular and Glaucoma Services in Belfast. Eye Clinic Liaison Officers are provided by RNIB and play a critical role in supporting and sign-posting patients when they are attending for appointment.

##### **Southern HSCT**

The SHSCT have a contract with the RNIB to the value of £60,000. From this contract the RNIB provide one full-time Community Access Worker and two part-time Community Access Assistants. This service works extremely well and as a result many individuals with a sight difficulty across the SHSCT area receive ongoing advice and information about activities which enable them to develop their knowledge and skills.

The SHSCT would also purchase a significant amount of equipment from RNIB which enables people with visual difficulties to manage more independently. The SHSCT and RNIB participate regularly in awareness training and information sharing sessions. The awareness training is often targeted at members of the public as well as statutory, private and voluntary bodies.

##### **Northern HSCT**

Finance systems in NHSCT show that the Trust makes a grant of £9238 per month to RNIB.

##### **South Eastern HSCT**

The South Eastern Trust currently funds the Royal National Institute of Blind People (RNIB) to provide 21 hours per week of Community Visual Co-ordinator time in the Ards Locality. This totals £18,152.54 per year.

##### **Western HSCT**

Currently, the WHSCT has a contract in place with RNIB to provide a range of support services for people with vision difficulty. The Trust works very closely with RNIB staff at a client operational level. The Trust also works in partnership with RNIB through a range of processes, through contract monitoring, strategic planning meetings (both local and regional), and through cross directorate service development meetings.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline the progress on the 2009 North South Feasibility Study into Health.  
(AQW 40617/11-15)

**Mr Wells:** This Study, which was exploratory in nature, was completed in March 2009. The following recommendations provided the opportunity to offer the most immediate impact on patients:

- The two Departments and the relevant Agencies should promote joint programmes and joint approaches to tackle obesity.
- The two Departments and the relevant Agencies should promote joint programmes to promote positive mental health and suicide prevention.
- The All-Island Action Plan on Suicide Prevention should be broadened to include mental health promotion.
- The two Departments and the relevant Agencies should continue their work to develop a collaborative model of care for patients with paediatric and congenital cardiac conditions.
- The two Departments and the relevant Agencies should work collaboratively to plan and develop radiotherapy capacity in Altnagelvin Hospital in order to improve access to radiotherapy for populations in the North West of the island of Ireland.
- The two Departments and other relevant Agencies/Departments should evaluate the effectiveness of the current alert systems for children at risk.
- The two Departments and the relevant Agencies/Departments should continue to take forward measures to improve child protection.

These recommendations are currently being progressed. It is likely that the remaining recommendations in the report would each involve additional resources to implement and my Department will consider these on a case by case basis going forward subject to my approval and available resources. A full copy of the report is available on the Department's website at <http://www.dhsspsni.gov.uk/north-south-feasibility-study-final-report-19th-feb-09.pdf>.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail the costs accrued as a result of the ongoing court case into blood donation from gay men.

**(AQW 40618/11-15)**

**Mr Wells:** The legal costs incurred by this Department in relation to the policy on blood donation by men who have had sex with men, are summarised in the following table:

	£'000
Counsel Costs	29.2
Departmental Solicitors Office Legal Staff	9.4
Swear Fees /Data Dispatch/Appeal Stamp/Order Fee	0.5
	39.1

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on All Ireland Air Ambulance proposals.

**(AQW 40620/11-15)**

**Mr Wells:** I expect to receive the report by the Republic of Ireland's Emergency Aeromedical Support service group in the near future. When I have received it, I will consider its recommendations in conjunction with the Health and Social Care Board's Helicopter Emergency Medical Service (HEMS) study before making a decision on this matter.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety for his assessment of whether the proposals for palliative care as set out in Transforming Your Care are now relevant in the present economic climate.

**(AQW 40629/11-15)**

**Mr Wells:** Palliative and end of life care is a vital part of our health and social care services. Whilst the present economic climate is challenging, nevertheless I am committed to ensuring that high quality care continues to be provided to people with palliative and end of life care needs.

The Health and Social Care Board and Public Health Agency, in conjunction with Marie Curie and working with statutory, voluntary and independent sector partners, are taking forward the Transforming Your Palliative and End of Life Care Programme. The Programme aims to improve the design and delivery of co-ordinated services and ensure equity of access to services for both urban and rural communities. It will do this through the development of person centred care, so that people with palliative and end of life care needs will have, as far as possible, choice in how and where their care is provided.

Following extensive engagement with stakeholders, a number of priority areas for improving palliative and end of life care have been identified and the potential for service re-design will be considered in the coming months.

The Health and Social Care Board has also been working with Integrated Care Partnerships to put in place new care pathway arrangements for patients who are frail and elderly, have had a stroke, or who have diabetes or chronic respiratory conditions. These new pathways will support people to be cared for at home, which is often the preferred place of care at the end of life.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety how much has been spent on taxis by the Northern Ireland Health and Social Care Trust in each of the last five years.

**(AQW 40632/11-15)**

**Mr Wells:** Expenditure by the Northern Health and Social Care Trust on taxis in each of the last five financial years is set out in the table below.

2013/14 £	2012/13 £	2011/12 £	2010/11 £	2009/10 £
885,842	908,348	775,595	859,540	989,296

Taxis are used by NHSCT for the transportation of patients and clients, e.g. the safe transportation of children in care; adult mental health outpatients, transporting clients to day centres etc. In addition taxis are required for the transportation of blood, medical records, equipment and staff escorting patients.

The use of taxis by the Northern Health and Social Care Trust is planned and monitored. Cost: Paramedic Training



**Mr Clarke** asked the Minister of Health, Social Services and Public Safety to detail (i) how much it costs; and (ii) the length of time it takes to train a paramedic.

**(AQW 40640/11-15)**

**Mr Wells:** The Northern Ireland Ambulance Service is the sole provider of Paramedic education in Northern Ireland.

They deliver a two year Paramedic-in-Training Programme costing around £41k per student. These costs include the salary costs of the student, tutor costs and non-pay costs, for example vehicle hire and course materials.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety to detail (i) how much it costs; and (ii) the length of time it takes to train a temporary paramedic.

**(AQW 40641/11-15)**

**Mr Wells:** The Northern Ireland Ambulance Service is the sole provider of paramedic education in Northern Ireland.

They deliver a two year Paramedic-in-Training Programme costing around £41k per student. These costs include the salary costs of the student, tutor costs and non-pay costs, for example vehicle hire and course materials.

This is the same training programme as that delivered to permanent paramedics.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety to detail (i) what is involved in regards to carrying out an assessment for a controlled wheelchair; and (ii) what criteria has to be met in order to receive a controlled wheelchair.

**(AQW 40642/11-15)**

**Mr Wells:**

- (i) Health and Social Care Trusts' occupational therapy staff conduct a person-centred, comprehensive assessment for all such wheelchair requests. It is important for anyone who is being assessed for a wheelchair to give as much information as possible about their condition, their physical and social needs, their expectations and proposed usage of a wheelchair, and to ask any questions that occur to them at the time of the assessment. The information provided will help to ensure that the chosen wheelchair matches as much as possible the physical and social needs of the wheelchair user.
- (ii) The provision of this type of wheelchair is considered under the Regional Eligibility Criteria for the provision of wheelchairs through the Northern Ireland Wheelchair Service - A Guide for Users.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety how patients with vasculitis are identified and monitored.

**(AQW 40679/11-15)**

**Mr Wells:** As vasculitis is a feature of many diseases with a range of severity, and organs affected, there is no one way by which it is identified or monitored. This will depend on the manner in which the vasculitis manifests itself, the organs affected and the severity of the condition which can range from mild and self-limiting, to severe and life threatening.

Commonly, general practitioners would be the first point of contact for patients and would usually make the diagnosis clinically before referring patients to the appropriate speciality for their particular care on a case-by-case basis.

Appropriate treatment for patients diagnosed with vasculitis is provided through several different specialities including rheumatology, arthritis, renal, cardiac and dermatology depending on the severity as well as the organs affected in each specific case. Arrangements for the monitoring of patients by clinically skilled practitioners also vary and are tailored to individual needs, dependent on the type of vasculitis presenting.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of patients awaiting the delivery of a bed to their home in December 2014 in each Health and Social Care Trust; and (ii) the number of patients who did not take receipt of a bed prior to 25 December 2014, and as a result, spent Christmas in hospital.

**(AQW 40724/11-15)**

**Mr Wells:** The information requested is not held centrally and was therefore requested from each Health and Social Care (HSC) Trust. Their responses can be found below.

#### **Belfast HSC Trust**

- i The Trust had 308 requests for beds in December 2014.
- ii. No patient remained in hospital over Christmas in relation to the delivery of equipment.

#### **Northern HSC Trust**

- i The Trust had 75 people waiting for beds at the end of December 2014.
- ii. No patient remained in hospital awaiting the delivery of a bed prior to 25th December.

**South Eastern HSC Trust**

- i The Trust had 65 requests for beds in December 2014.
- ii. 1 patient remained in hospital until 29th December. This was not related to the unavailability of a bed.

**Southern HSC Trust**

- i The Trust had 85 requests for beds in December 2014.
- ii. No patient remained in hospital awaiting the delivery of a bed prior to 25th December.

**Western HSC Trust**

- i The Trust had 91 requests for beds in December 2014.
- ii. No patient remained in hospital awaiting the delivery of a bed prior to 25th December.

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety to detail the revenue and cost consequences for the (i) Downe; (ii) Lagan Valley; and (iii) Ulster Hospitals as a result of the bed reductions implemented on 1 December 2014. (AQW 40730/11-15)

**Mr Wells:** The South Eastern Trust is currently forecasting the following cost savings as a result of the bed reductions implemented on 1 December 2014:

Hospital Site	Forecast Cost Reduction £'000
Downe	166
Lagan Valley	41
Ulster	N/A1

- 1 As there have been no bed reductions at the Ulster Hospital, there are no direct cost implications.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the average waiting time for GP appointments in South Belfast, broken down on a weekly basis in the last three years. (AQW 40741/11-15)

**Mr Wells:** The information regarding the average waiting time is not available as it is not collated centrally.

I not aware of any problems with GP waiting times in South Belfast. None of the GP Practices in South Belfast have raised this as an issue with the HSCB. However,

over the last two years the HSCB has commissioned a Northern Ireland Local Enhanced Service, Demand Management, which allows Practices to review their current demand and working practices and in turn identify and implement changes which should improve management of workload.

In addition, the HSCB has commissioned a Northern Ireland Local Enhanced Service, Additional Surgeries, to deal with the issue of additional pressures for patient appointments and home visits on GP Practices during the winter months. This service, for which additional funding is provided to the Practices, was introduced from 1st November 2014 and will be delivered to 31st March 2015. Fifteen out the eighteen GP Practices in the member's constituency have signed up to provide this Enhanced Service.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what measures are being taken by his Department to alleviate GP waiting times in South Belfast. (AQW 40742/11-15)

**Mr Wells:** The information regarding the average waiting time is not available as it is not collated centrally.

I not aware of any problems with GP waiting times in South Belfast. None of the GP Practices in South Belfast have raised this as an issue with the HSCB. However,

over the last two years the HSCB has commissioned a Northern Ireland Local Enhanced Service, Demand Management, which allows Practices to review their current demand and working practices and in turn identify and implement changes which should improve management of workload.

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**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety why it was decided not to include the Children's Emergency Department at the Royal Belfast Hospital for Sick Children in the remit of the unscheduled care regional task group.

**(AQW 40752/11-15)**

**Mr Wells:** The Unscheduled Care Task Group was established by my predecessor in response to the findings and recommendations of the RQIA review of unscheduled care which was published in June of last year, as well as the key work undertaken by the College of Emergency Medicine (CEM) and the Royal College of Nursing (RCN) in relation to urgent and emergency care in Northern Ireland.

The task group was instructed to take immediate action to oversee and co-ordinate the implementation of the RQIA's recommendations and set the clear aim of eliminating all avoidable 12 hour waiting time breaches from this winter onwards and over the next 18 months in making significant progress towards achieving the 4 hours waiting time standard.

To date, no issues of concern have been highlighted to my Department by RQIA, CEM or the RCN in relation to the Emergency Department of the Royal Belfast Hospital for Sick Children (RBHSC). Performance at the Royal Belfast Hospital for Sick Children Emergency Department is consistently strong - in 2013/2014 no patients waited longer than 12 hours, and 4 hour performance was 89.8% over the year.

The most recent preliminary statistics for December 2014 show that performance continues to be good with no patient waiting over 12 hours that month and 86% of patients admitted or discharged within 4 hours.

I recognise that all of our health services will face a greater level of demand at this busy time of the year and that continued improvement in the quality and effectiveness of care is always possible. My Department will always listen and respond to the views of parents who use the RBHSC's Emergency Department and if the Member has specific concerns about the service that she would wish to bring to my attention I will arrange for my Department to investigate this.

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety what action his Department is taking to ensure that a joined up approach is taken for personality disorder support services, including in the voluntary sector, so that money is not being wasted on administration but focused on patient and clients.

**(AQW 40768/11-15)**

**Mr Wells:** My Department's Personality Disorder (PD) strategy, 'Personality Disorder: A Diagnosis for Inclusion' (June 2010), is being implemented through a regional clinical network. The membership of the network group comprises key stakeholders in the delivery of PD services including the Health and Social Care Board, the Public Health Agency, all five Health and Social Care Trusts, Prison Health Care, Probation Board NI, CAUSE (carers representatives), service user representatives, Queen's University Belfast and the University of Ulster.

The PD Network Group supports the delivery of care and treatment by providing a clinical support network for staff; providing a forum to share best practice; actively seeking the views of people who have used services; and supporting them to participate in shaping the development of services. It also provides a forum for coordinating service development across the region and negotiating interface arrangements.

All of the funding provided by the Department for the implementation of the PD strategy has been used to employ front line specialist clinical staff or to fund support for carers. None of the funding is used to fund administration posts.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on the number of neonatal beds in each Health and Social Care Trust area.

**(AQW 40809/11-15)**

**Mr Wells:** The number of neonatal beds in each Health and Social Care Trust area at 31st December 2014 is given in the table below.

HSC Trust	Number of neonatal cots
Belfast	27
Northern	14
South Eastern	13
Southern	22
Western	24

**Source:** Health and Social Care Trusts

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether the £10m contained in the January Monitoring Round for Health and Social Care Trusts frontline service pressures will be used to maintain the respite care facility in The Cottages, Derry.

**(AQW 40864/11-15)**

**Mr Wells:** Unfortunately, none of the £10m bid for HSC Trusts' frontline service pressures was met in the January Monitoring Round.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the Terms of Reference for the health sector review to be undertaken as part of the Organisation for Economic Cooperation and Development review into public sector reform in Northern Ireland.

**(AQW 40934/11-15)**

**Mr Wells:** The Department of Finance and Personnel leads work on the OECD Public Governance Review for Northern Ireland which was agreed by the Executive in June 2014.

As the DFP Minister's Budget paper submitted to the Assembly noted, it is intended to progress a health sector review through a case study to be undertaken as part of the on-going OECD. Terms of Reference for the case study have not yet been agreed.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the number of administrative staff working in each aspect of the Health Service in each of the last three years.

**(AQW 40939/11-15)**

**Mr Wells:** Detailed figures on the staffing of HSC Organisations at 31st March in each year, along with trends and comparisons with the previous several years, are published annually in the HSC Workforce Census. The 2014 Census is available at <http://www.dhsspsni.gov.uk/hscwc-march-2014.pdf>.

The headcount and whole-time equivalent (WTE) numbers of Administrative and Clerical staff employed by each HSC Organisation at 31st March each year are shown in the table below. These figures exclude members of Boards, members of staff with a WTE of less than 0.03, and members of staff on career breaks.

March 2012	Headcount	WTE
Belfast HSC Trust	3,472	3,001.6
Northern HSC Trust	1,987	1,655.5
South Eastern HSC Trust	1,616	1,374.0
Southern HSC Trust	1,693	1,431.6
Western HSC Trust	1,697	1,502.8
Health & Social Care Board	405	380.4
Business Services Organisation	887	834.4
NI Ambulance Service	90	85.7
NI Blood Transfusion Service	62	53.0
NI Guardian Ad Litem Agency	23	20.3
NI Practice & Education Council	13	11.5
NI Social Care Council	55	51.5
Patient Client Council	31	29.4
Public Health Agency	255	239.2
Regulation & Quality Improvement Authority	125	120.4
<b>Total</b>	<b>12,411</b>	<b>10,791.2</b>

March 2013	Headcount	WTE
Belfast HSC Trust	3,505	3,039.6
Northern HSC Trust	1,959	1,636.1
South Eastern HSC Trust	1,643	1,400.0
Southern HSC Trust	1,802	1,512.9
Western HSC Trust	1,740	1,547.0
Health & Social Care Board	400	377.4
Business Services Organisation	982	933.6

<b>March 2013</b>	<b>Headcount</b>	<b>WTE</b>
NI Ambulance Service	95	90.9
NI Blood Transfusion Service	61	52.0
NI Guardian Ad Litem Agency	24	22.1
NI Practice & Education Council	16	14.5
NI Social Care Council	60	55.7
Patient Client Council	27	24.9
Public Health Agency	254	239.7
Regulation & Quality Improvement Authority	132	128.3
<b>Total</b>	<b>12,700</b>	<b>11,074.7</b>

From March 2014, Northern Ireland Medical and Dental Training Agency staff were included in these statistics. To preserve comparability of the totals with preceding years, these staff are presented separately below.

<b>March 2014</b>	<b>Headcount</b>	<b>WTE</b>
Belfast HSC Trust	3,460	3,002.5
Northern HSC Trust	1,906	1,589.0
South Eastern HSC Trust	1,619	1,375.4
Southern HSC Trust	1,729	1,427.3
Western HSC Trust	1,701	1,511.8
Health & Social Care Board	472	446.5
Business Services Organisation	1,088	1,032.2
NI Ambulance Service	93	88.2
NI Blood Transfusion Service	65	53.8
NI Guardian Ad Litem Agency	25	23.7
NI Practice & Education Council	15	13.9
NI Social Care Council	58	54.4
Patient Client Council	27	25.5
Public Health Agency	262	246.9
Regulation & Quality Improvement Authority	130	123.5
<b>Total</b>	<b>12,650</b>	<b>11,014.5</b>
<b>NI Medical and Dental Training Agency</b>	<b>43</b>	<b>39.6</b>

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety whether Larne and Ballycastle ambulance stations will benefit from the investment in the ambulance fleet.

**(AQW 40951/11-15)**

**Mr Wells:** As part of the Northern Ireland Ambulance Service Trust's five-year ambulance vehicle replacement cycle, the Northern Division, which includes Larne and Ballycastle ambulance stations, will receive 15 replacement vehicles within the current financial year 2014/15. However, the vehicles specifically allocated within Larne and Ballycastle ambulance stations are not due for replacement within this financial year.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the Health and Social Care Trusts that are currently reviewing their provision of domiciliary meals; and whether any Health and Social Care Trusts has conducted a consultation amongst the recipients of meals.

**(AQW 41004/11-15)**

**Mr Wells:** As you will be aware in line with Public Procurement Policy, the South Eastern Health and Social Care (HSC) Trust has recently tendered its community meals service. Trust officials have confirmed that they have consulted with existing service users in preparing the tender documentation and also sought the views of potential future users, through the use of targeted focus groups.



The Western HSC Trust have advised that they are currently considering their Community Meals Service and plan to commence an engagement process with service users and independent providers in the near future.

At present, the Belfast, Northern, and Southern HSC Trusts have no plans to review their provision of community meals.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 40467/11-15, what is the ability of Pinewood residential home to accept permanent placements.

**(AQW 41019/11-15)**

**Mr Wells:** In line with the regional process, each Trust has submitted proposals for change to the Health and Social Care Board. My department is now working with the Board to develop a robust consultation plan for these proposals.

Following the completion of this process, those homes where no significant change is planned in the near future, the Trusts will be asked to review their position on permanent admissions. In the interim, the Northern HSC Trust has advised that Pinewood residential home continues to accept respite and intermediate care admissions.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether the South Eastern Health and Social Care Trust, in restricting the Meals on Wheels Service to providing a 14 day supply of frozen food, have conducted (i) a consultation with the client group; and (ii) an equality screening/impact assessment as stipulated under Section 75 of the Northern Ireland Act 1998.

**(AQW 41049/11-15)**

**Mr Wells:** The South Eastern HSC Trust has confirmed that it consulted with existing Community Meals service users to inform the development of the service specification which was used to tender the contract. The views of potential future users were also obtained through targeted focus groups.

The Trust has advised that the procurement of Community Meals was subject to Equality Screening in January 2013. A further rescreening exercise was undertaken in January 2015, the outcome of which is that the proposal will be subject to on-going screening. The Trust is committed to monitoring the impact of the proposal on an on-going basis.

**Mr Lynch** asked the Minister of Health, Social Services and Public Safety why an operation was cancelled in the Royal Victoria Hospital on 19 January 2015 given that the patient was high risk with an urgent condition.

**(AQW 41085/11-15)**

**Mr Wells:** Due to reasons of patient confidentiality, I am unable to provide the information requested in this reply. However, if the Member would write to me with a patient consent form I will provide a full reply.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many outpatient clinics operate out of Bangor Hospital.

**(AQW 41138/11-15)**

**Mr Wells:** Information on outpatient activity in hospitals in Northern Ireland is collected on the basis of the number of appointments that are held and cancelled, not the number of clinics held and cancelled.

There were 12,356 total consultant-led outpatient attendances in Bangor Hospital during 2013/14, compared to 11,635 in 2012/13.

The number of appointments does not equate to the number of patients seen, as it is possible for the same person to attend a consultant-led outpatient service more than once during the year.

Information on the number of consultant-led outpatient appointments in HSC Hospitals in Northern Ireland is published on an annual basis in the Northern Ireland Hospital Statistics: Outpatient Activity publication (Table 2a) and is available to view or download from:

<http://www.dhsspsni.gov.uk/hs-outpatient-stats-2013-2014.pdf>

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many people attended the Bangor Hospital outpatients clinics over the last two years.

**(AQW 41139/11-15)**

**Mr Wells:** Information on outpatient activity in hospitals in Northern Ireland is collected on the basis of the number of appointments that are held and cancelled, not the number of clinics held and cancelled.

There were 12,356 total consultant-led outpatient attendances in Bangor Hospital during 2013/14, compared to 11,635 in 2012/13.

The number of appointments does not equate to the number of patients seen, as it is possible for the same person to attend a consultant-led outpatient service more than once during the year.

Information on the number of consultant-led outpatient appointments in HSC Hospitals in Northern Ireland is published on an annual basis in the Northern Ireland Hospital Statistics: Outpatient Activity publication (Table 2a) and is available to view or download from:

<http://www.dhsspsni.gov.uk/hs-outpatient-stats-2013-2014.pdf>

**Mr Devenney** asked the Minister of Health, Social Services and Public Safety for an update on the Western Health and Social Care Trust's proposals to reconfigure services at The Cottages, Londonderry.

**(AQW 41148/11-15)**

**Mr Wells:** The Western HSC Trust continues to keep me and my officials updated regarding its plans to remodel the children's respite facilities in the area. The Trust's review of its respite services is continuing and I understand a range of options are under consideration.

**Mr Frew** asked the Minister of Health, Social Services and Public Safety to detail the options available to add further services at the site of the new Ballymena Health Centre.

**(AQW 41326/11-15)**

**Mr Wells:** The new Ballymena Health and Care Centre, which is scheduled to be open in autumn 2015, will include accommodation for 6 GP practices as well as a mix of locally accessible acute, primary and community care clinics.

Many of the services transferring into the new centre will relocate from the Braid Valley Hospital or buildings on the Braid Valley site. The Northern HSC Trust has established a working group to look at the vacated space and develop options to reuse it considering the site profile and the need to ensure the equality of access to services for the resident population.

**Mr Ó Muilleoir** asked the Minister of Health, Social Services and Public Safety for an update on the investment in Clark Clinic, Belfast.

**(AQO 7407/11-15)**

**Mr Wells:** My Department is currently considering proposals submitted by the Belfast Trust Cardiologists which aim to develop and strengthen the Clark Clinic. This will be required if I decide that the all-island congenital cardiology service, recommended by the International Working Group, is to be implemented. The public consultation on this closed on Friday 23 January and I intend to announce next month my decision on the all-island model and my Department's investment proposals for the Clark Clinic. The additional £1m offer of funding through the Change Fund for 2015/16, announced by my Executive colleague the Finance Minister last week, will go some way towards delivering the required investment should I decide to proceed with the all-island model.

**Mr Frew** asked the Minister of Health, Social Services and Public Safety for an update on the new Ballymena health centre.

**(AQO 7408/11-15)**

**Mr Wells:** Construction work on the new Ballymena Health and Care Centre is progressing well and is due to open to service users in Autumn 2015.

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety for an update on his plans regarding minimum unit pricing for alcohol.

**(AQO 7409/11-15)**

**Mr Wells:** On the 3rd December 2014, I announced my intention to introduce minimum unit pricing for alcohol in Northern Ireland, as a key measure to tackle alcohol related harm and reduce health inequalities. This decision was supported by the publication of research commissioned from the University of Sheffield, available on my Department's web site, which demonstrated that Minimum Unit Pricing is a targeted and effective measure.

Since that announcement, officials in my Department have been working with counterparts in the Department for Social Development and the Department of Justice to draft a policy consultation paper on how Minimum Unit Pricing will be introduced in Northern Ireland. Given that this measure will have an impact on other Government Departments, I will be submitting this paper to the Executive for formal approval, in the near future. If approved, the document will issue for a 12-week public consultation.

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety what progress has been made in efforts to tackle so-called legal highs.

**(AQO 7411/11-15)**

**Mr Wells:** Substances referred to as "legal highs" have a psychoactive effect but are not currently covered by the UK-wide Misuse of Drugs Act 1971. However, the term "legal highs" can be misleading, and we therefore refer to them as "New Psychoactive Substances" (NPS).

The legislation in respect of the Misuse of Drugs Act is reserved to the UK Government. However, both my Department and I have raised this issue with the Home Secretary seeking a more robust and consistent approach. The Home Office

subsequently commissioned an expert review of the UK's legislative response. The New Psychoactive Substances Review: Expert Panel Report and the associated Government Response were published by the Home Office in October 2014.

I welcomed the Panel's Report, which provides a comprehensive assessment of the NPS problem in the UK. In particular, I am very supportive of the main legislative proposals – i.e. where consideration will be given to the Republic of Ireland's approach to banning headshops, and also to group definitions for banning substances based on their psychoactive effects rather than their chemical composition.

These recommendations are now being developed by the Home Office. I have offered my full support to this work, and officials from my Department will be involved as appropriate.

In the meantime, I strongly advocate the approach taken by Belfast City Council, for the pioneering work undertaken on NPS in the city, and I welcome the recent injunction that has been brought forward. I believe this innovative and joined up approach has been key to tackling the availability of NPS in Northern Ireland.

**Mr Newton** asked the Minister of Health, Social Services and Public Safety what action he has taken to promote awareness of sudden infant death syndrome.

(AQO 7412/11-15)

**Mr Wells:** Advice on reducing the risk of Sudden Infant Death Syndrome, also known as SIDS or Cot Death, has been provided since the early 1990s. In December, I issued a press release to promote awareness of SIDS and remind everyone of the key steps that can be taken to help prevent SIDS. My Department has produced awareness raising leaflets which provide advice on how to reduce the risk of SIDS. These leaflets are provided to first-time mothers by the Health and Social Care Trusts. Information on SIDS is also available on the NI Direct website; and included in the 'Pregnancy' and 'Birth to Five' books provided to expecting and new mothers.

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety, given the extended waiting times at Emergency Departments over the past number of weeks, what action his Department is taking to ensure that performance targets for 2014/15 are being met.

(AQO 7413/11-15)

**Mr Wells:** My Department, through the work of the unscheduled care task group has been working closely with the HSC to ensure that our emergency care services are better prepared this winter. This work is on-going.

Considerable progress has been made to date in better planning for periods of increased demand, better direct access to specialty services thus avoiding ED's and in developing indicators and standards for services, including our frail elderly

My Department has allocated £5 million of additional funding to the HSC this Winter. In addition to this, £750k has been made available from Health and Social Care Board. This funding has been used to provide additional consultants, AHP and pharmacy staff, and Hospital Ambulance Liaison Officers across the HSC, as well as to support Trusts in implementing measures to improve patient flow and to expand capacity, as required, over the winter period.

**Mr Boylan** asked the Minister of Health, Social Services and Public Safety to outline the key challenges of the recently announced review of Health and Social Care.

(AQO 7414/11-15)

**Mr Wells:** The purpose of the review of administration within the Health and Social Care system is to ensure that the structures in place to support the delivery of health and social care are working – both individually and collectively – as efficiently and effectively as possible. Whilst the review must be cost-effective and proportionate given the current financial climate, it is important that all opportunities for more efficient and effective delivery of services are identified. I also expect the review to explore the benefits of benchmarking against other organisations, and to identify the potential areas for enhanced collaboration and cooperation across the whole system.

**Mr A Maginness** asked the Minister of Health, Social Services and Public Safety for his assessment of the procedures in place that led to the closure of Orchard House nursing home, leaving residents in need of immediate alternative accommodation.

(AQO 7415/11-15)

**Mr Wells:** Orchard House is a privately owned facility. I understand that due to the limitations of the current building, the proprietors have made a decision to temporarily close to allow for the building to be re-designed and modernised, with the intention of providing care services for people with dementia.

The Belfast Trust and RQIA have advised me that the period of notice for change of use given met relevant legislative and contractual requirements.

The Trust are working closely with the nursing home staff, residents and their relatives to ensure that all residents are appropriately and successfully relocated.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to outline any assessment made of the numbers and types of cases presented to Emergency Departments that could more appropriately be addressed through GPs, out-of-hours GPs and Minor Injuries Units.

**(AQO 7416/11-15)**

**Mr Wells:** The Health and Social Care Board monitors the number of patients who attend Emergency Departments and each attendance is classified under a system called the Manchester Triage Category. Whilst it is not possible to definitively say the number of patients that could more appropriately be seen in Primary Care as opposed to an Emergency Department, evidence suggests that a number of patients triaged as category 4 and 5 could potentially be treated in Minor Injury Units or in Primary Care. In 2013/14, 37.2% of those triaged in Type 1 and 2 Emergency Departments were Category 4 and 1.9% were Category 5. This indicates that there is significant scope for these patients to be treated in MIUs or in Primary Care and it is therefore important that the public use our emergency services wisely by choosing the most appropriate service for their needs. This is particularly true in the winter months when our Emergency Departments are under pressure. That is why I launched the "Choose Well" campaign last year to encourage people to make the right choices.

**Mr McCausland** asked the Minister of Health, Social Services and Public Safety for an update on Integrated Care Partnerships.

**(AQO 7417/11-15)**

**Mr Wells:** All 17 Integrated Care Partnerships have been working hard to improve the co-ordination and effectiveness of care for service users in the four areas of frail elderly, respiratory conditions, stroke and diabetes.

A key strand of ICP work to date has been in respect of care pathways for these condition areas. The health and social care professionals, service users and carers involved in ICPs have used local knowledge to map care pathways, from prevention through to end of life care.

Action Plans have also been developed for each ICP detailing the agreed priorities for improvement, in line with commissioning specifications issued by Local Commissioning Groups.

Where investment was required, business cases were submitted to Local Commissioning Groups. There has been ongoing discussion to agree those business cases and the resources required.

ICPs are also working to risk stratify their local population so that they can put in place proactive care plans to better integrate care for those that need it and ensure that appropriate support and care is in place to prevent deterioration or unnecessary hospital admissions.

## Department of Justice

**Lord Morrow** asked the Minister of Justice, in relation to the cases of Fred McClenaghan and the murder of Marion Millican, for a breakdown of the total costs, including legal aid to law firm and counsel, or where not yet available an estimate of same, shown by the (i) trial; (ii) appeal; (iii) first re-trial which was aborted; and (iv) second re-trial.

**(AQW 40522/11-15)**

**Mr Ford (The Minister of Justice):** In response to AQW/38027/11-15 I provided estimated costs of the aborted first retrial of Fred McClenaghan. A second retrial commenced within 15 days of the end the first retrial and consequently, in accordance with paragraph 23(2) of Schedule 1 to the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005, the case is considered as having comprised one trial for the purposes of determining the fees. One overall set of retrial figures have therefore been detailed. The cost of witness expenses are not broken down by individual court but are shown as an aggregate. For convenience they are included with the original trial cost details.

The original trial costs are as follows:

■ Legal Aid Solicitor	£52,200
■ Legal Aid Counsel	£43,117
■ Courts	£38,708
■ Prosecution	£50,700
■ Witness expenses	£11,932

The appeal costs are as follows:

■ Legal Aid Solicitor	£34,436
■ Legal Aid Counsel	£49,600
■ Courts	£4,765
■ Prosecution	£17,853

The estimated retrial costs are as follows:

■ Legal Aid Solicitor	£59,025
■ Legal Aid Counsel	£56,438

■ Courts	£65,255
■ Prosecution	not yet available

**Lord Morrow** asked the Minister of Justice how much has been paid in legal aid for representation at legacy cases in each of the last three years; and whether funding for these matters comes from a separate allocated budget in legal aid, or are classed as civil cases.

**(AQW 40605/11-15)**

**Mr Ford:** Legal aid for representation in legacy inquest cases is paid under the Statutory Exceptional Grant Power Scheme. The information provided has been extracted from the Northern Ireland Legal Services Commission's (the Commission) record of cases which the Commission deems to be legacy inquest cases.

In the last three years payments have been made as follows:

Year	Fees Paid
2011/12	Nil
2012/13	£125,558.60
2013/14	£64,959.31

Funding has also been paid under the Statutory Exceptional Grant Power Scheme in respect of the plaintiffs' costs in the Omagh Civil action.

In the last three years payments have been made as follows:

Year	Fees Paid
2011/12	£32,638.69
2012/13	£829,365.22
2013/14	£176,767.21

The above costs are in relation to inquest cases paid under the Statutory Exceptional Grant Power. The costs do not include other satellite litigation cases relating to legacy inquests as those costs cannot be readily identified by the Commission's management information system.

Funding with regard to these cases is paid from the overall legal aid budget and is not paid from a separate allocated budget.

**Mr Campbell** asked the Minister of Justice, pursuant to AQW 31893/11-15 and AQW 32276/11-15, what was the outcome of the review into prison chaplaincy.

**(AQW 40669/11-15)**

**Mr Ford:** The review of Prison Chaplaincy made a number of recommendations in order to clarify the role of Chaplains, strengthen relationships between NIPS and Church Leaders and address perceived inequalities in the current model highlighted by the Churches during the consultation process.

NIPS has met with senior Church representatives on a number of occasions to discuss the review's recommendations and from those meetings an alternative model for delivery of Chaplaincy provision has been developed and agreed. NIPS plans to implement these arrangements on 1 April 2015 and continues to engage with Church Leaders.

The new model will deliver the maximum benefit for prisoners within resources available and will focus on three high level core activities: conducting services, committals and prisoners in crisis.

**Lord Morrow** asked the Minister of Justice, in relation to people parking in allocated disabled bays displaying the requisite Blue Badge in Court House car parks, whether Northern Ireland Courts and Tribunal staff and G4S staff are remitted to check the Blue Badge in question refers to the person traveling in the car.

**(AQW 40693/11-15)**

**Mr Ford:** Under the terms of the contract for the provision of security and ancillary services, the management of car parks is delegated to G4S Secure Solutions (UK) Ltd (G4S). G4S staff have authority to monitor access to the car parks, and to ensure that those parking in disabled parking bays are displaying a Blue Badge. This remit extends to all persons travelling in the car. A disabled space in a secure parking area can be allocated by prior arrangement with the relevant court office and permission to this area will be permitted subject to validation of identity and information provided. All car parking in public car parks is on a first come first served basis.

**Mr Easton** asked the Minister of Justice how many convictions have been secured for fuel smuggling in each of the last two financial years.

**(AQW 40731/11-15)**



**Mr Ford:** The information requested is not available. Court conviction and sentencing datasets do not distinguish fuel smuggling from other evasion of duty or intent to defraud offences which would be prosecuted under the Customs and Excise Management Act 1979 and/or the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.

**Mr Easton** asked the Minister of Justice how many convictions have been secured for cigarette smuggling in each of the last two financial years.

**(AQW 40732/11-15)**

**Mr Ford:** The information requested is not available. Court conviction and sentencing datasets do not distinguish cigarette smuggling from other evasion of duty or intent to defraud offences which would be prosecuted under the Customs and Excise Management Act 1979 and/or the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.

**Mr Easton** asked the Minister of Justice what cooperation exists between his Department, and its arm's-length bodies, and the Irish Government to prevent fuel and cigarette smuggling.

**(AQW 40733/11-15)**

**Mr Ford:** Fuel and cigarette smuggling are both examples of excise offences which are reserved matters falling within the remit of HM Revenue and Customs. The Home Office's Border Force is also involved in the detection of smuggling at the borders.

Locally, the Organised Crime Taskforce (OCTF), which I chair, has a cross border sub group specifically dealing with fuel fraud – this includes members from all relevant bodies on both sides of the border. HMRC also chairs a similar group on tobacco fraud with cross border representation. These meetings assist with current operational issues, comparisons of best practice and updates.

Additionally, as part of this year's OCTF cross border conference HMRC/ Revenue Commissioner Officers conducted a joint North/ South tobacco workshop over two days looking at the issue across the island.

The new fuel marker, which is due to come into use later this year, is an example of a joint initiative between officials in both jurisdictions and will be an important tool in the fight against laundered diesel.

As Justice Minister I work closely with my counterpart in the Republic of Ireland and have regular discussions about organised crime issues.

**Lord Morrow** asked the Minister of Justice how many cars were parked in the Dungannon Courthouse car parks by 10.30am on Monday 12th January 2015; and how many of these were doubled-parked on pavements, at kerbs and outside parking bays.

**(AQW 40747/11-15)**

**Mr Ford:** This information is not collected and therefore it is not possible to advise how parking at Dungannon Courthouse was utilised on the date specified.

**Lord Morrow** asked the Minister of Justice (i) to detail the (a) accommodation costs; (b) costs for flights; and (c) living expenses claimed to date by the Northern Ireland Prison Service Change Managers travelling to and from Northern Ireland since they were employed; (ii) from which budget these costs are met; and, (iii) who approves payment.

**(AQW 40748/11-15)**

**Mr Ford:**

- (i) This expenditure is not broken down into categories. The overall expenditure was £70,378 between December 2011 and December 2014.
- (ii) The costs are met from the Prison Reform Team budget.
- (iii) The Department of Justice approved the contract. Individual payments are processed under established procedures by staff within the Northern Ireland Prison Service.

**Lord Morrow** asked the Minister of Justice to estimate the cost to date in legal aid in the case of Seamus Connery in case number 13/121205 at Magherafelt Magistrates Court, broken down by (i) law firm; (ii) counsel and (iii) any additional costs incurred.

**(AQW 40750/11-15)**

**Mr Ford:** Legal Aid was granted for representation by solicitor and junior counsel on 7 April 2014 to defend proceedings in Magherafelt Magistrates Court.

Court records indicate that on 7 January 2015 the Judge declared the proceedings void as the summons was deemed as not being served. A new summons is to issue. The case is still ongoing and therefore no claims for payment have been received from the instructing solicitor or counsel. Fees will be determined on the disposal of the case and it is not possible to provide an estimate of the costs at this time.

To date, an authority has been granted by the Northern Ireland Legal Services Commission for the Solicitor to engage a graphologist in respect of this case at a cost of up to £80.00.

**Mr Weir** asked the Minister of Justice at what rate did prison officers, who left under the voluntary early retirement scheme and owed days of service to the Prison Service, pay back the days owed.

**(AQW 40760/11-15)**

**Mr Ford:** Any staff who left under the voluntary early retirement scheme, who owed days of service, would have repaid these days on the basis of calendar days based on their rate of pay at their date of leaving.

The number of staff who owed days cannot be calculated without incurring disproportionate cost, as each case would need to be examined individually and this information is not held centrally. However, when any member of staff leaves the service (for whatever reason) there is a process in place at each establishment to ensure that days owed are recovered from salary.

**Mr Weir** asked the Minister of Justice how many prison officers, who left under the voluntary early retirement scheme, owed days of service to the Prison Service.

**(AQW 40761/11-15)**

**Mr Ford:** Any staff who left under the voluntary early retirement scheme, who owed days of service, would have repaid these days on the basis of calendar days based on their rate of pay at their date of leaving.

The number of staff who owed days cannot be calculated without incurring disproportionate cost, as each case would need to be examined individually and this information is not held centrally. However, when any member of staff leaves the service (for whatever reason) there is a process in place at each establishment to ensure that days owed are recovered from salary.

**Lord Morrow** asked the Minister of Justice what is the area of the Dungannon Courthouse site; and whether the site is owned or leased by the Northern Ireland Courts Service.

**(AQW 40798/11-15)**

**Mr Ford:** The total boundary area of Dungannon Courthouse site is 35,764.56 square metres. The Dungannon Courthouse site is owned by Northern Ireland Courts and Tribunals Service.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 39847/11-15, why this information would relate to a specific case, given that the alleged mistaken identity would remove the matter from Probation Board's remit.

**(AQW 40799/11-15)**

**Mr Ford:** AQW/39847/11-15 and preceding written questions AQW/38144/11-15, AQW/38779/11-15 and AQW/39125/11-15 directly refer to a specific case, in part or in whole. The Probation Board for Northern Ireland does not provide information on specific cases.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 40234/11-15, whether this response, and others answered in a similar manner, amount to a ban on the public being permitted to know the facts and circumstances of an unlawfully at large individual; and if so, which precise section of the Data Protection Act applies under these circumstances.

**(AQW 40800/11-15)**

**Mr Ford:** There is no ban on members of the public being made aware of the facts necessary to assist with the return to prison of unlawfully at large persons. This is fair and lawful by virtue of the crime and taxation exemption cited at section 29 of the Data Protection Act 1998 (DPA). Facts about any other aspect of an individual's time in prison or matters related to that are sensitive personal data as defined in section 2 of the DPA. As such, any processing of this data must be compliant with the first data protection principle. In order to comply with the first principle, at least one of the conditions for processing as specified in Schedules 2 and 3 of the DPA must be fulfilled. If none of the conditions are met, then processing may take place if an exemption to the first principle can be applied. In this case, the supply of the detail requested does not fulfil any of the conditions for processing, nor is there a relevant exemption to be applied. The supply of the information would therefore be neither fair nor lawful.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 37161/11-15 and AQW 38849/11-15, and the subsequent correspondence, why the PSNI were not routinely notified of unescorted home leave as matter of course, particularly in instances of a categorisation of dangerous.

**(AQW 40801/11-15)**

**Mr Ford:** At the time of the incident back in February 2012, it was routine practice to notify the PSNI when a young person was going on unescorted home leave from Woodlands Juvenile Justice Centre. However there was no requirement for the PSNI to visit the young person. Following the subsequent review of the Youth Justice Agency's home leave and mobility policies, a formal procedure was agreed whereby each district Reducing Offending Unit team is informed in advance of all instances of unescorted home leave in their area and will visit the young person during that period of unescorted home leave.

**Mr Weir** asked the Minister of Justice to detail the steps to be taken in the formation of Police and Community Support Partnerships in the new councils, including the projected timescales for each step.

**(AQW 40869/11-15)**

**Mr Ford:** District Councils are required, by the Justice Act (Northern Ireland) 2011, to appoint political members to Policing and Community Safety Partnerships (PCSPs) and District PCSPs (DPCSPs) so as to ensure that, so far as practicable, the political members reflect the balance of parties prevailing among the members of the council immediately after the last local general election. My Department has been advised that District Councils will make political appointments to PCSPs and DPCSPs at Annual General Meetings, which will be held in March 2015.

Independent members will subsequently be appointed by the Northern Ireland Policing Board who, in accordance with the requirements of the Justice Act, shall, so far as practicable, secure that the members of the PCSP, taken together, are representative of the community in the district. The Policing Board is expected to appoint independent members in June 2015, following a recruitment campaign which commenced on 6 November 2014. Before the campaign commenced, following public consultation, my Department issued a revised Code of Practice in October 2014 on the appointment of independent members to PCSPs and DPCSPs to provide guidance to the Policing Board and Councils on the appointment process. Pre-campaign activity also included information events, hosted by the Policing Board in September and October 2014, to raise awareness and to encourage as broad a pool of applicants as possible.

The new PCSPs and DPCSPs are due to be established in June 2015.

**Mr Givan** asked the Minister of Justice for an update on the remedial action taken by the Prison Service in relation to the Staff Attitude Survey.

**(AQW 40881/11-15)**

**Mr Ford:** Since the results of the survey were published and further analysed by the Department the Northern Ireland Prison Service (NIPS) has participated in departmental focus groups and proactively engaged with staff through different mechanisms. For example, senior managers continue to engage with staff across the prisons both formally and informally. This has included the establishment of 'front-line fora' where staff have the opportunity to discuss a range of issues with senior management.

NIPS has also held an 'Engagement Workshop' with a range of staff from across the organisation to discuss key themes under the NICS People Strategy.

Work has commenced to develop an Engagement Strategy for 2015/16.

**Mr Givan** asked the Minister of Justice whether the Prison Service conducts a stress risk assessment for Prison Service staff; and if so, to detail its content.

**(AQW 40882/11-15)**

**Mr Ford:** Health and Safety risk assessments are carried out at each establishment by local units. The assessments cover hazards such as fire, electrical, violence, slips, trips, and falls. There are currently no items in relation to stress within this format.

**Mr Givan** asked the Minister of Justice to detail the engagement that has taken place between Prison Service management and the Health and Safety Executive regarding systems of work at HMP Maghaberry.

**(AQW 40883/11-15)**

**Mr Ford:** NIPS have not engaged with the Health and Safety Executive regarding systems of work at Maghaberry prison.

**Mr Givan** asked the Minister of Justice whether meetings held between the Prison Service and the Health and Safety Executive are held jointly with Prison Officers Association representatives.

**(AQW 40884/11-15)**

**Mr Ford:** On occasions the Health and Safety Executive meet with senior management at establishments. Depending on the topic of discussion Prison Officers Association representatives may be invited to attend.

**Lord Morrow** asked the Minister of Justice how many Prison Service staff have been medically retired in each year since the end of the Voluntary Exit Scheme.

**(AQW 40886/11-15)**

**Mr Ford:** The Voluntary Exit Scheme ended on 31 May 2014. During the period 1 June 2014 – 19 January 2015 a total of 14 members of staff have been medically retired from the Northern Ireland Prison Service.

**Lord Morrow** asked the Minister of Justice how many of the new intake of Prison Service staff have been (i) medically retired; or (ii) left the service for medical reasons.

**(AQW 40887/11-15)**

**Mr Ford:** I can confirm that none of the new intake of Prison Staff have been medically retired from the Service.

With regard to the number of staff who have left the Service for medical reasons, we are unable to provide details as that would breach the provisions of the Data Protection Act 1998 as it may lead to the identification of individuals.

**Lord Morrow** asked the Minister of Justice to provide, or place in the Assembly library, a copy of the screening form for Police Officers Pay and Conditions that followed the Police Negotiating Board Working Party pay and conditions meeting on 15 Oct 2013. (AQW 40888/11-15)

**Mr Ford:** No single piece of paper was prepared to screen pay and conditions following the Police Negotiating Party meeting on 15 October 2013. Throughout the process, cognisance was given to the effect of any overall package of potential reforms as they might impact upon various groups, and the individual potential changes that might constitute a fair package, in achieving the ultimate collective aim.

A number of reforms were considered and not implemented at that time, partly in consideration of the impact they would have on certain groups within the Police Service.

Following lengthy negotiations, the reforms were ultimately agreed at the Police Negotiating Board in May 2014. These resulted in a balanced package which took cognisance of the age profile, recent and planned recruitment, pension-related pay, the need to retain senior experienced officers, gender matters and improved family-friendly reforms. The changes included improved maternity provisions, shorter pay scales linked to improved management practices in areas such as assessment of performance, retention of the competence related threshold payment scheme, and increased compensation when placed on-call.

**Lord Morrow** asked the Minister of Justice what percentage of ground area at Dungannon Courthouse is taken up by (i) the court building and any other buildings on-site; and (ii) each car park. (AQW 40889/11-15)

**Mr Ford:** The total boundary area of Dungannon Courthouse site is 35,764.56 square metres. The court building takes up 5.8% of the ground area at Dungannon, the other buildings on site take up 0.14% of the ground area. Three car park areas take up, in total, 10.63% of the ground area. These are the Rear secure car park (2.60%), Top car park (3.21%) and Front Public car park (4.82%).

**Mr Girvan** asked the Minister of Justice whether his Department will maintain proportionate support to the Probation Board of Northern Ireland to sustain levels of staffing, to address offending behaviours with people at assessed levels of contact, that are proportionate to risk and public safety for the offender and the victim.

(AQW 40928/11-15)

**Mr Ford:** My Department and the wider justice system is facing an extremely challenging environment both this year and also into 2015-16. The level of savings required means very difficult funding and prioritisation decisions need to be taken that will impact on frontline services and peoples' experience of the justice system.

Each criminal justice organisation has had to review how it delivers its services in order to live within current budgetary constraints. In making funding decisions I have sought to protect frontline services as far as possible.

My Department greatly values the services delivered by our partners within the community and voluntary sector. However, difficult decisions have had to be taken in order to achieve the significant savings required.

My Department will continue to work closely with the Probation Board for Northern Ireland to ensure frontline services are protected as far as possible and to consider how best to sustain community partnerships in the current economic climate, in order to maintain public safety.

**Mr Girvan** asked the Minister of Justice whether his Department will invest in the Probation Board for Northern Ireland to sustain community partnerships which will support intervention in the community.

(AQW 40929/11-15)

**Mr Ford:** My Department and the wider justice system is facing an extremely challenging environment both this year and also into 2015-16. The level of savings required means very difficult funding and prioritisation decisions need to be taken that will impact on frontline services and peoples' experience of the justice system.

Each criminal justice organisation has had to review how it delivers its services in order to live within current budgetary constraints. In making funding decisions I have sought to protect frontline services as far as possible.

My Department greatly values the services delivered by our partners within the community and voluntary sector. However, difficult decisions have had to be taken in order to achieve the significant savings required.

My Department will continue to work closely with the Probation Board for Northern Ireland to ensure frontline services are protected as far as possible and to consider how best to sustain community partnerships in the current economic climate, in order to maintain public safety.

**Mr Girvan** asked the Minister of Justice to outline the rationale for the reduction in budget to the Probation Board for Northern Ireland, which supervises offenders at a lower cost than a custodial sentence.

(AQW 40930/11-15)

**Mr Ford:** My Department and the wider justice system is facing an extremely challenging environment both this year and also into 2015-16. The level of savings required means very difficult funding and prioritisation decisions need to be taken that will impact on frontline services and peoples' experience of the justice system.

Each criminal justice organisation has had to review how it delivers its services in order to live within current budgetary constraints. In making funding decisions I have sought to protect frontline services as far as possible.

My Department greatly values the services delivered by our partners within the community and voluntary sector. However, difficult decisions have had to be taken in order to achieve the significant savings required.

My Department will continue to work closely with the Probation Board for Northern Ireland to ensure frontline services are protected as far as possible and to consider how best to sustain community partnerships in the current economic climate, in order to maintain public safety.

**Mr McCausland** asked the Minister of Justice, in relation to an application for an occasional drinks licence which was made in Irish in 2008 for an event in Cultúrlann in West Belfast, whether legal aid was granted to the applicant when they sought (i) a judicial review; and (ii) to subsequently appeal that decision.

**(AQW 40946/11-15)**

**Mr Ford:** Article 24 of the Legal Aid, Advice and Assistance (NI) Order 1981 precludes the release of information in relation to specific persons seeking or receiving legal aid for civil cases.

**Ms Sugden** asked the Minister of Justice for his assessment of the outcomes of the Community Safety Strategy; Fear of Crime Strategic Action Plan 2012-14.

**(AQW 41203/11-15)**

**Mr Ford:** Crimes against older people are relatively rare with three in 1000 people aged 60+ becoming victims of offences of violence against the person in 2013/14. However, the fear of crime can have a negative impact on quality of life for older people, and a great deal has been done through the multi-agency delivery group to address this issue.

The Fear of Crime Strategic Action Plan 2012-14 sets out actions being taken by my Department and delivery partners in relation to reducing fear of crime and helping older and vulnerable people feel safer as outlined in the Community Safety Strategy 2012-2017.

When the Justice Committee approved this Action Plan in January 2013 it was agreed that a progress report would be provided after twelve months. The first progress report was provided to the Justice Committee for its meeting on 20 February 2014. A copy of this report, which sets out what was achieved in 2013-14 against agreed Community Safety Strategy outcomes and what was planned for 2014-15, is available on the Department of Justice website:

[www.dojni.gov.uk/justice-committee-paper-community-safety-strategy-progress-reports](http://www.dojni.gov.uk/justice-committee-paper-community-safety-strategy-progress-reports)

The second progress report on the Action Plan, demonstrating what was achieved in 2014-15, is due to be submitted to the Justice Committee in March and a copy will be made available on the Departmental website.

**Mr D McIlveen** asked the Minister of Justice what plans he has to reduce the provision of service at Ballymena Court House.

**(AQW 41222/11-15)**

**Mr Ford:** In response to significant budgetary pressures, the Northern Ireland Courts and Tribunals Service has reviewed the court estate to identify potential options for rationalisation. A public consultation exercise on the Rationalisation of the Court Estate was launched on 29 January 2015.

The consultation sets out proposals to close 8 courthouses, including Ballymena, with the transfer of business to alternative court venues.

**Mr Frew** asked the Minister of Justice for an update on proposals regarding the future of vehicle immobilisation.

**(AQW 41414/11-15)**

**Mr Ford:** My responsibility for vehicle immobilisation is limited to ensuring that those operators who carry out vehicle immobilisation on private land are properly licensed by the Security Industry Authority. In February 2014 my Department undertook a public consultation and no conclusive evidence was provided to show there were any problems within this sector in Northern Ireland. I therefore decided to maintain the current regime as it is.

The consultation did highlight a number of issues relating to parking which were outside of the remit of my Department. I have brought these to the attention of the relevant Ministers.

A link to the response to consultation document is available below:

<http://www.dojni.gov.uk/index/public-consultations/archive-consultations/future-regulation-of-vehicle-immobilisation-on-private-land-in-northern-ireland-2.htm>



**Mr Campbell** asked the Minister of Justice for his assessment of when the National Crime Agency will begin a full role in combating crime in Northern Ireland.

**(AQO 7422/11-15)**

**Mr Ford:** I remain hopeful that the NCA will have a role in the devolved sphere here in the next few months. I circulated a further, additional proposal paper to parties on 13 January. This built on the 8 September paper. Together they represent a significant attempt to find a solution. They suggest a level of local accountability for the NCA in Northern Ireland which is comparable to that for the PSNI and, in some respects, greater.

The proposals are the product of my Department's engagement with parties and others. They are supported by the Home Secretary, Director General of the NCA, PSNI and NIO.

I have asked the Home Secretary to lay a draft Order so that we can seek to put legislation in place before the election. This is likely to be laid in the next day or so at Westminster. An early draft of this was circulated to parties and some changes are being made.

I understand that a motion has been tabled concerning the NCA. If supported it would resolve the current impasse by giving Assembly consent for the necessary legislation in Westminster.

I very much hope that the Assembly will support the proposals and the motion. We have a significant gap in our law enforcement arrangements against organised criminals. I am proposing a robust accountability framework. We need to make progress.

**Ms McGahan** asked Minister of Justice for an update on the conference on rural crime held by the Ulster Farmers' Union in the Crumlin Road Gaol.

**(AQO 7426/11-15)**

**Mr Ford:** An update of the Ulster Farmers' Union conference is available on the UFU website; It attracted a large number of attendees – approximately 140 individuals from a wide range of sectors, with the largest group being from the farming sector.

Speakers and panel members represented a variety of organisations, including the Department of Agriculture and Rural Development, the Police Service for Northern Ireland, An Garda Síochána and the Rural Services Network of England and Wales.

The conference acknowledged the frustration in the farming community as to how agri-crime is dealt with on the ground and was primarily focused on what key organisations are doing to tackle rural crime. The conference also provided an opportunity to acknowledge the important role the farming community had to play in tackling rural crime, through uptake of crime prevention advice or by reporting their concerns about suspicious activity in their local area.

I understand that attendees' feedback was generally positive, with increased awareness of rural crime issues and the farming sector being more informed of measures they can take to protect their property. There was also an acknowledgement of the need to continue to build strong working relationships to tackle rural crime and the impact it has on rural communities.

**Mr Ó Muilleoir** asked the Minister of Justice how he will ensure that policing oversight bodies have sufficient funding to carry out their work.

**(AQO 7427/11-15)**

**Mr Ford:** When allocations were made for the Budget 2011-15 period, the Police Ombudsman's office was the only area in the justice system that received a resource cash DEL increase in its budget from the Department: a budget increase of £271k, equivalent to 3%.

In 2015/16 the Police Ombudsman's Office will continue to be one of the most protected areas across the Department.

**Mr Boylan** asked the Minister of Justice for an update on the creation of an interdepartmental group to examine exit strategies for sex workers as outlined in the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

**(AQO 7428/11-15)**

**Mr Ford:** The Trafficking and Sexual Exploitation (Criminal Justice and Support for Victims) Act (NI) 2015, which received Royal Assent on 13 January, places a requirement on the Department of Health, Social Services and Public Safety to prepare and publish a strategy, with other Departments, in relation to a programme of assistance and support for persons who wish to leave prostitution. My Department will consider its contribution to that work as soon as it is commissioned by the Department of Health, Social Services and Public Safety.

**Mr D Bradley** asked the Minister of Justice what issues he has discussed recently with the Minister for Justice and Equality.

**(AQO 7429/11-15)**

**Mr Ford:** I have had a number of discussions with Frances Fitzgerald, Minister for Justice and Equality since her appointment in May 2014 and before that with her predecessor Alan Shatter. I value these discussions to further promote co-operation across the range of policing and criminal justice matters.

Specifically, I met with Minister Fitzgerald under the auspices of the Inter-Governmental Agreement (IGA) on Co-operation on Criminal Justice Matters on 27 June 2014 and 21 November 2014. After each meeting I made an oral statement to the Assembly noting that matters under discussion included hate crime, sharing of information and training on programmes to challenge offending behaviour, exploring opportunities for collaboration in interventions for domestic violence and violent offenders, forensic science partnership between Northern Ireland, Ireland and Scotland, the sharing of information between the PSNI and Garda Síochána, implementation of the European Victims Directive, cooperation in relation to juvenile offenders on diversion.

Prior to the IGA meeting on 21 November I attended with Frances Fitzgerald the annual joint public protection seminar organised by the probation services north and south when we both gave opening speeches. The theme of this event was "Working with and in Communities."

On 1 October, the Minister met Minister Fitzgerald at the 2014 Cross Border Conference on Organised Crime when we discussed a range of issues concerning organised crime such as fuel laundering and smuggling, drug and tobacco smuggling and people trafficking.

At the North South Ministerial Conference on 5 December I discussed with Frances Fitzgerald matters including sexual exploitation by paramilitary organisations including potential for inquiries.

**Mr McKinney** asked the Minister of Justice to outline when the proposed Mental Capacity Bill will be introduced in the Assembly.

**(AQO 7430/11-15)**

**Mr Ford:** DoJ and DHSSPS are working to a joint timetable. It is our aim to submit a Bill to the Executive in March 2015, to enable passage through the Assembly by March 2016.

Whilst acknowledging that this is a challenging timetable, both departments are committed to delivering this important piece of legislation within the current mandate.

**Mr McNarry** asked the Minister of Justice whether he will introduce pension enhancements for police officers serving in a region which still has a high level security threat over an extended period.

**(AQO 7431/11-15)**

**Mr Ford:** I have currently no plans to introduce pension enhancements for police officers. Pensions for police officers are considered at national level and it remains key to policing in Northern Ireland that police officers retain the ability to move between GB and Northern Ireland unfettered by different terms and conditions across the jurisdictions.

Officers in Northern Ireland currently receive an allowance which is paid in recognition of the extraordinary circumstances under which they currently serve in Northern Ireland.

**Mr McMullan** asked the Minister of Justice for an update on his Department's proposed reconstitution of the Policing Board.

**(AQO 7432/11-15)**

**Mr Ford:** Under Part III of Schedule I to the Police (Northern Ireland) Act 2000, I am responsible for the appointment of independent members to the Northern Ireland Policing Board. The next reconstitution of the Board is due to take place by May 2015, at the end of the current four-year appointment term for independent members. I have written to a range of key stakeholders as part of a targeted consultation to seek their views on proposals for the appointment of independent Board members.

I intend to appoint independent members by way of a public appointment process. I also propose moving to a rolling appointments model for appointing independent Board members, effective from 2017. This would provide for three independent members to be either appointed or reappointed to the Board every year, in contrast to the current approach which sees nine members appointed once every four years.

These proposals are designed to provide a more effective model for the appointment of independent members as well as supporting the cohesion and continuity of the Board as a whole by providing the optimal balance between skills, knowledge and experience. The proposals are in line with existing statutory requirements and best practice in respect of public appointments.

The consultation provides an opportunity for key stakeholders to share their views on the proposals and I will consider all views in advance of commencing the appointments process.

## Department for Regional Development

**Mrs Hale** asked the Minister for Regional Development what plans there are to upgrade rural cycle tracks, in particular on the A1 dual carriageway.

**(AQW 38963/11-15)**

**Mr Kennedy (The Minister for Regional Development):** Subject to available funding, my Department plans new rural shared use cycle/footway lanes on the Lough Yoan Road, Enniskillen; Castledawson Road, Magherafelt; A29 Tobermore Road, Maghera; C84 Corkey Road Ballymena; and the A6 Foreglan Road at Owenbeg.

Officials also plan to extend the existing rural cycleway on the A50 from Newcastle to Castlewellan.

Regarding the A1, there is a segregated shared Cyclepath/footway south of Loughbrickland alongside the A1 for a distance of some 7 miles to Sheepbridge. Cyclists can then merge onto the old road towards Newry running alongside the new A1. These works were completed in 2010.

Upgrades to the road network are continually reviewed and other opportunities to upgrade cycling provision in tandem with the road network are continually reviewed as part of that process.

My officials have been asked to focus their efforts on the provision and enhancement of cycling facilities at locations where the benefits achieved could be enjoyed by the greatest number of people. Whilst facilities will continue to be provided in rural areas, this approach has inevitably resulted in the main cycling focus being within urban areas which have considerably higher concentrations of vehicle, cycle and pedestrian movements.

The provision of dedicated cycle facilities on roads such as the A1 dual carriageway presents particular challenges. The A1 has been improved at various places along its length and its layout changes, reflecting changes in design standards over time. For example, at some locations the hard shoulder that runs for most of its length is interrupted by side road junctions.

In rural areas, my Department hopes to explore the opportunity to develop more off-road 'Greenway' cycle facilities to promote involvement and to encourage more leisure cycling and to attract cyclists away from heavily trafficked roads.

Officials will also, as a matter of course, investigate opportunities to improve cycling provision in association with other planned upgrade works.

My Department's policies and practices are constantly evolving and the provision of cycling facilities will be kept under review.

**Mr McAleer** asked the Minister for Regional Development to outline the rationale behind the decision to remove the crash barrier at the Malone Road, Belfast where a pedestrian was killed in October 2014; and whether there are plans to replace the barrier. (AQW 40319/11-15)

**Mr Kennedy:** As a result of the tragic incident that took place on the Malone Road in October 2014 there is now an on-going PSNI investigation. Officials are liaising closely with the investigating team regarding the information that can be made public prior to the investigation being completed. I hope you will appreciate it would not be appropriate for me to comment further, prior to confirmation being received from the PSNI that the information you have asked for, is no longer required for the investigation.

I trust this clarifies the Department's position on this matter and I shall write to you again once I receive a further update from the PSNI.

**Mr Easton** asked the Minister for Regional Development what impact the cut to the TransportNI budget will have on service provision. (AQW 40363/11-15)

**Mr Kennedy:** There has been a significant cut to the TransportNI budget for 2014-15 which amounts to £6 million. In addition the baseline is £12 million less than the objective requirement for roads maintenance. This has been addressed through in-year monitoring in each of the last three years. As a consequence I took a number of decisions to ensure a level of service could continue to be delivered to the public by protecting TransportNI's essential services –

- (i) Winter Maintenance;
- (ii) Energy costs for Street Lights, Traffic Signs & Signals;
- (iii) Inspection & testing and associated safety repairs of the Street Lighting, & illuminated signs stock; and
- (iv) Maintenance of traffic signals.

I also chose to protect TransportNI's internal maintenance teams, this was to ensure a minimum level of service could be delivered for the public to deal with public safety issues such as prioritised street lighting outages, ensuring sight lines have their grass cut, the most at risk gullies are emptied to moderate the risk of flooding and only the most significant defects on the road network can be patched.

However all Resource DEL work with external contractors, unless associated with the protected activities detailed above, was ceased; in reality this has meant –

- (i) The vast majority of street lights, where small scale maintenance, e.g. replacing a light-bulb was required, had been left unrepaired.
- (ii) Minimal maintenance was being completed on bridges;
- (iii) Only the most hazardous defects on roads and footways were being fixed; though every effort was being taken to carry out the Departments statutory duty to maintain the road network,

- (iv) The majority of gullies were un-cleaned or the frequency of cleaning was reduced.
- (v) Very few road markings were being renewed. Priority is given to regulatory / safety related markings such as STOP & Give Way markings.

The allocation of £5.2 million provided in January Monitoring will of course help to mitigate the impact of the cuts on the above services. The additional funding element for roads and bridge maintenance (£3.2 million) will be spent on a wide range of functions including gully emptying, renewal of road markings, bridge maintenance patching and some safety fence repairs. In relation to the street lighting allocation (£2 million), this will be used fix the backlog of outages and the outages that occur from now until the end of the year.

**Mr Easton** asked the Minister for Regional Development how much has been cut from the NI Water budget for the remainder of the financial year.

**(AQW 40399/11-15)**

**Mr Kennedy:** As NI Water had to manage a total funding gap of £14.4m in its 2014/15 budget allocation, which included a £4.2m shortfall against the Utility Regulator's Price Control (PC13) final determination, it was decided that there should be no further reduction to the NI Water budget for the remainder of the financial year.

**Mr Easton** asked the Minister for Regional Development what impact the cut to the NI Water budget will have on service provision.

**(AQW 40400/11-15)**

**Mr Kennedy:** NI Water has worked to manage the funding gap in its DEL Resource operational cost budget in 2014/15 whilst seeking not to impact its core services. Cost-cutting measures have been taken across a large range of areas within the company, many of which are one-off in nature and are not without risk, including assuming a normal winter period.

NI Water will continue to actively mitigate any risk of failure of service but this will remain a challenge within its current DEL Resource budget. Negative impact on customers due to increased risk of out of sewer flooding, pollution events, increased leakage, clean water supply interruptions, and overall longer response times cannot be ruled out.

Going forward, it is not likely to be sustainable for NI Water to operate at the same reduced budget level.

**Mr Easton** asked the Minister for Regional Development how much has been cut from his Department's capital budget for the remainder of the financial year.

**(AQW 40401/11-15)**

**Mr Kennedy:** My Department has not had any cuts made to the capital budget for the remainder of the financial year.

**Mr Easton** asked the Minister for Regional Development whether his Department received any European funding in the 2013/14 financial year.

**(AQW 40488/11-15)**

**Mr Kennedy:** I established a dedicated European Unit in July 2013 with the purpose of pro-actively engaging with Europe in order to maximise my Department's opportunities to secure European funding and significantly increase the flow of EU monies into Northern Ireland.

The existing budgetary mechanisms applied to EU Competitive Funds, such as Trans-European Transport Network funding, do not incentivise performance or deliver the normal additionalities associated with European funding paid directly to my Department.

In the 2013/14 financial year my Department successfully competed to secure a total of £14,417,094 from European funding sources.

This consisted of:

- £4,663,774 of Trans-European Transport Network (TEN-T) funding;
- £4,061,830 of funding from the INTERREG IVA Programme for Northern Ireland, the Border Region of Ireland and Western Scotland; and
- £5,691,490 through the European Sustainable Competitiveness Programme 2007-2013.

My Department continues to explore further opportunities for additional funding from the European Union.

**Mr Easton** asked the Minister for Regional Development what action he is taking to resolve the NI Water pensions dispute.

**(AQW 40526/11-15)**

**Mr Kennedy:** Negotiations regarding the pension dispute have been on-going between NI Water, the Water Group Trade Unions (WGTU) and the Labour Relations Agency (LRA) for a number of weeks. In addition, I have met with both NI Water and Trade Unions in December 2014 and January 2015 in an effort to resolve the situation. I also attended talks at the LRA on 20 January where I made clear that any settlement had to be within the terms of Executive pay and pensions policy.

The statement made by Water Group Trade Unions (WGTU) on 21 January stating that it has suspended Industrial Action is to be welcomed. This is positive news for the public, especially those households and businesses who have experienced significant disruption to their water supply.

Trade Unions will now consult with their members on the detail. I understand that WGTU plan to recommend that members accept the deal before a ballot is conducted.

Now that the Industrial Action has been suspended, all NI Water staff will be working hard to ensure provision of services to all customers

**Mr Easton** asked the Minister for Regional Development what action he is taking to address the backlog of repairs to street lights. (AQW 40528/11-15)

**Mr Kennedy:** In order to be able to address the backlog of street lighting repairs that accumulated due to the shortfall in the resource budget for street lighting, my Department made bids for funding in the October and January monitoring rounds for this financial year.

Following the success of the January bid, I have instructed officials to immediately resume using external contractors to carry out street lighting repairs. Work to clear the backlog is already under way.

**Mr Dunne** asked the Minister for Regional Development what progress has been made on the installation of traffic light controls at the Belfast Road entrance to Holywood on the Belfast to Bangor A2.

(AQW 40529/11-15)

**Mr Kennedy:** Traffic signals are generally provided at junctions where there are considerable queues or delays for traffic wishing to enter main road traffic from side roads and where a significant road safety issue has been identified. This is not the case at this location.

Junction improvements were carried out a number of years ago at this location to remove the facility for vehicles emerging from Belfast Road, Holywood to turn right onto the A2 dual carriageway to travel towards Bangor. Under the present arrangement vehicles leaving Holywood at this location can only travel towards Belfast with access into the Belfast Road towards Holywood only available from the A2 dual carriageway, thereby reducing the possibility of collisions.

A recent survey on the traffic using the slip road from the A2 dual carriageway into Belfast Road has not highlighted excessive queues or undue delays. This junction is 1.2km from the junction at Sullivan Place, which provides gaps in the traffic flow from the Bangor direction thereby allowing traffic to progress into Belfast Road. Drivers also have the opportunity to avail of a signal controlled access to Holywood at the junction at Sullivan Place, if they feel this is appropriate.

The provision of traffic signals at this location would result in considerable delays to traffic using this extremely busy strategic route from Bangor and the Ards Peninsula to Belfast.

Such a scheme would not attract a high priority at this time and my Department is not currently proposing to install traffic lights at this junction.

My officials will, however, continue to monitor this location and review the situation should circumstances change.

**Mr Anderson** asked the Minister for Regional Development how many new street lights have been installed in each of the last three years.

(AQW 40531/11-15)

**Mr Kennedy:** Details on the numbers of new street lights that have been installed by my Department, in each of the last three years, are set out in the table below:

Financial Year	Number of Street Lights Installed
2011-12	5262
2012-13	5240
2013-14	4332

**Mr Rogers** asked the Minister for Regional Development, pursuant to question AQW 40163/11-15, for a geographical breakdown of the 32,000 water meters installed since 2007.

(AQW 40558/11-15)

**Mr Kennedy:** Northern Ireland Water holds water meter installation information according to the nature of the installation, the number of meters, and the type of property (domestic or non-domestic) it serves. It is not operationally practical for the company to hold the information according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information.



**Mr Ramsey** asked the Minister for Regional Development what steps he will take to ensure that road surfaces are not unnecessarily dug up.

**(AQW 40572/11-15)**

**Mr Kennedy:** Road surfaces are opened for many reasons. These include the placing, inspection, maintenance and repair of utility apparatus, necessary to deliver utility services to homes and businesses across Northern Ireland, and works to maintain and improve our streets and footways, necessary for the safe and efficient transport of people and goods.

All of these works are necessary, but my Department seeks to co-ordinate works of all kinds in streets to minimise the inconvenience to persons using the street and to protect the structure of the street.

My officials work closely with utility companies through Divisional and Northern Ireland Road Authority and Utilities Committees (DRAUC's and NIRAUC), sharing programmes of planned major works to assist in that co-ordination process. While much of the work of these groups is unseen by the public, a very visible example has been the success in ensuring high profile events such as the Giro d'Italia and major City of Culture events were uninterrupted by planned works.

The NIRAUC Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters, approved by my Department, provides practical guidance for my Department and utility companies, including minimum notification periods for various categories of works. Notifications are provided through the shared Northern Ireland Streetworks Registration and Notification System (NISRANS) which allows officials to co-ordinate works and monitor compliance with notification requirements. In the case of substantial road works such as resurfacing schemes, my Department provides at least three months notice to utility companies, and will defer schemes where necessary to allow planned utility works to be completed before resurfacing takes place.

Unfortunately not all works can be planned so far in advance, and many cases do arise where utility companies must dig up the road surface at short notice, including emergency works to restore customer supplies or remove a serious risk presented by defective surface apparatus, or works to meet customer connection requests within timescales stipulated by the Utility Regulator. In those cases my Department ensures, through a formal inspection regime, that utility companies reinstate openings in accordance with the Specification for Reinstatement of Openings in Roads.

**Mr Allister** asked the Minister for Regional Development whether senior executives in NI Water, who are negotiating with staff on the pension issue, are in the same pension scheme; and what are the respective rates of employer and employee contributions proposed throughout the various grades within the scheme.

**(AQW 40623/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the senior managers involved in the negotiations with the Water Group of Trade Unions are members of the same pension schemes as other employees of the company.

NIW has proposed the following contribution rates for all staff which are to be phased in over a 3 year period as set out in the table below.

	Salary	Current	2015-16	2016-17	2017-18
Classic	Up to £21k	1.5%	1.9%	2.6%	3.5%
	Over £21k	1.5%	2.6%	4.5%	6.9%
Premium/Care	Up to £21k	3.5%	3.5%	3.5%	3.5%
	Over £21k	3.5%	4.2%	5.4%	6.9%

It should be noted that it will be that pay element above £21k that will attract the higher percentage contribution i.e. an employee earning £24k pensionable pay in 2017-18 and currently a member of the Classic Scheme will pay 3.5% on the first £21k and 6.9% on the additional £3k (£24k - £21k).

The employer contribution rate will reduce to approximately 20% from the current level of approximately 26.9%.

These proposals remain subject to final consultation and agreement with a range of stakeholders.

**Mr Allister** asked the Minister for Regional Development to list the locations to which NI Water delivered water during the recent disruption to the system in Fermanagh and Tyrone.

**(AQW 40624/11-15)**

**Mr Kennedy:** Northern Ireland Water (NIW) has provided pick-up points at predetermined alternative water distribution locations during the period to 19th January as follows:

28-30 December 2014	Church Car Park at 194 Newtownhamilton Road, Armagh/ Markethill	Bottled water
8 – 9 January 2015	Fontenoys GAA Club car park, Castlewellan, Dromara	Bottled water
11-12 January 2015	Castle Court, Fermanagh	Bottled water
15 January 2015	Church Car Park, The Diamond, Pomeroy	Static tanks

16-17 January 2015	Sixtowns Road, Londonderry (Draperstown area)	Static tank
16-19 January 2015	Loughmacorrcy community hall, Ballybrack Road Tyrone	9 static tanks
16-19 January 2015	Patrician Hall, Main St, Carrickmore	5 static tanks
16-19 January 2015	Creggan visitor's centre, Creggan Road Tyrone	7 static tanks
16-19 January 2015	Creggan Road / Barony Road	7 static tanks
16-19 January 2015	9 Maryville Tyrone	2 static tanks
16-19 January 2015	2 Main Street Tyrone	7 static tanks
17 – 19 January 2015	104 Main St, Dungiven	10 static tanks
17 – 19 January 2015	58 Main St, Claudy	10 static tanks
17 – 19 January 2015	Burnfoot Cottages, 307 Drumrane Road, Dungiven	4 static tanks
17 – 19 January 2015	87 Main St, Feeny	8 static tanks
17 – 19 January 2015	213 Learmount Road, Derry	8 static tanks
18-19 January 2015	St Michael'S Church, Cooley Road, Sixmilecross,	10 static tanks
18-19 January 2015	Car park, Main St, Beragh	10 static tanks

Bottled water has also been delivered to individual customers in all areas affected by loss of supply who are registered on NIW's Critical Care Register.

**Mr Allister** asked the Minister for Regional Development to outline the criteria followed by NI Water when deciding which villages would have water delivered during the recent disruption to the system in Fermanagh and Tyrone.

**(AQW 40625/11-15)**

**Mr Kennedy:** During a water supply interruption, supplies can generally be achieved by adjusting the water distribution system through re-valving. However, when this is not practical, and customers experience a prolonged loss of supply, NI Water will provide an alternative supply of water by deploying bowzers or static tanks and the use of bottled water. A number of criteria determine the method used to provide an alternative water supply to customers:

- The area affected by the supply interruption;
- The anticipated duration of the incident; and
- The number of customers in the area affected.

NI Water is committed to prioritising the needs of the sick, the elderly, the disabled, hospitals, schools and other vulnerable groups. Vulnerable customers are generally provided with bottled water, while the general public has to fill containers of water to be boiled from a bowser. This is due to the impracticality of storing large amounts of bottled water with a relatively short shelf life.

**Mr Allister** asked the Minister for Regional Development when NI Water became aware that the supply to Lisbellaw was interrupted as a consequence of the recent disruption to the system in Fermanagh and Tyrone.

**(AQW 40627/11-15)**

**Mr Kennedy:** The Lisbellaw area is fed from Cavanacross Service Reservoir. The reservoir was empty from approximately 6pm on 11 January 2015 to 8am on 12 January 2015. NI Water was aware that reservoir levels were indicating signs of depletion from approximately 8pm on 10 January 2015.

**Mr A Maginness** asked the Minister for Regional Development how many (i) domestic; and (ii) non-domestic water meters were installed in North Belfast between (a) May 2007 and May 2011; and (b) May 2011 and December 2014.

**(AQW 40643/11-15)**

**Mr Kennedy:** Northern Ireland Water holds water meter installation information according to the nature of the installation, the number of meters, and the type of property (domestic or non-domestic) it serves. It is not operationally practical for the company to hold the information according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information.

The data is held by financial year and this has been provided in the table below.

There are approximately 113,000 water meters in Northern Ireland, of which some 32,000 have been installed at domestic properties. The table below show the number of domestic and non-domestic meter installations in Northern Ireland during the last number of years.

Year	Number of meters installed at domestic properties	Number of meters installed at non-domestic properties
2007 / 08	3,220	2,154
2008 / 09	11,460	4,886
2009 / 10	3,945	933
2010 / 2011	4,427	1,115
2011 / 2012	3,458	814
2012 / 2013	3,078	737
2013 / 2014	3,031	481

**Mr A Maginness** asked the Minister for Regional Development how many meters were installed on water lines servicing (i) commercial and industrial; (ii) agricultural; and (iii) domestic properties in North Belfast in (a) 2007; (b) 2008; (c) 2009; (d) 2010; and (e) 2011.

**(AQW 40644/11-15)**

**Mr Kennedy:** It is not possible to provide meter installation data broken down into commercial and industrial and agriculture property types. However, total figures for water meter installation for domestic and non-domestic properties can be provided. It is not operationally practical for the NI Water to hold the information according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information.

However, there are approximately 113,000 water meters in Northern Ireland, of which some 32,000 have been installed at domestic properties. The table below show the number of domestic and non-domestic meter installations in Northern Ireland during 2007/08, 2008/09, 2009/10, 2010/11.

Year	Number of meters installed at domestic properties	Number of meters installed at non-domestic properties
2007 / 08	3,220	2,154
2008 / 09	11,460	4,886
2009 / 10	3,945	933
2010 / 2011	4,427	1,115

**Mr McMullan** asked the Minister for Regional Development whether he will include Feystown Road, Glenarm on the gritting schedule.

**(AQW 40645/11-15)**

**Mr Kennedy:** Feystown Road, Glenarm has very low traffic volumes and therefore does not meet the criteria for inclusion on the gritting schedule, which focuses on main through routes that carry more than 1,500 vehicles per day and, in exceptional circumstances, roads with difficult topography carrying between 1,000 and 1,500 vehicles per day. The application of this policy ensures that 28% of the total road network, which carries around 80% of traffic, is salted.

**Mr Anderson** asked the Minister for Regional Development to detail the criteria which must be met before a (i) road defect; and (ii) pothole is authorised for repair.

**(AQW 40654/11-15)**

**Mr Kennedy:** Article 8 of the Roads (Northern Ireland) Order 1993 places a duty on my Department to maintain all public roads in reasonable condition. In recognition of its duty of care, my Department has put in place a set of Maintenance Standards for Safety. These standards, which are designed to ensure a consistent service level and a safe highway while offering value for money, are based on best practice, research and consultation with both the public and other professional bodies and Industry.

The standards and procedures currently in operation establish frequencies for road inspections dependent on traffic volumes and specify response times for the repair of defects. Inspection frequencies vary between daily cycles for motorways to four monthly cycles for carriageways carrying low volumes of traffic. Response times specified for the repair of defects are dependent on the severity of the defect and range from one calendar day to simple inclusion in the next work programme for that particular route. If it becomes apparent that the relevant response time cannot be met, then the Department has the option of installing signs to warn road users of a possible danger.

The urgency of repair is determined taking into account a number of factors including defect depth, volume of traffic, defect location in relation to carriageway width etc.

It is important to note that the standards set a minimum intervention level of 20mm. This figure has been established over many years as being the level below which defects are generally not deemed to present a danger to road users. Therefore, defects less than 20mm deep are generally not recorded during routine inspections for priority repair. Defects may also be repaired as part of planned programmes of work, such as resurfacing, surface dressing or larger planned patching, subject to available resources.

**Mr Anderson** asked the Minister for Regional Development how many water meters have been installed in (i) Portadown; (ii) Lurgan; and (iii) Banbridge, in each of the last three years.

**(AQW 40657/11-15)**

**Mr Kennedy:** Northern Ireland Water holds water meter installation information according to the nature of the installation, the number of meters, and the type of property (domestic or non-domestic) it serves. It is not operationally practical for the company to hold the information according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information.

However, there are approximately 113,000 water meters in Northern Ireland, of which some 32,000 have been installed at domestic properties. The table below shows the number of domestic and non-domestic meter installations in Northern Ireland during the last three years.

Year	Numbers of meters installed
2011 / 2012	4272
2012 / 2013	3815
2013 / 2014	3512

**Mr Clarke** asked the Minister for Regional Development (i) how many car parks the Northern Ireland Transport Holding Company (NITHCO) own and operate; (ii) how much profit the car parks raise annually; and (iii) whether any senior members of NITHCO have any interest declared in any of these car parks.

**(AQW 40675/11-15)**

**Mr Kennedy:** I can advise you that NITHCO owns and operates car park facilities on four Belfast sites:

- Hi-Park;
- Great Northern Mall;
- Donegall Quay; and
- Central (Rail) Station

The car park accounts are consolidated within the overall group accounts. Page 13 of the group annual report and accounts for 2013/14 records pro forma profit for the parent company as £0.7m but this will include all income sources recorded against this company.

There are no declared interests from senior members of NITHCO relating to the car parks owned and operated by NITHCO.

**Mr Clarke** asked the Minister for Regional Development (i) when his Department was first made aware of the proposal by Translink to increase fares; and when his Department approved these proposals.

**(AQW 40677/11-15)**

**Mr Kennedy:** I can advise you that Translink provided officials with a paper setting out some fares proposals on 4 November 2014. The issue was discussed at a Performance Review meeting with the Translink Chair and Chief Executive on 6 November 2014. A further paper was received from Translink on 21 November 2014 setting out a revised fare proposal. A submission on the proposed increase in fares was formally put to me on 5 December 2014 and I approved the proposals on 11 December 2014.

You will be aware that when the 2014/15 Translink Corporate Plan was discussed in the early part of the year reference was made to a potential fare increase in January 2015. The cuts to Translink's budget this year have made this inevitable and this has been firmed up during and after monitoring rounds that have taken place throughout 2014/15.

**Mr Clarke** asked the Minister for Regional Development (i) whether there are departmental protocols between the Consumer Council and himself in place relating to changes in public transport fares and services; (ii) if so, to provide a copy of these protocols; and (iii) in the case of the fare increases announced on 11 December 2014, whether these protocols were followed.

**(AQW 40686/11-15)**

**Mr Kennedy:** I can advise you that there is a protocol in place whereby my Department, Translink and the Consumer Council engages in discussions prior to the announcement of any Translink fare increases. The protocol referred to was drawn up in 2010 and requires:

- DRD officials to scrutinise Translink's financial position and report their view to the Minister.
- DRD officials then meet with the Consumer Council and provide any underpinning information requested.

- Following a period of consultation the Consumer Council makes its views known to DRD.
- DRD officials report the Consumer Council position to the Minister.
- Translink engages with the Consumer Council on detail of its proposals i.e. individual fares.
- Following a period of discussion with the Consumer Council and its views Translink will finalise its detailed fares.

On this occasion the protocol was only partially followed because the impact of budget cuts to Translink's financial position in the current financial year was such that it needed to take immediate action to address these even ahead of the corporate planning process for 2015-16.

This was an exceptional circumstance and as soon as the decision to announce the fare increase was made, steps were taken to ensure that the Consumer Council was alerted in advance of the announcement. I had a positive meeting with the Interim Chief Executive of the Consumer Council on 19 January to explain the context and reasons for the announcement. My officials explained the context in a meeting with the Council on 16 December 2014 and there has been engagement between Translink and Consumer Council since that meeting.

**Mr Lyttle** asked the Minister for Regional Development how Translink has promoted the use of the Dundonald Park and Ride.  
(AQW 40687/11-15)

**Mr Kennedy:** For the opening of the Dundonald Park & Ride site, on 1 December 2014, Translink delivered a comprehensive programme of promotional activity. This included:

- Household mailing: How to Use Guide, Mini-Timetable, Smartlink offer to 15,000 households.
- Team Translink: Smartlink card sales activity for 2 weeks at Dundonald P&R site.
- Smartlink Offer: 5 journeys for £5, a saving of £6 compared to buying cash fares – offer available throughout December 2014 and January 2015 online.
- Web Page: Bespoke web page featuring how to use information, map and Smartlink promotional offer.
- Livery: Bespoke branded Metro vehicle promoting Dundonald Park & Ride route.
- Advertising Campaign: Tactical advertising campaign at key locations, including outdoor, radio, press and ambient media.
- Social Media: Regular social media posts on Facebook and Twitter (combined audience reach of 50,000).
- Print Media: Joint Press Release with Department and launch photograph issued to media with coverage obtained in a number of publications.
- Radio: Promotion of the opening; radio station staff also attended first morning of opening and travelling into Belfast City Centre with live links back to their studio.
- Competitions: Two consumer competitions set up in newspaper and Translink Facebook page offering free travel.
- Stakeholders: Political briefing at Newtownards Bus Station on 28 November 2014 included an update on the opening of the new Park & Ride facility.

**Ms Sugden** asked the Minister for Regional Development what provision exists within his Department to support rural houses who wish to install mains water.

(AQW 40719/11-15)

**Mr Kennedy:** Under Article 76 of the Water and Sewerage Services (NI) Order 2006 NI Water has a duty to provide a public water main if required to do so by the owner or occupier of a domestic property.

NI Water currently provides a Reasonable Cost Allowance (RCA) of around £2,000 per property. For properties built before 2000, the Department supplements this allowance so that the total contribution is £12,000 per property.

More recent properties are entitled to the lesser RCA of around £2,000 as householders are expected to include the cost of a water main in the overall cost of a new build.

**Mr Lyttle** asked the Minister for Regional Development for a breakdown of the draft 2015/16 cycling budget.  
(AQW 40744/11-15)

**Mr Kennedy:** As notified in the Executive's Budget my Department has been allocated £441.9 million in Resource DEL, which will allow my Department to take forward a number of programmes and services in public transport, roads and water and sewerage.

The Capital allocation for my Department is £328.3 million across water and transport. This is constrained and very challenging budget settlement. I will therefore continue to review the allocation of capital within my Department, including cycling, and have made no final decisions at this time.

I have yet to fully consider the allocation to cycling since the budget announcement.



**Mr Allister** asked the Minister for Regional Development how many requests for grit boxes have been received from 2013, broken down by constituency; and how many have been provided.  
(AQW 40763/11-15)

**Mr Kennedy:** My Department does not hold this information in the format requested.

**Mr Allister** asked the Minister for Regional Development whether his Department had given consideration to providing established Community Groups with salt boxes or salt to cater for their own area's needs.  
(AQW 40764/11-15)

**Mr Kennedy:** Salt bins or grit piles are provided for use by the public, on a self-help basis, on roads which do not qualify for inclusion onto the gritting schedule, providing certain criteria is met. There are no limits placed on the number of salt bins which may be provided, although they will not normally be provided within 100 metres of another bin.

During my predecessor's tenure, my Department piloted providing salt to communities; however, this did not prove to be successful due to issues relating to the misuse of salt. Given the resource pressures facing my Department in 2015/16 and the potential impact on winter service, I do not consider this to be an appropriate time to consider an extension to the current service.

When evaluating requests for the provision of salt bins, my officials take into account issues such as residential usage and community facilities; including schools, hospitals and care homes for the elderly. This evaluation is carried out using a criteria-based system which also takes into account the following factors:

- the location in question must be on the publically maintained road network;
- the gradient of the road in question must be over 5%;
- no reasonable alternative route shall be available; and
- the subject road attains a minimum overall score of greater than 50 points, derived using a specific formula, where points are awarded depending on road geometry, residential usage, community welfare and commercial usage.

**Mr McNarry** asked the Minister for Regional Development how many incidents or complaints about potholes in roads have been reported or recorded since 1 January 2013.  
(AQW 40773/11-15)

**Mr Kennedy:** My Department does not maintain statistics solely in relation to potholes either recorded or repaired.

**Mr McNarry** asked the Minister for Regional Development, since January 1 2013, to list the 50 roads with the highest number of potholes; and the 50 roads with the highest number of complaints about potholes.  
(AQW 40774/11-15)

**Mr Kennedy:** My Department does not maintain statistics solely in relation to potholes.

**Mr Agnew** asked the Minister for Regional Development why the Audit Office does not have access to Translink's accounts.  
(AQW 40781/11-15)

**Mr Kennedy:** The NI Audit Office has full access to all financial and other records in Translink and has conducted a number of audits on Translink affairs.

I can advise you that Translink's Accounts are audited by external auditors appointed by the Northern Ireland Transport Holding Company Board and the Accounts are open to the inspection of the Comptroller and Auditor General.

My Department also lays the NITHC Annual Report and Accounts in the Assembly, in accordance with the guidance on the procedures for presenting and laying the combined Annual Report and Accounts issued by the Department of Finance and Personnel.

**Mr D Bradley** asked the Minister for Regional Development how many (i) domestic; and (ii) non-domestic water meters were installed in Newry and Armagh between (a) May 2007 and May 2011; and (b) May 2011 and December 2014.  
(AQW 40787/11-15)

**Mr Kennedy:** It is not operationally practical for NI Water to hold the information according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information. However, total figures for water meter installation for domestic and non-domestic properties across Northern Ireland can be provided. The data is held by financial year and this has been provided in the table below.

Year	Number of meters installed at domestic properties	Number of meters installed at non-domestic properties
2007 / 08	3,220	2,154
2008 / 09	11,460	4,886

Year	Number of meters installed at domestic properties	Number of meters installed at non-domestic properties
2009 / 10	3,945	933
2010 / 2011	4,427	1,115
2011 / 2012	3,458	814
2012 / 2013	3,078	737
2013 / 2014	3,031	481

**Mr Clarke** asked the Minister for Regional Development to detail the (i) number; and (ii) grade of the essential car users in Translink.

**(AQW 40789/11-15)**

**Mr Kennedy:** I can advise you that:

- (i) There are currently 40 allocated business use cars.
- (ii) Company car users are generally operational staff within the management and engineering grades. This includes managers within Bus Operations, i.e. Depot/Service Delivery Managers and Bus Fleet Engineers who between them cover approximately 60 operating sites.

Infrastructure Engineers who have company cars are generally those responsible for maintenance of track, signalling and all aspects of structures i.e. bridges, cuttings, embankments and sea defences.

The above staff are also part of the organisation's on-call arrangements which meets the requirements of the Translink Emergency Plan and Business Continuity commitments.

As part of a cost reduction programme, Translink is actively pursuing a strategy of reducing the number of cars.

**Mr Clarke** asked the Minister for Regional Development how many company cars Translink operates; and; what was the annual cost of running these cars, in each of the last five years.

**(AQW 40790/11-15)**

**Mr Kennedy:** There are 40 allocated company cars operated by Translink.

Fuel costs for the last five years amounted to:

Year	Cost £'s
2009/10	94,942
2010/11	102,523
2011/12	117,182
2012/13	127,008
2013/14	126,284

**Mr Clarke** asked the Minister for Regional Development whether Translink operates pool cars; and if so, what is the annual cost of running these cars, over the last five years.

**(AQW 40791/11-15)**

**Mr Kennedy:** Translink operates 3 pool cars for operational use, including responding to security incidents, conducting risk assessment and attending accidents.

Fuel costs for these vehicles average £1,200 per annum.

Total maintenance costs since 2010 amount to £7,454.

**Mr Dunne** asked the Minister for Regional Development what plans he has to improve rush hour traffic flows for North Down commuters on the A2 Dual Carriageway from Bangor to Belfast.

**(AQW 40803/11-15)**

**Mr Kennedy:** The A2 Belfast to Bangor road is part of the strategic road network and carries about 45,000 vehicles per day. My Department's longer term plans include proposals to widen the Sydenham Bypass, its busiest section, to 3 lanes in each direction to improve capacity and reduce delays at peak times. Progression of this scheme will, however, be subject to satisfactory completion of the statutory processes, the availability of funding in future years and priorities.

About one quarter of the route between Holywood and Ballyrobert is single 4 lane carriageway. My Department has long term plans to improve a number of the junctions along this section to improve road safety. However, these schemes are not specifically identified to address a peak hour issue. All such schemes must compete for the finite funds available for such works and at present these schemes do not attract a high enough priority to warrant inclusion in our Minor Works Programme for the North Down Council area.

**Mr Dunne** asked the Minister for Regional Development what plans he has to repair street lights in North Down, following the additional funding from the January monitoring round.

**(AQW 40806/11-15)**

**Mr Kennedy:** As the additional funding is only available until the end of March 2015, it is proposed that the most efficient method of dealing with the backlog of defective lights which have accumulated since the Autumn of last year, is to carry out repairs on a route by route basis within the North Down area. This will minimise travelling time between sites and ensure lights are repaired as quickly as possible. The contractor has already commenced this work in January 2015.

**Mr Dunne** asked the Minister for Regional Development for an update on the plans to upgrade the Sydenham Bypass dual carriageway to a three-lane carriageway.

**(AQW 40807/11-15)**

**Mr Kennedy:** The A2 Sydenham Bypass scheme is now at the third stage of a three stage development process:

- Stage 1 concluded in May 2008 with the selection of the Proposed Corridor;
- Stage 2 concluded in February 2010 with selection of the scheme Preferred Option; and
- Stage 3, currently underway, involves detailed assessment of the Preferred Option and ongoing consultation with key stakeholders.

This will result in the publication of the Statutory Orders: the draft Direction Order, Environmental Statement and Notice of Intention to Make a Vesting Order.

Whilst the budget for the period 2014/2015 will allow development work on Stage 3 to continue, progression of the scheme beyond this will be subject to future budget settlements and priorities.

**Mr Weir** asked the Minister for Regional Development how many (i) domestic; and (ii) non-domestic water meters were installed in North Down between (a) May 2007 and May 2011; and (b) May 2011 and December 2014.

**(AQW 40815/11-15)**

**Mr Kennedy:** It is not operationally practical for NI Water to hold meter installation data according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information. However, total figures for water meter installation for domestic and non-domestic properties can be provided.

There are approximately 113,000 water meters in Northern Ireland, of which some 32,000 have been installed at domestic properties. The table below show the number of domestic and non-domestic meter installations in Northern Ireland during the last number of years.

Year	Number of meters installed at domestic properties	Number of meters installed at non-domestic properties
2007 / 08	3,220	2,154
2008 / 09	11,460	4,886
2009 / 10	3,945	933
2010 / 2011	4,427	1,115
2011 / 2012	3,458	814
2012 / 2013	3,078	737
2013 / 2014	3,031	481

**Mr Givan** asked the Minister for Regional Development for an update on the status of the A5 project and the estimated associated costs.

**(AQW 40824/11-15)**

**Mr Kennedy:** Work to address the one area of concern the Judge identified in the Court ruling of March 2013 on the A5 Western Transport Corridor (A5WTC) is now well advanced. This relates to undertaking Appropriate Assessments under the Habitats Directive of the impact of the A5WTC proposals on designated environmentally sensitive sites.

A consultation exercise on four draft reports, developed to assess impacts on the integrity of all potentially affected European designated environmentally sensitive sites (nine in total) in the vicinity of the scheme, concluded in November 2014.

Responses to this consultation exercise will, in due course, be taken into consideration in the final Reports to Inform the Appropriate Assessments.

In relation to scheme development costs, spend during my predecessor's time in office, up to April 2011, was in the region of £36 million. During my time in office further spend in the region of £37 million has been incurred, taking the total spend on the scheme at the end of December 2014 to £73 million.

**Mr Givan** asked the Minister for Regional Development whether any funding has been ring-fenced by his Department for the A5 project.

**(AQW 40825/11-15)**

**Mr Kennedy:** I would advise the Member that no funding for the A5 project has been ring-fenced by my Department.

My Department submits bids each year to the Department of Finance and Personnel for funding to allow Strategic Roads projects to progress. Funds allocated for the construction of these projects are normally restricted to a particular scheme, where specific allocations have been made for that project by the Executive. This has been the case for the A5 over the current Budget period.

I have not yet finalised, at project level, the Capital allocation provided to my Department following the Executive's recent agreement on the 2015/16 Budget.

**Mr Ramsey** asked the Minister for Regional Development how many (i) domestic; and (ii) non-domestic water meters were installed in the Foyle constituency between (a) May 2007 and May 2011; and (b) May 2011 and December 2014.

**(AQW 40872/11-15)**

**Mr Kennedy:** It is not operationally practical for NI Water to hold meter installation data according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information. However, total figures for water meter installation for domestic and non-domestic properties can be provided.

There are approximately 113,000 water meters in Northern Ireland, of which some 32,000 have been installed at domestic properties. The table below shows the number of domestic and non-domestic meter installations in Northern Ireland during the last number of years.

Year	Number of meters installed at domestic properties	Number of meters installed at non-domestic properties
2007 / 08	3,220	2,154
2008 / 09	11,460	4,886
2009 / 10	3,945	933
2010 / 2011	4,427	1,115
2011 / 2012	3,458	814
2012 / 2013	3,078	737
2013 / 2014	3,031	481

**Mr Easton** asked the Minister for Regional Development how many pot holes are in need of repair in North Down.

**(AQW 40877/11-15)**

**Mr Kennedy:** My Department does not maintain statistics solely in relation to potholes.

**Mr Easton** asked the Minister for Regional Development how many pot holes are in need of repair.

**(AQW 40878/11-15)**

**Mr Kennedy:** My Department does not maintain statistics solely in relation to potholes either recorded or repaired.

**Mr Lyttle** asked the Minister for Regional Development whether he anticipates an overspend in his departmental budget for 2014/15; and if so, by how much.

**(AQW 40906/11-15)**

**Mr Kennedy:** The Department's budget was set, as part of Budget 2011-15, by the then Executive, in the expectation that £20 million of income would be secured from Belfast Harbour Commissioners in both 2013-14 and 2014-15. However, while the Harbour has agreed to undertake £41.5 million of Release of Value projects and is progressing these projects, there is no means of crediting this investment to my Department's budget.

The Budget Review Group recommended that the Executive should provide the necessary funding for the £20 million Release of Value receipt from Belfast Harbour Commissioners through in-year monitoring this financial year 2014/15. The Executive had provided the required £20 million budget allocation to my Department in 2013/14 in recognition of the position in that year.

I have consistently made it clear at each monitoring round and in letters to the Finance Minister that the Department cannot absorb this £20 million pressure in 2014/15, but the funding has not been provided.

I have identified some £7.0 million to go towards the Release of Value pressure, though this is not without risk. The remaining £13 million could only be achieved through service reductions which would damage core services severely and have an impact on public safety. These include stopping winter service and stopping all routine road maintenance. As a consequence I issued my Accounting Officer with a direction to continue to provide such services.

My Department received an additional Resource allocation of £5.2 million from the Executive in January Monitoring, with the stipulation that funding should be used specifically on street lighting repairs and roads and bridge operations and maintenance, it should not be offset against the Release of Value pressure. As such the potential overspend remains at £13 million although I will continue to seek measures to reduce this figure.

**Mr Agnew** asked the Minister for Regional Development whether his Department's cycling unit was consulted on the road works currently being undertaken on the Ballymiscaw road; and whether any mandatory cycle lanes are to be developed as part of these works.

**(AQW 40918/11-15)**

**Mr Kennedy:** The work currently being completed on the Ballymiscaw Road is part of my Department's annual programme of reconstruction and resurfacing and is primarily to improve the condition and longevity of the carriageway.

No consultation with the Cycling Unit took place as mandatory cycle lanes were not being developed or provided at this location or along this road.

The draft Bicycle Strategy highlights my commitment to creating a network of high quality, direct, joined up routes throughout Northern Ireland, to make cycling a safe and attractive method of travel every day.

Since 2002 my Department has invested over £10million in the development and expansion of cycle lanes and on cycling infrastructure measures. However, I appreciate that many people feel that provision is frequently fragmented and of varying quality.

Going forward my Department will ensure that provision is more integrated and coherent in nature, by providing a 'whole of route' treatment. Where 'opportunities' arise to provide bicycle infrastructure as part of road maintenance or upgrade schemes, we will seize these opportunities, whilst emphasising how these improvements fit into the wider vision for Northern Ireland

**Mr Byrne** asked the Minister for Regional Development how many (i) domestic; and (ii) non-domestic water meters were installed in the West Tyrone constituency between (a) May 2007 and May 2011; and (b) May 2011 and December 2014.

**(AQW 40952/11-15)**

**Mr Kennedy:** It is not operationally practical for NI Water to hold meter installation data according to geographical area or constituency boundary and it is therefore not in a position to provide the requested information. However, total figures for water meter installation for domestic and non-domestic properties can be provided.

There are approximately 113,000 water meters in Northern Ireland, of which some 32,000 have been installed at domestic properties. The table below show the number of domestic and non-domestic meter installations in Northern Ireland during the last number of years.

Year	Number of meters installed at domestic properties	Number of meters installed at non-domestic properties
2007 / 08	3,220	2,154
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2010 / 2011	4,427	1,115
2011 / 2012	3,458	814
2012 / 2013	3,078	737
2013 / 2014	3,031	481

**Mr Humphrey** asked the Minister for Regional Development how regularly his Department monitors, inspects and refills grit boxes in North Belfast.

**(AQW 40957/11-15)**



**Mr Kennedy:** Throughout the winter service season salt boxes are inspected and replenished as required, generally on a weekly basis. However, if weather conditions deteriorate and other safety-related maintenance activities cannot be completed then the frequency of work instructions will be increased.

**Mr Easton** asked the Minister for Regional Development which bus services in North Down will be affected by departmental cutbacks.

**(AQW 40968/11-15)**

**Mr Kennedy:** Translink indicated potential service reductions in response to draft budget figures potentially available next year. Included in these proposals was potential service reductions and consolidation in a number of areas.

Since then I have been successful in securing additional resource to be used to maintain, as far as possible, Translink's provision of much needed town services.

In light of the new agreed budget position Translink is currently reviewing its overall levels of service provision.

**Mr McCallister** asked the Minister for Regional Development whether, upon completion of the proposed bus facility in Banbridge, the Church Square bus stop will continue to be served by inbound and outbound 238 and 238A services.

**(AQW 41011/11-15)**

**Mr Kennedy:** On completion of the new facility in Banbridge services 238 and 238A will continue to serve Church Square.

**Mr McCallister** asked the Minister for Regional Development whether the developer of the roundabout at the Outlet in Banbridge was required to undertake a Road Safety Audit of the proposed changes to the roundabout prior to implementation on site; and if so, what was the outcome of this audit.

**(AQW 41012/11-15)**

**Mr Kennedy:** A Safety Audit has been carried out in accordance with my Department's policy to assess the changes made to the roundabout at Bridgewater Park. There are a small number of minor issues to be addressed by the developer and I expect these matters to be resolved in the short term.

**Mr McCallister** asked the Minister for Regional Development what amenities to assist and promote cycling will be available at the proposed bus facility in Banbridge.

**(AQW 41013/11-15)**

**Mr Kennedy:** The bus facility at Banbridge will comprise four off-street bus stops/stands, covered waiting area and a small building to provide ticket sales and internal waiting area.

Plans also include the provision of a cycle rack. Although the exact size has not yet been finalised, Translink advise it is likely the rack will be able to accommodate a minimum of five cycles.

This project is subject to available funding.

**Mr Ó hOisín** asked the Minister for Regional Development, given the delays to the upgrade of the Derry-Coleraine railway line and the underestimation of the costs of this project, whether he will ring-fence the funding required for the completion of the upgrade.

**(AQW 41023/11-15)**

**Mr Kennedy:** I made a statement to the Assembly on 3 November 2014 in which I indicated that the estimated cost of Phase 2 is likely to increase but a final figure is subject to a full procurement. My statement confirms a commitment on my part to prioritise the project for funding subject to an updated economic appraisal. The member will recognize that this project remains a Programme for Government commitment.

**Mr Allister** asked the Minister for Regional Development when construction work will begin on the A26 dualling project.

**(AQW 41084/11-15)**

**Mr Kennedy:** I can confirm that preparatory works and site mobilisation will commence in February 2015, with the main construction works expected to start in April.

**Ms Sugden** asked the Minister for Regional Development for an update on the future of services facilitated through the Translink Rural Transport Fund.

**(AQW 41087/11-15)**

**Mr Kennedy:** The detailed implication of the budget for 2015/16 is yet to be worked out. There will be difficult decisions to make regarding the future of services bearing in mind the overall funding to Translink and Community Transport has been reduced by at least £13m and £2m next year respectively.

**Mr Agnew** asked the Minister for Regional Development (i) whether the recent release of EU capital finance for major transport infrastructure projects could make a road or rail link to Scotland a feasible project; (ii) what consideration his Department has given to this proposal; and (iii) whether his Department has explored such an idea with the Department for Transport in Scotland.

**(AQW 41099/11-15)**

**Mr Kennedy:** The Investment Plan for Europe recently announced by President Jean-Claude Juncker seeks to mobilise up to €300 billion in additional public and private investment over the next three years. While this is to be welcomed, it does not provide an additional €300 billion; indeed there are indications from the European Commission that the current financial envelope allocated to the 2014-2020 Connecting Europe Facility, which is the funding instrument for the Trans-European Transport Network, may be reduced by as much as €2.7 billion as funds are diverted into the newly established European Fund for Strategic Infrastructure which is, through the use of various financial instruments, intended to multiply investment effects up to the €300 billion stated.

The feasibility of a road or rail link to Scotland could not be considered without a step-change in Government thinking. Any such project would require new levels of financial commitment, both nationally and from Europe, that have never before been seen in Northern Ireland terms. In addition there would, of course, be a requirement for inter-governmental, institutional and private sector co-operation and collaboration at the very highest levels over significant timescales and this would, by necessity, go beyond Scotland and reach internationally.

That said, I am ambitious for the future of Northern Ireland and on that basis I remain open to proposals, including feasibility studies, which can project this region and its people towards the heart of Europe both economically and socially.

**Ms Sugden** asked the Minister for Regional Development for his assessment of off-peak, socially necessary, public transport provision.

**(AQW 41122/11-15)**

**Mr Kennedy:** My Department has continued to provide direct subsidy to Translink to support the provision of transport options through the Rural Transport Fund (RTF) for socially necessary routes.

Many rural areas have benefitted from this including: Antrim, Armagh, Ballymena, Bangor, Coleraine, Craigavon, Downpatrick, Dungannon, Enniskillen, Lisburn, Londonderry, Magherafelt, Newcastle, Newry, Newtownabbey, Newtownards and Omagh.

Socially necessary, off-peak public transport provision by its nature is transport that would be uneconomically viable without additional funding. It is important to say that until the latest budget the Department subsidised, through a substantial fuel rebate cost, all bus services.

The detailed implication of the budget for 2015/16 is yet to be worked out. However there will be difficult decisions to make regarding the future of services bearing in mind the overall funding to Translink and Community Transport has been reduced next year.

**Mr Givan** asked the Minister for Regional Development for an update on the number of defective street lights in Northern Ireland.

**(AQO 7436/11-15)**

**Mr Kennedy:** As I have already stated, I can confirm that following the Executive's decision to meet my Department's bid for additional funding in the January Monitoring round, external contractors have been on the ground since early last week repairing street lights to supplement the Department's own staff. My Department will seek to have all outstanding street lighting repairs completed as quickly as possible.

During the period of 8 August 2014 to 27 January 2015 some 33,359 street lighting outages were reported. This figure is typical of the number of faults normally reported to my Department. However, as a result of the outcome of the June and October Monitoring rounds, as the House will be aware, my Department's resource budget was severely cut and I was left with no option but to suspend the issuing of work instructions to external contractors.

My Department's staff repaired 9,758 of these outages during this period.

As I have already stated my Department has reduced the backlog to approx 20,000 since last Monday.

However, can I again make it clear that the funding provided in January Monitoring is for this financial year only. Street lights will go out again after 1 April if my Department is not adequately funded in 2015-16.

**Mr Easton** asked the Minister for Regional Development for an update on how he plans to deal with the increasing number of street lights not working in North Down.

**(AQO 7439/11-15)**

**Mr Kennedy:** As I have stated in my previous answers, following the outcome of the January monitoring round, I am happy to be able to confirm that external contractors have been on the ground since early last week, repairing street lights, although Members should understand that it will take time to clear the backlog of repairs that has accumulated since last August, when I had to suspend street lighting repairs by external contractors due to a lack of funding.

I want to emphasise that I was very unhappy to be unable to provide the normal levels of service during this period. My Department had made bids for the money needed to repair street lighting at every possible opportunity throughout this financial year, but it was only in the latest Monitoring round in January that the Executive finally provided the necessary funding to allow normal street lighting repair arrangements to resume.

I am committed to having the backlog of street lighting repairs cleared as quickly as possible.

**Mr D Bradley** asked the Minister for Regional Development what consideration is being given to improving the safety of road users on the A1 dual carriageway (Newry to Dublin) by improving infrastructure, signage and up-to-date information on traffic conditions.

**(AQO 7440/11-15)**

**Mr Kennedy:** I can assure the Member that road safety is a key priority for my Department, not least on the A1, where he will recall our recent meeting to discuss road safety at the Beech Hill junction following the fatal collision which occurred at this location in September of last year.

My Department is progressing the A1 Junctions Phase 2 proposal, which includes construction of four flyover-type junctions and a northbound on-slip at Castlewellan Road, Banbridge.

The provision of these grade separated junctions, together with the junction improvements already implemented on the A1, will facilitate the closure of all gaps in the central median and the provision of a safety barrier between Hillsborough Roundabout and Loughbrickland.

I have not yet made a decision on the preferred option for the scheme.

My Department provides traffic and travel information to alert road users of incidents, abnormal traffic flow, poor road conditions etc. This information is disseminated to drivers through radio broadcasts and by displays on roadside variable message signs. There is also information published on the Trafficwatchni website and social media to enable drivers to make informed decisions before starting their journey.

The A1 is a key route and part of the core strategic network. Any further consideration for traffic control/travel information measures will be taken forward by my Department through the EU part funded road corridor programme.

My officials will continue to review signage along the A1 in conjunction with the PSNI.

**Mr Eastwood** asked the Minister for Regional Development whether his Department has carried out an assessment of the road safety implications of broken street lights, unfilled pot holes and unrefreshed road markings.

**(AQO 7441/11-15)**

**Mr Kennedy:** You will be aware that my Department received an extra £3.2 million for routine maintenance functions and £2 million for street lighting repairs in the January monitoring round. While this additional funding is very welcome, the amount allocated is purely a reflection of what can be utilised between now and year end. While it will go some way to addressing the backlog of work, it will not resolve the situation as the total shortfall for the year was some £12 million.

Following the Executive's agreement to meet my Departments bid in the January Monitoring round I can confirm that I immediately reinstated the use of external contractors to carry out routine and street lighting maintenance work. Works orders have been issued to street lighting contractors who are currently on the ground fixing outages and to other external contractors to address backlogs in white line maintenance, pothole repair and gully emptying.

**Mr Ramsey** asked the Minister for Regional Development what steps has he taken to ensure that Translink consults fully with the Northern Ireland Consumer Council, and other stakeholders, before announcing fare increases.

**(AQO 7442/11-15)**

**Mr Kennedy:** I had a positive meeting with the Interim Chief Executive of the NI Consumer Council on 19 January to explain the context and the reasons for the announcement on 11 December 2014. I recognise that there is a protocol in place whereby my Department, Translink and the Consumer Council engages in discussions prior to the announcement of any Translink fare increases.

On this occasion the protocol was only partially followed because of the impact of budget cuts to Translink's financial position in the current financial year was such that it needed to take immediate action to address these even ahead of the corporate planning process for 2015-16. This was an exceptional circumstance.

As soon as the decision to announce the fare increase was made, steps were taken to ensure that the Consumer Council was alerted in advance of the announcement and a meeting was subsequently arranged between all the parties.

I can assure the member that the protocol will be an important consideration for the future and other engagement with Translink, the Department and the Consumer Council will continue.

**Ms Boyle** asked the Minister for Regional Development for an overview of the key findings of the public consultation on the A5 Western Transport Corridor project.

**(AQO 7443/11-15)**

**Mr Kennedy:** My Department carried out two consultation exercises on the A5 Western Transport Corridor scheme during 2014.

The first consultation related to three draft Habitat Regulation Assessment Reports. It commenced on 30 April 2014 and concluded on 13 June 2014. Thirteen responses were received.

The second consultation related to a fourth draft Habitat Regulation Assessment Report. It commenced on 15 October 2014 and concluded on 28 November 2014. Five responses were received to this consultation.

Taking the two consultation exercises together, four responses were of a supportive nature; five were neutral; eight raised areas of concern and one relating to the first consultation, reserved opinion pending publication of the fourth draft Report.

The next steps in the development of the scheme will be the publication of the draft Statutory Orders. The draft Statutory Orders are the new draft Vesting Orders and draft Direction Order. A new Environmental Statement for the scheme will also be published at the same time as the draft Orders. Publication of the draft Orders and Environmental Statement will be followed by a six week public consultation period.

**Mr Rogers** asked the Minister for Regional Development what plans he has to ensure that Community Transport remains an integral part of the transport system.

**(AQO 7444/11-15)**

**Mr Kennedy:** I am aware that there are a substantial number of Community Transport Service providers across Northern Ireland and of the valuable services that they provide to local communities and to their members. My Department's link to community transport is through grant support provided to 11 Rural Community Transport Partnerships in 8 operational areas under the auspices of the Rural Transport Fund which is administered by my Department. The primary objective of the Rural Transport Fund is to reduce social isolation in rural areas by improving or providing new transport opportunities for people with reduced mobility.

To meet this objective each partnership provides transport options to their members who live in rural areas. The type of services provided include a Dial-a-Lift scheme which is a transport service for individuals which can provide access to local basic services such as shopping, post office or local health services such as GP, or link in with the wider public transport network to travel outside their local area.

The partnerships are voluntary and community organisations and are companies in their own right. They all have Boards of Directors who are responsible for the governance and strategic direction for the company. They all are required to operate under licensing arrangements which are the responsibility of DOE NI.

It would be my intention subject to EU rules and licensing arrangement to continue to support these partnerships next year and in later years. However the level of grant support next year available will be determined by the budget allocation made available to me

**Mr McKinney** asked the Minister for Regional Development for an update on whether the crash barrier on Malone Road will be reinstated.

**(AQO 7445/11-15)**

**Mr Kennedy:** As a result of the tragic incident that took place on the Malone Road in October 2014 there is now an on-going PSNI investigation. Officials are liaising closely with the investigating team regarding the information that can be made public prior to the investigation being completed. I hope you will appreciate it would not be appropriate for me to comment further, prior to confirmation being received from the PSNI that the information you have asked for, is no longer required for the investigation.

I trust this clarifies the Department's position on this matter and I shall write to you again once I receive a further update from the PSNI.

**Mr Frew** asked the Minister for Regional Development for an update on the works to the drainage system in the Toome Road/ Queen Street area of Ballymena to prevent further flooding and protect householders and their properties.

**(AQO 7446/11-15)**

**Mr Kennedy:** I have been advised by NI Water that, at the request of the interdepartmental Flood Investment and Planning Group, it is preparing an investigatory report to look at the root causes of the flooding and to develop potential solutions.

The report looks into the operation of NI Water, TransportNI and Rivers Agency assets as well as assessing overland flows. The final report was due to be completed by the end of November 2014, subject to obtaining sufficient flow measurement on the Toome Road site during rainfall events. Regrettably, the investigation was delayed by eight weeks due to an exceptional dry spell which meant that the hydraulic models could not be verified. The models were subsequently verified but the modelling outputs raised some additional, more complex issues.

NI Water is working to address these issues and I am pleased to confirm the report is due to be completed by the end of January 2015. As there are likely to be a number of potential sources contributing to the flooding in the area, going forward NI Water will liaise with TransportNI and Rivers Agency to consider potential solutions and their implementation.

**Mr Flanagan** asked the Minister for Regional Development for his assessment of the impact that effective cats eyes have in improving road safety.

**(AQO 7447/11-15)**

**Mr Kennedy:** The cat's eye is a retroreflective safety device used in road marking and was the first of a range of raised pavement markers. They were invented by Yorkshire man Percy Shaw whose inspiration for the device was the eyeshine reflecting from the eyes of a cat. A patent was lodged in 1935 but it wasn't until the black-out during the Second World War that his invention was widely adopted and used on UK roads, and exports around the world followed later.

Retroreflective road studs are frequently used in conjunction with longitudinal road markings to enhance driver visibility of the road ahead. The studs reflect the light from a vehicle's headlamps back to the driver. Road studs are effective in wet weather and also in fog when the effectiveness of road markings is reduced.

As well as providing information to drivers on the road alignment, road studs also provide tactile and audible feedback to drivers should cars wander across lanes thus reducing the potential for head on collisions.

White studs are used to indicate a traffic lane or centre of carriageway marking.

Red studs are used to indicate a line which must not be crossed, mainly the left hand edge of a running carriageway.

Amber studs are also used to indicate a line which must not be crossed and are placed along the right hand edge of a running carriageway.

Green studs indicate a length of the edge of the carriageway which may be crossed. They are used to mark the boundary of acceleration and deceleration lanes on the left hand side of the carriageway. At lane-drop junctions, and right turn lanes, green studs are used to demarcate the exit lane.

These are the reasons why road studs have been installed widely on road networks across the UK and Ireland.

## Department for Social Development

**Mr Easton** asked the Minister for Social Development to detail the grants available from his Department for community groups.

**(AQW 39773/11-15)**

**Mr Storey (The Minister for Social Development):** My Department provides an annual Belfast City Centre Community Activity Grant. The objective is to support activities (arts, sports, educational, cultural and environmental) that address the needs of and provides benefit to the Belfast City Centre local community and continues to bring life to the Belfast City Centre.

The Belfast City Centre Community Activity Grant is a discretionary grant and has a limited annual budget. The maximum grant award for each activity is £1,000 and there is a limit of two applications for different activities per annum per applicant.

**Mr McKinney** asked the Minister for Social Development for an update on the number of applicants currently on the waiting list for social housing in South Belfast.

**(AQW 40481/11-15)**

**Mr Storey:** The information is not available in the format requested because some of the Common Landlord Areas straddle other Parliamentary constituencies and the Housing Executive advises that it cannot extract the figures purely for South Belfast.

Therefore, taking this into account, the Housing Executive advises that the number of applicants on the waiting list in South Belfast at 30 September 2014 was 3,706, of which 1,951 were in Housing Stress. These are the most up to date figures available from the Housing Executive.

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.

**Mr Frew** asked the Minister for Social Development to detail any grants or financial support available to cancer patients to heat and adapt their homes.

**(AQW 40502/11-15)**

**Mr Storey:** The Housing Executive has advised that cancer patients living in private sector housing, depending on their financial circumstances, may qualify for assistance to help heat or adapt their homes. The Housing Executive can pay Disabled Facilities Grants to help improve the home of a person with a disability though it should be noted that only works recommended by an Occupational Therapist can be considered for grant aid. The amount of grant depends on the approved cost of the work and on the disabled person's financial circumstances.

My Department's Warm Homes Scheme and the Affordable Warmth Scheme also assist low income households to improve their energy efficiency by delivering a range of energy efficiency improvement measures. My Department's Boiler replacement Scheme also offers a grant to householders to replace old inefficient boilers.



In terms of Housing Executive properties, if an Occupational Therapist makes a recommendation that an adaptation is required, the Housing Executive inspects the work when it is completed to ensure it is adequate for the client's needs. The Housing Executive has also piloted the use of re-locatable modular extensions (known as PODS) within its own stock. This can provide a temporary prefabricated extension to a property, for example a bedroom and en-suite shower room which can be reused at another property when no longer required.

With regard to heating systems in Housing Executive properties, tenants may apply for a change of heating on medical grounds. Each case is considered sympathetically and a decision made based on the specific circumstances involved - particularly where the existing heating system is having a detrimental effect on the health of the tenant or a member of their household.

The Social Security Agency, through its benefit uptake work, encourages people of all ages and in all circumstances to have a benefit entitlement check, either through its work with the voluntary and community sector or through the 'Make the Call' Benefits Advice Line, 0800 232 1271.

People can avail of a free and confidential benefit entitlement check, to ensure that they are not missing out on potential entitlement to the wide range of Government services and supports available. Help can also be given with making a claim and a home visit by a Community Outreach Officer can be made to help with the filling in of benefit claim forms, if applicable.

Also, in relation to benefits, the Agency provides help and advice to people through its network of Social Security Offices/ Jobs and Benefits Offices and through the wide range of literature available which provides information on benefits and how to claim. Information on benefit entitlement is also available for the public to access in the "Money, tax and benefits" section of Nidirect, the official Government website for all Northern Ireland citizens.

Last year, £14.2million in additional annual benefits and arrears was generated by benefit uptake activities; over £8million of which was in benefits for those with an illness or a disability.

**Mr Allister** asked the Minister for Social Development whether, on foot of the Stormont House Agreement, the supplementary fund, being established in relation to Welfare Reform, will enable claimants in Northern Ireland to receive, from this block grant funded facility, benefits in excess of the GB cap of £26,000 per annum.

**(AQW 40622/11-15)**

**Mr Storey:** In accordance with the terms of the Stormont House Agreement my Department is currently developing proposals for the provision of additional financial support to those claimants that will be adversely impacted by the Welfare Reforms. I will be bringing a paper to the Executive in the near future setting out how it is proposed to move forward with welfare reform including the modalities of implementing the different schemes agreed at Stormont House.

At this time my Department is currently working through the different payment scenarios in terms of assistance from the Supplementary Payment Scheme.

**Mr McNarry** asked the Minister for Social Development what percentage of the Military Covenant his Department has adopted as policy; and what percentage has been implemented.

**(AQW 40633/11-15)**

**Mr Storey:** In relation to housing, the Armed Forces Covenant proposes that serving and former members of the Armed Forces should have priority status for Government-sponsored affordable housing schemes, and that those injured in service should have preferential access to appropriate housing schemes and assistance with adaptations to private housing. While Northern Ireland's equality legislation means that it is not possible to give priority / preferential status to serving or former members of the Armed Forces, I can confirm that the proposal in the

Covenant that members of the Armed Forces Community should have the same access to social housing as any other citizen, and should not be disadvantaged in this respect by the requirement for mobility whilst in service, is my Department's policy.

In relation to social security, the Armed Forces Covenant proposes that members of the Armed Forces Community should have the same access to benefits as any UK citizen except where alternative schemes are in place. I can confirm that the Social Security Agency, through its benefit uptake work, encourages people of all ages and in all circumstances to have a free and confidential benefit entitlement check, to ensure that they are not missing out on potential entitlement to the wide range of Government services and supports available. Help can also be given with making a claim and a home visit by a Community Outreach Officer can be made to help with the filling in of benefit claim forms, if applicable. My Department is committed to working closely with representative groups and individuals to ensure that they receive all the help they require with understanding their entitlements, assistance with claims making and also with making transitions within the benefits system.

**Ms Boyle** asked the Minister for Social Development what funding streams are available within his Department for community groups to apply for in 2015.

**(AQW 40646/11-15)**

**Mr Storey:** The Department for Social Development does not have any funding streams open for new applications.

**Mr Dickson** asked the Minister for Social Development whether he would consider extending the Warm Homes Scheme until such times as the new councils have the appropriate capacity in place to manage and roll out the new Affordable Warmth programme.

**(AQW 40658/11-15)**

**Mr Storey:** The Affordable Warmth Scheme was launched in September 2014 and although at an early stage is already being effectively delivered across all council areas. Whilst local Councils are going through a period of significant restructure, officials have been working with council staff for over 2 years to pilot and develop the Affordable Warmth Scheme. Each of the 11 lead councils have signed a Service Level Agreement with the Department demonstrating their commitment to delivering the new scheme. All councils have appointed a co-ordinator and support staff for the scheme. Officials from my Department meet regularly with lead council officers to monitor progress, receive feedback and provide additional support where necessary.

One of the reasons for extending the existing Warm Homes Scheme contract from 18 June 2014 to 31 March 2015 was to allow the Affordable Warmth Scheme to become established and embedded in the new structures. Due to procurement rules, it is not possible to further extend the Warm Homes Scheme, nor is it possible to provide Affordable Warmth measures under the existing Warm Homes Scheme contract.

I am closely monitoring the Affordable Warmth Scheme to ensure that those households most at risk of fuel poverty are being supported.

**Mr Allister** asked the Minister for Social Development, as a result of departmental Housing Association audits, whether housing associations management costs and overheads have increased or decreased; and what is the number of additional housing association staff appointed as a result of audit recommendations.

**(AQW 40705/11-15)**

**Mr Storey:** The Inspection of Housing Associations as carried out by my Department does not analyse the increase or decrease of management costs and overheads, as the result of audit recommendations, therefore this information is not held.

**Mr McCausland** asked the Minister for Social Development what issues have emerged in the cladding and external refurbishment of Cúchulainn House in North Belfast.

**(AQW 40726/11-15)**

**Mr Storey:** The Housing Executive has advised that during the overcladding and window replacement works, a technical issue arose with fixing the cladding panels to the existing concrete framed structure. The Housing Executive is currently assessing the suitability of a range of products to remedy this defect and this has caused a delay.

The Housing Executive has notified all Cúchulainn residents of the current situation by letter. The Housing Community Network has also been briefed. In addition, a meeting has been arranged with the Seven Towers Residents Association.

**Ms Fearon** asked the Minister for Social Development to detail local expenditure on (i) social security; and (ii) pensions for each year of the most recent consecutive five years for which information is available in comparison with Britain and the south of Ireland.

**(AQW 40769/11-15)**

**Mr Storey:** The amount of social security benefit expenditure paid by the Department for Social Development for the last five consecutive financial years is disclosed in the table below. This includes the expenditure amounts for pension benefits.

Social Security Expenditure per benefit	2013/14 £000	2012/13 £000	2011/12 £000	2010/11 £000	2009/10 £000
Retirement Pension	1,986,379	1,908,856	1,784,921	1,667,597	1,593,617
Christmas Bonus	4,852	4,868	4,853	4,816	4,770
Attendance Allowance	201,625	203,169	197,185	193,607	196,684
Carer's Allowance	132,652	123,588	111,219	103,573	97,999
Disability Living Allowance	937,495	897,686	840,972	794,670	770,638
Pension Credit	325,463	333,889	349,355	355,844	351,396
Income Support	223,998	324,422	385,197	415,132	442,768
Job Seekers Allowance	211,505	219,253	198,625	184,473	161,989
Employment and Support Allowance	528,693	298,128	147,943	94,576	52,598
Industrial Injuries Benefits	29,748	29,494	29,357	28,653	28,726
Widows Benefits	20,998	21,435	21,253	21,616	23,316

<b>Social Security Expenditure per benefit</b>	<b>2013/14 £000</b>	<b>2012/13 £000</b>	<b>2011/12 £000</b>	<b>2010/11 £000</b>	<b>2009/10 £000</b>
Incapacity Benefit	73,731	197,479	273,823	298,761	321,658
Maternity Allowance	11,873	11,396	10,797	10,083	10,150
Job Grant	1,896	1,630	1,693	1,442	1,080
Budgeting Loans	53,724	51,768	50,006	49,700	45,681
Crisis Loans	14,423	14,663	14,074	16,561	14,176
Maternity Payments	1,673	1,730	2,048	5,357	5,005
Funeral Payments	2,642	2,690	2,501	2,595	2,553
Community Care Grants	13,747	13,497	13,694	13,819	13,646
Winter Fuel Payments	54,045	54,007	54,312	69,185	68,830
Repayments of Social Fund Loans	(67,104)	(65,038)	(62,041)	(57,726)	(53,717)
Statutory Benefits	65,500	61,401	51,390	58,411	59,201
Housing Benefits	677,615	658,549	629,588	595,288	549,810
Cold Weather Payments			47	16,813	16,876
<b>Total Benefit Expenditure</b>	<b>5,507,173</b>	<b>5,368,560</b>	<b>5,112,812</b>	<b>4,944,846</b>	<b>4,779,450</b>

The Department for Social Development does not hold the comparative social security benefit expenditure information for Great Britain or for the South of Ireland

**Mrs D Kelly** asked the Minister for Social Development whether the Northern Ireland Housing Executive has enough staff in place to work in partnership with the local councils when the Affordable Warmth Scheme is rolled out; and how many new staff have been employed, broken down by council area.

**(AQW 40775/11-15)**

**Mr Storey:** The Department for Social Development has been working closely with the Housing Executive and local councils to develop the new Affordable Warmth Scheme.

Councils have carried out initial visits to targeted homes which have been identified as being most at risk of fuel poverty and are referring cases to the Housing Executive who will arrange for the installation of energy efficiency improvements. Current Housing Executive Grants staff have been trained and are processing applications. The Housing Executive has advised that they are looking at what additional staffing resources will be required and anticipate that these will be put in place by April 2015.

**Ms Sugden** asked the Minister for Social Development to detail the number of homes that will be targeted by the Affordable Warmth Scheme; and the average annual savings this will generate for his Department.

**(AQW 40784/11-15)**

**Mr Storey:** The Affordable Warmth Scheme aims to improve the energy efficiency of at least 9,000 low income households each year. This target is the same as was in place for the Warm Homes Scheme and has been consistently exceeded. The Affordable Warmth Scheme will target and assist households most at risk of fuel poverty.

The scheme was launched in September 2014 and although at an early stage is already being effectively delivered across all council areas. I have allocated £16.5 million to the Affordable Warmth Scheme for the 2015/16 year the same amount as was allocated to the Warm Homes Scheme in 2014/2015.

**Mr Easton** asked the Minister for Social Development for an update on the Area at Risk programme for Beechfield Estate, Donaghadee.

**(AQW 40804/11-15)**

**Mr Storey:** Funding of £10,800 has been allocated to the Beechfield Estate Areas at Risk programme in the current financial year to finance the running costs of the Community House.

**Ms P Bradley** asked the Minister for Social Development for an update on the disposal of Northern Ireland Housing Executive land at Knockenagh Avenue, Newtownabbey.

**(AQW 40857/11-15)**

**Mr Storey:** The Northern Ireland Housing Executive (NIHE) agreed on 22 January 2015, that the current lease with the North Eastern Education and Library Board can be extended to include the surrounding NIHE owned land for community use as required by Newtownabbey Borough Council.

The NIHE has approved in principle the transfer of the land to Newtownabbey Borough Council. As land is deemed for disposal at less than best consideration, Departmental approval is required. The NIHE is currently in the process of seeking DSD approval before instructing Solicitors to complete the legal formalities to amend the lease to NEELB for onward assignment of the leased lands to the Council.

**Mr Allister** asked the Minister for Social Development whether the individual has ever declared any interest while being involved in the approval process for assistance to GAA clubs under the Neighbourhood Renewal Programme.  
(AQW 40859/11-15)

**Mr Storey:** I refer the Member to the response given to AQW 40193 /11-15, tabled on 12 December 2014.

**Mr Hussey** asked the Minister for Social Development to detail the legislation The Charity Commission for Northern Ireland, or their appointed interim managers, that enables (i) access to private and confidential text messages, and private emails of charity employees or Trustees; and (ii) the release information gathered in this fashion to third parties.  
(AQW 40865/11-15)

**Mr Storey:**

- (i) The Charity Commission for Northern Ireland has the power to call for documents and search records pursuant to section 23 of the Charities Act (Northern Ireland) 2008. There is also a power to enter premises and take possession of documents and devices under section 52 of the Act. An interim manager in respect of a charity, appointed under section 33(1)(vii) of the Act, acts as receiver and manager in respect of the property and affairs of the charity and this enables access to the charity's property (and any information held on the charity's property); and
- (ii) The Commission has the power, pursuant to section 24 of the Act, to disclose any information to any public body (including a Northern Ireland department) for any purpose connected with the exercise of the Commission's functions, or for the purpose of enabling or assisting the public body to exercise any functions.

**Mr Hussey** asked the Minister for Social Development, pursuant to AQW 34971/11-15, to detail (i) whether he is aware of; and (ii) in support of The Charity Commission for Northern Ireland when in a board meeting in September 2014 they resolved to ask their legally qualified Commissioner to approach members of the legal profession on the appropriateness of appeals; and for his assessment of whether this is an attempt to block access to justice for those under investigation by The Charity Commission for Northern Ireland.  
(AQW 40866/11-15)

**Mr Storey:**

- (i) The Charity Commission for Northern Ireland is the independent regulator of charities in Northern Ireland. As such, I do not routinely see the minutes of its Board meetings and was previously unaware of the discussion at the September 2014 Board meeting concerning the perception that challenges to Commission decisions were being submitted to the Charity Tribunal as a matter of course, rather than principle;
- (ii) I can support the efforts of the Charity Commission in seeking to reduce costs, to the Commission and charities, by reminding legal professionals of the Commission's decision review process, which provides a straightforward, quick and cost-effective way of challenging a decision without taking an appeal to the Charity Tribunal.

My assessment is that the Commission was seeking to deal with what appears to it to be the immediate reaction of charities and their representatives to enter into potentially costly legal proceedings rather than seeking a review of the case by the Commission. The statutory right of appeal to the Charity Tribunal remains. I do not view this as an attempt to block access to justice.

**Ms P Bradley** asked the Minister for Social Development what date the Northern Ireland Housing Executive declared land at Knockenagh Avenue, Newtownabbey as surplus to requirement.  
(AQW 40908/11-15)

**Mr Storey:** Land at Knockenagh Avenue, Newtownabbey was declared surplus by the Northern Ireland Housing Executive on 3 June 2014.

**Ms P Bradley** asked the Minister for Social Development to outline the public sector trawling process for the disposal of Northern Ireland Housing Executive land at Knockenagh Avenue, Newtownabbey.  
(AQW 40909/11-15)

**Mr Storey:** The Housing Executive follows Land and Property Services Central Advisory Unit's guidance on the Disposal of Surplus Public Sector Property in Northern Ireland.

The process requires the Housing Executive submitting a Disposal of Surplus Land form (D1) to the Central Advisory Unit requesting a public sector trawl for the land to be carried out. In the case of the disposal of land at Knockenagh Avenue Newtownabbey, the Disposal of Surplus Land Form was sent to CAU on 30th June 2014.

**Ms P Bradley** asked the Minister for Social Development to list the expressions of interest received following the public sector trawl process for the disposal of Northern Ireland Housing Executive land at Knockenagh Avenue, Newtownabbey, including the dates on which any expressions of interest were received.

**(AQW 40910/11-15)**

**Mr Storey:** Central Advisory Unit Disposal of Surplus Public Sector Property in Northern Ireland has advised that there was one expression of interest regarding the disposal of land at Knockenagh Avenue, Newtownabbey. This expression of interest was received on 28 July 2014 from Newtownabbey Borough Council.

**Ms P Bradley** asked the Minister for Social Development for his assessment of the social housing need in the Rathfern area of Newtownabbey.

**(AQW 40911/11-15)**

**Mr Storey:** The projected housing need for the Rathfern Area of Newtownabbey for 2014-19 is seven new build units.

The numbers of people considered to be in housing stress in the area, has fluctuated over recent years. However as at March 2014, the housing stress waiting list for Rathfern stood at nine. Allocations have increased slightly with five allocations having been made in the last 12 months.

The Housing Executive is currently examining the potential for new build units on their land within the Rathfern estate and at upper Rathcoole.

**Ms P Bradley** asked the Minister for Social Development when the last social housing unit was constructed in Rathfern, Newtownabbey.

**(AQW 40912/11-15)**

**Mr Storey:** The Housing Executive has advised that the last social housing units constructed in Rathfern was in 1975.

**Mr Hussey** asked the Minister for Social Development whether The Charity Commission for Northern Ireland differentiates when investigating concerns with a charity that is a Non-Departmental Public Body as opposed to the stance taken to a charity which is run by volunteers.

**(AQW 40919/11-15)**

**Mr Storey:** The Charity Commission does not as a matter of practice differentiate when investigating concerns with a charity that is a Non-Departmental Public Body as opposed to the stance taken to a charity which is run by volunteers.

**Miss M McIlveen** asked the Minister for Social Development for an update on the development of the policy on a Living Over The Shop scheme.

**(AQW 40923/11-15)**

**Mr Storey:** Town and city regeneration is a key policy priority as my Department's Housing Strategy and Urban Regeneration and Community Development Policy Framework clearly sets out. The Housing Strategy specifically contains a commitment to revitalise the Living Over The Shops (LOTS) initiative which I believe will help to encourage the development of homes within vacant or underused commercial premises which will in turn allow people to return to town and city living. The previous LOTS scheme, which helped create over 100 new dwellings, closed to applications in 2008/09 as a result of budget pressures associated with the economic downturn.

My officials are completing a review of the previous LOTS scheme and consultation proposals are under development with a view to putting in place a revised assistance policy. It is anticipated that these proposals will be published during 2015 with a view to a scheme being in place as soon as is practicable.

**Mr McCausland** asked the Minister for Social Development how many items of correspondence in Irish have been received by his Department in the last three years, other than those from Irish language organisations.

**(AQW 40949/11-15)**

**Mr Storey:** The information is not available in the format requested as the Department does not routinely record details of when correspondence is received in a language other than English.

**Mr McCausland** asked the Minister for Social Development how many items of correspondence in Irish have been received by the Social Security Agency in the last three years, other than those from Irish language organisations.

**(AQW 40950/11-15)**

**Mr Storey:** The information is not available in the format requested as the Agency does not routinely record details of correspondence which is received in a language other than English.

The Agency can, however, avail of document translation services provided by Flex Language Services. In the last three years the Agency has not used this service to have correspondence in Irish translated into English.



**Mr Weir** asked the Minister for Social Development what liaison has taken place between his Department and the Department for Agriculture and Rural Development on the transfer of funding to local councils for social inclusion and rural development under the Regeneration Bill (NIA 43/11-16).

**(AQW 41002/11-15)**

**Mr Storey:** Under the provisions of the Regeneration Bill, powers currently available to DSD will be conferred on councils to assist them, where necessary, in addressing issues related to social need and to take forward regeneration within their areas by means of development powers. Councils will be given the budgets associated with this area of work.

The transfer of DSD funding to local councils is a matter for my Department. A financial allocation model has been developed as a means of distributing my Department's funds to Councils and it will be for them to decide how and where to distribute funds. My predecessor, Nelson McCausland MLA, wrote to the Minister for Agriculture and Rural Development to clarify the details of the model.

**Mr Weir** asked the Minister for Social Development when funds will be released to councils and community groups under the powers transferred by the Regeneration Bill (NIA 43/11-16).

**(AQW 41003/11-15)**

**Mr Storey:** As the date of transfer has been revised to 1 April 2016 urban regeneration and community development funds will be released to the respective councils in April 2016, subject to the successful passage of the Regeneration Bill. Thereafter it will be for each new Council to decide its own priorities regarding the funding of community groups.

**Lord Morrow** asked the Minister for Social Development, in relation to benefit appeal tribunals, whether panel members are paid per case, per hearing or per day.

**(AQW 41005/11-15)**

**Mr Storey:** In relation to benefit appeal tribunals, panel members are paid per half day session, between either 9.30 to 13.00 or 13.30 to 17.00. Each session includes multiple hearings. Members may be asked to prepare multiple cases for each session and to sit for two sessions in one day.

The Department for Social Development is responsible for determining and paying the remuneration and allowances of panel members. The fee payable is included in members' terms and conditions.

**Ms McGahan** asked the Minister for Social Development what departmental initiatives are available in Dungannon and South Tyrone to provide advice for people, particularly older people, to ensure they are receiving their full entitlement to benefits; and to detail any organisations involved in this work.

**(AQW 41021/11-15)**

**Mr Storey:** Since 2005, my Department has invested almost £7 million in delivering Benefit Uptake Programmes to increase awareness and the uptake of social security benefits, resulting in over £81million of additional benefit and arrears being generated of which over £62 million was awarded to older people. These Programmes target a wide range of customers: older people, people with disabilities and those with caring responsibilities.

Part of the current Programme involves the 'Make the Call' advertising campaign, where people in all circumstances across Northern Ireland are encouraged to call the Benefits Advice Line 0800 232 1271 for a free and confidential benefit check, to ensure that they are not missing out on the wide range of government services and supports available to them.

In addition, the Department's Community Outreach Officers are located in local offices and they are working in partnership with local voluntary and community sectors to ensure that people are made aware of their potential entitlement to benefits.

In relation to benefits, the Agency provides help and advice to people through its network of Social Security Offices/Jobs and Benefits Offices and through the wide range of literature available which provides information on benefits and how to claim. Information on benefit entitlement is also available for the public to access in the 'Money, Tax and benefits' section of indirect, the official Government website for all Northern Ireland citizens.

As part of the Social Security Agency's Innovation Fund for Improving Benefit Uptake, funding was awarded to four projects to deliver fresh and innovative approaches to reach harder to engage customer groups with unclaimed benefit entitlement. One of the projects funded was the South Tyrone Empowerment Programme (STEP) who target families with complex needs.

My Department also provides funding of £2.8million each year for advice services. This funding includes a range of support functions and also provides frontline advice services in over 45 locations across Northern Ireland. Approximately 20% of all customers accessing advice services in 2013/14 were aged 60 and over.

For the Dungannon and South Tyrone area funding of just over £76k was provided for advice services in 2013/14. Of this £33,887 was provided by my Department through its Community Support Programme and £42,127 by council.

**Mr Easton** asked the Minister for Social Development how much his Department has spent on Neighbourhood Renewal in each of the last three financial years.

**(AQW 41090/11-15)**

**Mr Storey:** The table below details my Departments expenditure and allocation through its Neighbourhood Renewal Investment Fund in each of the last three financial years.

Year	2012/2013 Expenditure	2013/2014 Expenditure	2014/2015 Allocation
Total Spend	£27,875,000	£28,495,000	£29,879,000

## Northern Ireland Assembly Commission

**Mr Agnew** asked the Assembly Commission, pursuant to AQW 39440/11-15, to provide details of any locations it intends to install electric car charging points over the next year; and whether electric car charging points will be made available to all staff and visitors and designated as time limited.

**(AQW 41032/11-15)**

**Mr Ramsey (The Representative of the Assembly Commission):** I refer to the Assembly question which you tabled for written answer, namely:

To ask the Assembly Commission, pursuant to AQW 39440/11-15, to provide details of any locations it intends to install electric car charging points over the next year; and whether electric car charging points will be made available to all staff and visitors and designated as time limited.

**(AQW 41032/11-15)**

Following the introduction of grants from the Office of Low Emission Vehicles (OLEV), to supply and fit charge points within public sector estates the Northern Ireland Assembly Commission will be fitting 1 charging unit, which will be capable of charging 2 cars, within the service yard in the Upper Car park of Parliament Buildings. The exact location is yet to be confirmed however the work is scheduled for completion by the end of May 2015.

The Assembly Commission will allow all building users with an electric vehicle access to the upper car park to charge their vehicles however, upon completion of the charge they will have to vacate the designated space to maximise its availability.

We have been advised that no plans are currently in place to install charging points within the lower east staff car park. This asset is owned and managed by the Department of Finance and Personnel (DFP). It should be noted that a number of charging points will be installed within the Stormont Estate as part of the OLEV scheme.

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# Northern Ireland Assembly

Friday 6 February 2015

## Written Answers to Questions

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

**Mr Lyttle** asked the First Minister and deputy First Minister to detail the content of the Together: Building a United Community June monitoring bid of £4.7 million; and how the £3.5 million awarded will be spent.  
**(AQW 36517/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The Together: Building a United Community (T:BUC) June monitoring bid of £4.7 million was made up of the following:

**£1.763 million – Resource**

- Strategic Interventions Programme
- Central Good Relations Fund – contractually committed
- Establishment of the Equality and Good Relations Commission
- Gateway Review
- Review of Good Relations Funding
- T:BUC staff costs

**£2.984 million – Resource**

- Central Good Relations Fund – additional
- District Council Good Relations Programme
- North Belfast City Learning
- North Belfast Strategic Good Relations Programme
- The T:BUC June monitoring award of £3.5 million award is being allocated as follows:

**£2.83 million – Resource**

- Central Good Relations Fund- additional projects - £1.45m
- Urban Villages - £350k
- Strategic Interventions - £300k
- Race Hate Interventions - £100k
- Community Relations Council Pathfinder Scheme - £150k
- T:BUC staff costs - £600k
- Community Relations Council Programme - £300k

This leaves a small amount for further consideration of overall pressures.

**Mr Beggs** asked the First Minister and deputy First Minister to detail the cost to date of the decontamination of the Ballykelly site; and what estimate has been made of removing any remaining site contamination.[R]  
**(AQW 39491/11-15)**

**Mr P Robinson and Mr M McGuinness:** No expenditure has been incurred by the Department in relation to decontamination of the Shackleton site at Ballykelly as it is the Department's intention to dispose of the site.

The potential costs of decontamination are dependent on the end use of the relevant parts of the site and as the Department does not intend to develop the site, a specific estimate for the removal of contamination has not been made at this time.

**Mr Hussey** asked the First Minister and deputy First Minister how many Assembly Questions tabled to their Department remain unanswered nine months after the tabled date, including AQO 5995/11-15.  
**(AQW 39987/11-15)**

**Mr P Robinson and Mr M McGuinness:** Of the 2722 Assembly Questions tabled to OFMDFM during this mandate, 94 (3.5%) remain unanswered nine months after the tabled date.

AQO 5995/11-15 was answered on 17 November 2014.

**Ms Sugden** asked the First Minister and deputy First Minister for their assessment of the effectiveness of the current Gender Equality Strategy in addressing gender related violence.

**(AQW 40278/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Gender Equality Strategy 2006-2016, for which OFMDFM has overarching responsibility, sets out a framework for departments, their agencies and other relevant statutory authorities to promote gender equality. The GES includes a number of key strategic objectives, including the elimination of gender based violence in our society.

A review of the Gender Equality Strategy and its associated cross departmental Action Plans was completed in November 2013. The Review considered how effectively the Strategy has performed against its nine strategic objectives. The objective which had the most positive response related to the elimination of gender based violence in society, in particular the progress in relation to domestic violence and sexual assault. This included the opening of the Sexual Assault Referral Centre in September 2013, and the ongoing development of the Domestic and Sexual Violence and Abuse Strategy by the Department of Justice and the Department of Health, Social Services and Public Safety.

The Review considered a key action not included in the Strategy centred around eliminating violence between young men.

**Mr Allister** asked the First Minister and deputy First Minister to detail the total spent on each of the (i) capital; and (ii) other projects which have not proceeded since May 2007, including the loss resulting from each project.

**(AQW 40350/11-15)**

**Mr P Robinson and Mr M McGuinness:** The only project for which the Department has incurred expenditure that has not proceeded since May 2007, is in relation to the Peace Building and Conflict Resolution Centre at a total cost of £1.587m.

**Ms Sugden** asked the First Minister and deputy First Minister how the six Delivering Social Change Signature Programmes are addressing the needs of young people who are engaged in cycles of anti-social behaviour.

**(AQW 40491/11-15)**

**Mr P Robinson and Mr M McGuinness:** Delivering Social Change is about creating a new culture and focus on cross-cutting work to achieve social benefits that deliver a sustained reduction in poverty and associated issues across all ages. Within the programme there is a particular focus on improving children and young people's health, well being and life opportunities, and breaking the long-term cycle of multi-generational problems.

The initial six Delivering Social Change Signature Programmes are part of this process, and their social benefits are multi-faceted. All of these Signature Programmes will inevitably either help prevent, or address head on, anti-social behaviours in children and young people, and their families.

A range of holistic interventions are being provided under these Signature Programmes to encourage re-engagement in education, training or employment and enhance prospects to become full participants in society. These include a series of mentoring, counselling and psycho-education support for those children, young people and families directly experiencing anti-social behaviours.

**Ms Sugden** asked the First Minister and deputy First Minister whether people applying to the Social Investment Fund have been notified of applications which have been unsuccessful; and if so, to detail how applicants were notified.

**(AQW 40568/11-15)**

**Mr P Robinson and Mr M McGuinness:** In keeping with the community based ethos of the Social Investment Fund, Zonal Steering Groups made the final decisions on projects selected for their Area Plans. Individuals or groups involved with concepts which did not make it into Area Plans were advised at the time. The Area Plans were submitted in February 2013.

When the Zonal allocations were subsequently announced the Steering Groups were asked to prioritise their Area Plan projects within their assigned Zonal budget. This process was completed by November 2013 and the Steering Groups should have informed those involved of the decisions. If anyone is still in doubt, they should contact their Zone's Steering Group directly. Contact details for Steering Groups can be found on the NI Direct website.

**Ms Sugden** asked the First Minister and deputy First Minister to list the applications to the Social Investment Fund, from within the Northern Zone; and for an update on the status of these applications.

**(AQW 40573/11-15)**

**Mr P Robinson and Mr M McGuinness:** Six projects are being taken forward in the Northern Zone.

Two (Coleraine Rural and Urban Network (CRUN) and Fuel Poverty) had funding committed in 2014 and CRUN has contractors on site.

Two (Community Capacity Hubs and Employment through Education) as announced on 20 January 2015 will have letters of offer issued shortly.

Two (Capacity for Health and Access to Employment and Health) are currently going through the internal approvals process.

**Mr Easton** asked the First Minister and deputy First Minister for an update on the implementation of the Social Investment Fund.

**(AQW 40684/11-15)**

**Mr P Robinson and Mr M McGuinness:** Funding of £37.2 million has been committed to 24 projects across the 9 Social Investment Zones. This is divided into £12.8 million of capital funding and £24.4 million revenue, and represents 46.5% of the £80 million allocated to the Social Investment Fund.

To date two capital projects, the Coleraine Rural and Urban Network in the Northern Zone and Bryson Street Surgery in the Belfast East Zone have commenced. In addition, 5 revenue projects from across the Zones are out to tender for delivery agents. Others will follow.

As announced on 20 January 2015 letters of offer will issue for a further 9 projects worth approximately £13 million in the very near future.

Considerable effort is being invested in all remaining projects to get them through the necessary appraisal process and to letter of offer stage as soon as possible.

Details of all projects prioritised within the funding allocation for each of the nine social investment fund zones are available on the OFMDFM website.

**Mr Spratt** asked the First Minister and deputy First Minister how much funding has been allocated to local communities from the Social Investment Fund.

**(AQO 7338/11-15)**

**Mr P Robinson and Mr M McGuinness:** Funding of £37.2 million has been committed to 24 projects across the 9 Social Investment Zones. This is divided into £12.8 million of capital funding and £24.4 million revenue, and represents 46.5% of the £80 million allocated to the Social Investment Fund.

To date two capital projects, the Coleraine Rural and Urban Network in the Northern Zone and Bryson Street Surgery in the Belfast East Zone have commenced. In addition, 5 revenue projects from across the Zones are out to tender for delivery agents. Others will follow.

As announced on 20 January 2015, letters of offer will issue for a further 9 projects worth approximately £13 million in the very near future.

Considerable effort is being invested in all remaining projects to get them through the necessary appraisal process and to letter of offer stage as soon as possible.

Details of all projects prioritised within the funding allocation for each of the nine social investment fund zones are available on the OFMDFM website.

**Mr Dunne** asked the First Minister and deputy First Minister for an update on the delivery and implementation of the Social Investment Fund.

**(AQO 7339/11-15)**

**Mr P Robinson and Mr M McGuinness:** Funding of £37.2 million has been committed to 24 projects across the 9 Social Investment Zones. This is divided into £12.8 million of capital funding and £24.4 million revenue, and represents 46.5% of the £80 million allocated to the Social Investment Fund.

To date two capital projects, the Coleraine Rural and Urban Network in the Northern Zone and Bryson Street Surgery in the Belfast East Zone have commenced. In addition, 5 revenue projects from across the Zones are out to tender for delivery agents. Others will follow.

As announced on 20 January 2015, letters of offer will issue for a further 9 projects worth approximately £13 million in the very near future.

Considerable effort is being invested in all remaining projects to get them through the necessary appraisal process and to letter of offer stage as soon as possible.

Details of all projects prioritised within the funding allocation for each of the nine social investment fund zones are available on the OFMDFM website.

**Dr McDonnell** asked the First Minister and deputy First Minister what form of inquiry will be established for victims of clerical abuse, not covered by the current Historical Institutional Abuse Inquiry process chaired by Justice Hart.

**(AQO 7340/11-15)**



**Mr P Robinson and Mr M McGuinness:** We are currently giving careful consideration to an options paper provided by officials in relation to child clerical abuse that falls outside the scope of the Inquiry into Historical Institutional Abuse.

We are mindful of the destructive impact clerical abuse has had on many individuals and we are giving much thought to the likely needs of victims and survivors, particularly in terms of emotional and other support.

Ultimately it will be for the Executive to consider how to deal with clerical abuse that does not fall within the Inquiry's terms of reference.

Anyone whose experiences fall outside the scope of the current Inquiry is encouraged to report this to the PSNI and Social Services for investigation. Where appropriate, the alleged perpetrators can then be brought before the courts. This is the primary means by which victims and survivors can seek justice for what happened to them.

**Mr G Robinson** asked the First Minister and deputy First Minister for their assessment of the role the Executive offices in China and Washington have in highlighting the benefits of investing in Northern Ireland.

**(AQO 7343/11-15)**

**Mr P Robinson and Mr M McGuinness:** The offices in Washington D.C. and Beijing are responsible for delivering the Executive's international priorities and objectives. These include developing and maintaining government relations and identifying opportunities for mutual benefit across a range of sectors, including economic and investment opportunities. Our offices influence central and local governments and political leaders by portraying Northern Ireland as an attractive economic partner and by securing access to key investors and representation at economic events. They work in partnership with InvestNI which delivers specific investment projects and, together, they promote a strong corporate economic message to key government and business decision makers. In addition, we rely on the offices to recommend when it is appropriate for us as Ministers to visit these markets to promote our positive economic message.

Since its establishment, the Bureau in Washington D.C. has collaborated successfully with InvestNI to promote with the North American business sector the economic, financial and social benefits of investing in Northern Ireland. This has seen many iconic global brands, including Coca Cola and Caterpillar, investing here. The Bureau's ability to promote a positive view of Northern Ireland amongst elected representatives, business leaders and the extended community in North America provides a firm platform for InvestNI's more focused promotion of the local economy.

The Bureau benefits from close relations with the offices of many legislators on Capitol Hill and influential members of the Irish-American community, ensuring continued access for Executive Ministers and officials.

The Northern Ireland Bureau in Beijing opened for business on 1 September 2014 with the appointment of an Interim Director. Relationships have now been established with senior government representatives in key departments and organisations, including economic departments at central, regional and municipal government levels and their investment organisations. The Bureau is working closely with InvestNI and has facilitated joint initiatives targeting organisations and businesses in a number of regions and business sectors.

The Bureau is engaged in an active outreach campaign promoting the benefits of collaborating with Northern Ireland across a range of sectors including education, tourism, culture and agriculture, in addition to our economic priorities of trade, foreign direct investment and investment in infrastructure.

**Mr Ó hOisín** asked the First Minister and deputy First Minister for an update on the opening of an Executive Office in Beijing.

**(AQO 7344/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Northern Ireland Bureau in China commenced operations on 1 September 2014 when the interim director arrived in Beijing. He has secured an office in Beijing, which is currently being fitted out, and it is planned to become fully operational at the start of February.

The interim director's immediate tasks have been to set up the office; to establish relationships with key government departments and other stakeholders in an effort to identify mutually beneficial programmes; to promote Northern Ireland in China; and to facilitate partnerships with Chinese regions.

The priority sectors for the Bureau in its work with the Chinese government are the economy, education and cultural collaboration, improving tourism and promoting best practice. Good progress has been made, with the director securing access to senior government representatives and key organisations across all areas. The Bureau has been active in developing connections at a provincial level in China which has generated significant interest. We hope to follow up on this work when we visit China to officially open the Executive Bureau.

**Mr Lyttle** asked the First Minister and deputy First Minister how the £10m allocated for Together: Building a United Community by the Budget 2015/16 will be spent.

**(AQW 40976/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Department is presently assessing the resourcing requirements across the seven headline actions and other commitments to ensure that it makes most effective use of the resources available and maximises good relations outcomes.

**Mr Lunn** asked the First Minister and deputy First Minister for an update on the Summer Camps Pilot Programme envisaged in Together: Building a United Community.

**(AQW 40979/11-15)**

**Mr P Robinson and Mr M McGuinness:** Work is progressing to design and implement a pilot programme of 100 summer schools/camps in the summer of 2015. Four co-design workshops with stakeholders and four youth engagement sessions were held in December and early January. The feedback from these events will inform the final design of the summer schools/camps programme for implementation in the summer of 2015.

**Mr Lunn** asked the First Minister and deputy First Minister for the percentage of their Department's overall Current Resource Expenditure allocated to staff wages in (i) 2013/14; and (ii) the 2014/15 draft Budget.

**(AQW 40981/11-15)**

**Mr P Robinson and Mr M McGuinness:** Between 2013/14 and 2014/15 OFMDFM's resource DEL budget fell by £2.8m. The core Department, excluding Arm's Length Bodies, spent 23% of its DEL Resource outturn on salaries in 2013/14 and forecasts that by the end of this financial year 25% of its final DEL Resource 2014/15 budget will be spent on salaries.

**Mr Easton** asked the First Minister and deputy First Minister how much funding the Ulster-Scots Agency received from their Department in the last three financial years.

**(AQW 41000/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Department has provided no funding to the Ulster-Scots Agency in the last three financial years.

**Mr Clarke** asked the First Minister and deputy First Minister (i) how much their Department pays annually for Trade Union officials; (ii) how many officials this payment covers; and (iii) what is the cost of administering Trade Union's dues.

**(AQW 41170/11-15)**

**Mr P Robinson and Mr M McGuinness:** OFMDFM does not incur any costs in relation to Trade Union officials.

**Mr Hussey** asked the First Minister and deputy First Minister for an update on the position of St Lucia Barracks in Omagh, including details of discussions between their Department and (i) Omagh District Council; and (ii) other Executive Departments.

**(AQW 41261/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Ministry of Defence (MOD) recently advised OFMDFM that it had resolved the legal impediment relating to the ownership of the historic barracks, which forms part of the St Lucia site.

Officials are currently investigating the potential costs that would be incurred by the Executive, if the historic barracks was to be transferred. In the current financial climate, we need to ensure that ownership of this part of the site would not place an unnecessary drain on the Executive's resources.

Since the approach from MOD, our officials have discussed potential future uses of the site with organisations that have an interest, including Omagh District Council and the Department for Social Development (DSD). DSD recently convened a meeting of a public sector stakeholders group to discuss the future of the site. OFMDFM officials attended this meeting and will continue to engage with stakeholders.

**Mr Easton** asked the First Minister and deputy First Minister for an update on Social Investment Fund applications for the extension of community houses for Beechfield, Bloomfield and Whitehill.

**(AQW 41337/11-15)**

**Mr P Robinson and Mr M McGuinness:** Funding has been provided to establish the quantum of works needed at each of the 8 houses identified in the Community Houses project.

This is to start shortly and once completed the project will be subject to the standard Social Investment Fund (SIF) assessment process prior to the issue of any letter of offer.

SIF funding of £300,000 has been allocated to this project.

## Department of Agriculture and Rural Development

**Mr Weir** asked the Minister of Agriculture and Rural Development what checks are made on hedgerow cutting practices to ensure compliance with European commitments to halt biodiversity loss.

**(AQW 40813/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** All direct agricultural support payment claimants (including Basic Payment Scheme) must abide by the NI Cross-Compliance standards which include the Good Agricultural

and Environmental Condition (GAEC) requirements. Under EU law at least 1% of claimants are required to be inspected under the NI Cross-Compliance standards and these inspections are carried out by my Department each year.

GAEC 7 prohibits the cutting (including trimming and laying) of hedgerows during the bird nesting season between 1 March and 31 August unless there is a health and safety reason or an animal welfare reason. It also recommends that hedges are cut in a 2-3 year rotation ideally during January and February to provide a food resource for farmland birds.

When performing GAEC On-the-Spot checks in respect of these measures inspectors check for evidence of hedge trimming or laying carried out between 1st March and 31st August. Inspectors also respond to all reports received alleging activities in breach of these Regulations. Where breaches are identified penalties may be applied to Single Farm Payments and other land based Scheme claims.

GAEC 7 also prohibits the removal of landscape features including hedgerows and some hedgerow trees without prior permission from my Department. To ensure compliance, my Department uses a combination of ortho photography / satellite imagery and ground checks to confirm the presence of field boundaries and hedgerow trees.

As noted, if a claimant is found to be in breach of scheme requirements or Cross-Compliance then a penalty may be applied to their direct agricultural support payments. Members of the public may report any suspected breach of Cross-Compliance rules through the DARD Helpline on 0300 200 7852 or by e-mail on [dardhelpline@dardni.gov.uk](mailto:dardhelpline@dardni.gov.uk).

**Mr Kinahan** asked the Minister of Agriculture and Rural Development for her assessment of the impact on taxation following the new definition of an active farmer.

**(AQW 40931/11-15)**

**Mrs O'Neill:** The Direct Payments Delegated Regulation (EU) No 639/2014 states that the allocation of entitlements under the Basic Payment Scheme (BPS), and therefore direct payments, should go to those who can demonstrate that they satisfy the requirement of enjoying the decision making power, benefits and financial risks in relation to the agricultural activity on the land for which such allocation is requested. For the purposes of CAP support, the definition of agricultural activity is also set by EU regulation.

Domestic taxation law insofar as it relates to agriculture is not built on CAP definitions of agricultural activity or farmers.

The position in respect of Agricultural Property Relief has been raised as an issue of concern by some individuals. My understanding is that the position outlined in a letter from the British Treasury to the then Ministers of Agriculture and Rural Development and Finance and Personnel in December 2009 remains unchanged.

It clarifies that land let in conacre will qualify for Agricultural Property Relief provided that the deceased owned the land throughout the period of seven years immediately prior to death and throughout that period the land was farmed either by the deceased or by another person.

Although all taxes are kept under review, I am not aware of any plans to change the rules around Agricultural Property Relief and, in particular, how it relates to conacre land.

Agricultural Property Relief is only one aspect of taxation and as taxation law is complex and tax liability depends on individual circumstances, it is important that professional advice is sought for specific cases.

**Mr Weir** asked the Minister of Agriculture and Rural Development when the Rural Development and Social Inclusion budgets will be transferred to local councils.

**(AQW 40971/11-15)**

**Mrs O'Neill:** My Department is not transferring any staff, functions or budgets to local councils as part of the Review of Public Administration.

**Ms Sugden** asked the Minister of Agriculture and Rural Development how many rural households have benefited from her Department's Fuel Poverty Intervention scheme.

**(AQW 41001/11-15)**

**Mrs O'Neill:** 2,748 rural households have benefited from fuel poverty interventions supported through my Department's Tackling Rural Poverty & Social Isolation Programme and its predecessor, the rural Anti-Poverty and Social Inclusion Programme since 1 April 2008.

**Ms Sugden** asked the Minister of Agriculture and Rural Development for her assessment of the Contacting Elderly Rural Isolated pilot project in the Western Health and Social Care Trust area; and whether she will consider rolling out a similar project to reduce social isolation for vulnerable older people in rural areas of the Northern Health and Social Care Trust.

**(AQW 41006/11-15)**

**Mrs O'Neill:** The Connecting Elderly Rural Isolated (CERI) pilot project is proving to be an effective mechanism to alleviate social isolation among vulnerable elderly people living in rural areas of the Western Health and Social Care Trust area. 1,927 isolated elderly rural people have directly benefitted from CERI since commencement in January 2012. Following completion

of the CERI pilot, an evaluation will be undertaken which will inform potential future mainstreaming of the Flexicare/CERI initiative. This approach has been endorsed by the Health and Social Care Board and would involve other HSC Trusts.

**Ms Sugden** asked the Minister of Agriculture and Rural Development for her assessment of the effectiveness of the Maximising Access in Rural Areas to Grants, Services and Benefits (MARA) project in providing access to services, grants and benefits for people living in rural areas who are at risk of poverty and social isolation.  
(AQW 41010/11-15)

**Mrs O'Neill:** I am very pleased with how the MARA Project has been delivered across all rural areas of the north of Ireland in the past 3 years. All targets set for the Project have been achieved. To date 13,479 households and over 15,000 individuals have had a holistic assessment of their needs in respect of entitlement and availability of various grants, benefits and services. From these assessments, over 36,000 referrals have been made to government agencies and departments.

An evaluation of the project which will commence shortly will provide a comprehensive assessment of the project effectiveness when it reports later this year.

**Mr Clarke** asked the Minister of Agriculture and Rural Development (i) how much her Department pays annually for Trade Union officials; (ii) how many officials this payment covers; and (iii) what is the cost of administering Trade Union's dues.  
(AQW 41064/11-15)

**Mrs O'Neill:** The Department of Agriculture and Rural Development paid £123,692.72 for 4 full time Trade Union Officials in the NI Public Service Alliance (NIPSA) from 1 April 2013 – 31 March 2014.

Specific costs relating to the administration of Trade Union dues is not available.

**Mr Buchanan** asked the Minister of Agriculture and Rural Development to outline the status of the laboratory facility in Omagh; and whether she has any plans to close this facility.  
(AQW 41231/11-15)

**Mrs O'Neill:** The laboratory in Omagh is part of the estate leased by DARD to the Agri-food and Biosciences Institute (AFBI). DARD and AFBI agree that the high operating cost of AFBI's estate as a whole needs to be addressed as a priority. Work is ongoing to establish a clear roadmap for the future of the AFBI estate, informed by AFBI's strategic vision and scientific priorities and in the context of significant pressures on public expenditure. Opportunities for rationalisation and reconfiguration are currently being explored, but no decision has been taken on the future of AFBI's Omagh site at this point.

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, pursuant to AQW 40940/11-15, how many of the 926 single farm payments as yet unpaid have been subject to remote sensing.  
(AQW 41237/11-15)

**Mrs O'Neill:** The number of Single Farm Payments which remain unpaid has now reduced to 740. Of these, 331 have been subject to inspection via Control with Remote Sensing. This number will fall quickly in coming weeks.

**Mr Allister** asked the Minister of Agriculture and Rural Development what assessment she has made of the mooted announcement by the United States Department of Agriculture that it will re-open its market to exports of beef from the EU; and what steps are being taken as a result.  
(AQW 41442/11-15)

**Mrs O'Neill:** I was delighted when the United States Department of Agriculture (USDA) lifted the EU wide BSE ban in March 2014 as I am keenly aware that access to the US market for exports of beef from the north is a key priority for local producers and processors. Therefore, in anticipation of and following that announcement, considerable effort has been made by my department to expedite the market access process for beef exports from the north. The focus of these efforts is in securing approval from the US that the north of Ireland and Britain are compliant with their export requirements.

The first stage in the process, is completion of a very detailed questionnaire known as a Self Reporting Tool (SRT) to the USDA which sets out our controls of beef production and how we will meet the US specific export standards. The first draft was submitted in early 2014 with revisions being required throughout 2014. A final version is being prepared and will be provided to US authorities in the coming weeks at which time a request will also be made for them to schedule an audit of the controls we have set out in the SRT. We are anticipating an inspection in the first half of 2015 which will look at my Department's controls in two meat processing establishments in the north.

In preparation for the audit my officials participated in a mock inspection of processors by ex USDA inspectors in November 2014. They are continuing to work with industry to ensure that any deficiencies found during the mock audits are addressed and that they are fully prepared to meet the stringent USDA requirements.

A successful visit will see our production and audit systems approved for exports and allow my officials to audit and approve other processors in the north interested in this market without the need for another inspection by the US authorities.

I am pleased to note that the USDA have agreed that this inspection team will also visit a lamb processor in the north in anticipation of the US lifting their ban on EU lamb in the second half of 2015. Access will give the north an early foothold into this market ahead of other Member States.

The commencement of beef and lamb exports from the north will supplement the already buoyant pork export trade with the US.

**Mr Campbell** asked the Minister of Agriculture and Rural Development what proposals her Department has to promote diversification opportunities in the farming sector in 2015.

**(AQO 7479/11-15)**

**Mrs O'Neill:** My Department will continue to promote and deliver diversification training programmes throughout 2015. The training is provided by the College of Agriculture, Food and Rural Enterprise (CAFRE) and it helps farmers, and farm family members, to assess and develop new business opportunities.

Participants, who are considering or have undertaken diversification projects may attend diversification awareness events and challenge programmes covering Business Start and Business Development.

The training is promoted to farmers through a number of channels including the CAFRE website, press releases, farmers' meetings and Balmoral Show. CAFRE Development Advisers will also refer potential clients to their locally-based Rural Enterprise Team member for advice and mentoring.

To date over 2,000 people have participated in these programmes which have led, in part, to the establishment of over 400 new businesses and almost 1,000 new full time and part time jobs. These new enterprises and employment opportunities add valuable additional income streams to farm families as well as helping to encourage and underpin economic activity within our rural communities.

In addition to CAFRE's training programmes, the new Rural Development Programme 2014-2020 includes a Rural Business Support Scheme, which will make funding available for applications from rural businesses including farm diversification, micro and small business development and small tourism projects. Promotion of the new Scheme will be determined by the timing of the Programme being signed off by the European Commission and on getting the necessary business case approval. However more information should be available in April or May of this year.

**Mr Flanagan** asked the Minister of Agriculture and Rural Development what departmental support is available for small farmers.

**(AQO 7484/11-15)**

**Mrs O'Neill:** DARD delivers a range of schemes, including Direct Payments, Areas of Natural Constraint (ANC), agri-environment, forestry and rural development schemes. Each scheme has its own eligibility criteria and where small farmers meet these, they will be eligible to apply.

The College of Agriculture, Food and Rural Enterprise (CAFRE) provides support to farm businesses, including small farmers, by offering a range of industry training programmes primarily aimed at farmers and growers and those who work in land-based industries. These training opportunities allow participants to develop new technical and practical skills across a range of disciplines.

CAFRE also provides support through the delivery of Business Development Plans, which are tailored to individual farm businesses. These Plans set business development objectives and identify support that is available to meet these objectives. Further, CAFRE delivers support to farm businesses through benchmarking and knowledge and technology transfer. These help farmers gain the right skills and technology to manage their businesses in a sustainable way.

**Mrs Cochrane** asked the Minister of Agriculture and Rural Development for an update on the estimated total cost of the proposed move of her departmental headquarters to Ballykelly.

**(AQO 7478/11-15)**

**Mrs O'Neill:** I can advise the Member that the estimated total cost for the relocation of my departmental headquarters to Ballykelly is £30.8m capital and £14.3m resource.

**Mr Buchanan** asked the Minister of Agriculture and Rural Development what measures she has, or is proposing to, put in place to support the dairy sector.

**(AQO 7480/11-15)**

**Mrs O'Neill:** The dairy sector makes an important contribution to the local agri-food industry and, to ensure its future sustainability, it is vital that the sector remains competitive and profitable.

My Department's overall aim is therefore to help the dairy sector improve its performance and grow its potential in the market in a sustainable way. For example, we provided joint support with Invest NI for an industry-led dairy competitive study aimed at helping the sector to plan for the future post milk quotas which end on 31 March 2015.

I believe that the dairy sector has the potential to grow further and to exploit the opportunities arising from the predicted expansion in world population. My Department will, continue to support the dairy sector's growth ambitions, as set out in the



Agri-Food Strategy Board's report's Going for Growth, through the provision of education, training, technical support and research to help improve efficiency, competitiveness and innovation.

I envisage that, subject to necessary approvals, support will also be available under the next Rural Development Programme, including the proposed Farm Business Improvement Scheme, Agri-Food Processing Investment Scheme and Co-operation measures to encourage supply chain integration.

Furthermore, as the price paid to farmers continues to fall I have written again to the Defra Secretary of State to ask her to press for EU support for the north's dairy industry at the Agriculture and Fisheries Council in Brussels. I am keen that the EU urgently examines the intervention price and assesses whether it adequately fulfils the role of providing an effective safety net.

I also held a meeting with the Ulster Farmers' Union and the local banks and I was heartened by the banks' reassurance that they remain determined to support the dairy industry and would pro-actively engage with their customers to support them.

**Dr McDonnell** asked the Minister of Agriculture and Rural Development what progress has been made on the Relief Flood Scheme for the Lisburn Road area of Belfast.

**(AQO 7483/11-15)**

**Mrs O'Neill:** In the Sicily Park and Greystown areas, Rivers Agency is working in partnership with NI Water on the development of a scheme to upgrade existing infrastructure. Subject to securing agreement with landowners, it is hoped to commence the first phases of this scheme this summer.

Rivers Agency has also taken on responsibility for three privately owned urban drains in the Sicily Park area, so that they can be upgraded and maintained at public expense. The proposed works were approved by the Drainage Council in October 2014, and maintenance work has already been completed. Upgrading work is planned to commence in the latter half of this year.

There is ongoing engagement with the local community to keep them informed and provide support for self help.

**Mr McAleer** asked the Minister of Agriculture and Rural Development to outline what her Department is doing to secure new trade opportunities for local agri-food produce.

**(AQO 7489/11-15)**

**Mrs O'Neill:** Securing new market access is a key priority for me and I am committed to assisting industry in achieving their ambitious export growth targets.

My officials through their role in the various export partnerships ensure the interests of exporters in the north remain at the fore of the work they do to secure new trade opportunities for local agri-food produce. The participation of my department in these partnerships enables close two-way communication with industry in terms of targeting resources towards pursuing their priority markets.

My department also works closely with industry to ensure we put our best foot forward during inward inspections from third countries which are key to opening these valuable new markets. Currently my officials are making preparations to facilitate inward inspections of pork producers in the north by Chinese inspectors and beef and lamb producers by the United States authorities in the first half of 2015. My department are also engaged in market access negotiations with Australia for the export of locally produced pork and the Philippines for beef. Securing these markets will be a welcome boost for our exporters.

My officials provide further support to the industry in terms of making them aware of new markets as they open and working with them to renegotiate existing markets and remove barriers to trade. For example I was pleased to announce renegotiation of conditions for the Singapore pork and South African beef markets which made these opportunities more lucrative for our industry. Our work in this area continues.

Throughout 2014 there was positive growth in the volume of international exports across a range of locally produced agri-food commodities and over seventy new third country export opportunities were agreed. I am committed to securing even more markets for our industry to see greater growth in 2015.

**Lord Morrow** asked the Minister of Agriculture and Rural Development for her assessment of the impact the recent water crisis has had on farming communities in counties Tyrone, Fermanagh and Londonderry.

**(AQO 7490/11-15)**

**Mrs O'Neill:** I was pleased to see that a resolution was found to the recent water crisis. A large number of farms, business and homes in rural areas across the West were significantly affected by having no water supply for their animals, or for other activities such as washing and cleaning of milking equipment.

During the crisis, general advice was available to farmers on the DARD website, and the DARD Helpline was used by those with particular animal welfare related problems to seek further advice and support. Over 30 farmers who contacted DARD this way were triaged to NI Water for provision of an alternative water supply. In addition, DARD officials kept in contact with NI Water during the crisis and participated in the multi-agency tele-conferences over Christmas and in the period up to the ending of industrial action.

I was very pleased to hear about the good community spirit that prevailed in affected areas where those who still had a water supply or a borehole for example, were able to help out their neighbours. The impact of losing something essential such as water supply, or dealing with disruption caused by severe weather, emphasises the need for farmers and rural businesses to have a contingency or alternative in place to reduce their vulnerability in the event of unforeseen circumstances.

**Mr McGimpsey** asked the Minister of Agriculture and Rural Development for an update on the improvement works to the urban drains in areas of South Belfast that are prone to flooding.

**(AQO 7477/11-15)**

**Mrs O'Neill:** There are three main areas in South Belfast which have been affected by flooding.

At Orchardville, Rivers Agency has completed maintenance and upgrading work and continues to monitor the situation which, to date, has proved effective.

In the Sicily Park and Greystown areas, Rivers Agency is working in partnership with NI Water in the development of a scheme to upgrade existing infrastructure. Subject to securing agreement with landowners, it is hoped to commence the first phase of this scheme this summer. Rivers Agency has also taken on responsibility for three privately owned urban drains in the Sicily Park area, so that they can be upgraded and maintained at public expense. The proposed works were approved by the Drainage Council in October 2014 and maintenance work has already been completed. Upgrading work is planned to commence in the latter half of this year.

At Upton Park and Lille Park, investigations by NI Water, Transport NI and Rivers Agency are ongoing.

In all these areas, the three drainage authorities are engaging with local communities to keep them informed and provide support for self help.

## Department of Culture, Arts and Leisure

**Mr Lunn** asked the Minister of Culture, Arts and Leisure what preparatory work has been completed since the St Andrew's Agreement towards the establishment of an Irish Language Act.

**(AQW 40978/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Based on the experience of other jurisdictions, legislation is an effective way of protecting a language and according it proper status. You will be aware that the British government gave a commitment at St Andrews to introduce an Irish Language Act which has yet to be met.

I remain committed to an Irish Language Act and, as I announced in the Assembly on Tuesday 13 January, I will be putting proposals for an Irish Language Bill out for public consultation in February.

All supporters of the Irish language should take part in the consultation and work together to convince the Executive, the Assembly and all our people of the merits of supporting an Acht na Gaeilge.

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure what steps she has taken to assist in the development of a Northern Ireland bid for the Commonwealth Youth Games 2021.

**(AQW 41033/11-15)**

**Ms Ní Chuilín:** I understand that the NI Commonwealth Games Council has been in communication with the Commonwealth Games Federation advising of the Council's intention to make a bid for the Commonwealth Youth Games in 2021.

Sport NI, an arms length body of my Department, is represented on the Department of Enterprise, Trade and Investment's Strategic Bidding Group for Major Events which has supported the Council's bid to bring the Commonwealth Youth Games to the north of Ireland.

As a member of that Group, Sport NI has had an initial scoping meeting with the Council and has consulted with a number of potential stakeholders including Invest NI, NI Tourist Board and Belfast City Council. On the basis of these meetings, Sport NI is currently assisting with the progression of the business case for the 2021 Commonwealth Youth Games in conjunction with the Council.

Sport NI will continue to liaise with the Council to identify potential sports to be held at the 2021 Commonwealth Youth Games and to finalise the outline budget for the event.

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure for an update on the proposed redevelopment of Newtownards Library.

**(AQW 41107/11-15)**

**Ms Ní Chuilín:** Libraries NI remains committed to the development of a new library on the Queen's Hall site in Newtownards, subject to funding and agreement on the parameters of a joint development. I am pleased, that following progress regarding the merger between Ards Borough Council and North Down Borough Council, Libraries NI has recently re-engaged with these Councils who are now in a better position to reconsider the project.

Discussions continue between Libraries NI and Council officials to update and refine requirements for the project with particular reference to the arts and culture provision. This work also includes addressing the accommodation needs for each party as well as the feasibility and cost options.

Council officials have also been invited to visit Bangor Carnegie Library as it is an example of a large library with a mix of library services provided.

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 39221/11-15, whether the report investigated the time frame over which the original timber and wattle deflectors were replaced with steel pile and mesh; and the effect of these changes.

**(AQW 41149/11-15)**

**Ms Ní Chuilín:** The impact of the timeframe between the replacement of the original timber and wattle deflectors with steel pile and mesh was not considered as part of the report.

Neither my Department nor AFBI have any records of the timing of works to replace, repair or maintain the fish deflecting structures to consider if these works would have impacted on the fish kill.

**Mr Easton** asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded the GAA over the last three financial years.

**(AQW 41173/11-15)**

**Ms Ní Chuilín:** To sustain and increase participation, and improve performances in sport, Sport NI, an arms length body of my Department, invests in a range of projects throughout the north of Ireland. Sport NI is a Lottery award distributor and also provides exchequer funding to a number of Sport NI recognised Governing Bodies of Sport, sports groups and clubs seeking funding in the north.

In the last three years up to March 2014, Sport NI has allocated a total of £4,079,766 in funding to the Gaelic Athletic Association, which includes the Ulster Council, County Boards and Clubs. Details of this funding are as follows:

Financial Year	Amount
2011/12	£982,176
2012/13	£1,280,450
2013/14	£1,817,140
<b>Total</b>	<b>£4,079,766</b>

In addition, my Department has provided a total of £5,089,377 funding to the Gaelic Athletic Association through the Regional Stadium Programme and a total of £850,073 from the Promoting Equality and Targeting Social Exclusion through Sport Programme (PETPSE) as follows:

	2011/12	2012/13	2013/14	Total
Regional Stadium Programme				
GAA Development Costs	161,403	1,648,622	3,279,352	5,089,377
<b>Total Awarded for Casement Park</b>				<b>£5,089,377</b>
PETPSE through Sport Programme				
Garvaghey Centre of Participation	Nil	400,000	100,073	500,073
GAA PETPSE Programme	Nil	250,000	100,000	350,000
<b>Total Awarded for PETPSE</b>				<b>£850,073</b>
<b>Total Awarded to GAA</b>				<b>£5,939,450</b>

**Mr Campbell** asked the Minister of Culture, Arts and Leisure to detail any change in the cost of running her Ministerial Private Office in the last three financial years.

**(AQW 41177/11-15)**

**Ms Ní Chuilín:** The total cost of running the Ministerial Private Office in the last three financial years was as follows:

2011-12	£746,634
2012-13	£692,696
2013-14	£749,521

Costs were made up of staff salaries (99%) and general office expenses.

**Mr Hussey** asked the Minister of Culture, Arts and Leisure (i) how much has been spent on the Líofo Initiative since its launch; (ii) what additional support her Department provided; and (iii) what stakeholders are involved in the project.

**(AQW 41178/11-15)**

**Ms Ní Chuilín:**

- (i) The expenditure incurred for Líofo, since it was launched in September 2011 to 31 October 2014 is £624,879. This includes a spend of £196,957 for the 2013/14 advertising campaign, which was approved by the Executive.
- (ii) My Department provides additional support to Líofo, as appropriate, for example the Department's Communications office will assist with publicity in relation to Líofo events.
- (iii) In addition to Líofo participants, there are a range of stakeholders involved in Líofo. For example, Foras na Gaeilge assist with the promotion of Líofo through activities organised by Irish Language Officers. Good Relations Officers employed by Councils also assist, as appropriate, with the promotion of Líofo events. Gaeltacht providers assist with the delivery of the Líofo Gaeltacht Bursary Scheme. Libraries NI distribute Líofo publicity materials such as leaflets for the Gaeltacht Bursary Scheme. This not an exhaustive list as there are a number of different stakeholders involved in the Líofo campaign at any given time.

**Mr Clarke** asked the Minister of Culture, Arts and Leisure (i) how much her Department pays annually for Trade Union officials; (ii) how many officials this payment covers; and (iii) what is the cost of administering Trade Union's dues.

**(AQW 41198/11-15)**

**Ms Ní Chuilín:**

- (i) My Department does not currently pay for Trade Union Officials.
- (ii) Nil.
- (iii) There is no charge to DCAL for administering Trade Union's dues.

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 40468/11-15, for a breakdown of the figures, by prosecution and number of people prosecuted.

**(AQW 41277/11-15)**

**Ms Ní Chuilín:** Details of the numbers of successful prosecutions by offence and the total numbers of persons convicted in each of the last three years are listed below:-

#### 2011-2012 Prosecution Offences

Section 41 - Fishing without a licence	112
Section 164 - Unauthorised entry on several fishery	51
Section 41(2) - Possession of an unlicensed fishing engine	5
Section 110(1) - Possession of fish of unlawful capture	12
Byelaw 4 - Unlawful method of angling	12
Byelaw 4 (2) - Use of matter of vegetable origin	2
Section 50(1) - Possession of unseasonable trout	8
Byelaw 5 - Retention of fish in excess of the maximum permitted	2
Byelaw 81(a) - Taking fish on Lough Neagh during close season	2
Section 41(1) - Fishing by unlicensed and fair means	1
Section 41(2) - Fishing by unlicensed and unfair means	5
Section 7A(3) - Fishing without DCAL permit	1
Section 89 - Fishing during the annual close season	1
Byelaw 319(3) - Taking coarse fish excess of 4 in any day	3
Eel fishing Regulations (NI) 2010 (3) - Fishing for eels other than Lough Neagh	1
Byelaw 6 - Unlawful use of ground bait / maggots	2
Section 90(1) & Byelaw 73 - Fishing for trout during the annual close season	4

Section 51(1) – Possession of immature trout	1
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Number of persons convicted - 84

#### 2012-2013 Prosecution Offences

Section 41 - Fishing without a licence	55
Section 164 - Unauthorised entry on several fishery	34
Section 110(1) - Possession of fish of unlawful capture	21
Byelaw 4 - Unlawful method of angling	5
Byelaw 36 - Use of monofilament net	4
Byelaw 52 - Possession of trout of a size less than 35.5 cm	2
Byelaw 5 - Retention of fish in excess of the maximum permitted	3
Byelaw 81(b) - Taking coarse fish during the weekend closure	2
Byelaw 83(b) – Possession of perch of a size less than 16.5cm	2
Section 41(1) - Fishing by unlicensed and fair means	3
Byelaw 319(3) - Taking coarse fish excess of 4 in any day	1
Byelaw 6 - Unlawful use of ground bait / maggots	1
Byelaw 52 - Possession of trout of a size less than 35.5 cm	2
Section 51(1) – Possession of immature trout	4
Section 71 (1) – Unlawful use of net in freshwater portion of a river	2
Section 87 (1) – Possession of unlawful fishing engine with monofilament net	3

Number of persons convicted - 69

#### 2013-2014 Prosecution Offences

Section 164 - Unauthorised entry on several fishery	40
Section 41 - Fishing without a licence	77
Section 110(1) - Possession of fish of unlawful capture	6
Byelaw 53 – Possession of undersize pollan	4
Byelaw 4 - Unlawful method of angling	14
Byelaw 36 - Use of monofilament	5
Byelaw 6 – Unlawful use or possession of ground bait and maggots	1
Byelaw 73 – Erect a fishing weir or a fixed engine in the freshwater portion of a river	6
Section 71 (1) – Unlawful use of net in freshwater portion of a river	2
Section 51(1) – Possession of immature trout	3
Byelaw 52 Possession of trout of a size less than 35.5 cm	3
Byelaw 5 - Retention of fish in excess of the maximum permitted	3
Section 89 – Fishing during the annual close season	1
Byelaw 80a – Taking Fish during the close season	1
Section 69 – Use of a salmon net near the mouth of a river	1
Section 78(1) – Use of a fixed engine within one mile of the defined mouth	1
Byelaw 81(b) – Taking coarse fish in closed season	4
Byelaw 72(a) – Taking pike in excess of 1 per day	2
Byelaw 72(b) – Taking pike over 4 kilos	1



Number of persons convicted – 98

**Mr McMullan** asked the Minister of Culture, Arts and Leisure to detail the funding awarded to marching bands in each of the last four years, including the sources of the funding.

**(AQW 41333/11-15)**

**Ms Ní Chuilín:** My Department has funded marching bands through a number of sources in the past four years.

The Arts Council has awarded the following funding to marching bands through the Musical Instruments for Bands scheme:

Year	Amount Awarded
2011/12	£205,555
2012/13	£202,691
2013/14	£196,874
2014/15	£104,415
<b>Total</b>	<b>£709,535</b>

The same amount of funding was made available in 2014/15 as in previous years. The lower amount awarded by the Arts Council is a reflection of the number of eligible applications received and not a reduction in the fund.

The Ulster-Scots Agency (the Agency) has awarded the following funding to marching bands for music and dance tuition and summer schools:

Year*	Amount Awarded
2011	£232,858.64 + €9,505.72
2012	£226,128.45 + €5,940.44
2013	£185,545.36 + €7,653.63
2014	£119,968.57 + €7,328.50
<b>Total</b>	<b>£764,501.02 + €30,428.29</b>

\* The Agency's financial year operates from January-December, therefore grant information is also provided in calendar years.

\*\* The Agency provides grants to organisations in the South of Ireland, and therefore a proportion of the funding is provided in Euros.

In addition, funding amounting to £7k has been provided by Foras na Gaelige to Acadamh Ceoil Chaoimhín Uí Dhochartaigh, Doire, to work with a local Bands Forum. The project will enable adults from a Protestant / Unionist / Loyalist background in the North West area, who have not had an opportunity to learn Irish, to undertake an Irish course and take part in talks, discussions and events concerning the history of the language and in particular its relationship to the Protestant community.

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure to detail the investment in the film and creative industries in South Down in the last two years.

**(AQW 41368/11-15)**

**Ms Ní Chuilín:** Investment by NI Screen and the Arts Council in film and the creative industries in South Down in the last two years is in excess of £116,000.

This funding comprises production funding, film education, Ulster-Scots Broadcast Funding and Creative Industries Innovation Fund grants.

A number of NI Screen funded productions, such as Dracula Untold, Game of Thrones, Robot Overlords, Halo, A Patch of Fog and The Fall, have also used South Down as a filming location, further boosting the local economy and profile, and the local tourist industry.

The Amma and Nerve Creative Learning Centres have provided skills development in creative digital technology for young people, teachers and community groups to 25 schools and libraries in the South Down area over the last 2 years.

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure when the decision was reached to allocate £67 million to the IFA and GAA; and what steps she is taking to address the inequalities in funding for rugby.

**(AQW 41378/11-15)**

**Ms Ní Chuilín:** The Executive has approved funding packages for the Regional Stadium Programme and a Soccer Sub Regional Programme of £110m and £36m respectively.

As with all investment decisions business cases (both OBC's & FBC's) have been developed to examine in detail a range of options which demonstrate the long term strategic requirements for each Governing Body and these form the basis of investment decisions with each Governing Body in terms of Regional Stadia and will be developed in due course for Sub Regional facilities.

The Regional Stadia Programme commenced with Ulster Rugby and an investment of £16.5 million investment underpinned by the completion of the Kingspan Stadium.

Subsequently, the IFA and UCGAA progressed with their FBCs and procurement activities which resulted in a re-profiling of £5.0 million between the stadia budget lines. IFA and UCGAA received investments of £31.0m and £62.5 million respectively.

Due to a re-profile of budgets within the Stadium Programme, the UCGAA will have £5.0 million available for a Sub Regional Programme.

The Department are looking at the potential for widening the sub regional programme to Ulster Rugby subject to budget being secured.

Ulster Rugby have recently submitted a draft Facilities Strategy to my officials for review and, subject to comment, this may form the basis of future investment which may be delivered in respect of rugby sub-regional facilities, should funding become available.

My officials are currently developing a framework for the Sub Regional Programme which will be capable of delivering sub regional facilities for each of the three Governing Bodies subject to future funding becoming available.

**Mr McCausland** asked the Minister of Culture, Arts and Leisure when representatives of the Ulster-Scots community first raised with her Department the need to develop an Ulster-Scots dictionary; and to outline the circumstances in which it was raised.

**(AQW 41526/11-15)**

**Ms Ní Chuilín:** According to the records maintained within my Department the need to develop an Ulster-Scots dictionary was first raised with my Department when it was incorporated into the Ulster-Scots Agency's first Corporate Plan for the period 2001/02 - 2003/04.

**Mr McCausland** asked the Minister of Culture, Arts and Leisure whether she will provide the viewing figures for each of the programmers funded through (i) the Irish Language Broadcast Fund; and (ii) the Ulster-Scots Broadcast Fund, as she stated in the Assembly on 25 November 2014.

**(AQW 41532/11-15)**

**Ms Ní Chuilín:** I provided the requested information in a letter which issued to the Member on 18 December. I attach a copy of that letter at Annex A.

#### **Annex A**

Our ref: SUB 807/2014

18 December 2014

Mr Nelson McCausland MLA  
NI Assembly  
Parliament Buildings  
Ballymiscaw  
Stormont  
BELFAST BT4 3XX

Nelson, a chara,

I refer to Oral Questions in the Assembly on 25 November 2014 when I stated that Ofcom's communications market report had disclosed that, during 2013-14, programming supported by the Irish Language Broadcast Fund and the Ulster-Scots Broadcast Fund and broadcast by the BBC reached an audience of 660,000. You requested that I provide separate viewing figures per programme for each broadcast fund and I am pleased to provide a breakdown at Annex A attached.

Please note that many of the individuals who make up the 660,000 figure mentioned above will have watched a number of programmes. The figures provided in Annex A for viewers for each programme will therefore, when totalled, greatly exceed that figure of 660,000.

I trust you find this helpful.

Is mise le meas

**Carál Ní Chuilín MLA**

Minister of Culture, Arts and Leisure

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**Irish Language Broadcast Fund  
BBC Programming 2013-14 Audience Reach**

Project	15 minute + Reach
Aistear na nGael	16,000
Amhráin Aduaidh	6,000
Amhrán an Fhir Bháin	8,000
Art agus Tomaí san Eoraip	23,000
Athchuart ar Translations	16,000
Bí ar an Eolas ar... an Aimsir/An Chruinne/an Chorp Dhaonna	19,000
Cuisle	37,000
Deartháireacha - An Sagart agus An Rock Star	14,000
Féilte is Fleadh	46,000
Fleadh	31,000
Filíocht Anois	0
I Lar an Aonaigh	15,000
Imirce	17,000
It's a Blas	27,000
Luí na Talún	26,000
Opry an lúir	187,000
Scúp	52,000
Taisce Shean Uladh - Treasures of Ancient Ulster	43,000
Wolfland	18,000

**Ulster-Scots Broadcast Fund  
BBC Programming 2013-14 Audience Reach**

Project	15 minute + Reach
Mapping Ulster	61,000
Five Fables	78,000
Life Stories Amy Carmichael	51,000
Santer Series 3	99,000
Stumpy's Brae	30,000
The Extraordinary Life of Castlereagh	51,000
The Man Who Shrank the World	56,000
The Santer Session	26,000
The Siege	100,000
Tim McGarrys Ulster Scots Journey	211,000
Ulster's Forgotten Radical	41,000

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure for an update on her plans to attract and host legacy games.  
(AQO 7503/11-15)

**Ms Ní Chuilín:** The responsibility of attracting international games events in terms of legacy from previous event successes is primarily the responsibility of the Minister for Enterprise Trade and Investment. I am aware however of a growing schedule of potential international sports events that if secured will bring significant benefits in terms of sports promotion and development. The north of Ireland through its welcome and support for the World Police and Fire Games and the Giro D'Italia has proved itself as a venue that can deliver great success and by good collaborative work between Departments can build on the successes gained and sustain a lasting legacy for our sports.

As a direct consequence of the Giro D'Italia success, the amateur cycling 'Gran Fondo Event' will be held in the North and work is underway to run the initial visit of 'Gran Fondo' in June this year.

The member may be aware that my Department is already engaged with DETI and with officials in the south, to scope and plan the bid for the Rugby World Cup 2023. I am also aware of DETI and Tourist Board support to the Commonwealth Games Council to attract the Commonwealth Youth Games. My officials, through Sport NI, are exploring the potential for further events that are highlighted through DETI's Global Events Group. Other events that I have indicated that I would support include the Women's Rugby World Cup in 2017, international ice hockey, international golf and IFA Youth and Women's international football tournaments.

**Mr Beggs** asked the Minister of Culture, Arts and Leisure whether she has any plans to formally recognise the recent success of Carrickfergus Cricket Club.

**(AQO 7495/11-15)**

**Ms Ní Chuilín:** I am aware of the success which Carrickfergus Cricket Club achieved during the 2014 season, winning four senior trophies and a further three trophies at junior and youth level. This is a fantastic achievement for the club in a single season and I would like to congratulate everyone involved in helping the club to such a successful year.

I will recognise the club's achievements by inviting it to the annual Celebration of Sport event which is planned to take place in Newry at the end of March.

In the wider context, my Department takes the development of cricket seriously. Sport NI is providing significant support to cricket, particularly in the context of the Participation and Performance targets within Sport Matters. This includes funding the provision of coaches within District Councils through the Active Communities Programme, with the aim of increasing participation in the sport. It also includes a number of interventions to develop and support our talented cricketers.

Whilst on the subject talented cricketers, I would like to congratulate the Irish Cricket Union on the recent announcement that Ireland is one of only two teams which will join the Test playing nations in a ranking system to qualify for the World Cup in England and Wales in 2019. This is not only a boost to the chances of qualification for the tournament, but also to the profile of Irish cricket on the world stage. It should also further increase the morale of the team, which is competing in the 2015 World Cup in Australia and New Zealand this month.

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure for an update on the potential relocation of the Enniskillen Library to the old Erne Hospital site.

**(AQO 7498/11-15)**

**Ms Ní Chuilín:** Libraries NI is currently developing a business case aimed at securing resources for the development of a new and improved public library in Enniskillen.

Libraries NI is aware of the proposals put forward in the Department for Social Development's Enniskillen Master Plan in relation to the former Erne Hospital site and is considering this site as a potential location option in its business case.

The benefits of relocating to the former Erne Hospital site will be fully tested. They will be considered in light of their ability to provide a value for money solution, support sustainable use of the library into the future, provide ease of access to customers and build upon the strong presence the library already holds in the town.

Libraries NI is currently planning to submit its business case to my Department for consideration by November 2015. At this stage, the case is in draft format. However Libraries NI needs to review and update this draft to ensure that it meets both my and its own strategic priorities in relation to Promoting Equality and Tackling Poverty and Social Exclusion.

**Mr Dallat** asked the Minister of Culture, Arts and Leisure whether artists are paid a fee for showing their work in publicly funded galleries in Northern Ireland.

**(AQO 7502/11-15)**

**Ms Ní Chuilín:** Artists are paid a fee for exhibiting their work in publicly-funded art galleries such as the Centre for Contemporary Art in Derry and the Golden Thread Gallery. This is in-line with best practice and current Visual Artists Ireland guidelines.

Libraries NI, National Museums NI and the Local Museums sector do not pay fees to artists for showing their work in their galleries.

National and Local museums do, on occasions, hold and sell stock on behalf of local artists. This stock would be the subject of a commercial arrangement, usually with an agreed retail price and mark-up, and with stock being held on a 'sale or return' basis.

Both National and Local museums also, on occasions, pay artists to lecture about their work, give gallery talks or facilitate workshops. Exhibition partnership or hire fees are also paid but these tend to be to the organising institutions and not to individual artists.

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure why her Department, in its publications or events, does not recognise the importance of marching bands.

**(AQO 7504/11-15)**

**Ms Ní Chuilín:** My Department recognises the importance of music in a wide variety of forms.

In recognition of the importance of music making in communities, my Department provides support for bands through its Musical Instruments for Bands Scheme which is administered by the Arts Council. Through the Scheme, bands can apply for funding towards the cost of purchasing musical instruments.

A study document and accompanying guidance notes for marching bands which was developed in 2011 with specialist input, remain available on the Department's website.

In addition, the Ulster-Scots Agency makes funding available to bands through its Financial Assistance Scheme which can provide funding for musical tuition.

## Department of Education

**Mr Kinahan** asked the Minister of Education how many after-school programmes supporting primary school children with special needs receive recognition, funding or support from his Department or Belfast Education and Library Board.  
(AQW 40411/11-15)

**Mr O'Dowd (The Minister of Education):** The Belfast Education and Library Board (BELB) has advised that, with the exception of summer schemes, it does not fund any after-school programmes for pupils with special educational needs (SEN).

BELB's Autistic Spectrum Disorder service, however, provides after-school social skills programmes for primary pupils prior to transfer and, in collaboration with its youth service, a number of classroom assistants are involved in board managed youth schemes during holiday periods to enable participation of SEN pupils.

My Department's Extended Schools (ES) programme provides additional resources to those schools which serve children and young people from areas of disadvantage by providing additional learning opportunities, including after-school provision. There are currently 65 primary schools in the BELB area that qualify for ES funding and programmes implemented will facilitate all children including those with SEN.

**Mr Weir** asked the Minister of Education why the proposed cut to funding to schools is proportionately higher than the proposed cut to his Department's budget.

(AQW 40496/11-15)

**Mr O'Dowd:** As part of the 2015-16 Draft Budget, my Department's Resource budget faced a reduction, in cash terms, of 4.9% (£94.4 million) compared to the 2014-15 budget baseline.

However, this figure did not take into account either inflation or other inescapable pressures such as pay increases, increased pension contributions, statutory and contractual commitments and the impact of demographic change in 2015-16.

Once these inescapable pressures were taken into account, the net impact was that my Department was facing a funding gap of £162.5 million. This would have resulted in an 8.4% reduction when set against my Department's opening baseline budget of £1,943.7m.

Unfortunately, due to the scale and timing of the required 2015-16 budget reductions and the fact that the Aggregated Schools Budget (ASB) represents almost 60% of the total Education resource budget, protection of delegated budgets would not have been entirely possible.

I therefore proposed, in my 2015-16 Draft Budget, that the ASB be reduced by £78.7 or 7%. This reduction of 7% was below the overall 2015-16 Resource Budget funding gap of 8.4% and would have been further reduced to a net 6% reduction when factoring in the additional £10 million funding for Targeting Social Needs which I proposed to allocate next year.

However, as part of this Final Budget settlement, Education received an additional resource allocation of £64.9 million. This allocation now results in a reduction of £29.4 million when compared to the 2014-15 Education budget baseline representing a 1.5% reduction. Nevertheless, when the range of inescapable pressures faced by my Department are again taken into consideration, the net impact is that overall my Department is now left facing a funding gap of £97.6 million which represents a 5% cash reduction from 2014-15 figures.

On Monday 19 January 2015, I announced the allocation of £80 million to the Aggregated Schools Budget in 2015-16. Hence, this allocation has offset the proposed gross reduction in the Draft Budget of £78.7m meaning that there has now been no reduction in cash terms, to schools' delegated budgets in 2015-16.

**Miss M McIlveen** asked the Minister of Education to outline the number of classroom assistants and their associated costs provided by each Education and Library Board to assist statemented children in mainstream schools.  
(AQW 40674/11-15)

**Mr O'Dowd:** The number (headcount) of classroom assistants and their associated costs provided by each Education and Library Board to assist statemented children in mainstream schools is as follows:



	Number	Costs
BELB	877*	£8,911,000
WELB	980	£12,046,000
NEELB	1176	£9,491,002
SEELB	1057	£9,117,106
SELB	1361	£8,683,562

\*at December 2014

- The figures shown above, with the exception of BELB, represent the number of Special Educational Needs (SEN) Classroom Assistants as at 15 January 2015, but these can fluctuate during the year.
- The costs shown above are for 2013/14 and include employers' National Insurance and Pension Contribution costs.

**Mr Lyttle** asked the Minister of Education how his Department's budget is greater per capita than in any other region of the UK and yet the expenditure per pupil is less than any other devolved region of the UK.

**(AQW 40745/11-15)**

**Mr O'Dowd:** It is difficult to make meaningful comparisons between the levels of funding here and in other regions for schools in other jurisdictions – including England, Scotland, Wales or the South of Ireland - for a variety of reasons including the different funding and structural arrangements that apply.

Relative need for expenditure on education is affected by a number of factors, including:

- the number of pupils;
- the age profile of pupils (including pre-school and post-16);
- sparsity of population (i.e. rural/urban distribution); and
- levels of deprivation.

The North of Ireland has a greater proportion of young people (aged 4-18) in its population than other regions of the UK (19.4%, compared to 17.5% in England, 17.0% in Wales and 16.2% in Scotland).

**Mr Rogers** asked the Minister of Education to detail the timeline for the establishment of the amalgamated primary school in Lower Mourne.

**(AQW 40862/11-15)**

**Mr O'Dowd:** I approved a development proposal for the amalgamation of the Lower Mourne schools on 23 September 2014; effective from September 2015. Should the Mourne Primary Schools project be successful in any future major capital investment announcement a timetable for the establishment of an amalgamated primary school will be commissioned at that stage. In the meantime I understand that the Trustee, Principals and Chairs of Governors of the schools involved are continuing to meet to discuss the amalgamation.

**Miss M McIlveen** asked the Minister of Education to detail the visits proposed by the Teacher Insight Programme, including the costs associated with each visit.

**(AQW 41024/11-15)**

**Mr O'Dowd:** There were two events in 2014/15. The Teacher Insight Event to WIN Business Park in Newry on 20 November 2014 and the Teacher Insight Event to Funeral Director and Crematorium on 30 January 2015. Both events cost in the region of £4k each. A breakdown of the estimated costs are detailed in the table below, however, these are subject to teachers submitting relevant travel claims.

	WIN Business Park Estimated Cost (£)	Funeral Director & Crematorium Estimated Cost (£)
Catering	207	210
Teacher Release	3,500	3,500
Teacher Travel	400	400
<b>Total</b>	<b>4,107</b>	<b>4,110</b>

The Teacher Insight Programme supports the Careers Education Information Advice and Guidance (CEIAG) agenda and has been running since 2009. This project aims to support schools in the STEM/CEIAG programme through exposing teachers to the world of work outside the education sector, allowing them to bring live up-to-date examples back to their classroom teaching. They will also be in a position to give pupils examples of direct and associated career opportunities as well as

examples of ways of working. A post-primary teacher influences/teaches from 60 to 600 pupils per year and a primary school teacher around 20. Therefore, one visit of 20 post-primary teachers can positively impact between 1,200 and 12,000 pupils.

Twenty teachers attended the event on 20 November 2014. Sixteen teachers attended the event on 30 January 2015.

**Miss M McIlveen** asked the Minister of Education for his assessment of the Teacher Insight Programme; and how the need for this programme was identified by the Council for the Curriculum, Examinations and Assessment.

**(AQW 41025/11-15)**

**Mr O'Dowd:** There were two events in 2014/15. The Teacher Insight Event to WIN Business Park in Newry on 20 November 2014 and the Teacher Insight Event to Funeral Director and Crematorium on 30 January 2015. Both events cost in the region of £4k each. A breakdown of the estimated costs are detailed in the table below, however, these are subject to teachers submitting relevant travel claims.

	<b>WIN Business Park Estimated Cost (£)</b>	<b>Funeral Director &amp; Crematorium Estimated Cost (£)</b>
Catering	207	210
Teacher Release	3,500	3,500
Teacher Travel	400	400
<b>Total</b>	<b>4,107</b>	<b>4,110</b>

The Teacher Insight Programme supports the Careers Education Information Advice and Guidance (CEIAG) agenda and has been running since 2009. This project aims to support schools in the STEM/CEIAG programme through exposing teachers to the world of work outside the education sector, allowing them to bring live up-to-date examples back to their classroom teaching. They will also be in a position to give pupils examples of direct and associated career opportunities as well as examples of ways of working. A post-primary teacher influences/teaches from 60 to 600 pupils per year and a primary school teacher around 20. Therefore, one visit of 20 post-primary teachers can positively impact between 1,200 and 12,000 pupils.

Twenty teachers attended the event on 20 November 2014. Sixteen teachers attended the event on 30 January 2015.

**Miss M McIlveen** asked the Minister of Education how many teachers will be accommodated on the Teacher Insight Programme.

**(AQW 41026/11-15)**

**Mr O'Dowd:** There were two events in 2014/15. The Teacher Insight Event to WIN Business Park in Newry on 20 November 2014 and the Teacher Insight Event to Funeral Director and Crematorium on 30 January 2015. Both events cost in the region of £4k each. A breakdown of the estimated costs are detailed in the table below, however, these are subject to teachers submitting relevant travel claims.

	<b>WIN Business Park Estimated Cost (£)</b>	<b>Funeral Director &amp; Crematorium Estimated Cost (£)</b>
Catering	207	210
Teacher Release	3,500	3,500
Teacher Travel	400	400
<b>Total</b>	<b>4,107</b>	<b>4,110</b>

The Teacher Insight Programme supports the Careers Education Information Advice and Guidance (CEIAG) agenda and has been running since 2009. This project aims to support schools in the STEM/CEIAG programme through exposing teachers to the world of work outside the education sector, allowing them to bring live up-to-date examples back to their classroom teaching. They will also be in a position to give pupils examples of direct and associated career opportunities as well as examples of ways of working. A post-primary teacher influences/teaches from 60 to 600 pupils per year and a primary school teacher around 20. Therefore, one visit of 20 post-primary teachers can positively impact between 1,200 and 12,000 pupils.

Twenty teachers attended the event on 20 November 2014. Sixteen teachers attended the event on 30 January 2015.

**Ms Sugden** asked the Minister of Education to detail the number of primary school classroom assistants in East Londonderry in each of the last three years.

**(AQW 41123/11-15)**

**Mr O'Dowd:** The number (headcount) of primary school classroom assistants in East Derry in each of the last three years is as follows:

School	31/3/12	31/3/13	31/3/14
Bellarena PS	0	0	0
Ballykelly PS	4	5	6
Drumachose PS	5	4	7
Cumber Claudy PS	4	2	1
Limavady Central PS	3	3	3
Drumrane PS	2	1	4
Gaelscoil Ne Achitain	0	0	3
St Canice's PS	0	0	1
St Anthony's PS	2	2	0
St Matthew's PS	3	4	4
Termoncanice PS	1	4	3
St Mary's PS	3	3	4
Listress PS	0	1	2
Faughanvale PS	4	5	5
St Aidan's PS	3	3	3
St Canice's PS	2	6	6
St Colmcille's PS	10	8	7
St Peter's & St Paul's PS	2	1	1
St Finlough's PS	1	1	3
St John's PS	4	3	2
St Mary's Gortnaghey PS	1	1	1
Gaelscoil Leim an Mhadaidh	0	1	2
Portrush PS	5	6	5
Ballytober PS	4	4	4
Carnalridge PS	9	11	8
Culcrow PS	4	6	6
Damhead PS	8	12	11
Hezlett PS	8	9	8
Killowen PS	9	6	9
Portstewart PS	4	7	7
Millburn PS	17	15	14
Kilrea PS	6	5	7
D H Christie Memorial PS	16	20	17
Castleroe PS	6	5	5
Macosquin PS	12	12	11
Harpurs Hill PS	8	8	13
Gorran PS	3	3	3
Garvagh PS	4	3	4
Ballysally PS	11	11	10

School	31/3/12	31/3/13	31/3/14
Irish Society's PS	13	15	11
St Patrick's PS	2	3	3
Ballyhackett PS	1	3	3
St Columba's PS	4	4	4
St Colum's PS	7	6	6
St Patrick's & St Joseph's PS	6	11	11
St Malachy's PS	8	8	9
St John's PS	4	3	6
St Columba's PS	8	12	12
Carhill Integrated PS	2	1	2
<b>Total</b>	<b>243</b>	<b>267</b>	<b>277</b>

- The headcount figures in the table above include classroom assistants in Controlled and Maintained schools only.
- The following types of classroom assistant are included:
- Classroom assistant;
- Special needs classroom assistant; and
- Additional special needs classroom assistant.

**Mr Dunne** asked the Minister of Education what actions his Department intends to take to ensure that educational standards are maintained.

**(AQW 41160/11-15)**

**Mr O'Dowd:** Continuous improvement will continue to be achieved through schools being supported and trusted to develop their own school improvement strategies and to identify themselves what support they need in implementing them.

The Department provides data to schools to inform self-evaluation and the Education and Library Boards provide guidance and training for schools and school governors on school development planning and the effective use of data.

In addition, the Education and Training Inspectorate (ETI) continues to promote a culture of self-evaluation within our schools and the ETI resource Together Towards Improvement supports self-evaluation of the quality of a school's educational provision. Through inspection the ETI will assess the effectiveness of a school's self-evaluation processes and identify good practice or where improvement is required. Schools that are not providing at least a satisfactory quality of education will be placed in the Formal Intervention Process through which they will receive the targeted support needed to address the areas for improvement identified by the ETI.

**Mr Dunne** asked the Minister of Education, in light of the reduced maintenance budget, what assurances he can give that children will continue to be taught in schools that are safe and fit for purpose.

**(AQW 41162/11-15)**

**Mr O'Dowd:** The safety of children whilst in school is of the uttermost importance and I am fully committed to ensuring that schools are both safe and fit for the purpose for which they were built. To this end, and within tight budget constraints, I allocated £17m to maintenance at the start of the 2014-15 financial year and was successful in obtaining a further £5m as the result of a successful bid submitted in the in year June monitoring round. A significant element of the increased capital allocation for minor works in 2014/15 was also applied to projects. This will assist in reducing the maintenance backlog and in addressing health and safety issues.

**Mr Campbell** asked the Minister of Education, following the details of the 2015-16 Budget, whether he will provide an update on the continuation of the Delivering Social Change Signature Programme which is due to conclude in 2015.

**(AQW 41167/11-15)**

**Mr O'Dowd:** The Delivering Social Change improving Literacy and Numeracy Signature Programme is a two year programme planned to finish at the end of June 2015. The future of the programme is under consideration in the context of a severely constrained financial climate.

**Mr Weir** asked the Minister of Education, pursuant to AQW 40616/11-15, how many of the applications were from outside North Down.

**(AQW 41220/11-15)**

**Mr O'Dowd:**

	2010/11	2011/12	2012/13	2013/14	2014/15
Number of applications for pre-school places from outside the North Down Borough Council area	82	72	93	65	93

**Mr G Robinson** asked the Minister of Education how his Department ensures teachers and classroom assistants are trained to manage pupils with epilepsy.

**(AQW 41245/11-15)**

**Mr O'Dowd:** The Education and Library Boards (ELBs) undertake a needs analysis, on an annual basis, of the training required by schools for the forthcoming academic year.

School principals are responsible for determining the training needs of their teachers and school staff and they can avail of the wide range of courses on all aspects of special educational needs, including epilepsy, through the ELBs.

Training with regard to health conditions, including epilepsy, would be provided by the relevant Health and Social Care Trust and will be in line with the pupil's individual healthcare plan and be subject to on-going review.

**Ms Sugden** asked the Minister of Education to detail all recipients of the Community Relations, Equality and Diversity Fund in each of the last four years; and whether this will be awarded in 2015/2016.

**(AQW 41266/11-15)**

**Mr O'Dowd:** Details of all recipients of Community Relations, Equality and Diversity Funding in each of the last four years are listed in the tables below.

Following an evaluation of the impact of the CRED policy by the ETI and in the context of the challenging 2015/16 education budget, I am looking at how best to support the further embedding of the CRED policy and to explore the synergies with Shared Education in order to ensure that good work to date is built upon.

I have not yet, therefore, finalised the budget for 2015/16.

**Organisations funded in 2011/12**

Group/School	Partner Group/School (Where Applicable)
Barrack Street Boys Primary School	
Belmont School	Greenshaw Primary School
Bready Jubilee Primary School	Culmore Primary School
Gortin Primary School	St Patrick's Primary School, Gortin
St Celia's College	Foyleview School
St Celia's College	Lisneal College
St Mary's Primary School, Altinure	Cumber Claudy Primary School
St Michael's College	Portora Royal
St Joseph's Boys' School, Derry	Lisneal College
Sion Mills Youth Club	
Bovalley Community Group - Limavady	
Reach Across - Londonderry	
Destined- Derry	
Ardoyne Youth Club	
Blackie River Community Group	
Chinese Welfare Association	
Doyle Youth Centre	
East Belfast Area Project	
Glen Parent Youth Group	
Glencairn Youth Initiative	



<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Glor na Mona	
Indian Community Centre	
John Paul II Youth Club	
LORAG Youth Group	
Newlodge Youth Centre	
North Belfast Area Project	
Nubia Youth Club	
Roden Street Youth Service	
Shankill Area Project	
South Belfast Area Project	
St Michael's Youth Club	
West Belfast Area Project	
Little Flower Girls' School	Ashfield Boys' High School
Belfast Boys' Model School	St Patrick's College
Corpus Christi College	Ashfield Boys High School
St Malachy's College	Belfast Boys' Model School
St Louise's College	Belfast Model School for Girls
Hazelwood Integrated College	
St Gemma's high School	Knockbreda High School
St Dominic's High School	
Bunscoil Phobal Feirste	
Cliftonville Integrated primary School	St Therese of Lisieux Primary School
Ligoniel Primary School	St Vincent de Paul primary School
Edenbrooke Primary School	St Joseph's primary School
Holy Cross Girl's primary School	
Loughshore Education Resource Centre	
Belfast Hospital School	
Harberton School	Taughmonagh Primary School
Arellian Nursery School	New Lodge Nursery School
Tudor Lodge Nursery School	Our Lady's Nursery School
Cathedral Nursery School	Ravenscroft Nursery School
Shaftesbury Nursery School	St Peter's Nursery School
St Mary's Nursery School	Seaview Primary School
Victoria Nursery School	Edmund Rice Primary School
Aughnacloy Primary School	St Mary's Primary School, Aughnacloy
Fivemiletown Primary School	St Mary's primary School, Fivemiletown
St Mary's Primary School, Cabra	Sperrinview School
Ballyoran Primary School	Bocombra Primary School
St Mary's Primary School, Maghery	Birches Primary School
St Bridgid's Primary School, Drumilly	Milltown primary School
Newmills Primary School	St Mary's Primary School, Lisbouy

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
St Antony's Primary School	Moyallon Primary School
St Oliver Plunkett's Primary School	Derryhale primary School
The Armstrong Primary School	Lisanally School
Hart memorial Primary School	Presentation Primary School
St Mary's Primary School, Stewartstown	Ballytrea Primary School
Phoenix Integrated Primary School	Holy Trinity Primary School, Cookstown Primary School, Cookstown High School, Holy Trinity College, Sperrin Integrated College
St Patrick's Primary School, Newry	Windsor hill Primary School
St Louis' Grammar, Kilkeel	Kilkeel High School
Newbridge Integrated College	St Patrick's High School Banbridge, Banbridge High School, Rathfriland High School
Seagoe Youth Group, Portadown	
Summer Peace Camp, Dungannon	
Summer Peace Camp, Cookstown	
Inclusion in the Outdoors	
Armagh Young Women's Travellers Group	
Connect, Taghnevan youth Club, Lurgan	
Understanding Diversity: Deepening Learning, Tandragee	
Oasis LGBT&TH Youth Project	
The Shine Project 2, Brownlow, Craigavon	
Legahory Young Girls' Muslin Group, Craigavon	
Banbridge Youth Bank	
Kildress peer Educators' Youth Project, Cookstown	

**Organisations funded in 2012/13**

Colin Neighbourhood Partnership	
Derriaghy Youth Centre	
37th Belfast Explorer Scouts	29th Belfast Venture Scouts
Cregagh Youth Centre	Ballymote Health and Wellbeing
Ballynahinch Youth Club	Ards Arena Youth Club
Old Warren Youth Initiative	Lagmore Area project
Laurelhill Youth Centre	Mourne Youth Project
Ards Arena Youth Club	St Comgall's Youth Group
Brooklands Youth Centre	Wandsworth Community Association
Ards Rural Project	
Derriaghy Youth & Resource Centre	
Crossgar, Saintfield & Killyleagh Area Project	Killyleagh Sailing Association
Windmill Integrated Primary School	St Patrick's Primary School Dungannon
St Mary's Primary School, Maghery	Portadown Integrated Primary School
Markethill Primary School	St James' Primary School Mullabrack
Ballyoran Primary School	Bocombra Primary School

St Paul's HS, Bessbrook	Newtownhamilton HS
St Patrick's Primary School, Dungannon (Nursery Unit)	
St Malachy's Primary School, Glencull	
Drumnamoe Nursery School	Dromore Nursery School
Carntall Primary School	St Macartans Primary School
St Anthony's Primary School, Craigavon,	Moyallon Primary School and Ceara School
Dungannon Primary School	St Patrick's Primary School Dungannon
St Mary's Primary School, Cabragh	Sperrinview Special School
Lurgan JHS	St Mary's HS, Lurgan
St Teresa's Primary School, Tullyherron	Mountnorris Primary School
St Brigid's HS, Armagh	
St John's Primary School, Moy	Moy Regional Primary School
Aughnacloy Primary School	St Mary's Primary School, Aughnacloy
Hart Memorial Primary School	
SELB	St Joseph's Boys' High School
Taghnevan Youth Club	
Youth Included - Cookstown Youth Resource Centre	
St Mary's Youth Club	Seagoe Youth Club
Seagoe Youth Group	St Mary's Youth Club
Goal Line Youth Trust	
Keady Area Youth Project	Oasis LGBT&H Youth Group
SELB Specialist Youth Development Worker	
SELB - Cookstown Youth Resource Centre	
SELB - SYW Inclusion	
Glengormley Integrated Primary School	Glennan Primary School
St John's Primary School Coleraine	Killowen
Corran Integrated Primary School	
St Patrick's & St Brigid's Primary School	DH Christie
St Mary's Primary School Cargan	Carnlough Integrated Primary School, Seaview Primary School
St John's Primary School Swatragh	Eden, Primary School B'money
St John Bosco Primary School	Bellaghy Primary School
Edmund Rice College	
Mt St Michael's Primary School	Randalstown Primary School
Antrim Primary School	St Comgall's Primary School
Straidbilly Primary School	Barnish Primary School, Armoy Primary School, St Olcan's Primary School
Duneane Primary School	Moneynick Primary School
Ballynure Primary School	Ballyclare HS
Rasharkin Primary School	St Patrick's Rasharkin
Garryduff Primary School	
Oakfield Primary School	Acorn Integrated Primary School

**Funded Organisations in 2013/14**

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Hart Memorial Primary School	Presentation Primary School
New-Bridge Integrated College	
St. Mary's Primary School, Cabra	Sperrinview Special School
St. Brendan's Primary School, Craigavon (Nursery Unit)	
St. Anthony's Primary School, Craigavon,	Moyallon Primary School and Ceara Special School
St Malachy's Primary School, Camlough	Markethill Primary School
Edendork Primary School	Howard Primary School
St Mary's Primary School, Stewartstown	Ballytrea Primary School
Banbridge High School	Holy Trinity College, Cookstown
St John's Primary School, Moy	Moy Regional Primary School
Windsor Hill Primary School	St Patrick's Primary School Newry
St Patrick's High School, Keady	Markethill High School
St Teresa's Primary School, Tullyherron	Mountnorris Primary School
St Michael's Grammar, Lurgan	Ceara School, Lurgan
St Michael's Grammar School, Lurgan	
St Paul's High School, Bessbrook	St Joseph's High School Crossmaglen and Newtownhamilton High School
Newmills Primary School	St Mary's Primary School Lisbuoy
Dromore Road Primary School	St Bronagh's Primary School, Rostrevor
Banbridge High School	Newbridge Integrated College
Hart Memorial Primary School (Nursery Unit)	Ballyoran Primary School (Nursery Unit)
Goal Line Youth Club	
Tullygally/Drumgor, CR Project	
Seagoe Youth Group, Sporting Challenge	
Armagh Lithuanian Project	
Dungannon Area CRED Project	
Fivemiletown Outreach	
All Stars Programme, Brownlow	
Keady Area Youth Project	
Lurgan YMCA	
Armagh Area Outreach Programme	
Craigavon & Banbridge Young Carers	
DCLP	
Political & Cultural Awareness Project	
Summer Camp Project	
Cornstore YC, Draperstown	
4th Ballymoney BB	
Grange Youth & Community group	
Mossley Area Project	
St Patrick's NU Rasharkin	Rasharkin Community Play Group
Crumlin Integrated Primary School	

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Glengormley Integrated Primary School	Glenann Primary School
Millstrand Integrated Primary School	Damhead Primary School
St Patrick's Primary School Loughguile	Broughshane Primary School
St James' Primary School Newtownabbey	King's Park Primary School
St John's Primary School Coleraine	Killowen Primary School
St Patrick's & St Brigid's Primary School	DH Christie Memorial Primary School
Carniny Primary School	St Colmcille's Primary School
St John's Primary School , Swatragh	Eden Primary School
St Brigid's Primary School Mayogall	Maghera Primary School
St Columba's Primary School Kilrea	Kilrea Primary School
St Ciaran's Primary School Cushendun	Carrowreagh Primary School
St Patrick's Primary School Rasharkin	Rasharkin Primary School
St Paul's Primary School Ahoghill	St Colmcille's Primary School
Cullybackey College	St Mary's College
Downshire School	Downshire Youth Club
Dunclug College	St Patrick's College, Ballymena
Magherafelt High School	
Belfast Boys' Model School	
Black Mountain Primary School (Nursery Unit)	
Clarawood School	
Cranmore Integrated Primary School	
Dominican College	
Donegall Road Primary School	
Euston Street Primary School	
Fane Street Primary School	
Glenbank Nursery School	
Harding Memorial Primary School	
Holy Rosary Primary School	
Little Flower Girls' School	
Lowwood Primary School	
McArthur Nursery School	
Mitchell House School	
Orangefield Primary School	
Ravenscroft Nursery School	
Shaftesbury Nursery School	
St Dominic's High School	
St Joseph's Primary School	
St Louise's Comprehensive College	
St Patrick's College	
St Paul's Primary School	
St Rose's Dominican College	



<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Taughmonagh Primary School	
The Link Centre	
Tudor Lodge Nursery School	
An Munia Tober (Bryson House)	
Annadale Haywood Residents' Association	
Curriculum Support Unit	
Corpus Christi Youth Centre	
East Belfast Area Project	
East Belfast Youth Forum	
Fortwilliam Youth Centre	
Gay and Lesbian Youth Northern Ireland	
Holy Trinity Youth Centre	
Inclusion and Diversity Team	
Ledley Hall Boys' and Girls' Club	
North Belfast Area Project	
South Belfast Area Project	
St Michael's Youth Club	
St Peter's Immaculata Youth Centre	
Streetbeat Youth Project	
Wandsworth Community Association	
West Belfast Area Project	
Boys Brigade	Girls Brigade, Catholic Girl Guides, Scout Association, Scouting for Ireland, Ulster Guides
Youthlink	YMCA
Youth Action	Public Achievement
Include Youth	
St Joseph's Primary School, Lisburn	Harmony Hill Primary School
Beechlawn Special School	Pond Park School
St Columba's College	Glastry College
Derryboy Primary School	St Caolan's Primary School
St Malachy's High School	The High School Ballynahinch & Blackwater Integrated College
CSK Area Project	
East Down Rural Project	Lecale & Ards Rural
Newcastle Youth Provision (NCD)	Langley Youth Project
Brooklands Youth Centre	North Down, Down & Ards Inclusion Project
Brooklands Youth Centre	Wandsworth Community Centre
Lisburn BME	Lisburn Rural
Ballynahinch Youth Office	
Laurelhill Youth Centre	
Lagan College	Our Lady & St Patrick's College & Grosvenor Grammar School

Group/School	Partner Group/School (Where Applicable)
St Patrick's Academy, Lisburn	Lisnagarvey High School
St Joseph's Primary School	Newcastle Primary School
Glencraig Integrated Primary School	Hazelwood Integrated Primary School
St Mary's High School, Downpatrick	Down High School
Nendrum College	St Colmcille's High School
Cumran Primary School	St Macartan's Primary School
Clifton Special School	St Comgall's Primary School
Regent House	Assumption Grammar School
St Malachy's High School	Laurelhill Community College
Kircubbin Integrated Primary School	
Ballinderry Primary School	
Ballyvester Primary School	St Anne's Primary School
St Colmcilles High School	
Moirs Primary School	Rowandale Integrated Primary School
Holy Family Primary School	Academy Primary School
Downpatrick Scouting Ireland Venture Group	South East Down Explorer Scouts
29th Belfast Venture Scout Group	37th Belfast Explorer Scout Unit
Aghadrumsee Primary School	St Tierney's
Ardstraw Jubilee Primary School	Gortnagarn Primary School
Drumachose Primary School	Termoncanice Primary School
Foyle View School	Hollybush Primary School
Gillygooley Primary School	
Good Shepherd Primary School	Foyleview
Gortin Primary School	St Peter's Primary School
Holy Family Primary School	Omagh County Primary School
Jones Memorial Primary School	
Langfield Primary School	
St Mary's Primary School, Altinure (P6)	Cumber Claudy Primary School
St Mary's Primary School, Altinure (P7)	Cumber Claudy Primary School
St Teresa's Primary School, Loughmacrory	
SW Inclusion Unit / Dromore Kilserry	
Omagh / Strabane Good Relations Programme	
WELB Inclusion Unit Omagh Disability Awareness	
WELB Inclusion Unit Omagh / Strabane Autism Buddy Project	

**Funded Organisations in 2014/15**

Group/School	Partner Group/School (Where Applicable)
Cloughmills Primary School	St Bridgid's Primary School, St Anne's Primary School & Knockahollet Primary School
Downshire School	None
Mount St Michael's Primary School	Riverside Special School

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
St Brigid's Primary School, Knockloughrim	Knockloughrim Primary School
Woodburn Primary School	None
Ballykeel Primary School	St Brigid's Primary School, Broughshane
Broughshane Primary School	St Patrick's Primary School, Loughguile
Carrickfergus Model Primary School	St Nicholas' Primary School and Sunnylands Primary School
Culcrow Primary School	Carhill Primary School
Glenann Primary School	Glengormley Primary School
Kilross Primary School	Gaelscoil na Speirin
Oakfield Primary School	Acorn Primary School
St Ciaran's Primary School	Carrowreagh Primary School
St Columba's Primary School	Kilrea Primary School
St John Bosco Primary School	Bellaghy Primary School
St John's Primary School	Killowen Primary School
St John's Primary School Swatragh	Eden Primary School
St Patrick's & St Brigid's Primary School	D H Christie Memorial Primary School
St Patrick's College	Maghera Primary School
St Patrick's Primary School	Rasharkin Primary School
St Pius X College	Magherafelt High School
Cushendun Young Womens Group	
Portstewart Scouts	
Sunlea Youth Centre	
Diversity Competency Leadership Programme Too	
Vision Summer Camp	
Cheers Youth Centre, Ballymoney	Rasharkin YC
Culnadey Girls Brigade	
Rathcoole YC, Newtownabbey	
Whitehead YC	
Armoy Girls Brigade	
Newmills Primary School	St Mary's Primary School, Lisbuoy
Lurgan Junior High School	St Mary's Junior High School Lurgan
Newbridge Integrated College	Bridge Integrated Primary School St Francis' Primary School, Aghaderg
Dromore Nursery	Drumnamoe Nursery
St Teresa's Primary School, Tullyherron	
Woods Primary School	St Trea's Primary School, Magherafelt
St Mary's Primary School, Cabra	Sperrinview School
Dromore Road Primary School	St Bronagh's Primary School, Rostrevor
Stewartstown Primary School	Ballylifford Primary School
Ballyoran Primary School	Bocombra Primary School
Hart Memorial Primary School	Presentation Primary School
Integrated College	Windmill Int. Primary School

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Derryhale Primary School	
Bush Primary School	Windmill Integrated Primary School
Edendork Primary School	Howard Primary School
St Patrick's College, Dungannon	Drumglass HS
St Malachy's Primary School, Carrickcroppan	Markethill Primary School
Hart Mem. Primary School (Nursery Unit)	Ballyoran Primary School (Nursery Unit)
Edenderry Nursery School	St John the Baptist Nursery School
St Brendan's Primary School (Nursery)	
Lurgan Junior High School	St Mary's Junior High School, Lurgan
Knowing Me	
Prejudice Awareness Programme	
Peace by Peace	
The Peace Project	
Portadown Interclub CR Project	
Youth Engagement Support (Yes)!	
Let's Get Together	
CRED Action Group	
Lurgan Town Project Peace Camp	
Our Space	
Coming Together	
ID Project	
Sibling Project	
Regent House Grammar School	Assumption Grammar School
Newtownards Model Primary School	St Finian's Primary School
Brooklands Youth Centre	Wandsworth Community Centre
Lisburn Rural Project	
Lisburn BME Youth Project	Lecale Area Youth Project & Ards Youth Club
Assumption Grammar School	Regent House Grammar School
St Mark's Primary School	Ballymacash Primary School
Glencraig Integrated Primary School	Hazelwood Integrated Primary School
Downshire Primary School	
St Joseph's Primary School	Newcastle Primary School
Good Shepherd Nursery School	Stanhope Nursery School
Ballymacrickett Primary School	Ballinderry Primary School
Dundonald Primary School	Christ the Redeemer Primary School
St Colmcille's High School, Crossgar	
Millisle Primary School	Killard House Special School
Bloomfield Primary School	St Nicholas' Primary School
Beechlawn Special School	
St Anne's Primary School	Ballyvester Primary School
St Macartans Primary School	Cumran Primary School

<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Moir Primary School	Rowandale Integrated Primary School
Derryboy Primary School	St Caolan's Primary School
Lagan College	Grosvenor Grammar
Castlereagh Youth Office	
Colin Youth Development Centre	
NCD Youth Provision	Cregagh Youth Centre
1st Spa Brownies	Drumaness Girl Guides
Downpatrick Scouting Ireland Venture Group	South East Down Explorer Scouts
Cregagh Youth Club	
Lagmore Area Project	Old Warren Youth Initiatives
Braniel Dreamscheme NI	
Forthill College	SEELB Youth Service, Lisburn (Learning Together Programme)
Ards Rural Project	Ards Estates & Ards West
WELB Inclusion Unit North West	
WELB Inclusion Unit South West	
Long Tower YC	Cathedral YC
Omagh Boys & Girls Club	Hospital Road YC
Top of the Hill	Currynerin Irish Street/Clooney Community Association
Lakeland YC	Cathedral YC Enniskillen
Gaelscoil Leim an Mhadaidh	Rossmar Special School
St Michael's College	Portora Royal
St Cecilia's College	
Portora Royal	St Michael's College
Gortin Primary School	St Peter's Primary School, Plumbridge
Aghadrumsee Primary School	St Tierney's Primary School
St Mary's Primary School Altinure	Cumber Claudy Primary School
Ardnashee School	Hollybush Primary School
Ardnashee School	St Anne's Primary School
St Joseph's Primary School Drumquin	Langfield Primary School
Arellian Nursery School	
Ashfield Boys' High School	
Cedar Lodge School	
Donegall Road Primary School	
Little Flower Girls' School	
Ravenscroft Nursery School	
St Michael's Primary School	
Taughmonagh Primary School	
Ashfield Girls' High School	
Belfast Boys' Model School	
Brefne Nursery School	



<b>Group/School</b>	<b>Partner Group/School (Where Applicable)</b>
Cathedral Nursery School	
Christian Brothers' School	
Cranmore Integrated Primary School	
Fane Street Primary School	
Glenbank Nursery School	
Hazelwood Integrated Primary School	
Lowwood Primary School	
McArthur Nursery School	
Mitchell House School	
Shaftesbury Nursery School	
St Joseph's Primary School	
St Louise's Comprehensive College	
St Patrick's College	
St Rose's Dominican College	
The Link Centre	
Tudor Lodge Nursery School	
Victoria College	
Victoria Nursery School	Black Mountain Primary and Nursery School
Deaf Youth Association	
Archway Youth Club	
Ashton Community Trust/Newlodge Youth Centre	
Belfast YMCA	
Corpus Christi Youth Centre	
East Belfast Area Project	
Hammer Youth Club	
Inclusion and Diversity Unit	
John Paul II Youth Club	
Kids Together West Belfast	
Ledley Hall Boys' and Girls' Club	
Ligoniel Improvement Association	
Mountcollyer Youth Centre	
North Belfast Area Project	
South Belfast Area Project	
St Louis House Youth Group	
St Michael's Youth Club	
Streetbeat Youth Project	
Sydenham Methodist Girls' Brigade	
Girl-Guiding Ulster	
The Scout Association	
Girls Brigade NI	
Boys Brigade NI	
Scouting Ireland	

Group/School	Partner Group/School (Where Applicable)
The Catholic Guides of Ireland	
Clubs for Young people	
Headliners	
Youth Forum	
Include Youth	

**Ms Sugden** asked the Minister of Education what transition planning and reviewing arrangements currently exist for young people with a disability, once they have left post-primary compulsory education.

**(AQW 41361/11-15)**

**Mr O'Dowd:** Once young people have left post-primary education, the responsibility for their transition arrangements no longer falls to the Department of Education.

**Ms Sugden** asked the Minister of Education to detail the areas in which Sure Start Programmes are currently funded; and whether services will be expanded to the top 25 per cent most disadvantaged wards in 2015.

**(AQW 41362/11-15)**

**Mr O'Dowd:** The following table provides details of the Sure Start Programmes that are currently funded in the north of Ireland, displayed by Childcare Partnership and electoral ward areas. Sure Start Services are being expanded to the top 25% most disadvantaged wards (as defined by the Multiple Deprivation Measures 2010 (NIMDM 2010)) on a phased approach as budgets allow, by April 2015.

Northern Childcare Partnership Area	Wards
Ballymena Sure Start	Ballykeel, Ballee, Moat, Harryville, Dunclug, Fairgreen, Castle Demesne and Summerfield
Coleraine Sure Start	Ballysally, Central, Churchland, Cross, Glebe, Knocklynn (Windyhall Estate), University (Millburn Estate) and Royal Portrush
Dalriada Rural Sure Start	Armoy, Bushmills, Ballylough, Mosside, Moyarget, Dalriada, Kinbane, Glentaise, Dunserverick, Knocklayd, Bonamargy, Rathlin and Newhill
Gold Community Sure Start	Gortallowry, Oldtown, Killymoon and Ardboe, Dunamore, Pomeroy and Maghera
Horizon Sure Start	Northlands, Sunnylands, Clipperstown, Love Lane, Antiville, Ballyloran and Craigyhill and Killycrot
Abbey Sure Start	Abbey, Cloughfern, Coole, Dunanney, Monkstown, Valley and Whitehouse
Antrim Sure Start	Ballycraig, Farrenshane and Steeple
Southern Childcare Partnership Area	Wards
Blossom Sure Start	Annagh, Ballybay, Ballyoran, Brownstown, Corcrair and Tavanagh
Clogher Valley Sure Start	Aughnacloy, Augher, Ballygawley, Clogher and Fivemiletown
Dungannon Sure Start	Ballysaggart, Benburb part ward, Coalisland South, Coolhill part ward, Drumglass part ward, Killymeal part ward, Moygashel part ward, Mullaghmore part ward, Castlecaulfield part ward, Coalisland South and Coalisland North
Newry City Sure Start	Ballybot, Daisyhill, Drumalane, Drumgullion, St Marys, St Patricks and Windsor Hill
South Armagh Sure Start	Bessbrook, Camlough, Creggan, Crossmaglen, Derrymore, Newtownhamilton, and Silver Bridge
Splash Sure Start	Church, Court, Drumgask, Drumgor, Drumnamoe, Taghnevan, Woodville 1 (SOA), and Parkmore Housing Estate (Craigavon)
Arke Sure Start	Abbey Park, Callan Bridge, Downs, Keady, part of The Mall, Lisnally and Alexander areas of the Observatory
Kilkeel Sure Start	Kilkeel Central 2 (SOA) and Kilkeel South 2 (SOA)

<b>Northern Childcare Partnership Area</b>	<b>Wards</b>
Star Sure Start, Banbridge	The Cut and Edenderry
<b>Western Childcare Partnership Area</b>	<b>Wards</b>
Cherish Sure Start	Irvinestown, Kesh, Ederney, Lack, Lisnarrick, Ballinamallard, Trillick, Devenish, Rosslea and Newtownbutler
Dry Arch Sure Start	The Highlands, Dungiven, Feeny, Upper Glenshane, Glack, Coolessan, Greystone, Enagh (Limavady) and Roeside
Sure Start Edenballymore	Brandywell, The Diamond, Westland, Strand, Beechwood, Creggan Central, and Creggan South
Last Sure Start	Lisanelly, Drumragh, Killyclogher, Camowen, Strule, Fintona, Termon and Gortrush
Little Hands Sure Start	Crevagh, Springtown, Rosemount, Foylesprings 2
Rainbow Sure Start	Castlederg, Glenderg, Clare, Drumquin and Newtownstewart
Sure Start Shantallow	Shantallow East, Shantallow West, Carnhill, Culmore and Ballynashallog
Strabane Sure Start	North, South, East, West, Ballycolman, Sion Mills, Finn, Dunnamanagh and Plumbridge
Waterside Sure Start	Victoria, Ebrington, Clondermott, Enagh and Caw
<b>South Eastern Childcare Partnership Area</b>	<b>Wards</b>
Colin Sure Start	Twinbrook, Poleglass, Colin Glen, Kilwee, Lagmore (Derriaghy)
Downpatrick Sure Start	Cathedral, Killough, Ballymote (Flying Horse), Ardglass, Audley's Acre, Strangford, Quoile and Murlough
Sure Start Ards	Scrabo, Portavogie, Kircubbin, Ballywalter, Portaferry and Central Ards
Bangor Sure Start	Whitehill and Dufferin (SOAs; Conlig 3 and Harbour 1)
Lisburn Sure Start	Old Warren, Tonagh and Hillhall 1 (SOA)
<b>Belfast Childcare Partnership Area</b>	<b>Wards</b>
Beechmount Sure Start	Beechmount
Clan Mór Sure Start	Clonard and Falls
East Belfast Sure Start	Island, The Mount, Ballymacarrett, Woodstock, Enler, Tullycarnet, Cregagh, Bloomfield 1 (SOA) and Ballybean area
Glenbrook Sure Start	Ardoyne, Cliftonville and Ligoniel
Outer West Belfast Sure start	Andersonstown, Glencolin, Glen Road and Ladybrook
Shankill Sure Start	Shankill, Highfield, Glencairn, Woodvale, Ballysillan and Crumlin (Belfast)
Smile Sure Start	New Lodge, Waterworks, Duncairn, Mount Vernon and Shore Crescent and Castlevue 1 (SOA)
South Belfast Sure Start	Ballynaveigh, Shaftsbury, Botanic, Blackstaff, Upper Malone (Taughmonagh & Benmore) and Minnowburn
Saol Úr Sure Start	Falls Park, Upper Springfield and Whiterock

**Ms Sugden** asked the Minister of Education whether he will expand the Extended Schools' Programme to provide funding for eligible schools in 2015/16.

**(AQW 41364/11-15)**

**Mr O'Dowd:** I regard the Extended Schools programme as a critical part of my overall strategy for school improvement by responding to the needs of pupils, parents, families and the local community.

The level of Extended Schools funding will be considered in the context of my overall spending plans for education which I am currently finalising for 2015/16.

**Mr Agnew** asked the Minister of Education to detail (i) the total spent; and (ii) and the number of teachers included in the Efficient Discharge scheme for (a) 2013/14; and (b) 2014/15.

**(AQW 41372/11-15)**

**Mr O'Dowd:** The Efficient Discharge scheme was revoked in 2010 with the agreement of employers therefore no teachers were released under such a scheme in 2013/14.

The scheme was re-introduced in May 2014 however, due to the small numbers involved, suppression would be required to prevent the identification of individuals. This guidance is in accordance with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.

**Miss M McIlveen** asked the Minister of Education to outline the procedures in place to appoint staff to the Education Authority Implementation Team.

**(AQW 41384/11-15)**

**Mr O'Dowd:** There are no plans to appoint staff to the Education Authority Implementation Team (EAIT). Staff in the Education and Library Boards and the Staff Commission, as well as staff in my Department, will work with EAIT to deliver the change programme.

**Miss M McIlveen** asked the Minister of Education when he anticipates that the Education Authority Implementation Team will complete its work and provide a timescale for its dissolution.

**(AQW 41385/11-15)**

**Mr O'Dowd:** The Education Authority Implementation Team (EAIT) is currently implementing the change programme to establish the Education Authority (EA). This is a significant programme of work which will continue beyond 1 April 2015.

Responsibility for managing the change programme will pass to EA on 1 April 2015.

**Miss M McIlveen** asked the Minister of Education who will have responsibility for the development of an appropriate management structure for the new Education Authority.

**(AQW 41386/11-15)**

**Mr O'Dowd:** My Department is currently developing a management structure for the Education Authority (EA) in consultation with the Interim Chief Executive. This includes the identification of posts at a senior level and will ensure that senior managers are in post as soon as possible after the Authority becomes operational. My Department will ask the Board of the Authority to review the management structure after an interval of no more than five years.

**Mr Newton** asked the Minister of Education whether there is any shortage of teachers at primary or post-primary level education; and if so, to detail the subject areas where a gap exists.

**(AQW 41395/11-15)**

**Mr O'Dowd:** The Department does not hold details of any shortages of teachers in primary or post-primary schools.

However, each year the Department commissions the Teacher Vacancy Return, which asks schools how many vacancies they have been unable to fill and the breakdown of those vacancies by school type, full-time/part-time and permanent/temporary.

Table 1 below shows the number of vacancies, in primary and post-primary, which existed at the end of the 2013/14 academic year that were unfilled at the start of November 2014.

**Table 1: Number of unfilled vacancies in primary and post primary schools at November 2014**

	Permanent			Temporary		
	FT	PT	Total	FT	PT	Total
Primary	76	10	86	28	17	45
Post Primary	24	7	31	24	8	32

**Source:** Teacher Vacancies Return

1 These figures include principals, vice principals and classroom teachers.

Table 2 shows the number of vacancies in post-primary schools, which existed at the end of the 2013/14 academic year that were unfilled at the start of November 2014, by subject

**Table 2: Number of unfilled vacancies in post primary schools by subject at November 2014**

	Permanent			Temporary		
	FT	PT	Total	FT	PT	Total
Mathematics	3	0	3	2	1	3
Information Technology	2	0	2	1	1	2
Chemistry	1	1	2	0	0	0
Physics	0	1	1	0	0	0
Biology	1	0	1	0	0	0
Integrated	0	1	1	1	0	1
Other	1	0	1	0	0	0
German	0	0	0	0	1	1
English	3	0	3	5	1	6
History	0	0	0	0	1	1
Geography	0	0	0	2	0	2
Religious Education	0	0	0	1	0	1
Design and Technology	2	0	2	0	0	0
Home Economics	0	0	0	2	1	3
Art, Craft or Design	2	1	3	1	1	2
Music	1	0	1	0	0	0
Special Educational Needs	0	0	0	1	0	1
Combined Subjects	1	0	1	3	1	4
PSHE	0	1	1	0	0	0
Other main subjects	2	2	4	4	0	4
<b>Total</b>	<b>19</b>	<b>7</b>	<b>26</b>	<b>23</b>	<b>8</b>	<b>31</b>

**Source:** Teacher Vacancies Return

1 These figures include classroom teachers only.

The School Omnibus Survey is an annual multi-purpose survey of all grant-aided schools covering a variety of topics. In 2014 the survey included questions for all post-primary schools, asking if they had any difficulty in recruiting teachers. The results were published in Chapter 9 of the School Omnibus Survey 2014 on the DE website - [http://www.deni.gov.uk/index/facts-and-figures-new/32\\_statistics\\_and\\_research-research\\_pg/school\\_omnibus\\_survey.htm](http://www.deni.gov.uk/index/facts-and-figures-new/32_statistics_and_research-research_pg/school_omnibus_survey.htm)

**Ms Ruane** asked the Minister of Education to detail the (i) percentage; and (ii) number of children that achieved at least five GCSEs at grades A\* - C in schools that serve South Down, in each of the last thirteen years, broken down by (a) gender; (b) religious background; and (c) socio-economic background.

**(AQW 41398/11-15)**

**Mr O'Dowd:** The information contained in the following tables refers to the achievement of pupils resident in the South Down constituency leaving mainstream grant aided post-primary schools during the academic years 2000/01 to 2012/13. A pupil's socio-economic background has been derived using free school meal entitlement.

Data covering the academic year 2012/13 are the most recent available. Equivalent figures for 2013/14 school leavers are scheduled for release in May 2015.

Number and percentage of school leavers resident in the South Down constituency achieving at least five GCSEs at grades A\*-C, by gender, 2000/01 to 2012/13(1,2)

	Boys		Girls	
	Number	%	Number	%
2000/01	459	53.0	567	73.4
2001/02	430	49.7	604	71.8



	Boys		Girls	
	Number	%	Number	%
2003/04	510	56.5	675	73.2
2004/05	500	54.3	606	74.0
2005/06	563	59.3	665	74.6
2006/07	505	57.1	624	75.7
2007/08	504	63.1	612	79.2
2008/09	480	64.9	579	81.1
2009/10	478	66.0	639	84.0
2010/11	562	71.3	644	85.0
2011/12	543	72.9	627	86.4
2012/13	582	75.1	636	84.8

**Source:** School Leavers Survey

**Notes:**

- 1 Please note that in 2002/03 the School Leavers Survey was not undertaken due to software issues in schools.
- 2 Includes equivalent qualifications.

Number and percentage of school leavers resident in the South Down constituency achieving at least five GCSEs at grades A\*-C, by religion of pupil, 2000/01 to 2012/13(1,2)

	Protestant		Catholic		Other(3)	
	Number	%	Number	%	Number	%
2000/01	273	67.9	729	60.6	24	72.7
2001/02	267	63.9	747	59.4	20	64.5
2003/04	299	67.5	851	63.7	35	76.1
2004/05	263	62.3	812	63.3	31	88.6
2005/06	284	63.4	904	67.5	40	74.1
2006/07	250	66.1	832	65.9	47	68.1
2007/08	234	73.4	851	70.2	31	75.6
2008/09	242	73.8	766	72.1	51	81.0
2009/10	229	75.8	844	74.8	44	80.0
2010/11	288	77.0	877	78.5	41	74.5
2011/12	246	75.7	886	80.4	38	86.4
2012/13	248	79.7	918	79.6	52	85.2

**Source:** School Leavers Survey

**Notes:**

- 1 Please note that in 2002/03 the School Leavers Survey was not undertaken due to software issues in schools.
- 2 Includes equivalent qualifications.
- 3 Other religion category includes Other Christian, No Religion and Non-Christian.

Number and percentage of school leavers resident in the South Down constituency achieving at least five GCSEs at grades A\*-C, by free school meal entitlement, 2000/01 to 2012/13(1,2)

	Not entitled to free school meals		Entitled to free school meals	
	Number	%	Number	%
2000/01	923	67.4	103	38.4

	Not entitled to free school meals		Entitled to free school meals	
	Number	%	Number	%
2001/02	943	66.2	91	32.3
2003/04	1093	71.7	92	30.8
2004/05	1003	69.1	103	35.9
2005/06	1124	71.6	104	38.4
2006/07	1051	71.1	78	33.9
2007/08	1054	74.8	62	38.0
2008/09	986	78.3	73	37.6
2009/10	1036	79.9	81	43.1
2010/11	1086	82.3	120	53.1
2011/12	1043	83.4	127	57.7
2012/13	1072	83.4	146	61.1

**Source:** School Leavers Survey

**Notes:**

- 1 Please note that in 2002/03 the School Leavers Survey was not undertaken due to software issues in schools.
- 2 Includes equivalent qualifications.

**Mr Easton** asked the Minister of Education for an update on the new build for St. Columbanus' College in Bangor.  
(AQW 41401/11-15)

**Mr O'Dowd:** No timescale has been set for the delivery of a new build for St Columbanus College, Bangor. Any decision on this matter has been subject to ongoing area planning considerations.

By way of update I can advise that the South Eastern Education & Library Board published Development Proposal No 254 on 2 October 2014. The 2-month consultation period ended on 2 December 2014 and my officials are currently considering responses received. A decision on the Development Proposal will issue in due course.

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.

**Ms Sugden** asked the Minister of Education for his assessment of the provision of classroom assistants in mainstream post-primary schools for pupils who have a disability that were supported by a classroom assistant at primary level.  
(AQW 41428/11-15)

**Mr O'Dowd:** As outlined in the Code of Practice on the Identification and Assessment of Special Educational Needs, Education and Library Boards (ELBs) are required to review all statements of special educational needs (SEN) at least annually and these reviews should be seen as part of a process of continuous assessment. A child's transfer from primary to post-primary education is carefully considered during the last year in the child's current school and the annual review of the child's SEN, which if necessary should be brought forward to allow sufficient time, will review the provision being made including, if appropriate, provision of a classroom assistant.

The review process enables an ELB to consider the individual needs of a child and how they may change in a post-primary setting. If it is concluded that a child continues to need the support of a classroom assistant the statement will be subsequently amended and the provision put in place in the new school setting.

**Mr Weir** asked the Minister of Education to detail the average primary school class size in North Down in each of the last five years; and how this compares with the Northern Ireland average.  
(AQW 41433/11-15)

**Mr O'Dowd:** The table overleaf details the average primary school class size for North Down constituency. The figures relate to 2009/10 to 2013/14. Figures for 2014/15 will be available at the end of February.

Average primary school class size in North Down constituency and Northern Ireland, 2009/10 – 2013/14

	2009/10	2010/11	2011/12	2012/13	2013/14
North Down	24.5	24.4	25.5	26.1	26.8
Northern Ireland	23.0	23.0	23.3	23.9	24.0

**Source:** NI school census

**Notes:**

- 1 Data excludes learning support centre classes.
- 2 Figures include pupils in years 1 – 7 only.
- 3 Any composite classes including reception pupils have been included, but the class size excludes reception pupils

**Mr McNarry** asked the Minister of Education how much has been spent on taxis by each Education and Library Board in the last five years.

**(AQW 41454/11-15)**

**Mr O'Dowd:** The costs for transporting pupils to school by taxi for the last five years for which data are available are:

Year	BELB	NEELB	SEELB	SELB	WELB
2009/10	£908,075	£1,932,458	£1,124,064	£1,998,832	£1,516,725
2010/11	£977,355	£1,663,086	£1,055,732	£1,887,236	£1,630,190
2011/12	£946,244	£1,332,875	£811,132	£1,681,110	£1,503,900
2012/13	£889,138	£1,343,097	£906,326	£1,640,853	£1,745,773
2013/14	£1,036,548	£1,419,492	£978,317	£1,751,221	£2,005,773

**Mr Easton** asked the Minister of Education for an update on a new build for Priory College, Holywood.

**(AQW 41469/11-15)**

**Mr O'Dowd:** No timescale has been set for the delivery of a new build for Priory College, Holywood. The school was considered under 'The Major Works Projects - Protocol for Selection of Projects to Proceed in Planning' in advance of my June 2014 capital announcement. The protocol subjected potential projects to Gateway checks for sustainability and area planning issues. Priory College did not pass the 'Gateway' and was therefore not included in my announcement.

**Mr Easton** asked the Minister of Education for an update on a new build for Holywood Primary School.

**(AQW 41470/11-15)**

**Mr O'Dowd:** No timescale has been set for the delivery of a new build for Holywood Primary School (PS). Prior to my June 2014 capital announcement, the school was considered under 'The Major Works Projects - Protocol for Selection of Projects to Proceed in Planning' but did not achieve a sufficient score to be included in the list of announced projects due to budget constraints.

**Mr Easton** asked the Minister of Education for an update on the Kilcooley Primary School development proposals.

**(AQW 41473/11-15)**

**Mr O'Dowd:** On 3 June 2014 I approved Development Proposal No 243 to decrease Kilcooley Primary School's approved enrolment number from 567 to 205 and admissions number from 81 to 29 with effect from 31 August 2014 or as soon as possible thereafter.

This was the first phase of the South Eastern Education and Library Board's reorganisation of controlled primary provision in the Bangor area.

Information on Development Proposals is available on my Department's website and a record of my decision on this development proposal can be accessed using the following link

[http://www.deni.gov.uk/kilcooley\\_and\\_clandeboyne\\_ps\\_-\\_officials\\_\\_submission.pdf](http://www.deni.gov.uk/kilcooley_and_clandeboyne_ps_-_officials__submission.pdf)

**Mr McCausland** asked the Minister of Education for his assessment of how the Northern Ireland Curriculum raises awareness of the contribution Northern Ireland has made to the development of STEM subjects.

**(AQW 41500/11-15)**

**Mr O'Dowd:** The curriculum keeps prescribed content to a minimum and allows schools to choose the most appropriate approach to take with their pupils to ensure they are engaged and challenged to reach their full potential. Teachers therefore have the flexibility to teach their pupils about those from the north of Ireland who have made major contributions to science

and technology. This could include people such as William Thomson 1st Baron of Kelvin (pre-eminent scientist), Neil Armstrong (aviator) or John Boyd Dunlop (Dunlop Tyres) amongst many others.

**Mr Easton** asked the Minister of Education for an update on development proposals for Clandeboye Primary School, Bangor.  
(AQW 41530/11-15)

**Mr O'Dowd:** On 3 June 2014 I approved Development Proposal No 244 with a modification to decrease Clandeboye Primary School's admission number from 78 to 58 with effect from 31 August 2015 or as soon as possible thereafter. This was to set the admissions for Clandeboye Primary School at a two class entry.

This proposal and that for Kilcooley Primary School were the first phase of the South Eastern Education and Library Board's reorganisation of controlled primary provision in the Bangor area.

Information on Development Proposals is available on my Department's website and a record of my decision on this development proposal can be accessed using the following link [http://www.deni.gov.uk/kilcooley\\_and\\_clandeboye\\_ps\\_-\\_officials\\_\\_submission.pdf](http://www.deni.gov.uk/kilcooley_and_clandeboye_ps_-_officials__submission.pdf)

**Mrs D Kelly** asked the Minister of Education how the decision was made to designate St Ronan's, Lurgan as a Voluntary Grammar School, including the criteria used.  
(AQW 41560/11-15)

**Mr O'Dowd:** St Ronan's College is the proposed name for the new school created as a result of the amalgamation of St Michael's Grammar School, St Mary's High School and St Paul's Junior High School, Lurgan.

When post primary schools of mixed management types, in this case a voluntary grammar school and two maintained secondary schools, bring forward a proposal to amalgamate, it is for the proposers to indicate what the management type of the new school will be. As requested in DP 291, St Ronan's College will be a co-educational 11-18 voluntary grammar school and the new school will not select for entry on the basis of academic criteria.

**Mrs Dobson** asked the Minister of Education to detail the schools where pupils are studying the book 'Bog Child' at Key Stage 3.  
(AQW 41586/11-15)

**Mr O'Dowd:** The curriculum allows teachers flexibility over how they deliver the curriculum to meet children's needs. My Department does not prescribe resources to be used by teachers to deliver the curriculum and therefore does not hold information on what resources are used.

**Mr Newton** asked the Minister of Education whether any additional support or encouragement is given to schools within inner city only areas to take part in British Telecoms young scientist of the year competition.  
(AQW 41615/11-15)

**Mr O'Dowd:** The BT Young Scientist Exhibition is open to all schools to apply. My Department provides funding in support of the exhibition and promotes the competition directly to schools. It 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.

No additional support or encouragement is given to any particular school, including those within inner city areas.

## Department for Employment and Learning

**Mr Swann** asked the Minister for Employment and Learning how the actions assigned to his Department, contained in the Department of Agriculture and Rural Development's Rural White Paper Action Plan, will be effected by any budget cuts in 2015/16.  
(AQW 40433/11-15)

**Dr Farry (The Minister for Employment and Learning):** My Department recognises the need to enhance the sustainability of rural communities and for this reason has been undertaking a number of actions in the current Rural White Paper Action Plan (RWPAP) that have a positive impact on rural areas.

The first Annual Progress Report on the RWPAP was published in January 2014 and indicates that good progress is being made. All four of my Department's actions are underway and on track to be achieved in the timeframe.

The draft 2015-16 Budget for the Department results in a net 10.8% cash reduction from the opening baseline figure of £756m which equates to £82m.

The Department's Draft Budget for 2015-16 was published on our Department's website on 4 December 2014 for consultation. Responses to the consultation have since been received and are currently being considered.

The Department will seek to act as strategically as possible, which means trying to protect, first and foremost, those areas that are most relevant to the economy, as well as looking to protect those services that are provided to those who are most vulnerable.

**Mr McCausland** asked the Minister for Employment and Learning, pursuant to AQW 39336/11-15, whether any of the salary and other core costs associated with the 14 members of the academic staff at the University of Ulster, who deliver Irish language courses, are met by Foras na Gaeilge or any other external funding or from the core budget of the university.  
(AQW 40473/11-15)

**Dr Farry:** 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 this matter.

**Mr Weir** asked the Minister for Employment and Learning what steps his Department is taking to increase the number of people from North Down enrolling in higher education.  
(AQW 40500/11-15)

**Dr Farry:** One of the key aims of my Department's higher education strategy, Graduating to Success, is to ensure that higher education is accessible to all who have the ability to benefit.

This is reflected in Access to Success, my Department's regional strategy to widen participation which focuses on the creation of a more accessible sector in which the people who are most able but least likely to participate are given every encouragement and support to apply to, and to benefit from, higher education. Raising awareness is an important aspect of the implementation plan and my Department has developed a campaign under the 'Reach Higher' banner to raise awareness across Northern Ireland of the benefits of higher education.

Although the implementation plan for Graduating to Success and Access to Success does not target specific geographical areas, it does aim to improve learner information in regard to higher education to support all students including those from North Down in their decision making. To this end my Department has recently reviewed and enhanced the higher education information available through NIDirect.

Improving access to higher education is also a key aspect of the implementation plan and I can confirm that South Eastern Regional College's allocation of full-time higher education places has increased from 557 in academic year 2013/14 to 580 in academic year 2014/15. This increase is the result of my Department's annual review of college full-time higher education allocations and additional full-time places that I have made available.

These additional full-time places were allocated to the college based on established current and future demand for higher education in the college catchment area which includes North Down; the college's alignment with my Department's strategic priority areas as demonstrated in its College Development Plan; and support for the Department's Widening Participation goals in the geographical distribution of higher education places across Northern Ireland.

However, it is the responsibility of the senior management in the regional college to manage their allocation of full-time higher education places across campuses and curriculum areas to balance local demand and Departmental priorities.

My Department is also committed to carrying out further reviews of college allocations in the future.

**Mrs D Kelly** asked the Minister for Employment and Learning to detail the (i) budget for; and (ii) expenditure on pastoral care and student support held by each higher and further education establishment, in each of the last three years.  
(AQW 40665/11-15)

**Dr Farry:** Higher Education

My Department does not allocate a budget for pastoral care.

The Higher Education Institutions (HEIs) are responsible for putting in place their own individual pastoral care arrangements aimed at promoting the health and wellbeing of students by providing them with access to appropriate guidance and support.

The information in the table below was provided by the HEIs.

	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)
	2011/12		2012/13		2013/14	
QUB		1,499,000		1,581,000		1,538,000
UU	1,247,040	1,504,216	1,244,888	1,760,868	1,299,907	1,547,628
Stranmillis	464,746	478,741	482,645	470,389	512,891	458,680
St Marys	757,000	758,904	685,000	694,068	594,000	572,369



Queen's University has stated that its budgets are not allocated at an individual activity level but at a Faculty and Directorate level and so they were only able to provide expenditure for each year.

#### Further Education

In further education (FE), my Department does not have a specific budget for pastoral care and student support. The colleges are responsible for putting in place their own individual pastoral care arrangements aimed at promoting the health and wellbeing of students by providing them with access to appropriate guidance and support. My Department does however have a number of schemes in place to ensure that a variety of financial support is provided to assist students in FE provision.

Financial support to students is provided through the following schemes:

- FE Awards which provide bursaries to eligible students to assist with the costs associated with undertaking a course of study.
- College Hardship Funds which are directed at students who are experiencing exceptional financial difficulties.
- Care to Learn Scheme which seeks to provide financial support to young parents to help meet the cost of childcare and allow them to start or continue their education in FE Colleges. It is aimed at those aged under 20 at the time of enrolment.
- Additional Support Funds which seek to encourage enrolments from students with disabilities and/or learning difficulties.

The tables at Annex A set out the budgets and expenditure, by college, as requested. For reference, the six FE colleges are: Belfast Metropolitan College (BMC); Northern Regional College (NRC); North West Regional College (NWRC); South Eastern Regional College (SERC); Southern Regional College (SRC) and South West College (SWC).

#### Annex A

##### FE Awards

	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)
	2011/12		2012/13		2013/14	
Total Fund	£4,666	£4,614	£5,544	£5,506	£5,925	£5,426

##### Hardship Fund

	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)
	2011/12		2012/13		2013/14	
BMC	£643	£615	£724	£719	£615	£604
NRC	£169	£126	£152	£133	£196	£185
NWRC	£360	£306	£418	£418	£342	£342
SERC	£181	£123	£216	£143	£215	£146
SRC	£436	£427	£386	£358	£681	£459
SWC	£181	£219	£152	£220	£298	£270
<b>Total Fund</b>	<b>£1,970</b>	<b>£1,816</b>	<b>£2,048</b>	<b>£1,991</b>	<b>£2,347</b>	<b>£2,006</b>

##### Care to Learn

	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)
	2011/12		2012/13		2013/14	
BMC	*	£22	*	£20	*	£33
NRC	*	£65	*	£80	*	£49
NWRC	*	£57	*	£42	*	£103
SERC	*	£93	*	£60	*	£53
SRC	*	£158	*	£155	*	£148

	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)
	2011/12		2012/13		2013/14	
SWC	*	£29	*	£36	*	£12
<b>Total Fund</b>	<b>£450</b>	<b>£424</b>	<b>£450</b>	<b>£393</b>	<b>£450</b>	<b>£398</b>

**Additional Support Fund**

	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)	(i) Budget (£000)	(ii) Expenditure (£000)
	2011/12		2012/13		2013/14	
BMC	£864	£864	£783	£741	£971	£971
NRC	£725	£725	£686	£686	£789	£710
NWRC	£540	£540	£529	£529	£581	£581
SERC	£458	£458	£463	£463	£465	£418
SRC	£717	£710	£919	£919	£948	£948
SWC	£394	£394	£430	£430	£455	£455
<b>Total Fund</b>	<b>£3,698</b>	<b>£3,691</b>	<b>£3,810</b>	<b>£3,768</b>	<b>£4,209</b>	<b>£4,083</b>

\* Budget not allocated to individual colleges

**Mrs Dobson** asked the Minister for Employment and Learning what impact the changes to the criteria for the European Social Fund, especially the requirement to hold in cash flow 10 per cent of the application funding, will have on applications from community and women's groups.

**(AQW 40722/11-15)**

**Dr Farry:** All potential applicants to the European Social Fund (ESF) must meet a financial capability assessment for the new Programme including demonstrating the capability of 10% net cash assets in their organisations most recent set of annual accounts.

One of the main reasons for introducing this specific condition is that the new ESF Programme for 2014-2020 has no facility for providing a 30% pre-payment advance. Any pre-payment advance is likely to be limited to 5% in each year of the new programme.

Given that actual ESF expenditure has to be paid out in full by an ESF project before submitting a claim to the ESF Managing Authority, a project must therefore have access to the relevant cash resources.

It is therefore imperative that a project has net cash assets to fulfil this requirement. If a project has no net cash assets then they would not be able to fully comply with the ESF financial claims process specified by the European Commission.

It is very difficult to determine any impact the above conditions of funding will have on grass roots community organisations. However, similar conditions apply to other Government or European funding, and in the case of the ESF, they reflect requirements at European level.

**Mr Swann** asked the Minister for Employment and Learning how many fraud investigations have taken place in each university and regional colleges in each of the last three years.

**(AQW 40754/11-15)**

**Dr Farry:** The number of fraud investigations which have taken place in each University and regional college in each of the last three years is as per the table below.

College	2014/15	2013/14	2012/13
Belfast Metropolitan College	5	7	3
Northern Regional College	1	7	2
North West Regional College	0	2	3
South Eastern Regional College	2	2	2

College	2014/15	2013/14	2012/13
Southern Regional College	0	0	7
South West College	1	1	2

University	2014/15	2013/14	2012/13
Queen's University, Belfast	4	3	0
University of Ulster	1	1	2

\* 2014/15 figures represent year to date

**Mr McCausland** asked the Minister for Employment and Learning to detail the Irish language courses funded by his Department.

**(AQW 40942/11-15)**

**Dr Farry:** Further education colleges currently deliver a range of Irish language courses, including short courses and accredited courses, such as GCSE and A-Level.

The following courses were provided by Further Education colleges and funded by DEL as shown in the table below:

#### Enrolments

Course Title	Non regulated Regulated	
Conversational Irish	10	0
Irish for Beginners/ Beginners Irish	120	0
Intermediate Irish	49	0
Advanced Irish	46	0
Irish	70	0
QCF EL 4 Irish	24	0
University of Ulster Level 4 Diploma in Irish Language	0	42
CCEA Level 3 Advanced GCE Irish	0	7
CCEA Level 3 Advanced Subsidiary GCE in Irish	0	8
Signature Level 3 NVQ Certificate in Irish Sign Language (QCF)	0	11
<b>Total enrolments</b>	<b>319</b>	<b>68</b>

**Source:** Consolidated Data Return (CDR)

#### Notes:

- Figures correct as at 17th October 2014
- Only FLU funded enrolments have been included in this analysis
- Only courses relating to Irish language have been included in this analysis
- Only courses where RRQ\_PL\_CODE='IRISH' have been included in this analysis

The Further Education (FE) recurrent block grant is delivered to FE Regional colleges through the Funded Learning Unit (FLU) funding model, which is a distributive funding mechanism designed to support the Department for Employment & Learning's (DEL) strategic priorities (introduced in September 2007). Consequently the analysis focuses on the most recent complete academic year 2013/14.

My Department also provides funding to the Higher Education Institutions (HEIs) for teaching and learning and research purposes. It does not provide funding for specific courses and does not hold information on course content.

The HEIs hold information on their own specific course provision and you may wish to write to them directly to obtain information on the full list of Irish language courses currently being delivered.

**Ms Sugden** asked the Minister for Employment and Learning what mechanisms are in place to (i) identify young people who are not in education, training or employment; (ii) encourage their engagement in programmes to address their needs; and (iii) monitor the outcomes of their engagement with relevant programmes.

**(AQW 41008/11-15)**

**Dr Farry:** The Executive agreed the Northern Ireland cross-departmental strategy for those young people in the Not in Education, Employment or Training (NEET) category, 'Pathways to Success', in 2012.

The strategy contains an Action Plan which pulls together actions across Departments, statutory agencies, the voluntary and community sector and local government, and employers also have a role to play. The NEET Advisory Group (NAG) chaired by DEL, brings together key decision makers from Government Departments, voluntary and community, education, health, social care and business sectors and local government. The Group provides leadership and co-ordination of the programme of interventions. It also addresses the need to improve the information base available to all the stakeholders involved so that the actions can be targeted effectively at those most in need and continue to be informed by best practice elsewhere.

In developing the 'Pathways to Success' strategy, DEL also helped establish the independent NEET Strategy Forum to engage and help join up those organisations in the voluntary and community sector who deliver services in this area. The Forum consists of some 80 members currently, membership is open and Forum members are also represented on the NEET Advisory Group.

To support a method of agreeing best practice, the Forum is supporting the introduction of the Journey to Employment (JET) pilot. This is a Shared Measurement Framework for Young people who are in need of Education, Employment and Training. The Forum is also developing a NEET Youth Forum (NYF), promoting a Mapping Tool to provide a map of service provision available to NEETs. We are considering the role of the Forum following the formal evaluation of Pathways to Success and the introduction of the new ESF programme.

Collaboration and Innovation Fund (CIF) projects use a range of methods to identify young people who are not in education employment and training. These include collaboration with local community groups and government bodies, advertising through various media sources, the distribution of promotional leaflets and by project staff conducting home visits within local communities.

Projects use a range of activities to encourage CIF participation, such as the use of IT packages, digital media, music and outdoor team building events. Incentives provided by projects and the availability of an Educational Maintenance Allowance of up to £25 per week for 16-17 year olds helps to retain participants' commitment to the programme. These, combined with access to a personal mentor, have proved successful in providing the motivation for young people to progress to more intensive activities such as vocational training and work experience.

Statistics received on a monthly basis from CIF projects provide information on the destination of all programme leavers including, into employment, education and training. Statistics are also collected on the level of qualifications obtained and the number of essential skills qualifications achieved.

By the end of December 2014, a total of 5,284 young people commenced Collaboration and Innovation Funded (CIF) projects. Of the 3,754 leaving the programme 2,870 have completed activities with 1,954 moving into positive outcomes of employment 496 (13%), education 485 (13%) and training 973 (26%). Performance of individual projects is monitored on a monthly basis by DEL staff.

The Community Family Support Programme providers and DEL staff monitor the destinations of young people participating on the programme at the end of each 26 week programme cycle. Data at the end of cycle two showed that, of the 319 NEETs participating on the programme, 206 (65%) progressed to positive destinations in education, employment and training.

During the period April 2014 to December 2014, a total of 2,422 clients were case loaded to the LEMIS programme, of these 999 were young people not in Education, Employment or training. Derry Job Assist Centre case-loaded 417 clients and 73 people (17.5%) commenced permanent full time employment, seven commenced part time employment and eight entered temporary employment. 145 of those case loaded were NEET clients, 28 commenced permanent full time employment, three commenced part time employment and four commenced temporary employment. The unit cost of a client entering permanent full time employment for this period was £3,556.

Monitoring of statistical information is carried out on a monthly basis using Provider returns and LEMIS spreadsheets.

### Tracking System

Data sharing arrangements have been agreed with 258 schools out of a total of 265, including 210 post-primary, 40 special needs and 15 independent schools. DEL's Careers Service provides full class lists from schools, including details on pupils who are in Alternative Schooling or those that have been suspended. Data sharing ensures that all young people at school and at risk of becoming or remaining NEET can be identified and offered advice. Careers advisers actively case-manage early leavers from school and DEL funded programmes for 16 and 17 year olds. Those identified as being NEET are supported into appropriate provision.

The Unique Learner Number (ULN) has already been adopted by DEL across all its programmes and is being adopted by the Department of Education (DE). This will support the ongoing development of a system to track individuals' employment, training and educational progress.

**Mrs Hale** asked the Minister for Employment and Learning what evidence exists that demonstrates the ratio, engagement and success of further education colleges compared to Independent Training providers in delivering the Business Improvements Techniques programmes.

(AQW 41035/11-15)

**Dr Farry:** The Business Improvements Techniques programme was updated in 2013 /14 and since then 15 programmes have either been delivered or are currently under way. Of these, ten have been delivered by Further Education colleges and five by Independent Training providers. The ratio of delivery is therefore 2 to 1. In terms of outcome, all those who have undertaken the training have achieved the relevant Level 2 qualification whether that training has been delivered by colleges or private providers.

**Mrs Hale** asked the Minister for Employment and Learning for his assessment of the engineering programmes offered by Regional Colleges and universities.

**(AQW 41038/11-15)**

**Dr Farry:** Engineering is one of a number of priority sectors on which my Department is focusing its employment and skills provision. I have established and chair the Advanced Manufacturing and Engineering Services Working Group which aims to identify and address the skills challenges faced by employers within this sector bringing together government, academia and local employers. One of the Group's commitments is to establish a curriculum group to ensure courses at the further education colleges and universities are relevant to the industry. Indeed, the recent changes I announced for the way forward for Apprenticeships in Northern Ireland will ensure colleges and universities continue to focus on relevant and high quality training for the industry offering a seamless progression into further and higher education.

In addition to the importance of ensuring that engineering provision offered reflects the needs of employers and the wider economy, the quality of that provision is also paramount. Colleges are regularly inspected across all areas of provision by the Education and Training Inspectorate to ensure that they provide high quality teaching and learning programmes that meet the needs of learners. Within higher education, my Department contracts the Quality Assurance Agency, to ensure that the teaching provision funded by my Department is of good quality and meets the agreed standards within the higher education sector.

I believe the quality of engineering provision coupled with its strong industry relevant curriculum is reflected through the level of enrolments on engineering courses at the colleges and universities. In academic year 2013/14 there were 7,192 enrolments at the further education colleges in engineering of which 6,487 were on courses that could potentially lead to a 'regulated' qualification. The success rate for those final year 'regulated' enrolments in 2013/14, within the subject area 'Engineering', was 84%.

The university enrolments for engineering are also extremely promising with 3,410 enrolments in 2012/13. The universities also continue to score extremely highly in terms of student satisfaction in engineering courses. In some cases up to 100% of students reported that they were satisfied with the quality of their course. Even more promising is that up to 95% of students on some engineering courses were in professional or managerial jobs six months after graduating.

My assessment of the engineering programmes on offer at our further and higher education providers is therefore highly positive and I remain committed to ensuring that their provision meets the needs of employers and also provides all learners with a high quality learning experience.

**Mr Easton** asked the Minister for Employment and Learning how much funding the Ulster Scots Agency has received from his Department over the last three financial years.

**(AQW 41043/11-15)**

**Dr Farry:** The Ulster Scots Agency has not received any funding from the Department over the last three financial years.

**Mr F McCann** asked the Minister for Employment and Learning how many students attend the Titanic campus of Belfast Metropolitan College.

**(AQW 41071/11-15)**

**Dr Farry:** In academic year 2013/14 there were 13,649 enrolments registered by Belfast Metropolitan College at the Titanic Quarter site and of these enrolments there were 6,647 individual students. For the same year there were 10,433 enrolments by 6,904 students at the Millfield site and 725 enrolments by 535 students at the e3 site. Across the whole college, there were 37,055 enrolments by 20,191 students.

It should be noted that caution should be taken when interpreting the numbers of students above, as the same student may be enrolled on multiple courses at different sites and so feature more than once in the statistics.

**Mr F McCann** asked the Minister for Employment and Learning how many students attend the Millfield campus of Belfast Metropolitan College.

**(AQW 41072/11-15)**

**Dr Farry:** In academic year 2013/14 there were 13,649 enrolments registered by Belfast Metropolitan College at the Titanic Quarter site and of these enrolments there were 6,647 individual students. For the same year there were 10,433 enrolments by 6,904 students at the Millfield site and 725 enrolments by 535 students at the e3 site. Across the whole college, there were 37,055 enrolments by 20,191 students.

It should be noted that caution should be taken when interpreting the numbers of students above, as the same student may be enrolled on multiple courses at different sites and so feature more than once in the statistics.



**Mr McKay** asked the Minister for Employment and Learning what action his Department is taking to secure funding from the European Globalisation Adjustment Fund to support workers at JTI Gallaher.

**(AQW 41108/11-15)**

**Dr Farry:** I was disappointed to learn that Japan Tobacco International (JTI) have not accepted the Union's proposal to save jobs at the Lisnafillan plant. My thoughts are with those who are facing redundancy.

The European Globalisation Adjustment Fund (EGF) supports workers made redundant as a result of major structural changes in world trade patterns due to globalisation and global financial and economic crises. My officials have been in contact with the Commission Office in Belfast and the European Commission in Brussels to discuss the potential for an application to be made to this fund. All applications must be agreed by the Member State Government; therefore my Department has also initiated discussions with relevant officials in the Department for Work and Pensions.

However, JTI have advised that they are planning to relocate some jobs within the European Union; this puts the potential eligibility of an application to the EGF in question as jobs relocated to other Member States do not qualify for funding under the EGF. Engagement with the company is ongoing to determine the total number of expected redundancies in the local supply chain to ascertain whether the situation might be eligible for the EGF. I have written to my Executive colleagues to explain the fund and its potential use in the case of JTI Gallaher. I will continue to work with my Executive colleagues to support those affected by the closure of JTI Gallaher.

My Department will provide a range of services to those facing redundancy through the Redundancy Advice Service, the Careers Service, Bridge to Employment and through the Further Education Sector, in particular Northern Regional College. I have also brought the potential closure to the attention of the business members of the Advanced Manufacturing and Engineering Services Group (AMES) at their last meeting and asked them to consider the JTI workers who become redundant in their future hiring plans. I will ensure my Department does everything that can be done to assist those affected by the recent announcement.

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning what financial support is available from his Department for young people who chose to study in other EU countries.

**(AQW 41109/11-15)**

**Dr Farry:** EU citizens have the right, subject to certain conditions, to study or work in another EU country. Consequently, they also have the right to be treated equally with domestic students in terms of any course fees they may be required to pay. This arrangement does not necessarily apply to other types of support such as maintenance grants. Some countries may nevertheless choose to provide maintenance grants to foreign students, on their own initiative.

My Department does not offer financial support for young people in further or higher education who chose to study their entire course in other EU countries, apart from students attending higher education courses in the Republic of Ireland. In academic year 2014/15 these students are eligible to apply for a loan to cover the student contribution charge of €2750, maintenance loans of up to £4,840 and means tested maintenance grants of up to £3,475.

My Department contributes to the overall UK funding for the Erasmus+ Programme. Students may apply for Erasmus grants through participating higher and further education institutions. Students on these Erasmus placements are also eligible to apply for the usual student support maintenance grants and loans. Erasmus participants do not pay fees to the EU institution as a fee waiver arrangement exists between higher education institutions in participating countries.

Students attending other study and work placements in EU countries as part of their Higher Education course may be eligible for student support. Further details are available from their local Education and Library Board.

**Ms Sugden** asked the Minister for Employment and Learning, pursuant to AQW 40453/11-15, and in light of closer links between Tourism Northern Ireland and InvestNI, what communication has he had with the Department of Enterprise, Trade and Investment to ensure that skills challenges facing local tourism industry are a priority.

**(AQW 41201/11-15)**

**Dr Farry:** Officials from my Department met with their counterparts in Tourism Northern Ireland and Invest NI on 30th January 2015 to discuss the skills needs of this economically important sector.

During this meeting it was agreed that we will work together to establish a steering group which would commission research to investigate the skills needs facing this industry and to determine the most appropriate mechanism for addressing these issues.

**Ms Sugden** asked the Minister for Employment and Learning what support exists for carers who wish to participate in further and higher education.

**(AQW 41202/11-15)**

**Dr Farry:** Financial assistance for those seeking to undertake a further or higher education course is not aimed specifically at any particular group. Financial help is targeted at those who are most in need and eligibility is based on family income. Further education students who require financial assistance with meeting the costs associated with learning, including travel and childcare costs, can apply for help through Further Education (FE) Awards and / or college Hardship funds. The amount of assistance provided is dependent on individual circumstances with the combined maximum amount payable through the

FE Awards and Hardship Funds amounting to £3,500 in academic year 2014/15. Assistance with childcare costs is payable in addition to this amount.

Further details regarding financial assistance can be obtained from the Student Finance Team at any further education college.

A higher education student can apply for a Special Support Grant of up to £3,475 a year, payable to some students who are eligible to claim means-tested benefits such as Income Support and Housing Benefit. Generally, this will be lone parents with caring responsibilities and students with disabilities.

Supplementary grants for students, in addition to maintenance loans and grants are also available. These include: Childcare Grants available for full-time higher education students who have dependent children and a low household income; Parents' Learning Allowance for help with course-related costs of up to £1,538 a year for students with dependent children; and Adult Dependents' Grant of up to £2,695 a year for students who have a partner or another adult who depends on them financially.

In addition, carers may be eligible to apply for a payment from the Support Funds. This is money allocated by my Department to provide financial assistance to students on lower income who are able to demonstrate that they are in financial hardship during their studies. Students seeking financial support need to apply to their university which is entirely responsible for administering the Support Funds.

**Mr Weir** asked the Minister for Employment and Learning how many students in the South Eastern Regional College in (i) 2013/14; and (ii) 2014/15 enrolled in courses which support the hospitality and tourism sectors.  
(AQW 41347/11-15)

**Dr Farry:** The most recent figures available, for the 2013/14 academic year, show that (i) 1167 individuals enrolled in 'Hospitality and Catering' or 'Travel and Tourism' at South Eastern Regional College and for the 2014/15 academic year (ii) 833 individuals enrolled in 'Hospitality and Catering' or 'Travel and Tourism' at South Eastern Regional College.

The figures are correct as at 28th October 2014 using the subject sector area Hospitality & Catering and Travel and Tourism for both colleges.

**Mr McCausland** asked the Minister for Employment and Learning what provision is made in each of the teacher training institutions to equip teachers to teach (i) Irish dancing; (ii) Scottish country dancing; and (iii) Highland dancing.  
(AQW 41425/11-15)

**Dr Farry:** While my Department provides funding to the teacher training institutions for teaching and learning purposes it does not have responsibility for curriculum content and does not hold the information requested.

You may, therefore, wish to write to the relevant institutions directly to obtain the information you require.

## Department of Enterprise, Trade and Investment

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment how she is encouraging foreign direct investment by selling the attributes of areas outside of Belfast and Londonderry.  
(AQW 40854/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Invest NI's track record in attracting high quality Foreign Direct Investment provides a very significant benefit for all of Northern Ireland. A record year in 2013/14 was followed by Invest NI's best ever mid-year results, released at the start of November last year, with some of the achievements from the previous year already surpassed. Those mid-year results show that 40% of the job-related inward investment offers were made to companies outside the Belfast and Londonderry areas.

It is important to note that, in order to compete internationally, Invest NI promotes Northern Ireland as a whole. To promote parts of Northern Ireland individually, or to exclude specific areas, would dilute the proposition in what is a very competitive market for FDI. That is not to say that Invest NI does not take steps to understand and appreciate each area's key demographics and attributes. This is achieved through direct engagement with interested parties in a number of ways.

For example, Invest NI has engaged with a number of Councils and other stakeholders to help them develop sales propositions which show the strengths and opportunities in their area. The agency has also developed an "FDI app" and a "District Council App" and is working with a number of Councils on developing this tool. The app will help present a snapshot of the benefits of setting up in Northern Ireland, and in specific areas, to potential investors.

Ultimately the investor will make the decision as to where they locate based on their specific business needs and having considered the options available to them. The requirements will vary depending on the nature of the project, but a company will typically look at existing investors in the same business sector; universities and colleges that offer courses relating to that sector; and suitable, available property. In addition, potential investors are often drawn to population centres that they consider will provide the appropriate number of suitably skilled potential employees. Therefore, a clear understanding and evidence of skill demographics for any region greatly assist a potential investor in considering a particular area.

**Ms Fearon** asked the Minister of Enterprise, Trade and Investment for an update on the current scheme of works to improve and extend rural broadband in Newry and Armagh.

**(AQW 40894/11-15)**

**Mrs Foster:** The Northern Ireland Broadband Improvement Project is being delivered in eight phases with an overall completion date of 31 December 2015. The project is progressing according to schedule and by 31 December 2014 just under 17,500 premises across Northern Ireland had benefitted from the improvements being delivered including almost 3,000 in the Newry and Armagh Constituency.

By project completion, it is anticipated that improvements will have been delivered for at least 45,000 premises across Northern Ireland resulting in the provision of basic wire-line broadband services of at least 2 Megabits per second in areas that previously had no service and improvements in the availability of superfast fixed-line broadband services (24 Megabits per second or higher) in areas where choice is poor or broadband speeds are low.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for an update on the response to AQW 27278/11-15.

**(AQW 40896/11-15)**

**Mrs Foster:** The table presented in response to AQW 27278/11-15 has been updated below to reflect the most recent 5 year period.

**Invest NI Assistance Offered in North Antrim PCA (2009-10 to 2013-14)**

Year	North Antrim (£m)	North Antrim as % of NI
2009-10	6.1	3.6
2010-11	6.0	5.7
2011-12	2.4	2.9
2012-13	7.4	5.9
2013-14	4.3	1.9

**Note:** Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for an update on the response to AQW 27106/11-15.

**(AQW 40897/11-15)**

**Mrs Foster:** Since the response to AQW 27106/11-15 was provided, Invest NI has put in place measures to allow it to report on actual jobs created for all its jobs related support. It is now able to provide jobs created statistics from 2011-12 onwards. The table below shows the number of jobs that Invest NI has helped to create as a result of its support for projects in North Antrim in each of the last three years.

PCA	2011-12	2012-13	2013-14
North Antrim	148	154	272

Information relating to job creation is commercially sensitive at business level while a project is still 'live'. In order to ensure that individual companies are not identifiable, Invest NI applies statistical disclosure controls, meaning that information is not released if there are less than 5 businesses included in the results for each area. As this is the case for North Antrim, Invest NI is not able to provide analysis by local and external ownership.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment to detail the number of major departmental infrastructural projects which have been abandoned, having been put out to tender; and to detail the expense incurred.

**(AQW 40905/11-15)**

**Mrs Foster:** My Department does not have major departmental infrastructure projects that have been abandoned having been put out to tender.

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment to outline the role of InvestNI in the new tourism structures.

**(AQW 41056/11-15)**

**Mrs Foster:** The objective of the Hunter Review was to look at opportunities for greater alignment between Tourism Northern Ireland and Invest NI. The review highlights that there is already good cooperation between the two organisations, but points to the need to deepen the existing relationship. The impact on Invest NI is as follows:

- a Invest NI will continue to play an important role in supporting the development of the local tourism industry going forward through provision of business support services and the administration of accommodation grants;

- b Invest NI will work alongside Tourism NI to deliver a new economic development brand strategy to strengthen the competitive position of Northern Ireland through inward investment and tourism;
- c Consideration will be given to the potential role for Invest NI in the evaluation of major tourism projects and in the processing of tourism grant payments; and
- d Invest NI and Tourism Northern Ireland will take forward opportunities to share back office services and consider co-location when leases expire in 2016.

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment (i) how the new Tourism Growth Fund will operate; (ii) how much funding the Fund will oversee; and (iii) what finances councils will contribute.

**(AQW 41057/11-15)**

**Mrs Foster:** The Hunter Report recommends the development of a Tourism Growth Fund jointly supported with the new Councils. I will work to establish such a Fund in the next budget period.

Development of the joint fund will be taken forward by the new Chief Executive and the new Chairman of Tourism Northern Ireland, in collaboration with the new super-councils when they are in place after March.

I look forward to their proposals, as we will then, of course, want to support any bid that they make to the Northern Ireland Executive to procure a joint tourism fund.

**Mr Clarke** asked the Minister of Enterprise, Trade and Investment (i) how much her Department pays annually for Trade Union officials; (ii) how many officials this payment covers; and (iii) what is the cost of administering Trade Union's dues.

**(AQW 41063/11-15)**

**Mrs Foster:** (i.) In the 2013/14 financial year my Department paid £25,729 for Trade Union officials.

(ii.) This payment covers one full time equivalent member of staff.

(iii.) It is not possible to provide the cost of administering Trade Union dues as the information is not separately identifiable.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether Tourism Northern Ireland will be able to spend any of its budget in promoting Northern Ireland outside of Northern Ireland.

**(AQW 41083/11-15)**

**Mrs Foster:** Tourism Northern Ireland is responsible for marketing Northern Ireland as a tourism destination in Northern Ireland and The Republic of Ireland. Tourism Ireland is responsible for marketing the island of Ireland in Great Britain and Overseas.

The Savings Plan has proposed a reduction in marketing spend however Tourism NI will continue to maintain an important presence in the Republic of Ireland market with promotional activity designed to keep Northern Ireland front of mind with these visitors.

**Mrs McKevitt** asked the Minister of Enterprise, Trade and Investment for a breakdown of projected costings associated with changing the name of the Northern Ireland Tourist Board.

**(AQW 41110/11-15)**

**Mrs Foster:** Tourism Northern Ireland will be exploring the most cost effective way to implement the name change.

This will involve some expenditure on design and printing (signs, stationery, website etc).

Tourism Northern Ireland will be looking at all options over the coming weeks.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for an update on the emissions targets in the Programme for Government 2011-15; and what steps her Department is taking to reduce emissions from space heating.

**(AQW 41309/11-15)**

**Mrs Foster:** The reduction of greenhouse gas emissions is a DOE PfG target.

As regards heating, my Department has contributed to this through the introduction and promotion of the Renewable Heat Incentive, (RHI), which provides support for both domestic and non-domestic customers to move to sustainable heat systems.

The primary objective for the Northern Ireland RHI is to increase the uptake of renewable heat to 10% by 2020 (baseline position of 1.7% in 2010). This target was included in the Strategic Energy Framework and an interim target of 4% renewable heat by 2015 is included in the Programme for Government.

My Department continues to support further provision of natural gas as the least polluting fossil fuel, within current licence areas and to the main towns in the West, which will contribute to meeting emissions targets.

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment for an update on the Renewable Heat Incentive.

**(AQW 41377/11-15)**

**Mrs Foster:** The Northern Ireland Renewable Heat Incentive (RHI) has been in place since November 2012 and has to date supported 258 commercial applications. On 9 December 2014, I announced the extension of the RHI to the domestic sector. Domestic customers who availed of support under the interim Renewable Heat Premium Payment (RHPP) will transfer across to the RHI. Some 1240 customers received support under the RHPP.

The phase 2 review of the non-domestic RHI which will see the extension of support to new technologies and the introduction of new tariffs will be taken forward early in 2015.

## Department of the Environment

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 38685/11-15, to provide details on each of the court cases where this money was spent, including (i) the total legal costs of taking each of case; and (ii) the outcome of each case. (AQW 40377/11-15)

**Mr Durkan (The Minister of the Environment):** The information held by the Department is not recorded in such a way as to allow identification of the legal costs accrued by each enforcement case with associated court action or the outcome of each case.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 39218/11-15, given the extent of landfilling which has taken place at this site, why no details of proposed levels or cross-sectional drawings of the extent of landfilling proposed was required before application K/2013/0072/F was approved; and how this accords with his Department's best practice and guidance on developing on sloping sites. (AQW 40714/11-15)

**Mr Durkan:** In determining the application my officials considered a submission which made reference to cut and fill operations with the import of materials. Upon investigation, officials determined that the import of materials in the limited manner undertaken was inherent to the application.

Officials have received detailed plans with the final topographical levels for the site shown.

**Mr Weir** asked the Minister of the Environment, if a public hire taxi passes a meter test and replaces the meter with private hire tariffs, what provision is in place to retest and reclassify the taxi. (AQW 40890/11-15)

**Mr Durkan:** Only vehicles whose meters are tested and sealed by the Department with the regulated tariff can operate as Belfast Public Hire taxis.

Belfast Public Hire plated taxis are permitted to have dual tariffs programmed into their meters. The first tariff, the regulated fare, must be displayed when the driver is providing a public hire service. The secondary, lower, tariff can be used when the vehicle has been pre-booked and operating on a private hire basis.

Belfast Public Hire licence holders can apply to the Department for a Change of Hire on a Taxi Licence. This process can be completed using a V37 form which is available on NI Direct. As part of this process the licence holder must surrender the current licence plates and paper licence.

**Mr Hussey** asked the Minister of the Environment (i) whether he is aware of the reports in the Irish News of the pollution caused in Lough Muckno, Lough Ross and the Fane River by fuel launderers in South Armagh; (ii) what steps the Rivers Agency has taken to clean the source in South Armagh; (iii) what is the cost to the public purse of this pollution; and (iv) to detail any discussions he has had with her counterpart in the Republic of Ireland on this matter. (AQW 40953/11-15)

**Mr Durkan:**

- i) I was made aware of this alleged incident following a report in the Irish Independent on 19 January 2015. An NIEA Water Quality Inspector was immediately deployed to the area in order to determine if there was an ongoing water pollution issue involving fuel laundering waste. From that visit and a further inspection carried out the next day, no evidence of water pollution was confirmed.
- ii) The Rivers Agency is not part of my remit; rather, it is within Minister O'Neill's Department for Agriculture and Rural Development.
- iii) I can advise that, since 2012, my Department, under the Flytipping Protocol, has been involved in the cleanup of 346 incidents of fuel laundering waste at a cost of just under £961,288. In addition, during the same time period, NIEA Water Quality Inspectors have responded to 312 such incidents. The cost of these investigations and remediation to NIEA, in that 3 year period has been a further approx £29,000.



**Mr Hussey** asked the Minister of the Environment what has been the cost to Rivers Agency over the last ten years to clean rivers polluted by fuel launderers, broken down by (i) location; and (ii) the cost per incident.

**(AQW 40954/11-15)**

**Mr Durkan:** The criminal investigation of illegal fuel laundering is led by Her Majesty's Revenue and Customs, who deal with the disposal of any fuel laundered waste (FLW) that is discovered in association with illegal fuel laundering plant.

The majority of FLW is dumped indiscriminately in the countryside throughout Northern Ireland and this is dealt with by the Northern Ireland Environment Agency (NIEA). Significant quantities of both solid and liquid hazardous wastes are produced during the fuel laundering process. As these cannot be disposed of legally, they are generally dumped at random around the countryside where it can pose a risk to the public and to the aquatic environment.

NIEA is responsible for investigating reports of water pollution, for regulating discharges to waterways and underground strata and for initiating enforcement action where appropriate, as defined under the terms of the Water (Northern Ireland) Order 1999. Consequently, NIEA Water Quality Inspectors are required to assess each instance where FLW is identified. Such incidents involving fuel laundering waste are usually reported to NIEA via the Water Pollution Hotline 0800 807060 or are discovered by NIEA staff in the course of their duties.

As this is a relatively recent issue, NIEA has only been recording this information in a readily accessible format for the last 3 years. This is presented in the Table attached, broken down by Council area and cost. These costs relate solely to the assessment and remediation of the risk to the aquatic environment.

A further £945,758 has been spent by the NIEA in clearing up fuel laundered waste in 3 years.

**Table: Fuel Laundering Waste Incidents 2012 – 2014 by Location showing the associated costs.**

NI Council Area	Number of FLW Incidents	Cost 2012-2014
Antrim	0	£0.00
Ards	0	£0.00
Armagh	96	£8,858.88
Ballymena	0	£0.00
Ballymoney	0	£0.00
Banbridge	3	£276.84
Belfast	0	£0.00
Carrickfergus	0	£0.00
Castlereagh	0	£0.00
Coleraine	0	£0.00
Cookstown	16	£1,476.48
Craigavon	4	£369.12
Derry	3	£276.84
Down	1	£92.28
Dungannon & South Tyrone	8	£738.24
Fermanagh	1	£92.28
Larne	0	£0.00
Limavady	4	£369.12
Lisburn	0	£0.00
Magherafelt	8	£738.24
Moyle	1	£92.28
Newry & Mourne	163	£15,041.64
Newtownabbey	0	£0.00
North Down	0	£0.00
Omagh	3	£276.84
Strabane	1	£92.28
	<b>Total Cost: 2012 -2014</b>	<b>£28,791.36</b>

**Mr Hussey** asked the Minister of the Environment to detail the cost to his Department in the last ten years to clean sites discovered to have been used as fuel laundering plants, including (i) the council areas involved; (ii) the cost per incident; and (iii) whether any compensation for such incidents has been awarded by the courts.

**(AQW 40988/11-15)**

**Mr Durkan:** Her Majesty's Revenue and Customs (HMRC) are responsible for investigating fuel fraud including fuel laundering. As part of this work HMRC clean any sites that they uncover. Therefore HMRC hold the information on the council areas involved, cost per incident and whether any compensation has been awarded by the court.

In 2012 NIEA commenced a Flytipping Pilot in partnership with local councils. Currently 21 councils are members of the pilot. Under this pilot, NIEA took on the responsibility for clearing fuel laundered waste that had been dumped at locations remote from fuel laundering plants. A summary of the number of incidents and total cost per council area is included in the table below. NIEA is not aware of any compensation for such incidents being awarded by the courts.

**Summary table of fuel laundered waste incident numbers and costs incurred by NIEA per council  
(June 2012- 20 Jan 2015)**

Council	Incidents numbers	Total cost
Antrim	1	£346.76
Armagh	114	£266,743.65
Banbridge	1	£10,090.15
Cookstown	12	£50,114.20
Craigavon	4	£7,079.55
Derry	3	£11,820.80
Down	2	£9,963.50
Magherafelt	7	£9,015.30
Limavady	3	£9,813.65
Newry & Mourne	198	£585,333.94

**Mr Allister** asked the Minister of the Environment to detail the recommended procedure for the operation of the central planning telephone number, in terms of connecting callers to the planning officer they need to speak to; and why there has been incidents of operators refusing to do so.

**(AQW 41073/11-15)**

**Mr Durkan:** The central telephone system for Planning is operated by NI Direct. If a caller has a general query relating to a planning matter, the call agent will put the caller through to the Duty Planner in the relevant Area Office. If the caller wishes to speak to a Case Officer about a specific planning application, the call agent will log the caller's details on the relevant Area Office call log for response by the relevant Case Officer within 24 hours. If the caller is an elected representative, the call will be put through directly to the relevant Case Officer.

**Mr Weir** asked the Minister of the Environment to detail the number of listed church buildings in North Down.

**(AQW 41082/11-15)**

**Mr Durkan:** Based upon the 1974 ward boundaries – which are how the department holds such records – the total number of listed church buildings in the constituency is 24.

You will be aware, however, that there have been boundary changes since 1974, and as such the figures should not be taken as definitive, in relation to the current boundaries.

I attach, in response to your question

- 1 A list of the 24 church buildings that are Listed, their address and listing status.
- 2 A list of the 1974 electoral wards that were used to provide the detail in the above list.

**NI Buildings Database****Listed church buildings in North Down Constituency**

<b>HB Ref No</b>	<b>Address</b>	<b>Survey1</b>	<b>Survey 2</b>	<b>Current Use</b>
HB23/01/014	Groomsport Parish Church Donaghadee Road Groomsport Co Down BT19 6LG		B1	Church
HB23/02/002	St Columbanus 68 Groomsport Road Ballyholme Bangor Co Down BT20 5NE		B2	Church
HB23/04/001	Ballygrainey Presbyterian Church Gransha Road Six Road Ends Ballygrainey Bangor Co. Down		B2	Church
HB23/05/003	Wesley Centenary Methodist Church Hamilton Road Bangor Co Down BT20 4JP		B2	Church
HB23/05/008	Hamilton Road Presbyterian Church Prospect Road Bangor Co. Down BT20 4LN		B2	Church
HB23/06/004	Conlig Presbyterian Church Main Street Conlig Newtownards Co Down BT23 7PT		B1	Church
HB23/07/004 A	Bangor Abbey Parish Church of Ireland Newtownards Road Bangor Co Down BT20 4BW		B+	Church
HB23/07/006	First Presbyterian Church 100 Main Street Bangor Co Down BT20 4AG		B+	Church
HB23/07/007 A	St Comgall's Parish Church of Ireland Hamilton Road Bangor Co Down BT20 4LE		B+	Church
HB23/10/002 D	Private Chapel Clandeboy Estate Bangor County Down BT19 1RN		B+	Church

HB Ref No	Address	Survey1	Survey 2	Current Use
HB23/13/001	St Comgall's Roman Catholic Church Brunswick Road Bangor Co Down BT20 3DS		B2	Church
HB23/15/025 A	Ballygilbert Presbyterian Church 376 Belfast Road Bangor Co Down BT19 1UH		B2	Church
HB23/15/041	Helen's Bay Presbyterian Church Church Road Helen's Bay Co Down BT19 1TP		B2	Church
HB23/16/013	Holy Trinity Church 6 Seahill Road Craigavad Holywood BT18 0DE		B1	Church
HB23/19/009	St Colmcille's Tower & Spire 2a My Lady's Mile Holywood Co Down BT18 9EW		B2	Church
HB23/20/010	First Holywood Non-Subscribing Presbyterian Church High Street Holywood Co Down BT18 9AQ		B1	Church
HB23/20/012	High Street Presbyterian Church High Street Holywood Co Down BT18 9AE		B2	Church
HB23/20/014	First Holywood Presbyterian Church 7 Bangor Road Holywood Co Down BT18 0NU		B2	Church
HB23/20/020 B	3 Stewart's Place Holywood Co Down BT18 9DX		B1	Church
HB23/20/039 A	Holywood Parish Church of Ireland 71 Church Road Holywood Co Down BT18 9BX		B+	Church
HB24/06/001	Donaghadee (Cof I) parish church Church Place Donaghadee County Down BT21 0DB		B+	Church

HB Ref No	Address	Survey1	Survey 2	Current Use
HB24/06/036	Methodist Church 2 Moat Street Donaghadee Co Down BT21 0DA		B2	Church
HB24/07/003	First Presbyterian Church High Street Donaghadee Co. Down		B1	Church
HB24/07/024	Former Admiral Leslie Hall 2 Millisle Road Donaghadee Co Down		B2	Church

This information is based on the following Wards under each council area for North Down constituency:

North Down (HB23)	All Wards	-	20
Newtownards (HB24)	2 Wards HB24/06 Donaghadee South	-	2
	HB24/07 Donaghadee North	-	2

**Mr Swann** asked the Minister of the Environment, pursuant to AQW 41094/11-15, why he will not answer this question.  
(AQW 41147/11-15)

**Mr Durkan:** I am unable to provide an answer to AQW 41094 as my Department does not hold this information. This is a matter for local councils.

I would therefore suggest that you redirect your enquiry to them.

**Mr McQuillan** asked the Minister of the Environment whether he has any plans to move taxi licencing and tax enforcement powers to the new councils.  
(AQW 41164/11-15)

**Mr Durkan:** In April 2013, the Executive reaffirmed the list of functions to transfer to councils in April 2015 and gave an undertaking that, in April 2016, the functions transferred should be reviewed, with a view to augmenting the package. The position relating to taxi licencing and enforcement powers will be considered as part of that review.

**Mr Clarke** asked the Minister of the Environment (i) how much his Department pays annually for Trade Union officials; (ii) how many officials this payment covers; and (iii) what is the cost of administering Trade Union's dues.  
(AQW 41171/11-15)

**Mr Durkan:** My Department pays the salary costs of one DOE full time employee seconded to the Northern Ireland Public Service Alliance in relation to the Assistant Departmental Trade Union Side Secretary position. The cost for this position in 2013/14 was £31,304.

In addition, a number of DOE employees are Accredited Trade Union Representatives who spend time on union duties. Prior to 1 April 2014 and the introduction of an electronic time recording process no central record was held by the Department to capture the time spent by Accredited Trade Union Representatives on trade union business or to undertake trade union training. The application and approval for time off (facilities time) by Accredited Representatives to carry out a trade union business was recorded manually at local management level.

Trade Union dues are administered centrally through the NICS Payroll System. My Department pays an annual fee for HR Services including payroll administration. The cost of administering Trade Union dues is not separately identified in the fee.

**Mr Kinahan** asked the Minister of the Environment what action his Department (i) can take; or (ii) is currently taking to ensure that the odour, fly and dirt problems at the BIFFA Cottonmount Site are minimised and eradicated.  
(AQW 41193/11-15)

**Mr Durkan:** Biffa Cottonmount landfill is regulated by the Northern Ireland Environment Agency (NIEA) under a waste permit. NIEA inspectors conduct site inspections on a regular basis. If an amenity issue that is likely to cause annoyance is detected outside the site boundary, NIEA can take enforcement action in line with the NIEA Enforcement Policy. A range of enforcement measures are available including warning letter, enforcement notice, suspension notice and prosecution.



NIEA is currently working with the operator to address the issue of odour. Following a targeted NIEA odour survey in autumn 2014, the operator has been required to develop and implement a gas action plan, including site works to address odour issues. NIEA is currently monitoring the implementation of these actions.

NIEA has not received any complaints or observed any non-compliances in relation to flies or mud on the roads in the last 12 months.

**Mr Flanagan** asked the Minister of the Environment, pursuant to AQW 40281/11-15, when he expects the 'necessary legislative amendments' to be published.

**(AQW 41252/11-15)**

**Mr Durkan:** I refer the member to the answer I gave to AQW 40281/11-15, in which I noted that the removal of the provision is being taken forward in the context of the implementation of Continuous Insurance Enforcement (CIE).

Further details on the proposed changes are contained in my Department's 2014 consultation (<http://www.doeni.gov.uk/index/information/foi/recent-releases/publications-details.htm?docid=9774%20>) and the synopsis of responses (<http://www.doeni.gov.uk/index/information/foi/recent-releases/publications-details.htm?docid=9935>).

Officials in my Department are in discussion with Driver and Vehicle Licensing Agency and Motor Insurance Bureau officials about a number of detailed operational matters, including amendments to IT systems to include Northern Ireland in the scope of CIE. The detailed timetable for bringing forward the regulations needed to implement and operate CIE will be subject to these matters being finalised.

I have instructed my officials to progress this work at an early date. The Environment Committee has asked for a briefing from my Department on CIE, and this will be arranged once the operational matters timetable are clear. Subject to any issues raised at the Committee briefing, I will bring forward the SL1s shortly thereafter.

**Mr Easton** asked the Minister of the Environment whether a cost analysis was completed in relation to displaying the Union Flag on Northern Ireland driving licences.

**(AQW 41254/11-15)**

**Mr Durkan:** As no change to the existing Northern Ireland driving licence was proposed, no requirement to complete a cost analysis arose.

**Mr Easton** asked the Minister of the Environment whether it was the Secretary of State for Transport that stopped the Union Flag being displayed on Northern Ireland driving licences.

**(AQW 41256/11-15)**

**Mr Durkan:** I refer the Member to the answer I gave to AQO 7373/11-15.

**Mr Easton** asked the Minister of the Environment whether his Department suggested to the Secretary of State for Transport that there should be an option on Northern Ireland driving licence applications to opt in or out of displaying the Union Flag.

**(AQW 41257/11-15)**

**Mr Durkan:** I refer the member to the answer I gave to AQO 7373/11-15.

**Mr Easton** asked the Minister of the Environment whether driving licences are produced in Northern Ireland.

**(AQW 41258/11-15)**

**Mr Durkan:** I refer the member to the answer I gave to AQO 7373/11-15.

**Mr Agnew** asked the Minister of the Environment what discussions he has had with the Minister for Regional Development regarding taxi licensing reform; and how the taxi licensing reform process will ensure that only wheelchair accessible taxis are permitted to use bus lanes.

**(AQW 41374/11-15)**

**Mr Durkan:** I met with Minister Kennedy to discuss taxi reform and the related issue of bus lanes on 17 December 2013. Whilst the taxi reform programme is within the remit of my Department, decisions in relation to which vehicles are permitted to use bus lanes are for Minister Kennedy.

I understand that Minister Kennedy is waiting until the completion of the legislative process specifying the new taxi licensing regime before he takes a final view on which taxis, if any, are allowed to travel in bus lanes.

At the meeting with Minister Kennedy I expressed my preference for only wheelchair accessible taxis being permitted to use bus lanes, as this will maintain the incentive for some drivers to purchase wheelchair accessible taxis. The Taxi Licensing Regulations (Northern Ireland) 2014 (SR 2014 No. 302) differentiate between wheelchair accessible and other taxis, thereby enabling this distinction to be made in DRD regulations regarding the use of bus lanes.

**Mr Hussey** asked the Minister of the Environment, pursuant to AQW 40588/11-15, when the Service Level Agreement between the Driver and Vehicle Agency and the Driver and Vehicle Licensing Agency is next due for review.  
(AQW 41491/11-15)

**Mr Durkan:** A review of the Service Level Agreement between the Driver & Vehicle Agency and the Driver and Vehicle Licensing Agency for the printing of driving licences is due to commence in March 2015.

## Department of Health, Social Services and Public Safety

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how much each Health and Social Care Trust has spent on their respective multi agency support teams since their inception.  
(AQW 40661/11-15)

**Mr Wells (The Minister of Health, Social Services and Public Safety):** Expenditure by each Health and Social Care Trust on each of the five Multi Agency support teams in each year since their inception in 2007 to 31 March 2014 is set out in the table below:

	2013/14 £	2012/13 £	2011/12 £	2010/11 £	2009/10 £	2008/09 £	2007/08 £
Belfast Health & Social Care Trust ( Children's Inter Disciplinary Schools Team-CIST)	811,608	737,167	574,459	661,750	687,446	893,366	546,027
Northern Health & Social Care Trust (Multi-Agency Support Team for Schools -MASTS)	949,324	1,012,985	1,009,012	928,813	906,007	913,330	557,039
South Eastern Health & Social Care Trust (Additional Support for Children in Education -ASCET)	790,941	761,319	690,181	768,705	658,995	515,102	302,203
Southern Health & Social Care Trust (Action for Children in Education - ACE)	637,061	743,868	587,438	587,807	659,324	498,209	159,522
Western Health & Social Care Trust (Western Education Support Team - WEST)	670,142	655,432	591,870	377,261	347,524	330,896	212,827
<b>Total</b>	<b>3,859,076</b>	<b>3,910,771</b>	<b>3,452,960</b>	<b>3,324,336</b>	<b>3,259,296</b>	<b>3,150,903</b>	<b>1,777,618</b>

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety what plans he has to improve the response times for neurology appointments at the Ulster Hospital.  
(AQW 40810/11-15)

**Mr Wells:** Waiting times for general neurology appointments at the Ulster Hospital now stand at 26 to 28 weeks for new patients. The Health and Social Care (HSC) Board has put in place a regional group to agree medium to long terms plans for improved access to Neurology outpatient services.

The Board has also asked HSC Trusts to submit non recurrent plans for more immediate improvement and these plans are currently with the Board for consideration. However, the implementation of the plans is very much dependent on additional resources being available.

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to outline the process for systematic engagement with patients that was used during the recent consultation on the Individual Funding Requests process; and to detail who was invited to meet with officials or provide written submissions to the evaluation team.  
(AQW 40819/11-15)

**Mr Wells:** There was no formal consultation on the Individual Funding (IFR) Request process. My predecessor asked the Department to evaluate whether the IFR process is meeting its objectives. That process is nearing completion and I am considering the initial findings of the evaluation.

During the course of the evaluation officials met a wide range of stakeholders including cancer patients and survivors, charities, political representatives and the pharmaceutical industry.

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety to outline his Department's guidance to hospitals in the event that a significant number of doctors are absent due to illness at the same time at the same hospital.

**(AQW 40820/11-15)**

**Mr Wells:** It is the responsibility of individual Health and Social Care Trusts, as employers, to manage resources to ensure continuity of service provision. All Health and Social Care Trusts have emergency plans to deal with issues such as staff shortages.

**Mr Lunn** asked the Minister of Health, Social Services and Public Safety to outline (i) the number of staff within his Department and each Health and Social Care Trust that earn over £100,000 per year; and (ii) the operational areas in which these personnel are engaged.

**(AQW 40821/11-15)**

**Mr Wells:** The table below details the number of staff in the Department and the five Health and Social Care Trusts who earn over £100,000. These have been split into the operational areas of medical and administrative.

	Number of medical staff earning over £100,000 per year	Number of administrative staff earning over £100,000 per year
Department of Health and Social Services and Public Safety	0	1
Belfast Health and Social Care Trust	369	3
Northern Health and Social Care Trust	144	1
Southern Health and Social Care Trust	128	1
South Eastern Health and Social Care Trust	133	1
Western Health and Social Care Trust	157	2

It should be noted that the information for the 5 Trusts in relation to administrative staff is based on 2013/14 figures; whereas the figures for medical staff are as at January 2015.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the procedures in place when a medical emergency or other event requiring immediate air ambulance transfer occurs and the contracted air ambulances are unavailable due to other ongoing emergencies or being out of service.

**(AQW 40842/11-15)**

**Mr Wells:** The Health and Social Care Board has a contract in place with Woodgate Aviation for the provision of an air ambulance/air transport service for the population of Northern Ireland. The service includes the provision of accompanying clinical and technical support appropriate to the needs of each individual patient. The contract requires that the service be available 24 hours a day, 365 days of the year to respond to patients transport needs. In the exceptional event that more than one emergency presents in a similar timeframe, Woodgate Aviation has the option to sub-contract with another provider as and when required. Any sub-contractual arrangements put in place must remain compliant with the contract between the HSC Board and Woodgate Aviation.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety how many medical emergencies, or other events, required immediate air ambulance transfer in the last twelve months; and how many were subject to delay due to air ambulances being unavailable.

**(AQW 40843/11-15)**

**Mr Wells:** During the last 12 months (1st January to 31st December 2014), the Health and Social Care Board (HSCB) indicate that 413 journeys / transfers were made by air ambulance.

The HSCB indicated that it was not aware of any transfers being unduly delayed due to the air ambulance being unavailable.

**Mr Wilson** asked the Minister of Health, Social Services and Public Safety whether he has sought to have any discussions with the Secretary of State for Health regarding the Francis Report.

**(AQW 40845/11-15)**

**Mr Wells:** My Department has not sought discussions with the Secretary of State regarding the Francis report.

**Mr Wilson** asked the Minister of Health, Social Services and Public Safety whether he has any plans to implement the findings of the Francis Report.

**(AQW 40846/11-15)**

**Mr Wells:** The Francis Report was commissioned to consider activity in an English NHS Trust. There are clearly lessons that can be learnt from the report findings in any jurisdiction. My Department has considered these findings as learning points and incorporates them, as appropriate, to inform policy development.

Following publication of the report of the Donaldson Review on 27th January 2015 I announced an intention that my Department would progress work to introduce a statutory Duty of Candour for Northern Ireland. The focus now is on actively considering the recommendations from the Donaldson Review which are out for public consultation ending on 30th April 2015.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety why the percentage of patients first treated for cancer within 62 days following an urgent GP referral for suspect cancer decreased from 72.6 per cent in July 2014 to 64.5 per cent in September 2014; and why this is short of the target of 95 per cent.

**(AQW 40848/11-15)**

**Mr Wells:** I have been advised by the Health and Social Care Board that the reason for the deterioration in 62 day performance between July 2014 and September 2014 regionally, and in each Trust, was due to the strong focus on treating those patients who had breached the target and been waiting the longest. As more of the longest waiters, rather than patients waiting less than 62 days have been treated, performance against the target has fallen.

Provisional performance management information provided by the HSC Board indicates that the proportion of patients actively waiting longer than 62 days to be treated reduced from over 10% in August 2014 to 4.6% in October 2014. Overall, the percentage of those treated within 62 days following an urgent GP referral has also improved to 69% in October 2014 and in November 2014 it was 71% - bringing the regional performance for the period April 14 to October 14 to 72%.

The majority of those patients who are currently waiting beyond 62 days are waiting within the Urology speciality. Urology services across Northern Ireland remain very challenged and the Health and Social Care Board is leading a service improvement initiative across all Trusts to improve the position.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety for his assessment of the differing rates of success of cancer treatment and diagnosis in each Health and Social Care Board.

**(AQW 40849/11-15)**

**Mr Wells:** Age-standardised relative survival is an estimate of cancer patient survival that adjusts for both the background mortality rates and the population age-structure that varies between geographical areas. This is an internationally agreed standard which allows for meaningful comparison of performance.

Northern Ireland relative cancer survival rates data indicates the Health and Social Care Trust of residence of patients treated. The Trust of residence is not necessarily the Trust where the patients received most, or all, of their cancer treatment. Patients across Northern Ireland often have their surgical operations and procedures carried out in the Cancer Centre at the Belfast Health and Social Care Trust where specialised services are located.

In Northern Ireland there is no consistent evidence across the main cancer sites that there are survival differences between patients resident in the different Trusts.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety whether a shortage of staff or beds in Type 1 Emergency Care Departments has been identified as a problem in any hospital.

**(AQW 40851/11-15)**

**Mr Wells:** The management of bed capacity in hospitals is not confined to the Emergency Department as this concerns the entire system achieving a balance between demand and availability of beds for patients which can fluctuate due to periodic pressures arising from increased emergency admissions. This issue was identified by the RQIA in its report of the review of unscheduled care in the Belfast Trust and related regional considerations published in June 2014. My Department's Unscheduled Care Task Group is working with the HSC Trusts to address this issue by making improvements to the management of patient flow

There remain however regional and national challenges in the recruitment of middle grade doctors for Emergency Departments, and HSC Trusts working with professional bodies and local colleagues continue to focus on the recruitment and retention of staff.

I look to the HSCB and HSC Trusts to ensure that any ongoing workforce issues are appropriately managed and that patients can continue to receive safe and effective care in a timely fashion.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail (i) the number; and (ii) estimated value of items disposed by each Health and Social Care Trust in accordance with their equipment disposal policy, in each of the last three years.

**(AQW 40867/11-15)**

**Mr Wells:** The Department of Health and Social Services does not hold the information requested however Health and Social Care Trusts were asked to provide the information and the Trust responses are detailed in the table at Annex A.

**Annex A: Number of items of Capital Equipment Assets disposed of and Estimated Net Book Values**

HSC Trust	Year	Number of Items	Estimated Net Book Value
Belfast	2011/12	4943	£99,617
	2012/13	1636	£27,264
	2013/14	1514	£174,550
Southern	2011/12	29	£134,000
	2012/13	241	£581,000
	2013/14	72	£444,000
Western	2011/12	345	£0
	2012/13	1607	£22,894
	2013/14	393	£108,162
Northern	2011/12	5671	£247,113.92
	2012/13	1912	£776,432.56
	2013/14	2476	£372,232.55
South Eastern	2011/12	246	£437,841.97
	2012/13	153	£171,408.50
	2013/14	64	£68,175.21
NIAS	2011/12	45	£25,639 *
	2012/13	114	£110,164*
	2013/14	43	£44,839*

\* Recorded as sale proceeds

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the equipment disposal policy utilised by each Health and Social Care Trust.

**(AQW 40868/11-15)**

**Mr Wells:** The Department of Health and Social Services does not hold information centrally relating to the operational policies of individual Health and Social Care Trusts. The Health and Social Care Trusts were asked to submit details on equipment disposal policies and the Trust responses are summarised in Annex A with the relevant policies attached in Annex's B to I.

**Annex A: Trust Responses to information request**

HSC Trust	Trust Response to Information Request AQW 40868/11-15
Belfast	<ul style="list-style-type: none"> <li>■ Trust Policy – Asset Disposal Policy Oct 2011 V2.</li> <li>■ Document attached Annex B.</li> </ul>
Southern	<ul style="list-style-type: none"> <li>■ Response attached Annex C</li> </ul>
Western	<ul style="list-style-type: none"> <li>■ The Western Trust manages the disposal of equipment through the following documents.</li> <li>■ Waste Manual – Document Attached Annex D</li> <li>■ Environmental Policy – Document Attached Annex E</li> </ul>
Northern	<ul style="list-style-type: none"> <li>■ The Northern Trust has two policies regarding the disposal of equipment:</li> <li>■ Equipment (Non-Medical) and Furniture - Transfer and Disposal of - 11/417. Document attached Annex F.</li> <li>■ Medical Devices Management Policy - 14/752. Document attached Annex G.</li> </ul>



HSC Trust	Trust Response to Information Request AQW 40868/11-15
South Eastern	■ The Trust has an equipment disposal policy which mainly relates to medical and surgical equipment. This document is referenced SET/PtCt.Care/Mge (03) 2009. Document attached Annex H.
NIAS	■ NIAS Disposal and Condemnation of Assets Procedures. Annex I

**Mr McQuillan** asked the Minister of Health, Social Services and Public Safety what efforts are being made to ensure there are sufficient carers in the community in East Londonderry to deal with an increase in care packages.  
(AQW 40921/11-15)

**Mr Wells:** Health and Social Care Trusts are undertaking a range of measures, within available resources, to ensure the availability of care workers. These measures include, within the Western Trust, the reform of the in-house homecare service to create teams of home carers alongside reforms to the procurement of independent sector domiciliary care. The Northern Trust, which also covers part of the East Londonderry area, has advised that it has recently carried out a recruitment drive to secure its homecare workforce and has also increased the number of independent sector providers it contracts with.

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety why the Oncotype DX test is no longer being offered in the Belfast Health and Social Care Trust.  
(AQW 40943/11-15)

**Mr Wells:** The Health and Social Care Board (HSCB) recognises the potential benefit of Oncotype DX testing when used in conjunction with existing decision making protocols to inform the relative merits of chemotherapy among patients who are assessed as being at intermediate risk.

Pending a commissioning decision on Oncotype DX and its introduction, the HSCB issued advice to Health and Social Care Trusts in 2013 that, where clinically indicated, they could provide the test, subject to costs being met from within Trust baselines.

The HSCB have now formally considered the commissioning position and the priority of this NICE advice relative to other service commissioning priorities.

Consistent with the approach on other NICE advice, the HSCB would wish to move towards commissioning the test for those patients for whom it is clinically appropriate.

However, at this time there are other key areas prioritised for development, including other NICE guidance for which the necessary resources have yet to be identified.

In this context the HSCB is not in a position to commission the Oncotype DX test during 2014/15. The timing of the introduction of this service – whether in 2015/16 or beyond – will be dependent on the availability of resources for service development.

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety, given that in early 2014 the Oncotype DX test was due to be rolled out across all Health and Social Care Trusts, whether this is no longer the case despite the test being recommended as clinically and cost effective by the National Institute for Health and Care Excellence in September 2013.  
(AQW 40945/11-15)

**Mr Wells:** The Health and Social Care Board (HSCB) recognises the potential benefit of Oncotype DX testing when used in conjunction with existing decision making protocols to inform the relative merits of chemotherapy among patients who are assessed as being at intermediate risk.

Pending a commissioning decision on Oncotype DX and its introduction, the HSCB issued advice to Health and Social Care Trusts in 2013 that, where clinically indicated, they could provide the test, subject to costs being met from within Trust baselines.

The HSCB have now formally considered the commissioning position and the priority of this NICE advice relative to other service commissioning priorities.

Consistent with the approach on other NICE advice, the HSCB would wish to move towards commissioning the test for those patients for whom it is clinically appropriate.

However, at this time there are other key areas prioritised for development, including other NICE guidance for which the necessary resources have yet to be identified.

In this context the HSCB is not in a position to commission the Oncotype DX test during 2014/15. The timing of the introduction of this service – whether in 2015/16 or beyond – will be dependent on the availability of resources for service development.

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety for his assessment of whether the net resource impact of the Oncotype DX test shows that it is cost effective as the test will be absorbed by future reduced chemotherapy costs.  
(AQW 40947/11-15)

**Mr Wells:** The Health and Social Care Board (HSCB) recognises the potential benefit of Oncotype DX testing when used in conjunction with existing decision making protocols to inform the relative merits of chemotherapy among patients who are assessed as being at intermediate risk.

Pending a commissioning decision on Oncotype DX and its introduction, the HSCB issued advice to Health and Social Care Trusts in 2013 that, where clinically indicated, they could provide the test, subject to costs being met from within Trust baselines.

The HSCB have now formally considered the commissioning position and the priority of this NICE advice relative to other service commissioning priorities.

Consistent with the approach on other NICE advice, the HSCB would wish to move towards commissioning the test for those patients for whom it is clinically appropriate.

However, at this time there are other key areas prioritised for development, including other NICE guidance for which the necessary resources have yet to be identified.

In this context the HSCB is not in a position to commission the Oncotype DX test during 2014/15. The timing of the introduction of this service – whether in 2015/16 or beyond – will be dependent on the availability of resources for service development.

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety whether Oncotype DX will be included in the Commissioning priorities for 2015/16.

**(AQW 40948/11-15)**

**Mr Wells:** The Health and Social Care Board (HSCB) recognises the potential benefit of Oncotype DX testing when used in conjunction with existing decision making protocols to inform the relative merits of chemotherapy among patients who are assessed as being at intermediate risk.

Pending a commissioning decision on Oncotype DX and its introduction, the HSCB issued advice to Health and Social Care Trusts in 2013 that, where clinically indicated, they could provide the test, subject to costs being met from within Trust baselines.

The HSCB have now formally considered the commissioning position and the priority of this NICE advice relative to other service commissioning priorities.

Consistent with the approach on other NICE advice, the HSCB would wish to move towards commissioning the test for those patients for whom it is clinically appropriate.

However, at this time there are other key areas prioritised for development, including other NICE guidance for which the necessary resources have yet to be identified.

In this context the HSCB is not in a position to commission the Oncotype DX test during 2014/15. The timing of the introduction of this service – whether in 2015/16 or beyond – will be dependent on the availability of resources for service development.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety, in relation to the job vacancy at Lagan Valley Hospital for a Dietetic Assistant which opened in 2014, to detail (i) the number of applicants; (ii) the number of successful applicants; (iii) when successful applicants appointment started; and (iv) the total cost of the recruitment competition.

**(AQW 40970/11-15)**

**Mr Wells:** The South Eastern Health and Social Care Trust has advised my Department that due to financial pressures this post has been put on hold. The total costs are unavailable.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety when paediatric cardiac services will move to Dublin; and to outline the relocation procedure.

**(AQW 40972/11-15)**

**Mr Wells:** My Department's consultation on the International Working Group's recommended all-island Congenital Cardiac Services model ended on 23 January 2015. I intend to make an announcement, before the end of this month.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety, for an update on the Cancer Focus NI campaign, following his announcement in September 2014.

**(AQW 40973/11-15)**

**Mr Wells:** I assume that the Member is referring to the evaluation of the Individual Funding Request process for specialist drugs. My Department has reported to me on the initial findings of the evaluation and further work is now being carried out. I will update the Assembly as soon as possible on the outcome once I have considered the final evaluation report.

**Mr Byrne** asked the Minister of Health, Social Services and Public Safety to detail the circumstances required and procedures followed when an ambulance is dispatched.

**(AQW 40984/11-15)**

**Mr Wells:** It is assumed these questions refer to Accident and Emergency (A&E) ambulances and Rapid Response Vehicles (RRVs).

A&E ambulances and RRVs operate across the whole of Northern Ireland from ambulance station and deployment points. They are dispatched on receipt of a 999 call, when the information necessary to initiate dispatch successfully has been ascertained.

A&E ambulances are targeted for urgent response to high priority, clinically urgent calls, typically Category A (potentially immediately life-threatening) and Category B (serious but not immediately life threatening); however, they are also dispatched to lower priority calls to provide transportation to hospital for patients.

Post-dispatch the control dispatch officer monitors progress and acts to address issues arising. Relevant additional information derived from further questioning of the caller is relayed to the attending ambulance resource. The A&E ambulance may be stood down from a call if the clinical urgency of the call is reduced as a result of further interrogation of the call-taker or another resource offers a better response option. The A&E ambulance may be reallocated to a different, higher priority call post-dispatch at the discretion of the ambulance control dispatch officer.

RRVs are targeted for urgent response to high priority, clinically urgent calls, typically Categories A and B; however, they may also be dispatched to lower priority calls if resources permit and the call would benefit from paramedic assistance.

As with A&E ambulances, the control dispatch officer monitors progress post-dispatch and acts to address issues arising or relay relevant additional information. The RRV may be stood down from a call if the clinical urgency of the call is reduced as a result of further interrogation of the call-taker or another resource offers a better response option and may be reallocated to a different, higher priority call post-dispatch at the discretion of the ambulance control dispatch officer. The RRV may advise ambulance control to stand down A&E ambulance transport or request non-emergency ambulance transport if, following patient assessment and engagement, the circumstances warrant this.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail the estimated annual cost savings should the Western Health and Social Care Trust proceed with reduced services in connection with The Cottages, Glendermot Road in Londonderry.

**(AQW 41014/11-15)**

**Mr Wells:** The Western HSC Trust have informed me that the current budget for the Cottages Children's respite on Glendermot Road is £396,324 however, spending on the facility is presently some £200,000 in excess of this budget.

The Trust's ongoing review of this service seeks both to address this deficit and remodel provision to ensure that respite services are delivered in a way which meets current needs in the most effective way possible. Subject to the outcome of this work, the Trust anticipates that respite services will be delivered within the funding available in 2015/16.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety what steps are being taken to reduce the number of patients waiting more than four hours at Emergency Departments, broken down by hospital.

**(AQW 41015/11-15)**

**Mr Wells:** The regional Unscheduled Care Task Group has been set the clear aim of eliminating all avoidable 12-hour emergency department waiting time breaches from this winter onwards and, over the next 18 months, making significant progress towards achieving the 4-hours waiting time standard.

My Written Statement to the Assembly on 19 November 2014 detailed the work that the task group has undertaken, including improvement work on the design and implementation of more effective patient pathways through a whole system approach, including GPs, the Ambulance Service, community care teams and staff and processes within acute hospitals, with the aim of improving patient flow within and across hospitals to alleviate the pressures on Emergency Departments.

I have allocated £5 million of additional funding to the HSC this winter and a further £750,000 has been made available from the Health and Social Care Board. This funding has been used to provide additional consultants, AHP and pharmacy staff, and Hospital Ambulance Liaison Officers across the HSC, as well as to support Trusts in implementing measures to improve patient flow and to expand capacity, as required, over the winter period.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail the average percentages of people waiting more than four hours at Emergency Departments in each Acute Hospital in the last three months.

**(AQW 41016/11-15)**

**Mr Wells:** Information on waiting times for new and unplanned review attendances at emergency care departments is released on a monthly basis, and available to view or download from:

<http://www.dhsspsni.gov.uk/index/statistics/hospital/waitingtimes/waitingtimes-emergency.htm>

The percentage of attendances waiting longer than 4 hours at each emergency care department is detailed in the table below, for the three month period 1st October – 31st December 2014.

Emergency Care Department	Percentage Waiting Over 4 Hours (October to December 2014)
Mater	29.1%
Royal Victoria	32.9%
RBHSC	8.9%
Antrim Area	34.4%
Whiteabbey	0.1%
Mid Ulster	0.1%
Causeway	25.3%
Ulster	28.0%
Ards MIU	0.0%
Bangor MIU	0.0%
Lagan Valley	8.5%
Downe	8.5%
Craigavon Area	16.3%
Daisyhill	13.9%
South Tyrone	0.0%
Armagh Community	0.0%
Altnagelvin Area	25.9%
Tyrone County	0.1%
South West Acute	8.2%

**Source:** EC1 Information Return

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 40347/11-15, how many times an in-patient, who has become a threat to staff or other in-patients, has been removed from the premises by hospital security staff or the PSNI, in each Northern Health and Social Care Trust hospital in each of the last three years.

**(AQW 41017/11-15)**

**Mr Wells:** There have been 12 in-patients removed by the PSNI from Northern Health and Social Care Hospitals in the last 3 years. The figures are broken down as follows:

Year	Hospital	No. of Patients Removed
2012	Antrim Area Hospital	1
	Holywell Hospital	2
2013	Antrim Area Hospital	1
	Holywell Hospital	2
2014	Antrim Area Hospital	3
	Causeway Hospital	1
	Holywell Hospital	1
	Ross Thompson	1

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 40347/11-15, what action is taken when an in-patient who becomes a threat to staff or other in-patients cannot be removed from the premises by hospital security staff or the PSNI, due to medical reasons.

**(AQW 41018/11-15)**

**Mr Wells:** HSC Trusts adopt a risk based approach to in-patients who are deemed to be a threat to staff or other in-patients and who cannot be removed from the hospital premises due to medical reasons. There can be physiological and

psychological reasons as to why a patient may become threatening to staff and these would require investigation and care/treatment.

This risk based approach involves a range of measures which Trusts can implement such as:-

- moving the patient who is deemed to be a threat to a secure room;
- assessment of the patient by a senior doctor/consultant on duty, and if necessary the patient can be sedated under the Trust's rapid tranquilisation and safe sedation protocol;
- one to one nursing care where specialist psychological treatment is required;
- where possible, security staff will provide dedicated security cover for the ward to ensure the safety of other patients, staff and visitors;
- where possible security staff/PSNI will remain with the patient until the threat de-escalates.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety, since 2008 and in real terms at 2013/14 prices, to detail (i) the amount the Health Service has spent per head of the population; and (ii) the amount spent on social services per head of the population; and (iii) how these figures compare with other regions of the UK.

**(AQW 41030/11-15)**

**Mr Wells:** In the complex area of health and social care, high-level benchmarking of expenditure needs to be approached with caution. For example, research shows that the relative need for health and social care spending in NI is greater than the other UK regions, with professional estimates ranging from a minimum of 9% to as much as 17%. Also, in other parts of the UK more people pay for their own health and social care, displacing public spending.

The amount spent per head of population for NI and the other UK regions is summarised in the following table:

**UK Health Services Expenditure per Head (£: 2013/14 prices)**

	2008/09	2009/10	2010/11	2011/12	2012/13
England	1,906	1,993	1,966	1,945	1,953
Scotland	2,178	2,198	2,176	2,151	2,160
Wales	2,049	2,115	2,116	2,055	1,995
Northern Ireland	2,065	2,083	2,103	2,081	2,154

**UK Personal Social Services Expenditure per Head (£: 2013/14 prices)**

	2008/09	2009/10	2010/11	2011/12	2012/13
England	448	460	445	451	444
Scotland	566	581	565	513	579
Wales	555	550	552	554	539
Northern Ireland	894	881	745	488	480

**Combined per head (£: 2013/14 prices)**

	2008/09	2009/10	2010/11	2011/12	2012/13
England	2,354	2,453	2,411	2,396	2,397
Scotland	2,744	2,779	2,742	2,663	2,739
Wales	2,603	2,664	2,668	2,609	2,535
Northern Ireland	2,959	2,965	2,848	2,568	2,634
UK	2,416	2,506	2,464	2,434	2,439

**Source** Treasury PESA July 2014, Treasury GDP deflators Dec 14.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the engagement his Department has had with the Department for Social Development to address the problems faced by homeless people accessing healthcare providers.

**(AQW 41040/11-15)**

**Mr Wells:** Until 2014, this Department was represented on the PSI Homelessness Partnership chaired by the Department of Social Development (DSD) which were set up to take forward the DSD strategy on homelessness. This Department has also



participated in a number of engagements with DSD, Voluntary sector and HSC Trusts to consider how the health and well being of people who are homeless could be improved and will continue to engage with DSD as necessary.

In 2012, the Public Health Agency set up a 'Regional Working Group on Health and Homelessness' to contribute to the implementation of the homelessness strategy. The purpose of this group is to have a particular focus to health and wellbeing. This work is ongoing.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the bids his Department submitted to the change fund for the 2015/16 budget.

**(AQW 41050/11-15)**

**Mr Wells:** Details of the Change Fund bids submitted by my Department are detailed in my published response to AQW 40296/11-15, (6 January 2015).

Total funding of £4m from the Change Fund has been provided in the 2015/16 Final Budget for the following projects:

Proposal	Description
Project ECHO NI (Extension for Community Healthcare Outcomes)	The mission of Project ECHO is to expand the capacity to provide best practice care for common and complex diseases in rural and underserved areas and to monitor outcomes.
Acute Hospital Outpatients Modernisation	The objectives of the project are to modernise outpatient service delivery models and pathways in order to e.g.:- <ul style="list-style-type: none"> <li>■ Reduce waiting times for new and review appointments;</li> <li>■ Reduce Hospital cancellations;</li> <li>■ Reduce DNA rates; and</li> <li>■ Reduce the number of face to face appointments required.</li> </ul>
RAID (Rapid Assessment Interface Discharge)	With increasing societal levels of mental ill health, dementia and substance abuse, the RAID model provides the capacity to impact on all of these. It has been demonstrated that RAID can contribute to efficiency and cost avoidance in the context of growing pressures on health and social care budgets.
Supporting Medicines Optimisation	This includes a regional model for medicines optimisation in older people, progressing the SBRI initiative and development of a regional innovation hub.
All Island Congenital Cardiac Service Model	This involves commissioning surgical services on the island rather than in GB. Longer term health benefits include improved waiting times, emergency transfers and patient experience.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for his assessment of the potential impact the Voluntary Exit Scheme on Health Service staff and provision.

**(AQW 41051/11-15)**

**Mr Wells:** My priority is always to protect the front line staff in the Health Service and due regard will be paid to the need for service provision. As a Voluntary Exit Scheme has still to be drawn up I cannot comment any further at this stage on the potential impact this scheme will have on the Health Service.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what quality checks are completed on meals delivered to older people by Health and Social Care Trusts.

**(AQW 41075/11-15)**

**Mr Wells:** All producers and providers of community meals are subject to a range quality checks in line with current food & health and safety legislation. The overriding quality governance framework is contained within the contract held by Health and Social Care (HSC) Trusts with the various Community Meals Providers. The contract should include specific quality requirements regarding clear written statements of practice on a number of elements of the production, delivery and availability of the Community Meals Service.

HSC Trusts must ensure that the nutritional content and standard of the Community Meals Service is at an appropriate level in order to suitably and safely meet individuals assessed care needs.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety whether staff from the administration block at Bangor Health Centre will move to Bangor Hospital.

**(AQW 41093/11-15)**

**Mr Wells:** I refer the member to the answer I provided to AQW 41092/11-15.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety whether he will make High Dose Rate Brachytherapy available to people with prostate cancer.  
(AQW 41097/11-15)

**Mr Wells:** I would like to see new and innovative radiotherapy treatments commissioned as soon as practical. The Health and Social Care Board is currently assessing a business case for high dose rate brachytherapy to complement the low dose rate service that has been in place since 2010. The timing of the introduction of this service will be dependent on competing priorities and the availability of resources for service developments.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety whether he will hold discussions with HMRC to assist in the Save a Life at 16 campaign, whereby information about the bone marrow register might be included on young people's National Insurance details when provided to them at the age of 16 years.  
(AQW 41113/11-15)

**Mr Wells:** I am sympathetic to the Anthony Nolan campaign to increase the number of young people on their bone marrow register; however decisions on the appropriateness of including information about the bone marrow register along with young people's National Insurance numbers, are a matter for HM Revenue and Customs. I understand that HMRC is already aware of this campaign, having discussed it with the Anthony Nolan Trust.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety how many Multiple Sclerosis patients are waiting to begin Tysabri treatment in each Health and Social Care Trust; and how many weeks each patient has been waiting for the treatment.  
(AQW 41116/11-15)

**Mr Wells:** There are several different disease modifying drugs licensed for MS. Patients who meet the criteria are placed on a waiting list for NICE recommended disease modifying therapies rather than a specific product. Once the patient is ready to start treatment, they will be given information about the drugs available and discuss with their clinician which is the most appropriate for them.

At 31st December 2014, there were 29 people actively waiting for treatment for NICE recommended therapies for MS in Northern Ireland, all of whom were waiting less than 13 weeks. A breakdown of these by Trust of Residence is given below.

Trust of Residence	Number of Patients Waiting less than 13 weeks
Belfast Trust	6
Northern Trust	4
South Eastern Trust	6
Southern Trust	5
Western Trust	8
<b>Total</b>	<b>29</b>

At 31st December 2014, there were 22 people receiving Tysabri treatment in the Belfast Health and Social Care Trust, and 20 people receiving Tysabri treatment in the Western Health and Social Care Trust.

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety (i) what eating disorder services are currently offered to patients; (ii) whether he has any plans to merge all eating disorder services within a single regional unit; and (iii) whether he would consider the Downshire site in Downpatrick as a potential location for a single eating disorder unit.  
(AQW 41119/11-15)

**Mr Wells:**

- (i) Eating Disorder Services are provided through a stepped care approach which ranges from early detection and intervention, to community-based treatment, to specialist inpatient provision.

Community-based Specialist Eating Disorder Services are available across all five HSC Trusts (with Belfast Trust providing services for the South Eastern Trust) for both adults and children and young people.

Inpatient treatment for adults with an eating disorder is facilitated in existing hospitals with in-reach support provided by specialist community-based eating disorder teams. This ensures a continuum of care when patients are discharged.

Inpatient care for children and adolescents with eating disorders is usually provided at Beechcroft, the Regional Child and Adolescent Mental Health Inpatient Unit. If the patient's condition is primarily physical, clinicians may decide that the best place for treatment is an acute hospital setting.

If a patient requires more intense specialist treatment for anorexia, Trusts can access beds in England, Scotland and Ireland through the Extra Contractual Referral (ECR) process.

- (ii) & (iii) There are currently no plans for a single regional eating disorders unit.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 40038/11-15, whether his Department is actively pursuing alternatives to litigation proceedings for people who feel they have been wrongly treated by the Health Service.

**(AQW 41185/11-15)**

**Mr Wells:** The Department is committed to delivering safe, high quality health and social care to all patients and clients in Northern Ireland with a wide range of measures already in place to ensure that services are delivered in a safe and effective manner.

The Department is currently reviewing a range of early developmental options in relation to the clinical negligence settlement management process within the HSC, to ensure the current settlement strategy is suitable for the contemporary HSC environment.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 40293/11-15, in relation to the business plan, for his assessment of the economic benefit of the establishment of such a centre.

**(AQW 41186/11-15)**

**Mr Wells:** Consideration of the establishment of a genomic medicine centre in Northern Ireland is at its early stages and a business plan is being developed. When this has been finalised I will be in a position to assess the economic benefit of such a centre subject to available funding.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety why the Director of Human Resources and Corporate Affairs of the South Eastern Health and Social Care Trust has not replied to my correspondence dated 17 April 2014, despite four reminders.

**(AQW 41188/11-15)**

**Mr Wells:** Health and Social Care Trusts are responsible for their own correspondence management. The South Eastern Health and Social Care Trust has advised me that a reply was forwarded to you on 21 January 2015.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety why there is ongoing delay in the publication of the O'Hara report on the Hyponatraemic issue; and whether his Department has received the report, in any form; and, if so, when.

**(AQW 41190/11-15)**

**Mr Wells:** Mr Justice O'Hara is working diligently to complete his report and as such, my Department has not received the report in any form.

Completing the report is a time consuming and demanding task, particularly in light of the significant volume of evidence presented to and generated by the Inquiry. Notwithstanding this, Mr O'Hara has advised that he is aiming for the earliest possible publication date.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety whether people who require to have meals cooked for them will continue to receive the service in the South Eastern Health and Social Care Trust.

**(AQW 41218/11-15)**

**Mr Wells:** The South Eastern HSC Trust have advised me that all service users who have been assessed as requiring assistance with the heating and serving of their meal will continue to receive this service from the Trust. The new service will have no impact on this provision.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how the number of elderly or vulnerable residents currently in receipt of daily meals from the South Eastern Health and Social Care Trust compares with (i) 2014; and (ii) 2010.

**(AQW 41223/11-15)**

**Mr Wells:** Information on meals services in the South Eastern Health and Social Care (HSC) Trust is published annually in Statistics on Community Care for Adults in Northern Ireland. The latest available figure is for the position as at 31 March 2014 which can be found in Table 1 below, along with that for 2010.

**Table 1. Number of persons aged 65 & over receiving a meals on wheels service in the South Eastern HSC Trust.**

Date	Persons aged 65 & over receiving a meals on wheels service
31 March 2014	356
31 March 2010	527

Information on the number of people who require meals to be prepared for them is not available.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety whether there are plans to restore temporary cut backs to domiciliary care in the South Eastern Health and Social Care Trust in 2015/16.

**(AQW 41228/11-15)**

**Mr Wells:** The South Eastern Health and Social Care Trust advise that it has not implemented temporary cut backs to domiciliary care packages. The Trust continues to review care packages on an ongoing basis to ensure that levels of support match the assessed eligible needs of service users.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 40630/11-15, when the building will be vacated and sealed and an application for planning permission submitted.

**(AQW 41240/11-15)**

**Mr Wells:** The Northern Health and Social Care (HSC) Trust anticipates that Rathmoyle will be vacated by the end of February 2015.

An application for planning permission will be taken forward by APEX Housing Association. The Northern HSC Trust is continuing to work with APEX to progress the design to the point of making the application.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on timeline for the North Wing development at Altnagelvin Hospital.

**(AQW 41253/11-15)**

**Mr Wells:** The detailed design work and tender preparation are progressing well and it is currently planned to award the contract and commence construction on site by late Summer/early Autumn 2015.

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety what steps he is taking to reduce inequalities in (i) cervical screening uptake; and (ii) HPV vaccination rates.

**(AQW 41282/11-15)**

**Mr Wells:** There are 483,000 women in Northern Ireland who are eligible to participate in the cervical screening programme, and 77% of these have had a smear test in the last 5 years. As almost a quarter of women still do not attend for cervical screening raising public awareness of cervical cancer prevention is important. The Public Health Agency (PHA) has undertaken work to explore how potential inequalities in the uptake and coverage of all cancer screening programmes can be addressed. The PHA developed a four year 'Informed Choice Action Plan' (2012-15) which provides a coordinated approach to promote informed choice of the three cancer screening programmes. This has included working with the Women's Resource Development Agency (WRDA) to deliver a peer facilitator programme to educate and raise awareness of breast, cervical and bowel cancer screening with community groups. This focuses on the Belfast and South Eastern Trust areas, targeted at areas of social deprivation; however a tendering process is now being progressed to roll out this model to the whole of Northern Ireland. The PHA also works with other voluntary and community groups to develop supporting resources for cancer screening programmes in various formats, for example audio format and Braille, in order to provide informed advice, improve patient accessibility and experience of screening. The PHA has also recently commissioned focus group work with non-attenders for cervical screening to be completed by end March 2015 to better understand the barriers to participation and identify any actions which can be taken to overcome these.

National Cervical Cancer Prevention Week is held in January and Cervical Screening Awareness week in June each year and the PHA use these key times as an opportunity to make women aware of the symptoms of cervical cancer and promote the importance of women attending for cervical screening through local media releases and activities. In January 2015 to coincide with this year's National Cervical Cancer Prevention week the PHA launched a new video on their website which is aimed at women attending for a smear for the first time. It explains the screening process and seeks to reassure them about some of the issues which may make them anxious to attend. GPs are being asked to promote the video within their practices.

The HPV vaccination programme, aimed at reducing the cervical cancer rate, was introduced across the UK in 2008. The vaccination programme has been very successful to date and the latest available uptake data show that by June 2014 Northern Ireland had achieved an average uptake of 91.3% for a completed course of the vaccine. This compares favourably with the average uptake rate achieved across the UK. Uptake of the HPV vaccination programme across each of the Trusts is closely monitored by the PHA and appropriate action taken to ensure the high uptake rate is maintained.

In Northern Ireland the vaccine is routinely offered, via school nursing teams, to all girls in year 9. A mop-up of any girls in year 10 who missed all or some of their injections is also completed at the same time by the school nursing teams. In addition, any girls who for whatever reason missed out on all or some of the injections while in years 9 and 10, can receive the vaccine via their GP, on request, up to the age of 18 years.

It is important to note that the HPV vaccine does not protect against all types of HPV, so it is not guaranteed to prevent cervical cancer. This is why regular cervical screening continues to play an important role in detecting potentially cancerous cell changes in the cervix.

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety what actions he is taking to increase cervical screening rates in Northern Ireland, in particular the areas which fall below the national average for cervical screening. (AQW 41283/11-15)

**Mr Wells:** There are 483,000 women in Northern Ireland who are eligible to participate in the cervical screening programme, and 77% of these have had a smear test in the last 5 years. As almost a quarter of women still do not attend for cervical screening raising public awareness of cervical cancer prevention is important. The Public Health Agency (PHA) has undertaken work to explore how potential inequalities in the uptake and coverage of all cancer screening programmes can be addressed. The PHA developed a four year 'Informed Choice Action Plan' (2012-15) which provides a coordinated approach to promote informed choice of the three cancer screening programmes. This has included working with the Women's Resource Development Agency (WRDA) to deliver a peer facilitator programme to educate and raise awareness of breast, cervical and bowel cancer screening with community groups. This focuses on the Belfast and South Eastern Trust areas, targeted at areas of social deprivation; however a tendering process is now being progressed to roll out this model to the whole of Northern Ireland. The PHA also works with other voluntary and community groups to develop supporting resources for cancer screening programmes in various formats, for example audio format and Braille, in order to provide informed advice, improve patient accessibility and experience of screening. The PHA has also recently commissioned focus group work with non-attenders for cervical screening to be completed by end March 2015 to better understand the barriers to participation and identify any actions which can be taken to overcome these.

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**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety what actions he is taking to increase public awareness of the symptoms of cervical cancer. (AQW 41284/11-15)

**Mr Wells:** There are 483,000 women in Northern Ireland who are eligible to participate in the cervical screening programme, and 77% of these have had a smear test in the last 5 years. As almost a quarter of women still do not attend for cervical screening raising public awareness of cervical cancer prevention is important. The Public Health Agency (PHA) has undertaken work to explore how potential inequalities in the uptake and coverage of all cancer screening programmes can be addressed. The PHA developed a four year 'Informed Choice Action Plan' (2012-15) which provides a coordinated approach to promote informed choice of the three cancer screening programmes. This has included working with the Women's Resource Development Agency (WRDA) to deliver a peer facilitator programme to educate and raise awareness of breast, cervical and bowel cancer screening with community groups. This focuses on the Belfast and South Eastern Trust areas, targeted at areas of social deprivation; however a tendering process is now being progressed to roll out this model to the whole of Northern Ireland. The PHA also works with other voluntary and community groups to develop supporting resources for cancer screening programmes in various formats, for example audio format and Braille, in order to provide informed advice, improve patient accessibility and experience of screening. The PHA has also recently commissioned focus group work with non-attenders for cervical screening to be completed by end March 2015 to better understand the barriers to participation and identify any actions which can be taken to overcome these.

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It is important to note that the HPV vaccine does not protect against all types of HPV, so it is not guaranteed to prevent cervical cancer. This is why regular cervical screening continues to play an important role in detecting potentially cancerous cell changes in the cervix.

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety what actions he is taking to increase HPV vaccination rates in Northern Ireland, in particular the areas which fall below the national average for cervical screening. (AQW 41285/11-15)

**Mr Wells:** There are 483,000 women in Northern Ireland who are eligible to participate in the cervical screening programme, and 77% of these have had a smear test in the last 5 years. As almost a quarter of women still do not attend for cervical screening raising public awareness of cervical cancer prevention is important. The Public Health Agency (PHA) has undertaken work to explore how potential inequalities in the uptake and coverage of all cancer screening programmes can be addressed. The PHA developed a four year 'Informed Choice Action Plan' (2012-15) which provides a coordinated approach to promote informed choice of the three cancer screening programmes. This has included working with the Women's Resource Development Agency (WRDA) to deliver a peer facilitator programme to educate and raise awareness of breast, cervical and bowel cancer screening with community groups. This focuses on the Belfast and South Eastern Trust areas, targeted at areas of social deprivation; however a tendering process is now being progressed to roll out this model to the whole of Northern Ireland. The PHA also works with other voluntary and community groups to develop supporting resources for cancer screening programmes in various formats, for example audio format and Braille, in order to provide informed advice, improve patient accessibility and experience of screening. The PHA has also recently commissioned focus group work with non-attenders for cervical screening to be completed by end March 2015 to better understand the barriers to participation and identify any actions which can be taken to overcome these.

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**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety what actions he is taking to increase the uptake of cervical cancer screening. (AQW 41286/11-15)

**Mr Wells:** There are 483,000 women in Northern Ireland who are eligible to participate in the cervical screening programme, and 77% of these have had a smear test in the last 5 years. As almost a quarter of women still do not attend for cervical screening raising public awareness of cervical cancer prevention is important. The Public Health Agency (PHA) has undertaken work to explore how potential inequalities in the uptake and coverage of all cancer screening programmes can be addressed. The PHA developed a four year 'Informed Choice Action Plan' (2012-15) which provides a coordinated approach to promote informed choice of the three cancer screening programmes. This has included working with the Women's Resource Development Agency (WRDA) to deliver a peer facilitator programme to educate and raise awareness of breast, cervical and bowel cancer screening with community groups. This focuses on the Belfast and South Eastern Trust areas, targeted at areas of social deprivation; however a tendering process is now being progressed to roll out this model to the whole of Northern Ireland. The PHA also works with other voluntary and community groups to develop supporting resources for cancer screening programmes in various formats, for example audio format and Braille, in order to provide informed advice, improve patient accessibility and experience of screening. The PHA has also recently commissioned focus group

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**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety what measures have been put in place to future-proof coronary care at Downe Hospital following the recent amalgamation of these services.  
(AQW 41290/11-15)

**Mr Wells:** The South Eastern Health and Social Care Trust is responsible for the delivery of services at Downe Hospital. The Trust has advised that whilst the location for the delivery of cardiology services at the hospital has changed, this service continues to be provided in the Downe.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 40378/11-15, whether his Department does not, or cannot, obtain access to the detail of the dates when the 13 applications for adoption from same-sex couples were received.  
(AQW 41297/11-15)

**Mr Wells:** The Health and Social Care Trusts have advised that between December 2013 and December 2014, a total of 10 applications to adopt from same-sex couples have been received. The actual dates on which these applications were received are provided in the table below.

Applications from Civil partners	Dates Received	Applications from unmarried same sex couples	Dates Received
4	i) 05/12/13 ii) 06/01/14 iii) 02/04/14 iv) 07/11/14	6	i) 04/12/13 ii) 18/04/14 ii) 14/05/14 iv) 01/06/14 v) 05/06/14 vi) 11/12/14

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what action his Department has taken to ensure that the quality standards for audiology services are being implemented.  
(AQW 41317/11-15)

**Mr Wells:** The Health and Social Care Board and Health and Social Care Trusts (HSCTs) adopted the Adult Quality Standards for Audiology Services in 2013 to develop a process of measurable service improvement across Northern Ireland.

The implementation of the Adult Quality Standards by HSCTs was expected to take 3 years with improvements initially focussing on the quality of the patient experience; the development of improved pathways; and more efficient ways of delivering care. This has also included effective triage and a straight to diagnostic test to help deliver streamlined pathways. The pace of implementation has been slower than expected, due to a number of factors; most significantly recruitment and retention issues in respect of audiology staff. However, HSCTs remain fully committed to the implementation process.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety to detail the savings that can be attributed to the South Eastern Health and Social Care Trust's decision to reduce the delivery of frozen meals from daily to fortnightly.  
(AQW 41321/11-15)

**Mr Wells:** The South Eastern Trust estimates that the new contract will reduce expenditure by approximately £100,000 per year and by up to £500,000 over the life of the contract.

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety what plans his Department has in place, in conjunction with the Department for Regional Development, to provide additional, regular public transport to the new Local Enhanced Hospital in Omagh.

(AQW 41324/11-15)

**Mr Wells:** This is a matter for the Western Health and Social Care Trust to decide. The Trust is currently working on a travel plan for the new Omagh Enhanced Local Hospital facility. This will include working with Translink on the bus service.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the rates of prostate cancer, broken down by constituency.

(AQW 41340/11-15)

**Mr Wells:** During the five year period from 2008 to 2012, the European age standardised<sup>1</sup> prostate cancer incidence rate was 168.2 per 100,000 persons in Northern Ireland, broken down by parliamentary constituency below:

Parliamentary Constituency	2008-12 Prostate Cancer Age Standardised Incidence Rate (Confidence Interval) <sup>2</sup>	
Belfast East	150.4	(131.5,169.3)
Belfast North	175.4	(155.2,195.6)
Belfast South	142.2	(123.8,160.6)
Belfast West	154.1	(132.2,176.0)
East Antrim	174.9	(154.3,195.5)
East Londonderry	157.3	(138.4,176.2)
Fermanagh & South Tyrone	193.0	(172.1,213.9)
Foyle	130.8	(109.4,152.2)
Lagan Valley	153.3	(134.7,171.8)
Mid Ulster	177.3	(155.5,199.1)
Newry & Armagh	185.3	(165.0,205.7)
North Antrim	188.6	(169.4,207.9)
North Down	178.6	(159.0,198.3)
South Antrim	177.0	(155.2,198.7)
South Down	144.3	(126.3,162.3)
Strangford	163.2	(143.7,182.7)
Upper Bann	186.6	(166.1,207.0)
West Tyrone	167.3	(146.3,188.2)
Northern Ireland	168.2	(163.5,173.0)

**Source:** Northern Ireland Cancer Registry (NICR)

- 1 Age standardisation improves comparability between geographic areas and time periods with varying age distributions. Incidence rates provided have been directly standardised to the 2013 European Standard Population.
- 2 Standardisation introduces a degree of uncertainty around resultant estimates. This is quantified in confidence intervals, where there is a 95% chance that the true value lies between these values.

**Ms Lo** asked the Minister of Health, Social Services and Public Safety whether Health and Social Care Trusts accept private healthcare diagnosis for adults with autism; and what support and treatment is available following a diagnosis.

(AQW 41412/11-15)

**Mr Wells:** In line with the Regional Health and Social Care Board Adult Autism Care Pathway, HSC Trusts are required to undertake an assessment of all adults referred to them. The pathway advises that "Where a person presents with a diagnosis from an independent sector diagnostician or has a historic diagnosis, the diagnosis should be in keeping with the regional pathway diagnostic standards and those outlined in NICE Guideline 142". In practice, this means that Trusts will seek consent in order to have any documentation about previous diagnosis shared with the assessing practitioner, who will in turn reflect on the findings and consider these as part of the assessment.

HSC Trusts' Adult Autism Spectrum Disorder (ASD) services are small teams and rely on a wide range of health and social services to address the needs of Adults with ASD. In general, all Trusts provide post diagnostic education/counselling, support with psychological needs, occupational therapy, mental health care and social/lifestyle support. Care and support is either offered directly by the Adult ASD Team and/or from other Health and Social Care Services, including support from ASD specific community and voluntary providers.

**Ms Lo** asked the Minister of Health, Social Services and Public Safety how would a referral for adults with autism be handled, should a specialist psychologist be unavailable to conduct an assessment.

**(AQW 41413/11-15)**

**Mr Wells:** Referrals for Adult Autism Spectrum Disorder (ASD) services are managed in line with the Adult ASD Care Pathway. Adult ASD services are multidisciplinary teams and therefore an assessment may be conducted by a range of professionals. Most Adult ASD Teams across the Health and Social Care Trusts are staffed by psychologists, but due to limited resources there are only a small number in each team. Whilst every effort is made to ensure that the appropriate professional is available, if a psychologist is required for the assessment but is unavailable, it is policy to either identify another psychologist to undertake the assessment or to reschedule the appointment. The person referred will be kept informed and be supported by the Trust ASD team with any other needs that they might have.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, in light of the publication of Sir Liam Donaldson's review, whether he will increase funding to implement the Transforming Your Care plan in 2015/16.

**(AQW 41446/11-15)**

**Mr Wells:** In line with other Departments, the final budget for 2015/16 is exceptionally challenging for my Department. Even if significant savings of some £164m are achieved, my Department will be unable to fund essential service developments including investments in elective care; unscheduled care; normative nursing levels; public health initiatives; NICE drugs and specialist services; mental health and learning disability; and transitional funding for Transforming Your Care (TYC).

Work is ongoing with the Trusts, HSCB and other arms length bodies to clarify the implications of the final budget, develop balanced financial plans and to put in place a Commissioning Plan which delivers, as far as possible, the department's priorities – including TYC.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail the number of people who have a long-term, or chronic, condition who are currently enrolled in a specialist chronic condition management programme.

**(AQW 41486/11-15)**

**Mr Wells:** The information requested is not available and could only be provided at disproportionate costs. Information is however available on the number of participants who availed of a patient education / self management programme in 2012/13.

In 2012/13, 11,531 participants availed of a patient education / self management programme.

This information can be found published online at the following web address: [http://www.dhsspsni.gov.uk/patient\\_education\\_self\\_management\\_-\\_regional\\_summary\\_2012-13.pdf](http://www.dhsspsni.gov.uk/patient_education_self_management_-_regional_summary_2012-13.pdf)

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update of the Early Intervention Service for Derry as part of the Early Intervention Transformation service.

**(AQW 41553/11-15)**

**Mr Wells:** Under the Early Intervention Transformation Programme, five Early Intervention Services (EIS) will be established in specific locations across all five Health and Social Care Trust areas over a three year period. Each will be delivered under contract by the community and voluntary sector. The establishment of one service per Trust area will enable the model to be tested and outcomes demonstrated. It is intended to undertake quarterly monitoring of outcomes and share the results with Commissioners of early intervention services.

The actual location of each EIS will be decided by the Outcomes Group for the area. Each decision will be subject to equality impact screening and assessment, where required. In the Western Health and Social Care Trust area, the location of the EIS will be decided by the Western Outcomes Group, which is a partnership of statutory, voluntary and community sectors organisations delivering services to children, young people and families in that area. The EIS will be implemented in conjunction with the Family Support Hub network and will work closely with the local Family Support Hub.

The competitive process for the EIS will be led by the Public Health Agency and is likely to commence in Spring 2015. All five EIS are expected to be operational from Summer 2015.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety when the review on Individual Funding Requests will be published.

**(AQW 41557/11-15)**

**Mr Wells:** I plan to release the key findings of the evaluation of the IFR process shortly.

## Department of Justice

**Mr Ramsey** asked the Minister of Justice why his Special Advisor met with a representative of Amnesty International on 24 July 2014; and what was the nature of the discussion.

**(AQW 40874/11-15)**

**Mr Ford (The Minister of Justice):** My Special Adviser and I met with a representative of Amnesty International at her request, to discuss an invitation for me to speak at a public event about my proposed consultation in relation to abortion legislation.

**Lord Morrow** asked the Minister of Justice to detail the total costs, or an estimate, of (i) legal aid shown by (a) law firm; (b) junior counsel; and (c) senior counsel; and (ii) interpreter services, of cases 13/099496; 13/099497; 13/099503; 13/099511; 13/099513; 13/099517; 13/099519; 13/099521; 13/099522; 13/099498 and 13/099510, at Dungannon Magistrates Court, all latterly collectively 14/084646 at Dungannon Crown Court from, from the beginning of this case to its conclusion.

**(AQW 40980/11-15)**

**Mr Ford:** Legal aid was granted for representation by solicitor and junior counsel to defend proceedings in the magistrates' court in respect of each of these cases. To date, a total of £15,011.03 has been paid to 11 solicitors and £11,147.37 to 8 Junior Counsel in respect of magistrates' court proceedings. All claims have not yet been received but the estimated total cost of the magistrates' court proceedings is £38,675.03 made up as follows:

		Fees Paid to date	Estimate of fees to be paid	Estimated Total
13/099496	Solicitor	£2,329.37		£2,329.37
	Junior Counsel	£1,183.59		£1,183.59
13/099497	Solicitor	£2,242.93		£2,242.93
	Junior Counsel	£1,496.62		£1,496.62
13/099503	Solicitor	£180.00	£1,509.31	£1,689.31
	Junior Counsel		£1,112.62	£1,112.62
13/099511	Solicitor	£2,332.48		£2,332.48
	Junior Counsel	£1,489.34		£1,489.34
13/099513	Solicitor	£1,708.04		£1,708.04
	Junior Counsel		£1,112.62	£1,112.62
13/099517	Solicitor	£4,038.47		£4,038.47
	Junior Counsel	£1,496.62		£1,496.62
13/099519	Solicitor		£3,490.86	£3,490.86
	Junior Counsel	£1,467.55		£1,467.55
13/099521	Solicitor		£984.00	£984.00
	Junior Counsel	£1,344.00		£1,344.00
13/099522	Solicitor	£1,909.74	£984.00	£2,893.74
	Junior Counsel	£1,249.34		£1,249.34
13/099498	Solicitor	£270.00	£984	£1,254.00
	Junior Counsel		£1,265.22	£1,265.22
13/099510	Solicitor		£1,074.00	£1,074.00
	Junior Counsel	£1,420.31		£1,420.31
			<b>Total</b>	<b>£38,675.03</b>



The arraignment has not taken place in the Crown Court so it is not yet known how the proceedings will progress. It is therefore not possible to provide an estimate of costs.

To date the total amount spent by the Northern Ireland Courts and Tribunals Service on interpreters is £7,684.40, with a further £76 paid by the Northern Ireland Legal Services Commission.

The PPSNI is not in a position to provide costs or estimates for interpreter services as it has not yet received any invoices.

**Lord Morrow** asked the Minister of Justice to provide, or place in the Assembly library, a copy of his Department's Whistleblower policy; and whether this applies to all agencies under his departmental remit.

**(AQW 40990/11-15)**

**Mr Ford:** The Department of Justice, including its Agencies, adheres to the Public Interest Disclosure "Whistleblowing" policy as laid down in the Northern Ireland Civil Service HR Handbook, Chapter 6.01 "Standards of Conduct", paragraph 4 and Annex 3.

This policy makes provision for departmental specific procedures/ guidance for raising concerns about possible wrongdoing.

The relevant section of the NICS HR Handbook is at: <http://www.dfpni.gov.uk/6.01-standards-of-conduct.pdf>

A copy of the DOJ Whistleblowing arrangements has been placed in the Assembly Library.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 39896/11-15 and AQW 40235/11-15, and given the responsibility of senior management to ensure compliance with Prison Service policies at all times (i) why on 6 May 2013 the Care and Supervision Unit Manager and other staff at Maghaberry prison were unaware of the need to adhere to the 2011 policy on The Safe Custody of Hoffman Cut Down Knives; and (ii) how the 2011 policy was implemented by senior management throughout the prison estate, in particular Maghaberry.

**(AQW 40994/11-15)**

**Mr Ford:**

- (i) There is no explanation for the non-compliance with the policy from both the CSU manager and staff. However, Maghaberry management are satisfied that this non-compliance of the policy at the time of Mr Singleton's death was neither deliberate nor intentional and deemed it a lack of awareness by staff within the CSU.
- (ii) The policy contains instructions for establishments as to how it should be implemented and guidance on the use of Hoffman knives. All establishments subsequently issued Notices to Staff advising of the new policy and training continues both as part of Induction and Conversion training and where individual training needs are identified.

**Mr Givan** asked the Minister of Justice what measures are being considered to cut the legal aid bill.

**(AQW 41022/11-15)**

**Mr Ford:** A number of actions are planned to reduce legal aid spend. I will shortly implement changes to Crown Court Fees which will deliver savings in excess of £7million per annum. I am currently consulting with the legal profession on a new structure for Civil Fees, with the intention of introducing new arrangements for Family Cases shortly. A consultation on the Scope of Legal Aid has just completed and I plan to bring forward urgent measures to reduce the scope in certain areas. This will include reform of money damages claims, the management of private family law cases, ancillary relief and consideration of changes to means testing. I am also considering the introduction of a temporary levy on legal aid payments. Finally I am reconsidering my position on proposals for the Reform of Financial Eligibility which were put forward some time ago.

In the longer term, I expect the Access to Justice Review Part II to inform the agenda for future change.

**Mr F McCann** asked the Minister of Justice what action his Department is taking to ensure that relatives of prisoners have access to transport to and from Magilligan and Maghaberry prisons.

**(AQW 41039/11-15)**

**Mr Ford:** The Northern Ireland Prison Service (NIPS) supports and provides a range of services to assist relatives of prisoners in maintaining contact with family members in custody. This includes the transport service currently provided by NIACRO to each prison establishment.

With the recent confirmation of the departmental budget for 2015-16, my officials are currently working to determine what level of resources will be available to fund services provided by the Voluntary and Community Sector. One of the priority areas where this funding will be targeted is families.

Once the level of funding is confirmed my officials will be working with Voluntary and Community Sector organisations to identify those services which can best assist in maintaining family links while people are in custody.

**Lord Morrow** asked the Minister of Justice how many convicted murderers have (i) sought; and (ii) been granted temporary leave from custody in the last six months, broken down by prison facility.

**(AQW 41045/11-15)**

**Mr Ford:**

	No. who have sought Temporary Release	No. granted Temporary Release
Maghaberry	47	36
Magilligan	3	1
Hydebank	2	2

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 40235/11-15 to detail the reason for the disparity in his answer and the statement by the Prisoner Ombudsman at page 28 of his report that since this incident all CSU staff now carry Hoffman knives on their belts but this is not the practice throughout Maghaberry.

**(AQW 41046/11-15)**

**Mr Ford:** The policy and Standard Operating Procedure (SOP) under section 'Standard 3' only requires the issue of Hoffman knives to those staff carrying landing keys. All staff working in a residential location may not require keys and therefore will not carry a Hoffman knife. Given the nature of the CSU and the contents of the Ombudsman report it was decided that Maghaberry would issue all staff working within this small unit a personal Hoffman Knife. This is specific to this area. All staff and managers carrying keys with direct contact with prisoners or staff operating at specific times such as nights and lock up periods carry Hoffman knives as per the Policy and Standing Operating Procedure.

**Lord Morrow** asked the Minister of Justice to provide, or place in the Assembly library, a copy of his Department's child protection policy; and whether this applies to all agencies under his departmental remit.

**(AQW 41052/11-15)**

**Mr Ford:** The Department of Justice, including its Agencies, adheres to the NICS Child Protection policy as laid down in the Northern Ireland Civil Service HR Handbook, Chapter 6.02 "Child Protection".

Please find below the link to the relevant section of the NICS HR Handbook for your information.

<http://www.dfpni.gov.uk/nics-child-protection-policy.pdf>

The policy makes provision for more specific procedures and guidance to be developed specific to Departmental functions or circumstances.

Both the Youth Justice Agency and the Northern Ireland Prison Service have developed specific Child Protection Policy and Procedures which are consistent with the NICS wide policy but more specific to the needs of their client group and their particular functions.

Please find links to both policies below;

**YJA policy:**

[http://www.youthjusticeagency.ni.gov.uk/document\\_uploads/Child\\_Protection\\_Policy\\_&\\_Procedures.pdf](http://www.youthjusticeagency.ni.gov.uk/document_uploads/Child_Protection_Policy_&_Procedures.pdf)

**NIPS policy:**

[http://www.dojni.gov.uk/index/ni-prison-service/nips-publications/policy\\_reports/safeguarding-children-framework-and-guidance.pdf](http://www.dojni.gov.uk/index/ni-prison-service/nips-publications/policy_reports/safeguarding-children-framework-and-guidance.pdf)

**Lord Morrow** asked the Minister of Justice in relation to his Department's statement in the press on 16 January 2015, (i) why the statement is focused on the prisoner and their concerns and makes no reference to public safety or the sensitivities of victims or their relatives; (ii) why no mention is made as to what consideration is taken of offenders who have previously absconded whilst on temporary release; and (iii) whether previous absconding whilst on temporary release affects a decision on an application for temporary release.

**(AQW 41054/11-15)**

**Mr Ford:** This was a response to a media query not a statement intended to address all of the issues and complexities associated with applications for temporary release.

Any form of temporary release is not an entitlement. It does, however, form an integral and vital part of preparing a prisoner for resettlement back into the community.

Prisoners who apply undergo a thorough risk assessment to ascertain whether they are suitable for temporary unaccompanied release. Part of this assessment looks at factors which help governors come to a view on whether applicants are likely to adhere to the terms of their temporary release.

These factors include the likelihood of re-offending; the nature of the offence or offences; an assessment of behaviour in custody; the length of time a prisoner has still to serve; where appropriate the recommendations of Parole Commissioners; the record of behaviour during any previous periods of release; and whether they are likely to return to prison by the appointed time. Only those who are determined as presenting a low risk to the public and across these various factors will have their application granted.

If a prisoner fails to return from a period of temporary release the police are notified and take action to return individuals to prison custody.

**Mr Clarke** asked the Minister of Justice (i) how much his Department pays annually for Trade Union officials; (ii) how many officials this payment covers; and (iii) what is the cost of administering Trade Union's dues.

(AQW 41060/11-15)

**Mr Ford:** The Department of Justice, including its agencies but not its arm's-length bodies, paid a total of £132,271 in staff costs for three Trade Union officials during the 2013/14 financial year. The cost to the Department of administering Trade Union dues is nominal as this is completed as part of the routine monthly salary process.

**Mr Hussey** asked the Minister of Justice to detail the drug seizures made by Prison Service staff and police in each prison in the last four years, including the quantities seized.

(AQW 41076/11-15)

**Mr Ford:** The number of drug finds for the stated period is set out below.

	2011	2012	2013	2014
Maghaberry	44	87	452	224
Magilligan	28	17	25	57
Hydebank	18	22	52	64

It would not be possible to determine the quantities of substances without manual checking of extensive records at disproportionate cost.

**Mr Hussey** asked the Minister of Justice to detail the (i) prosecutions; (ii) convictions; and (iii) disciplinary actions resulting drug seizures in prisons in the last four years.

(AQW 41078/11-15)

**Mr Ford:** Prosecutions and convictions are a matter for the PSNI. It is not possible to determine how many internal disciplinary actions relate specifically to drug finds. All such matters are dealt with under the universal prison rule of 'being in possession of an unauthorised article'.

**Mr Allister** asked the Minister of Justice, pursuant to AQW 40345/11-15, how much funding has been provided by his Department's arms-length bodies to lesbian, gay, bisexual and transgender groups since April 2010.

(AQW 41081/11-15)

**Mr Ford:** The Northern Ireland Policing Board, an arms-length body of the Department of Justice, paid a total of £4,726.66 between July 2011 and July 2013 to stage five productions of the Laramie Play to raise awareness of homophobic issues. £2,322.50 of this was paid directly to The Rainbow Project which is a lesbian, gay, bisexual and transgender group.

**Mr G Robinson** asked the Minister of Justice what progress has been made with the refurbishment project at HMP Magilligan.

(AQW 41126/11-15)

**Mr Ford:** The outline business case for the Magilligan Redevelopment Project was approved by Department of Finance and Personnel on 9 January 2015 and progress is dependent on securing the capital funding necessary.

**Lord Morrow** asked the Minister of Justice, in relation to persons, convicted of an offence and imprisoned in a country outside Northern Ireland, who apply to be re-patriated to serve their sentence in a Northern Ireland prison facility, (i) whether said persons are entitled to 50 per cent remission, taking into account time served in the country where there were initially jailed; (ii) if so, whether this applies; and (iii) if not, to detail the circumstances of exception.

(AQW 41127/11-15)

**Mr Ford:** If the index offence was committed before 1 April 2009 remission would apply on the balance of the sentence still to be served following repatriation under the provisions of Section 13(7) of the Prison Act (Northern Ireland) 1953.

If the index offence was committed on or after 1 April 2009 and the sentence handed down was 12 months or more the individual would not be entitled to remission by virtue of the provisions of the Criminal Justice (Northern Ireland) Order 2008. Remission is still available in respect of sentences under 12 months.

**Lord Morrow** asked the Minister of Justice, in relation to Prison Service staff working in close proximity to prisoners, (i) how many staff at Maghaberry are issued with Hoffman knives on a daily basis; and (ii) how many members of staff at Maghaberry have received instruction or training on the use of Hoffman knives.

(AQW 41128/11-15)

**Mr Ford:**

- (i) A Hoffman knife is issued to each member of landing staff who draws a set of cell keys. A Hoffman knife is also issued to each residential Senior Officer and to each individual officer within the Care and Supervision Unit. As numbers within these areas can fluctuate throughout the day and between certain days, it is not possible to specify how many are issued on a daily basis.
- (ii) Training in the use of Hoffman knives is included in Induction and Conversion Training, which has been provided for staff joining the Service or regrading since July 2012. There are 367 such staff within Maghaberry Prison.

**Lord Morrow** asked the Minister of Justice for a breakdown of the cost expended in bringing William Sloan back to custody at HMP Maghaberry.

**(AQW 41129/11-15)**

**Mr Ford:** The cost incurred by the Northern Ireland Prison Service in bringing William Sloan back to custody in Maghaberry was £302.33.

**Lord Morrow** asked the Minister of Justice whether the two convicted murderers who absconded whilst on temporary leave from custody and have since returned to custody, will be adjudicated for being unlawfully at large.

**(AQW 41131/11-15)**

**Mr Ford:** Disciplinary action would be considered as part of Northern Ireland Prison Service standard procedures.

**Mr Hussey** asked the Minister of Justice to detail any legal highs recovered in each prison over the last four years, including the (i) items recovered; and (ii) quantities recovered.

**(AQW 41133/11-15)**

**Mr Ford:** Under prison rules all non-prescribed medication is treated as illicit. New Psychoactive Substances are recorded under overall drug seizures and are not recorded separately on the prison system.

**Mr Hussey** asked the Minister of Justice to detail the contraband, other than drugs, seized in each prison in the last four years, including (i) the items recovered; (ii) disciplinary action; and (iii) any resulting criminal (a) prosecutions; and (b) convictions.

**(AQW 41134/11-15)**

**Mr Ford:** The term contraband covers a multitude of items from weapons to over quota issued property. All finds which give concern are dealt with under prison rules. To provide the statistics as requested would require a very considerable number of records to be manually checked and incur disproportionate cost.

**Mr Agnew** asked the Minister of Justice why sex workers or organisations representing sex workers are excluded from his Department's Engagement Groups on Human Trafficking; and whether he will rectify this situation.

**(AQW 41153/11-15)**

**Mr Ford:** The Engagement Group was established in December 2012, essentially from those who responded to a consultation about how the Department should engage with civic society about human trafficking as well as a number of other organisations which were engaging with the Department. No request was made from sex workers or their representatives at that time, or when membership was reviewed in September 2013.

A number of requests to join the Engagement Group will be considered when membership is next reviewed. However it will not be possible to include all groups which have expressed an interest, given the need to keep the size of the group manageable.

In addition to the Engagement Group, the Department has engagement with others, including those representing sex workers, to allow relevant issues relating to human trafficking to be raised with it.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 37161/11-15 and AQW 38849/11-15 and his subsequent correspondence of 22 December 2014, whether this person, when being released on home leave, was (i) subject to a curfew; (ii) if so, what were the times; (iii) was the curfew breached; (ii) prohibited from consumption of alcohol; and (iii) placed under parental or guardian responsibility who were then in turn required to enforce and report any breaches.

**(AQW 41189/11-15)**

**Mr Ford:** I am unable to disclose the specific information requested as to do so would run contrary to the Data Protection Act 1998.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 40364/11-15, who paid said costs.

**(AQW 41194/11-15)**

**Mr Ford:** The costs incurred were paid by the Northern Ireland Prison Service.

**Lord Morrow** asked the Minister of Justice (i) what is his Department's definition of a solicitor or law firm working on a case pro bono; (ii) under what circumstances can they apply for legal aid; and (iii) what services the legal aid covers.  
(AQW 41195/11-15)

**Mr Ford:** The definition of pro bono is legal work undertaken by practitioners voluntarily and without payment. Legal Aid would not be available in cases where the practitioner agrees to provide pro bono legal work.

**Lord Morrow** asked the Minister of Justice how many magistrates court cases in the last twelve months have been dismissed due to over-running the stipulated time for progress, broken down by court division; and of these how many have since been re-listed.  
(AQW 41196/11-15)

**Mr Ford:** This information is not available as it is not recorded.

**Mr Ross** asked the Minister of Justice how many prisoner on prisoner physical attacks have taken place in HMP Maghaberry in each of the last 24 months.  
(AQW 41217/11-15)

**Mr Ford:** The number of prisoner on prisoner assaults in Maghaberry over the 24 month period from 1 January 2013 to 31 December 2014 is provided in the table below.

	2013	2014
Jan	15	10
Feb	15	10
Mar	14	9
Apr	16	8
May	18	15
June	13	15
July	17	10
Aug	13	11
Sept	7	14
Oct	10	5
Nov	14	6
Dec	5	13
<b>Totals</b>	<b>157</b>	<b>126</b>

**Mr Ross** asked the Minister of Justice how many prison officers have (i) been recruited to; and (ii) left the Prison Service, in each of the last five years.  
(AQW 41219/11-15)

**Mr Ford:** The number of Prison Officers recruited to, and the number who have left the Prison Service, in each of the last five years is set out in the table below:

Period	Number recruited	Number of leavers*
2010 (from 12/04/10)	0	63
2011	0	47
2012	140	257
2013	170	323
2014	0	104
2015 (up to 23/01/15)	0	9

\*Includes 517 staff who left under the voluntary exit scheme

**Lord Morrow** asked the Minister of Justice, in relation to the installation of drop-down bollards at Dungannon Courthouse, (i) on what recommendation were these installed; (ii) who approved the installation; (iii) what was the cost; (iv) what other costs



have been incurred since installation; (v) what is their record of operational reliability; and (vi) what is their current status in respect of usage and operational function.

**(AQW 41233/11-15)**

**Mr Ford:** The installation of bollards at Dungannon Courthouse was recommended by the Centre for the Protection of National Infrastructure and approved by the then NICTS Director of Finance. Installation at Dungannon cost £110,500 and to date approximately £3,116 has been spent on remedial maintenance to ensure they are operating effectively. The bollards are considered to be operationally reliable and fulfil their function of minimising the security risk to the courthouse.

**Lord Morrow** asked the Minister of Justice how many Fermanagh and Tyrone division crown court cases have had No Bill applications made in each of the last three years; and how many were successful.

**(AQW 41234/11-15)**

**Mr Ford:** The table below outlines the number of No Bill applications dealt with in each of the last three years in Fermanagh and Tyrone Division and includes a breakdown of their outcomes. A case may have more than one defendant and therefore more than one No Bill application.

Outcome of No Bill Applications dealt with in Fermanagh and Tyrone Division

Year	Total Cases	Total No Bill Applications	Outcome		
			Granted on all Charges	Refused on all Charges	Mixed <sup>[1]</sup>
2012	22	22	6	10	6
2013	30	39	13	17	9
2014 <sup>[2]</sup>	24	38	25	10	3
<b>Total</b>	<b>76</b>	<b>99</b>	<b>44</b>	<b>37</b>	<b>18</b>

[1] Applications with a combination of granted and refused orders against each charge.

[2] Provisional Figures.

**Lord Morrow** asked the Minister of Justice to detail the compensation payments paid to prison staff since October 2013; and why these figures have not been updated quarterly as required.

**(AQW 41235/11-15)**

**Mr Ford:** The total amount of compensation paid to prison staff, from October 2013 to the end of December 2014, is £742,890. Of this figure, £369,173 relates to compensation paid for noise induced hearing loss claims awarded to current and retired staff. There is no requirement for NIPS to update these figures quarterly.

**Mr Hussey** asked the Minister of Justice to detail the number of (i) prosecutions; and (ii) convictions for theft of agricultural machinery, in each of the last five years.

**(AQW 41247/11-15)**

**Mr Ford:** The information requested is not available from datasets held by the Department. Prosecutions and convictions data are recorded for generic offences, such as theft, robbery or criminal damage and datasets held by my Department currently do not contain information on items stolen or circumstances in which offences were committed. Therefore, it is not currently possible to identify from the data whether a prosecution or conviction relates specifically to theft of agricultural machinery.

**Ms Sugden** asked the Minister of Justice, pursuant to AQW 40651/11-15, whether funding is available for this project.

**(AQW 41270/11-15)**

**Mr Ford:** Following DFP approval of the outline business case, the next stage will be to secure the necessary capital funding to progress the Redevelopment of Magilligan Project.

**Mr Ramsey** asked the Minister of Justice how many ex parte High Court applications have been heard on a Friday afternoon in (i) 2014; and (ii) 2015.

**(AQW 41275/11-15)**

**Mr Ford:** The table below outlines the numbers of ex-parte High Court applications dealt with on a Friday in 2014. It is not possible to determine how many were heard on a Friday afternoon. Data for 2015 are not yet available.

**Ex-parte High Court applications dealt with on a Friday**

Number of ex-parte High Court applications Dealt With in 2014 [1]	1049
Number of ex-parte High Court applications Dealt With in 2014 on a Friday [1]	168

- 1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

**Mr Swann** asked the Minister of Justice how many ex parte High Court applications have been heard on a Friday afternoon in (i) 2014; and (ii) 2015.

**(AQW 41278/11-15)**

**Mr Ford:** Table 1 below outlines the numbers of ex-parte High Court applications dealt with on a Friday in 2014. It is not possible to determine how many were heard on a Friday afternoon. Data for 2015 are not yet available.

**Table 1 Ex-parte High Court applications dealt with on a Friday**

Number of ex-parte High Court applications Dealt With in 2014 [1]	1049
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- 1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

Table 2 below outlines the numbers of ex-parte High Court applications received and dealt with in each Division of the High Court in the last 3 years. It is not possible to determine how many have been granted, heard and or refused without a manual review trawl of all final orders. This could not be completed without incurring a disproportionate cost.

**Table 2 Ex-parte receipts and disposals in the High Court by division 2012 - 20141**

	<b>Business Area</b>	<b>Received</b>	<b>Dealt with by High Court Judge</b>	<b>Dealt with by Master</b>	<b>Office disposal</b>	<b>Total dealt with</b>
2012	Chancery	511	9	413	3	425
	Bankruptcy	0	0	0	0	0
	Companies	18	0	18	0	18
	Queen's Bench	448	38	366	1	405
	Judicial Reviews	279	220	0	0	220
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	28	0	27	0	27
	Divorce	43	16	19	0	35
	<b>Total</b>	<b>1,327</b>	<b>283</b>	<b>843</b>	<b>4</b>	<b>1,130</b>
2013	Chancery	430	10	432	1	443
	Bankruptcy	0	0	0	0	0
	Companies	21	3	14	0	17
	Queen's Bench	447	33	367	1	401
	Judicial Reviews	305	317	0	0	317
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	28	0	21	0	21
	Divorce	30	9	14	0	23
	<b>Total</b>	<b>1,261</b>	<b>372</b>	<b>848</b>	<b>2</b>	<b>1,222</b>

	<b>Business Area</b>	<b>Received</b>	<b>Dealt with by High Court Judge</b>	<b>Dealt with by Master</b>	<b>Office disposal</b>	<b>Total dealt with</b>
2014	Chancery	335	15	310	0	325
	Bankruptcy	0	0	0	0	0
	Companies	6	0	3	0	3
	Queen's Bench	411	17	357	0	374
	Judicial Reviews	336	288	0	0	288
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	32	1	25	0	26
	Divorce	43	18	15	0	33
	<b>Total</b>	<b>1,163</b>	<b>339</b>	<b>710</b>	<b>0</b>	<b>1,049</b>

1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

To determine how many ex-parte High Court applications have been granted and resulted in costs and damages being ordered for the respondent would require a manual review of all final orders and would incur a disproportionate cost.

I currently have no plans to review how ex-parte High Court applications are processed.

**Mr Swann** asked the Minister of Justice how many ex parte High Court applications in each of the last three years have been (i) granted; (ii) heard; and (iii) refused, broken down per court division.  
(AQW 41279/11-15)

**Mr Ford:** Table 1 below outlines the numbers of ex-parte High Court applications dealt with on a Friday in 2014. It is not possible to determine how many were heard on a Friday afternoon. Data for 2015 are not yet available.

**Table 1 Ex-parte High Court applications dealt with on a Friday**

Number of ex-parte High Court applications Dealt With in 2014 [1]	1049
Number of ex-parte High Court applications Dealt With in 2014 on a Friday [1]	168

1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

Table 2 below outlines the numbers of ex-parte High Court applications received and dealt with in each Division of the High Court in the last 3 years. It is not possible to determine how many have been granted, heard and or refused without a manual review of all final orders. This could not be completed without incurring a disproportionate cost.

**Table 2 Ex-parte receipts and disposals in the High Court by division 2012 - 2014<sup>1</sup>**

	<b>Business Area</b>	<b>Received</b>	<b>Dealt with by High Court Judge</b>	<b>Dealt with by Master</b>	<b>Office disposal</b>	<b>Total dealt with</b>
2012	Chancery	511	9	413	3	425
	Bankruptcy	0	0	0	0	0
	Companies	18	0	18	0	18
	Queen's Bench	448	38	366	1	405
	Judicial Reviews	279	220	0	0	220
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	28	0	27	0	27
	Divorce	43	16	19	0	35
	<b>Total</b>	<b>1,327</b>	<b>283</b>	<b>843</b>	<b>4</b>	<b>1,130</b>

	Business Area	Received	Dealt with by High Court Judge	Dealt with by Master	Office disposal	Total dealt with
2013	Chancery	430	10	432	1	443
	Bankruptcy	0	0	0	0	0
	Companies	21	3	14	0	17
	Queen's Bench	447	33	367	1	401
	Judicial Reviews	305	317	0	0	317
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	28	0	21	0	21
	Divorce	30	9	14	0	23
	<b>Total</b>	<b>1,261</b>	<b>372</b>	<b>848</b>	<b>2</b>	<b>1,222</b>
2014	Chancery	335	15	310	0	325
	Bankruptcy	0	0	0	0	0
	Companies	6	0	3	0	3
	Queen's Bench	411	17	357	0	374
	Judicial Reviews	336	288	0	0	288
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	32	1	25	0	26
	Divorce	43	18	15	0	33
	<b>Total</b>	<b>1,163</b>	<b>339</b>	<b>710</b>	<b>0</b>	<b>1,049</b>

1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

To determine how many ex-parte High Court applications have been granted and resulted in costs and damages being ordered for the respondent would require a manual review of all final orders and would incur a disproportionate cost.

I currently have no plans to review how ex-parte High Court applications are processed.

**Mr Swann** asked the Minister of Justice how many ex parte High Court applications, which had been granted in the last three years, resulted in costs and damages being ordered for the respondent.  
(AQW 41280/11-15)

**Mr Ford:** Table 1 below outlines the numbers of ex-parte High Court applications dealt with on a Friday in 2014. It is not possible to determine how many were heard on a Friday afternoon. Data for 2015 are not yet available.

**Table 1 Ex-parte High Court applications dealt with on a Friday**

Number of ex-parte High Court applications Dealt With in 2014 [1]	1049
Number of ex-parte High Court applications Dealt With in 2014 on a Friday [1]	168

1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

Table 2 below outlines the numbers of ex-parte High Court applications received and dealt with in each Division of the High Court in the last 3 years. It is not possible to determine how many have been granted, heard and or refused without a manual review of all final orders. This could not be completed without incurring a disproportionate cost.

**Table 2 Ex-parte receipts and disposals in the High Court by division 2012 - 2014<sup>1</sup>**

	<b>Business Area</b>	<b>Received</b>	<b>Dealt with by High Court Judge</b>	<b>Dealt with by Master</b>	<b>Office disposal</b>	<b>Total dealt with</b>
2012	Chancery	511	9	413	3	425
	Bankruptcy	0	0	0	0	0
	Companies	18	0	18	0	18
	Queen's Bench	448	38	366	1	405
	Judicial Reviews	279	220	0	0	220
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	28	0	27	0	27
	Divorce	43	16	19	0	35
	<b>Total</b>	<b>1,327</b>	<b>283</b>	<b>843</b>	<b>4</b>	<b>1,130</b>
2013	Chancery	430	10	432	1	443
	Bankruptcy	0	0	0	0	0
	Companies	21	3	14	0	17
	Queen's Bench	447	33	367	1	401
	Judicial Reviews	305	317	0	0	317
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	28	0	21	0	21
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2014	Chancery	335	15	310	0	325
	Bankruptcy	0	0	0	0	0
	Companies	6	0	3	0	3
	Queen's Bench	411	17	357	0	374
	Judicial Reviews	336	288	0	0	288
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	32	1	25	0	26
	Divorce	43	18	15	0	33
	<b>Total</b>	<b>1,163</b>	<b>339</b>	<b>710</b>	<b>0</b>	<b>1,049</b>

1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

To determine how many ex-parte High Court applications have been granted and resulted in costs and damages being ordered for the respondent would require a manual review of all final orders and would incur a disproportionate cost.

I currently have no plans to review how ex-parte High Court applications are processed.

**Mr Campbell** asked the Minister of Justice whether he will hold discussions with the Chief Constable regarding inclusion within the Annual Performance Review for Police Officers any requirement regarding the number of prosecutions for which each officer may be responsible.

**(AQW 41313/11-15)**

**Mr Ford:** I meet regularly with the Chief Constable to discuss a range of matters relating to the policing of Northern Ireland. However, I do not tell the Chief Constable how to manage his officers. It is for the Chief Constable to determine which targets are the most appropriate measure of performance for police officers.

The Chief Constable has at his disposal the ability to assess individual officers and he reports regularly to the Policing Board on the performance of the PSNI.



**Mr Easton** asked the Minister of Justice how many (i) prosecutions; and (ii) convictions resulted from investigations by the Historical Enquiries Team.

**(AQW 41328/11-15)**

**Mr Ford:** The information requested is not available. Court prosecutions and convictions datasets do not distinguish whether a prosecution or conviction was the result of an investigation by the Historical Enquiries Team. Information relating to investigations by the Historical Enquiries Team may be available from the PSNI.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 40749/11-15, what assurance he can give that no offender will be released on home leave if the mechanism is not in place for monitoring.

**(AQW 41365/11-15)**

**Mr Ford:** The revised home leave policy operated by the Youth Justice Agency requires monitoring arrangements to be agreed in advance before a young person will be released on unescorted home leave from Woodlands Juvenile Justice Centre. This monitoring role is undertaken by the local PSNI Reducing Offending Unit team by formally visiting the young person during their period of unescorted home leave.

**Mr Ramsey** asked the Minister of Justice how many ex parte High Court applications in each of the last three years have been (i) granted; (ii) heard; and (iii) refused, broken down by court division.

**(AQW 41389/11-15)**

**Mr Ford:** The table below outlines the numbers of ex-parte High Court applications received and dealt with in each Division of the High Court in the last three years. It is not possible to determine how many have been granted, heard and or refused without a manual review of all final orders. This could not be completed without incurring a disproportionate cost.

**Ex-parte receipts and disposals in the High Court by division 2012 - 20141**

	<b>Business Area</b>	<b>Received</b>	<b>Dealt with by High Court Judge</b>	<b>Dealt with by Master</b>	<b>Office disposal</b>	<b>Total dealt with</b>
2012	Chancery	511	9	413	3	425
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	<b>Business Area</b>	<b>Received</b>	<b>Dealt with by High Court Judge</b>	<b>Dealt with by Master</b>	<b>Office disposal</b>	<b>Total dealt with</b>
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	Family Homes & Domestic Violence	32	1	25	0	26
	Divorce	43	18	15	0	33
	<b>Total</b>	<b>1,163</b>	<b>339</b>	<b>710</b>	<b>0</b>	<b>1,049</b>

- 1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

To determine how many ex-parte High Court applications have been granted and resulted in costs and damages being ordered for the respondent would require a manual review of all final orders and would incur a disproportionate cost.

I currently have no plans to ask the Lord Chief Justice to review how ex-parte High Court applications are processed.

**Mr Ramsey** asked the Minister of Justice how many ex parte High Court applications, which had been granted in the last three years, resulted in costs and damages being ordered for the respondent.

**(AQW 41390/11-15)**

**Mr Ford:** The table below outlines the numbers of ex-parte High Court applications received and dealt with in each Division of the High Court in the last three years. It is not possible to determine how many have been granted, heard and or refused without a manual review of all final orders. This could not be completed without incurring a disproportionate cost.

**Ex-parte receipts and disposals in the High Court by division 2012 - 20141**

	<b>Business Area</b>	<b>Received</b>	<b>Dealt with by High Court Judge</b>	<b>Dealt with by Master</b>	<b>Office disposal</b>	<b>Total dealt with</b>
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	Business Area	Received	Dealt with by High Court Judge	Dealt with by Master	Office disposal	Total dealt with
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1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

To determine how many ex-parte High Court applications have been granted and resulted in costs and damages being ordered for the respondent would require a manual review of all final orders and would incur a disproportionate cost.

I currently have no plans to ask the Lord Chief Justice to review how ex-parte High Court applications are processed.

**Mr Ramsey** asked the Minister of Justice whether he will ask the Lord Chief Justice to review how ex parte High Court applications are processed.  
(AQW 41391/11-15)

**Mr Ford:** The table below outlines the numbers of ex-parte High Court applications received and dealt with in each Division of the High Court in the last three years. It is not possible to determine how many have been granted, heard and or refused without a manual review of all final orders. This could not be completed without incurring a disproportionate cost.

**Ex-parte receipts and disposals in the High Court by division 2012 - 20141**

	Business Area	Received	Dealt with by High Court Judge	Dealt with by Master	Office disposal	Total dealt with
2012	Chancery	511	9	413	3	425
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	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	28	0	27	0	27
	Divorce	43	16	19	0	35
	<b>Total</b>	<b>1,327</b>	<b>283</b>	<b>843</b>	<b>4</b>	<b>1,130</b>
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	Companies	21	3	14	0	17
	Queen's Bench	447	33	367	1	401
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	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	28	0	21	0	21
	Divorce	30	9	14	0	23
	<b>Total</b>	<b>1,261</b>	<b>372</b>	<b>848</b>	<b>2</b>	<b>1,222</b>

	Business Area	Received	Dealt with by High Court Judge	Dealt with by Master	Office disposal	Total dealt with
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	Bankruptcy	0	0	0	0	0
	Companies	6	0	3	0	3
	Queen's Bench	411	17	357	0	374
	Judicial Reviews	336	288	0	0	288
	Adoption	0	0	0	0	0
	Family Homes & Domestic Violence	32	1	25	0	26
	Divorce	43	18	15	0	33
	<b>Total</b>	<b>1,163</b>	<b>339</b>	<b>710</b>	<b>0</b>	<b>1,049</b>

1 Ex-parte applications based on initiating document entered on Integrated Courts Operation System (ICOS). Data for 2014 is provisional.

To determine how many ex-parte High Court applications have been granted and resulted in costs and damages being ordered for the respondent would require a manual review of all final orders and would incur a disproportionate cost.

I currently have no plans to ask the Lord Chief Justice to review how ex-parte High Court applications are processed.

**Mr Easton** asked the Minister of Justice how many (i) prosecutions; and (ii) convictions for crimes committed by loyalist paramilitaries resulted from investigations by the Historical Enquiries Team.  
(AQW 41402/11-15)

**Mr Ford:** The information requested is not available. Court prosecutions and convictions datasets do not distinguish paramilitary affiliations in relation to defendants, or whether a prosecution or conviction was the result of an investigation by the Historical Enquiries Team. Information relating to investigations by the Historical Enquiries Team may be available from the PSNI.

**Mr Easton** asked the Minister of Justice how many (i) prosecutions; and (ii) convictions for crimes committed by republican paramilitaries resulted from investigations by the Historical Enquiries Team.  
(AQW 41403/11-15)

**Mr Ford:** The information requested is not available. Court prosecutions and convictions datasets do not distinguish paramilitary affiliations in relation to defendants, or whether a prosecution or conviction was the result of an investigation by the Historical Enquiries Team. Information relating to investigations by the Historical Enquiries Team may be available from the PSNI.

**Lord Morrow** asked the Minister of Justice to place in the Assembly Library a copy of the agreements regarding the pensionable pay of all four Police Federation of Northern Ireland Office Bearers since August 2012; and whether these are drawn from departmental funding or members contributions.  
(AQW 41459/11-15)

**Mr Ford:** As stated in the answer I gave to AQW/38708/11-15, my Department is not party to any agreement between the central committee of the Police Federation for Northern Ireland, the Northern Ireland Policing Board and the Chief Constable in respect of the pay, pension or allowances paid to the individual police officers holding office within the Police Federation. I can also confirm that this matter has not been referred to the Minister in line with the provision of Regulation 18(1).

**Mr Campbell** asked the Minister of Justice to detail the change in the legal aid bill between 2009 and the estimated bill for 2014.  
(AQW 41465/11-15)

**Mr Ford:** This information is available by financial year and, has been reported on that basis from the date of devolution.

Financial year	Cash expenditure £m
2010/11	93.3
2011/12	101.7
2012/13	95.8
2013/14	105.0

Financial year	Cash expenditure £m
2014/15 Forecast	103.9

**Notes:**

Figures include expenditure from contributions made by legally assisted persons.

All figures exclude administration costs.

In cash terms, legal aid expenditure has increased by £11.7m over the four year period since the devolution of the Department of Justice in April 2010. Figures reported for 2014/15 are based on current forecasts from Northern Ireland Legal Services Commission.

**Mr Allister** asked the Minister of Justice which of the new council areas will host a court under the proposals for the future of courthouse provision.

**(AQW 41478/11-15)**

**Mr Ford:** Under the consultation proposals for the Rationalisation of the Court Estate the new local government districts which would host a court, and those that would not, is set out in the table below.

Proposed Administrative Court Division	New Local Government District	Proposed Court Locations
North Eastern	Belfast	Royal Courts of Justice Laganside Court Complex Old Town Hall Building Mays Chambers
	Lisburn and Castlereagh	-
	North Down and Ards	-
	Antrim and Newtownabbey	Antrim
	Mid and East Antrim	-
	Causeway Coast and Glens	Coleraine
Western	Derry and Strabane	Londonderry
	Mid Ulster	Dungannon
	Fermanagh and Omagh	Omagh
South Eastern	Armagh, Banbridge and Craigavon	Craigavon
	Newry, Mourne and Down	Newry Downpatrick

**Ms Sugden** asked the Minister of Justice for his assessment of the impact that the proposed courthouses closures will have on the Programme for Government 2011-15 commitment to improve access to justice.

**(AQW 41487/11-15)**

**Mr Ford:** The proposals for the court estate have been drawn up to provide an accessible and flexible model for justice administration in the future.

I appreciate that local courthouses are important to some people, but access to justice is not just about the number and proximity of courthouses but about reforms and initiatives to ensure that those that need to use the justice system are supported and have access to appropriate services.

The intention of the proposals is not to reduce the current level of activity within the courts but to realign where that business is undertaken to make best use of the larger, more modern, court buildings which have the capacity and facilities to deal with the broad range of court business.

The proposals will preserve access to justice for the people of Northern Ireland within a smaller, more focused, court estate.

**Mr McGlone** asked the Minister of Justice how many times the steering group for the Northern Ireland Community Safety College at Desertcreat have met since November 2014, and how many times they have reported to him.

**(AQW 41508/11-15)**



**Mr Ford:** The Steering Group for the Northern Ireland Community Safety College has met three times since November 2014. I have been kept fully apprised of developments and, in turn, have kept Executive colleagues and the Committee for Justice informed.

**Mr Weir** asked the Minister of Justice how many convictions for driving without insurance have been secured in North Down in each of the last five years.

**(AQW 41563/11-15)**

**Mr Ford:** Uninsured driving is an offence under Article 90(4) of the Road Traffic (Northern Ireland) Order 1981. Figures have been provided in relation to Bangor and Newtownards Courts for the period specified.

**Convictions for Driving with no insurance in Bangor and Newtownards Courts, 2009 – 2013**

Court Office	2009	2010	2011	2012	2013
Bangor Court Office	176	212	112	71	16
Newtownards Court Office	192	298	328	198	240
<b>Total</b>	<b>368</b>	<b>510</b>	<b>440</b>	<b>269</b>	<b>256</b>

**Notes:**

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.
- 2 The figures provided relate to convictions for all classifications of the offence specified.
- 3 Figures provided relate to the court the offence was tried in, not the area where the offence occurred, or where the defendant lived.
- 4 Bangor court office closed in April 2013.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW40693/11-15, what is the procedure in instances where non-disabled badge holders park in a disabled bay; and whether Courts Service have overall responsibility for enforcement.

**(AQW 41604/11-15)**

**Mr Ford:** The control of car parking in the Northern Ireland Courts and Tribunals estate is delegated to G4S Secure Solutions (UK) Ltd. Where car users who are not disabled badge holders are seen to use a disabled car parking space, G4S are instructed to request that they vacate the space. NICTS car parks are private property including spaces for public use, and car parking violations are not enforced.

## Department for Regional Development

**Mr Easton** asked the Minister for Regional Development to outline the issues in the NI Water pensions dispute.

**(AQW 40527/11-15)**

**Mr Kennedy (The Minister for Regional Development):** NI Water has a separate Funded Pension Scheme. The company has been working to reform its scheme to bring it largely into line with the Pension Reforms which have already taken place or are underway in the wider public sector in Northern Ireland.

**Mr Anderson** asked the Minister for Regional Development for a breakdown of the average cost over the last three years to install a new street light.

**(AQW 40537/11-15)**

**Mr Kennedy:** The cost of installing a new street light is dependent upon site-specific factors such as the extent of work required, type of road, location and the type of equipment used.

However, the average cost of a typical installation, including the associated underground cabling, over the last three years is approximately £1,650.

**Mr Clarke** asked the Minister for Regional Development how much his Department has paid in grants to external organisations, in each of the last five years.

**(AQW 40565/11-15)**

**Mr Kennedy:** The amounts paid out in grants by my Department for the last five years are summarised in the table below:

	2009-10 £m	2010-11 £m	2011-12 £m	2012-13 £m	2013-14 £m
Grants	55.5	83.0	126.3	50.9	43.7

**Mr Clarke** asked the Minister for Regional Development, in light of the recent budget cuts, what plans he has to cut senior posts within Translink.

**(AQW 40670/11-15)**

**Mr Kennedy:** The Departmental budget consultation document stated that as part of a package of measures to address cuts in Translink subsidies in 2015/2016 that efficiency savings can be made. This included reference to early reductions in senior and middle management levels and reductions in areas of general administrative expenditure. I want to see this being taken forward as we deal with the challenging final Budget outcome.

**Mr Hussey** asked the Minister for Regional Development (i) whether he is aware of the reports in the Irish News of the pollution caused in Lough Muckno, Lough Ross and the Fane River by fuel launderers in South Armagh; (ii) what steps NI Water has taken to ensure that drinking water in South Armagh is not adversely affected; and (iii) to detail any discussions he has had with his counterpart in the Republic of Ireland on this matter.

**(AQW 40955/11-15)**

**Mr Kennedy:**

- (i) I am aware of articles published recently in the Irish Independent and the Irish News which alleged that harmful chemicals were flowing into the Lough Muckno, Lough Ross and the Fane River as a result of fuel laundering. A Water Quality Inspector from the Department of the Environment's NI Environment Agency (NIEA) was deployed to the area on 19 November 2015 and a further inspection was carried out on 20 January however no evidence of water pollution was identified. Further to the investigation, NIEA contacted the journalist who advised that the pollution he witnessed as detailed in the article, had occurred on the southern side of the border in County Monaghan, outside NIEA jurisdiction.
- (ii) NI Water's treatment works are designed to take untreated (raw) water of varying quality from surface water sources, such as Lough Ross, and to treat it in order to provide a high quality, safe drinking water supply to customers. Water quality monitoring across South Armagh has demonstrated that the drinking water supply continues to be of a high quality and within regulatory standards following the recent news articles and is completely safe for consumption.

The Drinking Water Inspectorate (DWI) has advised that NI Water must assess all potential risks within the catchments to its drinking water sources, put in place appropriate sampling and, where required, any possible mitigation measures, and provide DWI with a summary drinking water safety plan report of its risk assessments for all water treatment works.

DWI has confirmed that in the risk assessment for the Carran Hill Water Treatment Works, which treats water from the Lough Ross catchment, NI Water has noted the potential for illegal fuel laundering to occur within the catchment and the potential risks associated with this activity. There have been no contraventions of drinking water quality standards at Carran Hill Water Treatment Works which have been linked to potential pollution within the catchment caused by illegal fuel laundering however in light of the recent newspaper reports, the risk assessment will be reviewed by NI Water to determine if the current risk to the water quality within the catchment supplying Carran Hill Water Treatment Works has changed.

- (iii) NI Water liaises with the Northern Ireland Environment Agency (NIEA) on all potential and actual pollution events (including the reports in the recent news articles) and NIEA, in turn, works with agencies in the Republic of Ireland to ensure that all cross-border drinking water catchment areas are protected.

**Mr Lunn** asked the Minister for Regional Development for the percentage of his Department's overall Current Resource Expenditure allocated to staff wages in (i) 2013/14; and (ii) the 2014/15 draft budget.

**(AQW 41065/11-15)**

**Mr Kennedy:** Staff wages as a percentage of Current Resource Expenditure is provided in the table below:

	2013-14	2014-15
Salaries and wages as a percentage of current resource expenditure	15.5%	16.8%

The salaries and wages percentage for 2013-14 is based on the final outturn for 2013-14 and the percentage for 2014-15 is based on the final budget plan for 2014-15.

**Mr Lunn** asked the Minister for Regional Development for his assessment of the savings to be made by his Department from the public sector voluntary exit scheme, over each of the four financial years commencing 2014/15.

**(AQW 41067/11-15)**

**Mr Kennedy:** The outcome of Budget 2015/16 has required my Department and its arm's length bodies to manage budget reductions equating to some £65 million, that is 19% of current expenditure. As part of this process, it will be necessary to significantly reduce staffing levels and associated costs. The Voluntary Exit Scheme will facilitate that reduction.

I expect savings from the public sector voluntary exit scheme to start to be realised in my Department in 2015/16. It is too early to assess with any accuracy the extent of savings which will be made by the Department in the period 2015/16 to 2017/18. This will depend on the numbers and grades of staff who apply and who are selected to leave under the voluntary exit scheme. The timing of exits will also impact on savings. Initial Budget planning has indicated that up to 300 posts, saving up to £10 million, may be involved.

The Department will continue to review the position to develop full and robust assessments of savings as the voluntary exit scheme is developed and rolled out.

**Mr Lunn** asked the Minister for Regional Development what resources he proposes to put into the development of the A5 route after the financial commitments of the Irish Government; and whether this will change his prioritisation of upgrades to the A6, at the Moneynick section and Dungiven Bypass, and the A12 Westlink at Yorkgate Interchange.

**(AQW 41069/11-15)**

**Mr Kennedy:** The Member will be aware that the A5 Western Transport Corridor scheme is being taken forward as a result of an agreement between the Executive and the Irish Government. Both the Executive and the Irish Government remain committed to the scheme.

Work to address the one area of concern identified in the judicial review is well advanced. This relates to undertaking Appropriate Assessments under the Habitats Directive of the impact of the A5 proposals on designated environmentally sensitive sites. Work on the new Environmental Statement and new draft Statutory Orders is now complete and will be published in due course. Once published this will initiate a six week public consultation exercise, which may lead to the need for a further Public Inquiry in late 2015.

Subject to the successful completion of statutory procedures, construction of this scheme will be dependent upon funding being made available by the Executive in future budget settlements.

Along with the A5, work is continuing on the development of other schemes, in particular the A6 Randalstown to Castledawson dual carriageway, the A6 Dungiven Bypass and the York Street Interchange. Delivery of all of these schemes is dependent on the level of funding made available in the next budget period 2016/17 to 2020/21.

**Ms Sugden** asked the Minister for Regional Development, pursuant to AQW 39660/11-15, for his assessment of the impact that fare increases will have on consumers with disabilities who hold the Half Fare Smartpass.

**(AQW 41086/11-15)**

**Mr Kennedy:** Half-fare Smartpass holders will continue to pay half the price of the relevant adult bus single fare and half the price of the relevant adult rail single and day return fare.

As from 16 February 2015, fares will increase for all customers by an average of 5.3% for Metro, 4% for Ulsterbus and 4.5% for NI Railways. The value of the half fare concession will therefore increase proportionately.

Translink has been able to freeze fares on public transport services for over 18 months and since I became Minister in 2011, bus fares have increased by only 6% and rail fares by 8% whilst inflation over the same period was 14%. In other words fares have fallen significantly in real terms.

It is acknowledged that bus and rail fares in Northern Ireland are lower than and have risen by less than Great Britain and the Republic of Ireland. Indeed if I compare the fares since 2011 against fares in Northern Ireland, Great Britain has increased bus and rail fares by 19% and in the Republic of Ireland bus fares have increased by between 20 and 40% and the rail fares by 38%.

**Ms Sugden** asked the Minister for Regional Development to detail the groups that his Department has consulted with on transport provision for disabled and older people.

**(AQW 41088/11-15)**

**Mr Kennedy:** Over the past year, my Department has consulted with the following groups on transport provision for disabled and older people.

- |   |   |
|---|---|
| ■ Action Mental Health – New Horizons   | ■ Consumer Council  |
| ■ Action on Hearing Loss (formerly Royal National Institute for Deaf people); | ■ Department of Health, Social Services and Public Safety |
| ■ Age Friendly Belfast  | ■ Department of Education                                 |
| ■ Barnardos   | ■ Disability Action                                       |
| ■ Belfast Health and Social Care Trust  | ■ Epilepsy Northern Ireland                               |
| ■ Belfast Education and Library Board   | ■ Federation of Passenger Transport                       |
| ■ Community Transport Association   | ■ Greater Belfast Seniors' Forum                          |

- Guide Dogs for the Blind
- Health and Social Care Board
- Inclusive Mobility and Transport Advisory Committee (IMTAC)
- Junction Club.
- MENCAP
- National Autistic Society
- North Eastern Education and Library Board
- Northern Health and Social Care Trust
- Northern Ireland Ambulance Service
- Private Bus Operators
- Royal National Institute for the Blind
- Rural Community Transport Partnerships
- The Cedar Foundation
- Rural Community Transport Partnerships
- South Eastern Education and Library Board
- Southern Education and Library Board
- Southern Health and Social Care Trust
- Translink
- Western Education and Library Board
- Western Health and Social Care Trust

The Department also consults regularly with the Inclusive Mobility Transport Advisory Committee (IMTAC), whose role is to advise Government departments in Northern Ireland on issues that affect the mobility of older people and disabled people.

**Miss M McIlveen** asked the Minister for Regional Development to detail the road bonds in the Strangford constituency, including the (i) length of time these roads have been bonded; and (ii) the initial and current value of the bonds.  
(AQW 41104/11-15)

**Mr Kennedy:** Details of road bonds in the Strangford constituency are set out below:

Location	Length of Time Bonded Since	Initial Value £	Current Value £
<b>Down</b>			
Crossgar Road, Shrigley, Killyleagh	8 June 1998	14,000	
Park Lane, Crossgar Road, Saintfield	14 September 2001	55,000	16,500
Park Lane, Crossgar Road, Saintfield	22 December 2004	48,000	
Inishmore, Killyleagh	8 October 2003	5,000	
Todds Hill Saintfield	22 August 2005	21,000	10,500
Todds Hill Saintfield	26 January 2007	51,000	
Chestnutt Meadows, Ballynahinch	30 May 2003	66,000	
Old Coach Way, Saintfield	24 January 2012	30,800	15,400
Magheraknock Road, Ballynahinch	14 June 2010	80,600	
Inishmore, Killyleagh	16 May 2007	37,500	
The Mill, Saintfield	23 October 2007	3,000	
41 Crossgar Road, Saintfield	21 September 2012	1,600	
<b>Ards</b>			
Strangford View, Ardview Road, Killinchy	23 June 1988	13,300	3,990
Tern Park, Portaferry Road, Newtownards	4 September 1998	29,000	
Teal Rocks, Portaferry Road, Newtownards	24 July 1995	88,000	44,000
Teal Rocks, Portaferry Road, Newtownards	5 November 1998	41,600	12,480
Teal Rocks, Portaferry Road, Newtownards	21 March 1996	20,600	10,300
Teal Rocks, Portaferry Road, Newtownards	15 April 1996	58,000	5,800
Teal Rocks, Portaferry Road, Newtownards	29 October 1996	25,500	12,750
The Beeches, Beechvale Road, Killinchy	20 April 2001	27,500	
Garland Meadows, Portavogie	21 January 2002	45,000	
Garland Meadows, Portavogie	7 May 2002	14,500	
Laburnum, Comber	17 June 2002	40,000	
Castle Meadows, Kircubbin Road, Cloughey	19 June 2007	65,000	

<b>Location</b>	<b>Length of Time Bonded Since</b>	<b>Initial Value £</b>	<b>Current Value £</b>
Bowtown Road, Newtownards	29 April 2003	12,000	
Laburnum, Comber	21 January 2002	22,500	
East Street, Newtownards	21 April 2005	2,500	
East Street Court, Newtownards	24 March 2005	52,500	
The Beeches, Beechvale Road, Killinchy	27 July 2004	27,500	
Shore Road, Ballyhalbert	1 March 2004	150,000	
Castle Meadows, Kircubbin Road, Cloughey	9 April 2004	45,000	
Rubane Road, Kircubbin	22 April 2004	31,500	
Shorelands, Main Road, Cloughey	13 August 2004	85,500	25,650
Ballyhelmin, Shore Road, Ballyhalbert	22 March 2010	153,000	
St Andrews Point, Ballyhalbert X438	13 May 2011	59,200	
Sanctuary Cove, Cooks Brae, Kircubbin	26 August 2010	66,000	
Greyabbey Road, Ballywalter	20 September 2005	13,800	
Lakeview, Belfast Road, Newtownards	26 January 2008	45,000	
Shorelands, Main Road, Cloughey	21 June 2012	22,200	
Ardmore Manor, Belfast Road, Ballygowan	9 January 2007	66,000	
Mark Street/Thomas Street, Newtownards	7 November 2008	42,000	
Church Road, Kilmoody	29 June 2007	84,000	
Ballybarnes Meadow, Newtownards	30 January 2006	30,000	
The Stables, Main Street, Carrowdore	12 October 2006	30,000	
70-90 Bangor Road, Newtownards	11 July 2008	82,350	8,235
Old Belfast Road, Newtownards	12 June 2009	89,900	
Quarry Road, Lisbane	29 August 2012	5,300	
The Forge, Moss Road, Ballygowan	23 April 2010	42,060	
Demesne Wood, Portaferry	6 February 2008	46,750	23,375
McBriar Meadow, Main Street, Carrowdore	27 November 2007	4,050 Cash Bond	
McBriar Meadow, Main Street, Carrowdore	6 November 2007	91,000	
McBriar Meadow, Carrowdore	13 November 2012	8,000	
Olivers Close, Ballygalget	19 June 2008	47,050	23,525
70-90 Bangor Road, Newtownards	25 August 2010	48,100	24,050
Lakeview, Belfast Road, Newtownards	4 August 2008	40,250	
Lakeview, Belfast Road, Newtownards	11 August 2008	47,250	
7A Hazelwood Lane, Lisbane	9 February 2012	11,500	
Ardnallevy Park, Ballydrain Road, Comber	3 September 2009	36,500	
Ardnallevy Park, Ballydrain Road, Comber X487	15 March 2013	36,500	
Ardnallevy Park, Ballydrain Road, Comber	8 March 2013	119,100	
The Brae, Ballygowan Road, Ballygowan	9 June 2010	85,100	
River Hill, Bangor Road, Newtownards	14 December 2010	22,200	
North Road, Newtownards	6 March 2013	46,400	
Dunsy Way, Comber	26 November 2010	77,700	



Location	Length of Time Bonded Since	Initial Value £	Current Value £
51 Newtownards Road, Comber	21 October 2011	45,000	
Tullynagardy Road, Newtownards	25 September 2012	67,200	33,600
Quarry Road, Lisbane	29 August 2012	5,300	
Loch Cuan, Dakota Avenue, Newtownards	28 September 2012	50,900	25,450
The Forge, Moss Road, Ballygowan	13 February 2013	25,450	
Tullynagardy Road, Newtownards	14 February 2013	50,700	25,350
Ardnavey, Ballydrain Road, Comber	15 March 2013	36,500	
Ardnavey, Ballydrain Road, Comber	8 March 2013	119,100	
Lands to rear of 36-46 Abbey Road, Millisle	13 January 2014	37,800	
Tullynagardy Road, Newtownards	22 January 2014	51,200	25,600
Falcon Way/Falcon Drive, Newtownards X480	3 March 2014	67,500	
Comber Rd/Circular Road, Newtownards	18 November 2014	119,500	
<b>Castlereagh</b>			
Church Road, Moneyreagh	30 August 2013	37,000	37,000

**Miss M McIlveen** asked the Minister for Regional Development to detail the water and pumping station agreements and bonds in the Strangford constituency, including the (i) length of time these have been in place; and (ii) the initial and current value of these bonds.

**(AQW 41105/11-15)**

**Mr Kennedy:** There are 67 unadopted development sites within the Strangford constituency where bond security is held. Details of the developments and the year the bond security was provided are listed in the table below. NI Water does not consider that details of the value of the bonds for these developments should be released as it relates to third party commercial information.

Developments with Bonds	Year Bond Security Provided
Teal Rocks, Newtownards	1995
Scrabo Glen, Newtownards	1995
New Court, Portavogie	1996
Portview Heights, Portavogie	1998
Courthouse Mews, Kilmoody	1999
Downpatrick Road, Killyleagh	2003
Innishmore, Killyleagh	2003
8/18 Comber Road, Killyleagh	2004
Main Road, Portavogie	2004
Castle Meadow Park, Cloughey	2004
Shorelands Phase 2, Cloughey	2005
Todds Crescent, Saintfield	2005
31 Lisburn Road, Ballynahinch	2006
Rowan Drive, Darragh Cross	2007
St Andrews Point, Ballyhalbert	2007
St Andrews Point, Ballyhalbert	2007
St Andrews Point, Ballyhalbert	2007
Main Street, Carrowdore	2007

<b>Developments with Bonds</b>	<b>Year Bond Security Provided</b>
McKenna Road, Kircubbin	2008
Demesne View, Portaferry	2008
West Street, Newtownards	2008
Bridge Street, Comber	2008
Alder Grange, Darragh Cross	2008
Ballykeel Road, Moneyreagh	2008
Manor Lane, Kilmoor	2008
Forge Hill Close, Saintfield	2008
Ardnavey Park Phase 1, Comber	2008
Lakeview Phase 1, Newtownards	2009
Birch Lane, Belfast Road, Saintfield	2009
Belfast Road, Saintfield	2010
Dunsy Way, Comber	2011
Olivers Close, Ballygalget, Portaferry	2011
Old Grand Jury Lane, Saintfield	2011
29 Old Grand Jury Lane, Saintfield	2011
The Straits, Lisbane	2011
Old Coach Lane, Saintfield	2012
Newtownards Road, Comber	2012
Rockfield, Crossgar	2012
Tullynagardy Road Phase 1, Newtownards	2012
Annesfield Close, Killyleagh	2012
St Andrews Avenue, Ballyhalbert	2012
Millers Lane, North Road, Newtownards	2012
Glenbrook Road, Newtownards	2012
Killynure Road Phase 1, Carryduff	2013
Tullynagardy Road, Newtownards	2013
Blenheim Drive, Newtownards	2013
Lysander Park, Newtownards	2013
Moss Road Phase 1, Ballygowan	2013
Drummond Brae, Ballynahinch	2013
Dokata Avenue, Newtownards	2013
Tullynagardy Road, Newtownards Phase 3	2014
Moss Road Phase 2, Ballygowan	2014
Castle Meadows, Cloughey	2014
Mountain Road, Newtownards Phase 1	2014
Carrowreagh Road, Dundonald	2014
Hillcrest Avenue, Newtownards	2014
13 Comber Road, Newtownards	2014
Magheraknock Road, Ballynahinch	2014
Mountain Road, Newtownards	2014

Developments with Bonds	Year Bond Security Provided
Castle Meadows Phase 2, Cloughey	2015
61/61 Main Street, Cloughey	2015
26 Crossgar Road, Saintfield	2015
1 Victoria Road, Ballyhalbert	2015
Former Killard Special School, Newtownards	2015
Moss Road Phase 3, Ballygowan	2015
Tullynagardy Road, Newtownards	2015
Riverhill Phase 2, Newtownards	2015

**Mr Lyttle** asked the Minister for Regional Development why full size bicycles are not permitted on trains prior to 9.30am Monday to Friday.

**(AQW 41111/11-15)**

**Mr Kennedy:** The reason no full size bicycles are permitted before 09:30 is that on the vast majority of commuter trains there is not sufficient space. The bulk of trains coming into Belfast each morning are carrying large numbers of standing passengers and these standing passengers need to use the fold-up seated areas which are otherwise available for carriage of bicycles during the rest of the day.

Clearly we would not want a situation where a bicycle ended up displacing 3 or 4 passengers from a service because of insufficient space.

Translink does, however, advise its Conductors that discretion may be applied before 09:30 but mainly on trains travelling outwards from Belfast, where space is likely to be available.

Translink's objective remains to provide as much capacity as possible and to carry as many passengers as possible on their train services.

No restrictions are placed on the number of folding bicycles which may be carried. These bicycles will actually fit in the small void between back to back seats on our trains. Furthermore they have become more prominent in recent years as they have become much more affordable.

**Mr Campbell** asked the Minister for Regional Development when the backlog of street lights in need of repair will be cleared.

**(AQW 41115/11-15)**

**Mr Kennedy:** Following the Executive's decision to meet my Department's bid for additional funding in the January Monitoring round, I immediately reinstated the use of external contractors to repair broken street lights. Contractors are back on the ground, in addition to my Department's own street lighting staff, working through the backlog of street lighting repairs that has accumulated since last August.

I have instructed that all available resources are to be used to expedite the work. My aim is to have the backlog cleared as quickly as possible within the remainder of this financial year.

**Mr Weir** asked the Minister for Regional Development what auditing Translink's account undergo; and who carries out this audit.

**(AQW 41140/11-15)**

**Mr Kennedy:** Translink accounts are audited by Deloitte LLP.

The Group also benefits from an internal audit function led by a Head of Internal Audit provided by an independent firm, PricewaterhouseCoopers.

The Accounts are open to the inspection of the Comptroller and Auditor General and the NI Audit Office also has full access to all financial and other records in Translink and has conducted a number of audits on Translink affairs.

My Department also lays the NITHC Annual Report and Accounts in the Assembly, in accordance with the guidance on the procedures for presenting and laying the combined Annual Report and Accounts issued by the Department of Finance and Personnel.

**Mr Weir** asked the Minister for Regional Development how many (i) new; and (ii) replacement street lights have been installed in North Down in each of the last three years.

**(AQW 41144/11-15)**

**Mr Kennedy:** Details of new and replacement street lights that have been installed in North Down, in each of the last three years, are provided in the table below:

Year	New Lights	Replacement Lights
2012/2013	0	372
2013/2014	0	227
2014/2015	0	0
<b>Total</b>	<b>0</b>	<b>599</b>

**Mr McGlone** asked the Minister for Regional Development, pursuant to AQW 40343/11-15, how many personal injury claims have been submitted to his Department since January 2014 citing defective street lighting as a contributory factor.

**(AQW 41150/11-15)**

**Mr Kennedy:** My Department holds information on personal injury claims involving street lighting only where defective street lighting is alleged to be the main cause of injury sustained. Details of the number of such claims received in the calendar years 2014 and to date in 2015 are set out in the table below:

Calendar Year	Number of Claims Received
2014	6
2015	1
<b>Total</b>	<b>7</b>

However, there may be other personal injury claims where defective street lighting is a contributory factor albeit not the main contributory factor, but it is not possible to identify these claims from the database.

**Mr Campbell** asked the Minister for Regional Development, over the last five years, what changes have been made to the number of grit boxes supplied for use on streets, that are not on the salted network, in the East Londonderry constituency.

**(AQW 41175/11-15)**

**Mr Kennedy:** The numbers of salt boxes provided for use by the public in East Londonderry from 2011 to present are as follows:

2011	470
2012	465
2013	466
2014	472

Figures for 2010 cannot be verified and therefore are not included in this response.

**Mr Girvan** asked the Minister for Regional Development what were his Department's (i) major; (ii) bypass; and (iii) relief road priorities, in each of the last five years.

**(AQW 41208/11-15)**

**Mr Kennedy:** My Department has taken forward a balanced programme of improvements to the road network over the past five years.

Major roads projects completed during this period include: the A4 Dungannon to Ballygawley Dual Carriageway; improvements to the A4 at Anaghilla and A5 at Tullyvar; and the A1 Beech Hill to Cloghogue Dual Carriageway, which were all part of PPP Package 2.

Conventionally funded schemes completed during this period include: the A2 Broadbridge Dual carriageway in Londonderry; Improvements to the A29 at Carland Bridge between Dungannon and Cookstown; the A32 Cherrymount Link in Enniskillen; and rolling improvements to the A32 Omagh to Enniskillen corridor, at Drumskinny and Shannaragh.

Construction works on two major schemes, the A8 Belfast to Larne Dualling and the A2 Shore Road, Greenisland, are well advanced with both schemes due to be completed this year. Site work on the construction phase of the A26 Glarryford to A44 Dromes Road dual carriageway is scheduled to start in February 2015 and it is also anticipated that a contractor will be appointed to construct the A31 Magherafelt Bypass in February.

In addition, I have secured funding to appoint a contractor to develop the A6 Randalstown to Castledawson scheme to a "shovel ready" position. This will allow construction to start at relatively short notice when funding becomes available.

Development work has been ongoing on other major projects including the A5 Western Transport Corridor, the A6 Londonderry to Dungiven dualling and the York Street Interchange. Development work is also continuing on the A24 Ballynahinch Bypass.

Other schemes, including the Millennium Way in Lurgan and the Strathroy Link Road in Omagh, are also being advanced in the programme.

**Mr Girvan** asked the Minister for Regional Development when the safety related works on the Scullions Road footways, Mallusk will be completed.

**(AQW 41210/11-15)**

**Mr Kennedy:** The proposed work at Scullions Road includes street lighting improvements and edging of the grass verge to restore the full width of the footway.

I am pleased to say that following the Executive's decision to meet my Department's bid for additional funding in the January Monitoring round, work at Scullions Road, to remove redundant street lighting columns, no longer required as a result of a street lighting scheme, will be undertaken by an external contractor during the first two weeks of February 2015. However, verge trimming remains a lower priority and will be undertaken as soon as our internal resources permit.

**Mr McNarry** asked the Minister for Regional Development whether he has considered the use of LED lighting as a cost saving measure.

**(AQW 41215/11-15)**

**Mr Kennedy:** My Department has considered the use of LED street lighting and already installed many hundreds of new LED street light fittings.

LEDs have developed rapidly over recent years and their efficiency and reliability has improved greatly, while costs have been falling steeply. My Department has worked with the Strategic Investment Board to examine a number of technical and operational options for street lighting and LEDs featured prominently in that work.

Going forward, my Department plans to make extensive use of LED street lighting.

Signed:

Date:

#### Background

- It should be noted that replacement LED Street lighting schemes can involve either one-for-one replacement of lanterns on existing columns, or the complete renewal of the whole installation including columns, underground cables and associated works. Approximately 470 LED lanterns had been installed by the street lighting department by the end of 2014.
- Further LED street lighting has also been installed in a number of other Public Realm schemes, for which the Department will take over maintenance responsibilities upon completion.

**Mr McNarry** asked the Minister for Regional Development whether he is considering the introduction of toll roads.

**(AQW 41216/11-15)**

**Mr Kennedy:** At present there are no toll roads in Northern Ireland and I currently have no plans to introduce them.

I have previously explored the potential for road pricing such as toll roads and congestion charges in Northern Ireland however given the level of implementation costs involved and the limited revenue raising potential further work was ruled out.

**Mr Ross** asked the Minister for Regional Development how many streetlights in (i) Larne; (ii) Carrickfergus; and (iii) Newtownabbey Borough Council are currently in need of maintenance; and following the additional allocation afforded to his Department in the Budget settlement, when will this work will be completed.

**(AQW 41224/11-15)**

**Mr Kennedy:** As of Monday 26 January 2015, the numbers of street lights awaiting repair in each area were as follows:

- (i) Larne 492;
- (ii) Newtownabbey 1059 and
- (iii) Carrickfergus 583.

I am pleased to be able to confirm that the additional money made available in the January monitoring round has allowed my Department to engage external contractors to deal with the significant backlog of repairs which it is anticipated will be cleared by the end of the financial year.

**Mr Ross** asked the Minister for Regional Development for an update on the Sydenham bypass widening scheme; and whether the budget cuts to the Department will delay this project.

**(AQW 41226/11-15)**



**Mr Kennedy:** The A2 Sydenham Bypass scheme is now at the third stage of a three stage development process:

- Stage 1 concluded in May 2008 with the selection of the Proposed Corridor;
- Stage 2 concluded in February 2010 with selection of the scheme Preferred Option; and
- Stage 3, currently underway, involves detailed assessment of the Preferred Option and ongoing consultation with key stakeholders.

This will result in the publication of the Statutory Orders: the draft Direction Order, Environmental Statement and Notice of Intention to Make a Vesting Order.

Whilst the budget for the period 2014/2015 will allow development work on Stage 3 to continue, progression of the scheme beyond this will be subject to future budget settlements and priorities.

**Mr McNarry** asked the Minister for Regional Development for an update on the new grade-separated junction at Connsbank on the Sydenham bypass.

**(AQW 41229/11-15)**

**Mr Kennedy:** The provision of the Connsbank junction is a planning condition of the overall Titanic Quarter Phase 2 development lands. The trigger for the provision of the junction is based on the opening of the Titanic Belfast (Visitor Centre) and one-fifth of other Phase 2 development as defined in vehicular trips within an approved Transport Master Plan. The new junction, which facilitates the closure of the existing Dee Street access at Sydenham Bypass, is dependent on the implementation of approved development. However, given the economic downturn, Titanic Belfast is the only development currently implemented within these lands and a time-frame for the construction of the new Connsbank junction is therefore uncertain.

**Mr Hazzard** asked the Minister for Regional Development to outline the (i) timeframe; and the (ii) benefits to the local community of the recently commenced Annacloy Kilmore wastewater project.

**(AQW 41292/11-15)**

**Mr Kennedy:** The construction programme for the proposed works at Kilmore and Annacloy Wastewater Treatment Works is projected to be completed by the end of 2015.

Investment in the Kilmore / Annacloy project will upgrade the existing wastewater infrastructure serving both villages and will deliver significant benefits for the local communities and the environment.

Works which have now commenced will convert the existing Kilmore Wastewater Treatment Works (WwTW) into a pumping station. This means that there will be no sewage treatment with continuous discharge of treated effluent at this site. As a direct result there will be fewer road tanker visits once work is complete. Local residents and businesses will also benefit from an aesthetics perspective as the refurbishment means that the majority of the new pumping station equipment will be below ground, allowing NI Water to remove the old concrete structures at Kilmore.

Significant improvements will also be made at the treatment facility at Annacloy. The tanks being installed at the existing site, to the rear of Annacloy Business Park, are modern, fully covered treatment units, which will provide a much higher quality of wastewater treatment.

The sophisticated processes being installed will increase the capabilities of the sewage works, deliver environmental improvements and ensure stringent EU discharge standards are met for many years to come. The design of the tanks allows them to be mostly buried and to further screen the new infrastructure, landscaping will be undertaken around the site once the construction work is complete.

Work at Kilmore and Annacloy will be confined to the respective WwTW sites and should have no impact to the local community. However, the pipeline to link the two assets will affect adjoining roads between the two villages and therefore may cause some localised and time limited disruption to traffic. NI Water will make every effort to minimise disruption and complete this pipe laying work as soon as possible. The pipeline route has been planned to avoid any roadworks through Annacloy village. Sections of the pipe will to be laid along the Tullynacree and Teconnaught Roads.

**Mr Dallat** asked the Minister for Regional Development what criteria applies when appointing a chairperson of the Northern Ireland Holding Company and its 8 companies within the Translink Group structure.

**(AQW 41341/11-15)**

**Mr Kennedy:** I can advise you that the criteria for the appointment of the Northern Ireland Transport Holding Company (NITHC) chairperson is derived from the Transport Act (Northern Ireland) 1967. The Chair of the Board of NITHC has to be appointed from among persons who appear to the Minister to have had wide experience of, and to have shown capacity in transport or industrial or commercial or financial matters; or to have other adequate or suitable experience.

In addition to this criterion a successful candidate will also have to demonstrate their ability in four other areas, namely:-

- Leadership
- Developing and Delivering Strategy
- Governance, Control and Accountability
- Interpersonal and Communication Skills

**Mr Dallat** asked the Minister for Regional Development what meetings have taken place between the Board of Translink, Irish Rail and Bus Éireann to discuss and develop cross-border strategies, objectives and policies.

(AQW 41342/11-15)

**Mr Kennedy:** The NITHC/Translink Board has no formal scheduled meetings with the Board of either Irish Rail or Bus Éireann.

Translink senior management including executive board members do meet on a regular and ad hoc basis with their counterparts in both Republic of Ireland bus and rail operating companies, to discuss operational issues and forward planning. You will be aware that NI Railways and Irish Rail jointly operate the Enterprise service and are currently working together to refurbish these trains and Ulsterbus and Bus Éireann co-operate very effectively on cross border bus services.

**Mr Dallat** asked the Minister for Regional Development why the chairperson of Northern Ireland Water was not available for media to explain the role of the Board of Directors during the recent crisis.

(AQW 41345/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that to ensure the messaging from the company was singular and undiluted, the best course of action was to have that message come from a single executive source namely the Chief Executive, who was not only best placed to deliver it, but did so with the full backing of all of the NIW Board, i.e. the Chair, Executive and Non-Executive Directors. The Chair and Non-Executive Directors of the NIW Board were also in regular contact with the Chief Executive and Executive Team throughout this incident providing support and advice as necessary.

**Mr Lyttle** asked the Minister for Regional Development what action he is taking to improve bicycle storage and carriage provision on buses and trains during rush hour, to encourage integrated sustainable transport options for commuters.

(AQW 41388/11-15)

**Mr Kennedy:** As a 'Champion of Cycling' I am very conscious of the need to improve the provision of facilities for cyclists using public transport. This presents a particular challenge during peak periods where the success of my promotion of sustainable travel options has delivered a substantial increase in the numbers of people using public transport. It is an issue that my Cycling Unit will explore as it develops a Bicycle Strategy Delivery Plan.

There is bicycle storage provision on the current Class 4000 trains for eight full size bicycles throughout the main part of the day – this is an increase on the provision for four bicycles on the Class 3000 trains. Making this space available during the weekday morning peak presents a challenge because the carriages are already full to capacity with significant numbers of passengers standing on Belfast-bound trains and there is a need to strike the best balance between bicycle provision and passenger provision.

NIR, however, allow conductors to exercise discretion during the morning peak to allow bicycles to be carried on less busy routes (e.g. those leaving Belfast) where space is likely to be available. Storage for bicycles at many rail and bus stations is also provided.

In terms of provision for the carriage of bicycles on buses, my officials are exploring, with Translink, the possibility of developing a pilot exercise in Belfast. Consideration is being given to the technical and safety implications of such a pilot.

Folding bicycles continue to be carried without restriction on all Translink rail and bus services.

**Mr Weir** asked the Minister for Regional Development to detail the roads adopted in the North Down constituency since January 2011; and the length of time bonds were in place until they were released.

(AQW 41435/11-15)

**Mr Kennedy:** Details of roads adopted within the North Down constituency since 1 April 2011, along with the length of time the respective bonds were in place, are set out in the table below:

Development	Date Adopted	Time Bond Held
Dellmount Crescent, Bangor	08/02/2011	5 years
Beechfield Avenue, Bangor	22/02/2011	3 years
Worcester Avenue, Bangor	09/06/2011	4 years
Fort Road/Grey Point, Helens Bay	09/06/2011	3 years
Primacy Road, Bangor	10/06/2011	1 year
Woodcroft Lane	19/12/2011	7 years
Rathgill Avenue	07/06/2012	3 years
Main Street, Conlig	12/11/2012	1 year
Bridge Road, Helen's Bay	27/03/2013	1 year

Development	Date Adopted	Time Bond Held
Stonebridge	21/11/2011	7 years
Ballycrochan Avenue, Bangor	27/03/2013	12 years
Brook Lane, Bangor	27/03/2013	8 years
Downshire Lane - Thalassa	18/04/2013	10 years
Woodvale Gardens	13/05/2013	7 years
Myrtle Grove, Bangor	10/12/2013	4 years
Old Belfast Road Fronting Oakmont Nursing Home	11/12/2013	2 years
Pinewood	11/02/2014	2 years
Riverwood Vale, Bangor	09/05/2014	9 years
Shaftesbury Road, Bangor	27/08/2014	10 years

**Mr Frew** asked the Minister for Regional Development to detail the road safety measures undertaken by Transport NI over the last three years at Diamond Primary School, Cullybackey to ensure the safety of pupils; and to outline any future plans for improving road safety at the school.

**(AQW 41451/11-15)**

**Mr Kennedy:** This school has benefited from the provision of Safe Routes to School signage on Dreen Road since 2006 and the signage was upgraded in 2013.

Currently, the North Eastern Education and Library Board (NEELB) has approval to carry out works to widen the footpath across the frontage of the school, which are expected to begin in the next few months.

My Department has agreed to investigate the possibility of widening the existing 1.0m hard standing to a 1.8m footpath over a distance of approximately 100m beyond the school boundary towards Cullybackey.

## Department for Social Development

**Ms Fearon** asked the Minister for Social Development to detail local (i) social security; and (ii) pension spend per capita in comparison with Britain and the South of Ireland.

**(AQW 40770/11-15)**

**Mr Storey (The Minister for Social Development):** The Minister for Social Development to detail local (i) social security; and (ii) pension spend per capita in comparison with Britain and the South of Ireland.

### Northern Ireland and Great Britain

**Table A – Total Social Security Spend 2013/14**

Expenditure Type	Northern Ireland £000	Great Britain £000
Consolidated Fund	2,357,878	46,414,429
National Insurance Fund	2,346,777	89,371,812
Social Fund Expenditure	59,403	2,186,298
Statutory Benefits	65,500	2,258,201
Housing Benefits	677,615	24,507,237
<b>Total Social Security Spend</b>	<b>5,507,173</b>	<b>164,737,977</b>
Total Population (Mid 2013 estimates)	1,829,725	62,275,929
<b>Spend per capita (£)</b>	<b>3,010</b>	<b>2,645</b>

**Table B – Pensions Spend 2013/14**

Expenditure Type	Northern Ireland £000	Great Britain £000
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Pension Credit	325,463	6,928,599
State Pension	1,986,379	82,988,556
Total Spend on Pension Benefits	2,311,842	89,917,155

65 and over Population (Mid 2013 estimates)	279,100	10,852,600
Pension spend per capita (65+)	8,283	8,285

**Republic of Ireland****Table A - Expenditure on Social Welfare by Program (provisional) 2013**

Expenditure Type	Republic of Ireland €000
Administration	610,906
Pensions	6,450,892
Working Age Income Supports	5,503,895
Working Age Employment Supports	993,876
Illness, Disability and Carers	3,404,962
Children	2,269,105
Supplementary Payments	1,050,575
<b>Total Expenditure</b>	<b>20,284,211</b>

Total Population (Mid 2013 estimates)	4,593,100
<b>Spend per capita (€)</b>	<b>4,416</b>

**Table B – Pensions Spend 2013**

Expenditure Type	Republic of Ireland €000
<b>Pensions spend</b>	<b>6,450,892</b>

65 and over Population (2013 estimates)	568,100
<b>Pension spend per capita (65+)(in €)</b>	<b>11,355</b>

Please note the following:

- The amounts for NI social security benefit expenditure are included within the 2013-14 Department for Social Development annual resource accounts and the 2013-14 NI Social Security Agency annual report and accounts.
- The amounts for GB social security benefit expenditure are taken from the 2013-14 Department for Work and Pensions (DWP) annual resource accounts.
- The amounts for Republic of Ireland Expenditure on Social Welfare by Program are taken from the 2013 figures published by Department of Social Protection. The Department for Social Development does not possess detailed knowledge of the underlying workings of these figures, so figures should be used with caution.
- The amounts for pension benefits, Table B, are included in the total expenditure figures per Table A.
- Populations are taken from 2013 mid-year estimates (most recent) produced by ONS (GB) and NISRA (NI). Republic of Ireland population figures are from 2013 estimates produced by Central Statistics Office.
- Pension Credit includes individuals under 65 years old.
- Elements of Republic of Ireland expenditure are not comparable with those in GB and NI.
- Per capita figures do not reflect differences in demographics between all 3 regions and are therefore not necessarily comparable.
- Certain elements of expenditure between NI and GB are not directly comparable. See issues listed in the table below.

Universal Credit	DWP figures will include Universal Credit expenditure. Welfare Reform has not yet been implemented in Northern Ireland.
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PIP	DWP figures will contain Personal Independence Payment expenditure. Welfare Reform has not yet been implemented in Northern Ireland.
ESA	DWP figures will be impacted by ESA Time Limiting changes. ESA Time Limiting changes are not yet implemented in Northern Ireland.
Social Fund Expenditure	NI Social Fund expenditure is not directly comparable to GB expenditure. GB have introduced changes in relation to the administration of Crisis Loans and Community Care grants. In addition Northern Ireland Social Fund expenditure incorporates loan issues and recoveries, and Funeral Loans and Budget Loan annual activity. DWP do not incorporate all the equivalent expenditure information within their Social Fund expenditure figure.
General	DWP expenditure includes a sub category called "other expenditure". Details of this are not available and it is not known whether this is directly comparable to Northern Ireland expenditure.
Housing Benefit	The GB DWP figure includes "Amounts paid to Local Authorities". Full details of this expenditure is not available in the annual resource accounts. We are unable to establish if this is comparable to Northern Ireland's DSD Housing Benefit costs.
Benefit Cap and Spare Room subsidy	DWP's expenditure figures will have been impacted by the introduction of these initiatives.

**Ms Sugden** asked the Minister for Social Development to detail the number of applications which have been submitted to the Warm Homes Scheme in each of the last three years; and how many have been successful.

**(AQW 40785/11-15)**

**Mr Storey:** The table below details the number of eligible referrals received under the Warm Homes Scheme and the number of energy efficiency measures carried out in the last 3 years.

Year	*Referrals Received	Energy Efficiency Measures carried out
2011/12	17,189	10,654
2012/13	14,413	9,904
2013/14	14,210	8,718

\* Referral means that a householder has contacted the Warm Homes Scheme seeking help, but their entitlement has not been confirmed.

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.

**Mr Allister** asked the Minister for Social Development whether grants have been recovered by his Department pursuant to Article 4 of The Social Need (Northern Ireland) Order 1986; and if so, to detail the grants.

**(AQW 40858/11-15)**

**Mr Storey:** The Department has recovered grant expenditure pursuant to Article 4 (1) of the Social Need (Northern Ireland) Order 1986.

In the current financial year to date, the Department has recovered £1,125 in respect of £88 from the Women's Child Care Fund, £129 from an events grant, £102 from the Community Investment Fund and £806 from a community organisation.

The amount recovered in financial years can vary considerably and in two individual developments in previous years £352K and £7.75M was clawed back from a shopping centre and hotel development respectively.

**Mr Allister** asked the Minister for Social Development, whether decisions made by the Child Support Appeal Tribunals on referrals (under Article 28D(1)(b)) under Article 18 and/or Article 19, have the right of appeal under Regulation 22(1)(a) and (b) of the Child Support Order 1991, including whether there are any circumstances where this is not the case; and if so, to provide details.

**(AQW 40960/11-15)**

**Mr Storey:** Decisions made by an appeal tribunal do not have the right of appeal under Article 22(1)(a) and (b) of the Child Support (Northern Ireland) Order 1991. This is because this Article provides the right to appeal to a tribunal against a decision made by the Child Maintenance Service, as opposed to a decision made by an appeal tribunal.

Article 25 of the Child Support (Northern Ireland) Order 1991 provides the right to appeal the decision of an appeal tribunal to a Child Support Commissioner on a point of law.



**Mr Hussey** asked the Minister for Social Development when the Northern Ireland Housing Executive plan to upgrade housing in the Nelson Drive Estate in Londonderry; and to detail the work that will be completed.

**(AQW 40963/11-15)**

**Mr Storey:** The Housing Executive has advised that Nelson Drive is one street within the Caw estate, though locally the estate is often referred to as Nelson Drive estate. The Housing Executive has therefore provided the following information for the Caw estate, where they currently own 424 properties.

The Housing Executive advise that a kitchen replacement scheme for ten properties in Nelson Drive and 32 properties in Seymour Street is due on site in March 2015. All other properties in the estate have had their kitchens replaced.

The following streets in the estate are included in an External Cyclical Maintenance scheme which is currently programmed to begin in the last quarter of 2015/2016. The exact details of any work to be carried out will not be known until surveys have been completed:

- |                    |                    |
|--------------------|--------------------|
| ■ Auglish Court    | ■ Drumgesh Gardens |
| ■ Brighter Court   | ■ Esker Gardens    |
| ■ Clonmakane Court | ■ Farlow Road      |
| ■ Drumbane Gardens | ■ Garvagh Court    |

In relation to heating upgrades, the Housing Executive is addressing 15 year old heating system installations as they occur. This involves various addresses throughout the estate which would have had oil installed as part of an adaptation.

All properties have double glazing.

**Mr Byrne** asked the Minister for Social Development to detail (i) the current number of single story Housing Executive housing units in West Tyrone; and (ii) the current waiting list for these housing units.

**(AQW 40987/11-15)**

**Mr Storey:** The Housing Executive has advised that, in relation to (i) they have 1,187 bungalows and 135 ground floor flats totalling 1,322 units of single story accommodation in West Tyrone; and in relation to (ii) there are 250 applicants on the waiting list for single story accommodation in West Tyrone of which 145 are in housing stress.

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.

**Ms P Bradley** asked the Minister for Social Development to detail the maintenance costs associated with Northern Ireland Housing Executive land at Knockenagh Avenue, Newtownabbey in each of the last five years.

**(AQW 41007/11-15)**

**Mr Storey:** The costs associated with the maintenance of the area owned by the Housing Executive for the last five years at Knockenagh Avenue, Newtownabbey are detailed below.

Year	Cost (£)
2010	1304.69
2011	1329.43
2012	1354.67
2013	1328.41
2014	1406.68

**Mr Hussey** asked the Minister for Social Development to detail (i) what plans the Northern Ireland Housing Executive have to upgrade housing in the Fountain Estate in Londonderry; and (ii) how much has been spent on regeneration in the Fountain Estate in each of the last five years.

**(AQW 41047/11-15)**

**Mr Storey:** In relation to (i) the Housing Executive has advised that there are two heating installation schemes scheduled for Waterloo Place as follows:-

- 2015/16 16 dwellings at a cost of £80,000 and
- 2016/17 24 dwellings at a cost of £48,000

They have also advised that there are no plans for new build social housing in the Fountain estate at present as demand is being met through re-lets of existing stock.

In relation to (ii) the tables below detail the amounts spent on regeneration in the Fountain estate in each of the last five years: -

**Table 1 – Physical Development Unit**

Capital	14/15	13/14	12/13	11/12	10/11	Total
Public Realm			£180,000			£180,000
Public Realm		37,000				£37,000

**Table 2 – Neighbourhood Renewal**

Revenue	14/15	13/14	12/13	11/12	10/11	Total
Fountain Primary – Transport Links	£15,985	£15,985	£15,200	£15,985	£15,985	£79,139
Cathedral Youth Club – Investing in Young Families & the Community	£36,282	£42,979	£36,170	£35,822	£35,345	£186,599
Cathedral Youth Club – Youth Worker			£24,425	£25,339	£24,523	£74,287
<b>Capital</b>						
City Council of Londonderry Fountain Multi Use Games Area				£186,809		£186,809
<b>Promotions</b>						
Cathedral Youth Club – Memory Lane		£5,117				£5,117
<b>Totals</b>	<b>£52,267</b>	<b>£101,081</b>	<b>£255,795</b>	<b>£263,955</b>	<b>£75,853</b>	<b>£748,951</b>

**Note** – there may be small variations to totals due to roundings.

**Ms Sugden** asked the Minister for Social Development for his assessment of the role of the Joint Government/Voluntary and Community Sector Forum.

**(AQW 41066/11-15)**

**Mr Storey:** My assessment of the Joint Forum is very positive. I see the Joint Forum as being responsible for promoting and regularly reviewing the implementation of the Concordat between the Voluntary and Community Sector and the Northern Ireland Government. This Concordat is the formal agreement which articulates the shared vision of these social partners as we build a participative, peaceful, equitable and inclusive community in Northern Ireland.

The Joint Forum is an important partnership between Government and the Voluntary and Community Sector which helps us work together to better serve the people in Northern Ireland. The Joint Forum is made up of representatives from Central and Local Government and the Voluntary and Community Sector and provides a mechanism to facilitate open discussion of key issues which shape the relationship between the Voluntary and Community sector and the Northern Ireland Government.

**Mr Weir** asked the Minister for Social Development to detail the number of applications in North Down that have been submitted to the Warm Homes Scheme in each of the last three years; and of these applications, how many have been successful.

**(AQW 41079/11-15)**

**Mr Storey:** NI Housing Executive are only able to supply information on the number of Warm Homes completed on a council basis for North Down and Ards areas, part of which make up the North Down constituency. This is due to the fact that the scheme managers do not report on demand on an individual council basis.

#### **Warm Home Interventions**

	North Down	Ards
2011/12	329	312
2012/13	260	264
2013/14	292	341
<b>Totals</b>	<b>881</b>	<b>917</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

**Mr F McCann** asked the Minister for Social Development whether he has any plans to provide assistance for home owners who cannot afford to maintain their property.

**(AQW 41089/11-15)**

**Mr Storey:** Between 2007 and 2014 my Department has invested nearly £200 million on improving private sector housing stock. £22.5m of this was for repair and improvement grants helping over 6,000 households, with almost £64m towards grants assisting 6,600 occupants with disabled adaptations. A further £105m in energy efficiency assistance to almost 90,000 households has been provided over the same period thorough the Warm Homes and Boiler Replacement schemes.

Budgets remain squeezed and my focus for the grant funding I have available will continue to be: improving energy efficiency, tackling fuel poverty, and supporting people with disabilities to adapt their homes.

In terms of private sector repair and improvement, grant funding will be limited and my Department is therefore looking at other opportunities which are sustainable into the future, including current practice in Great Britain and the Republic of Ireland where low cost loans are available to assist householders on affordable terms.

**Mr Easton** asked the Minister for Social Development for a breakdown of how much money has been provided under Neighbourhood Renewal to Protestant working class areas.

**(AQW 41091/11-15)**

**Mr Storey:** The table below details how much money has been provided under Neighbourhood Renewal to Protestant working class areas from the inception of the Strategy to 31 March 2014.

The 2011 Census figures have been used to identify the areas where the percentage population of Protestant and other Christian denominations (including Christian related) is 51% or greater.

	Neighbourhood Renewal Area	% of Population in NRA who are Protestant and other Christian Denominations (including Christian related)	Revenue 2003-2014	Capital 2003-2014	Total Revenue + Total Capital 2003-2014 (£)
1	Tullycarnet	86	1,833,360.74	869,628.00	2,702,988.74
2	Ballyclare	84	533,688.93	384,497.40	918,186.33
3	Ballymena	83	3,595,931.00	2,398,931.68	5,994,862.68
4	Rathcoole	83	956,608.48	73,214.00	1,029,822.48
5	Greater Shankill	81	9,744,438.07	2,671,011.00	12,415,449.07
6	Bangor	79	1,765,257.29	1,042,286.72	2,807,544.01
7	Coleraine East and West	76 (E) 54 (W)	4,464,515.36	2,630,406.34	7,094,921.70
8	South West Belfast	72	5,281,412.29	968,841.61	6,250,253.90
9	Upper Ardoyne/Ballysillan	69	2,063,216.66	960,489.46	3,023,706.12
10	Inner East Belfast	63	6,757,042.70	14,219,295.35	20,976,338.05
<b>Total (£)</b>					<b>63,214,073.08</b>

**Note:** Caution should always be exercised in making comparisons across Neighbourhood Renewal areas as a range of factors may influence expenditure. The main factors being the revenue investment in an area from lead Departments or from other initiatives/sources; history of capital investment and or proposed capital investment in an area from other initiatives or mainstream sources; size (population) of an area; geographical location and proximity to existing services; and priority needs identified in Action Plans.

**Lord Morrow** asked the Minister for Social Development whether he will review the wording in letters reminding on the completion and return of ESA50 forms in people with established ill health and conditions, taking into consideration that many recipients are vulnerable and representations made in the interim on their behalf regarding Employment Support Allowance.

**(AQW 41095/11-15)**

**Mr Storey:** In March 2014 the Social Security Agency gave a commitment to conduct a review of written and verbal communications to Employment and Support Allowance claimants. A review is currently underway of all claimant facing forms

and letters, identifying improvements to communications to aid understanding and clarity. This review will take account of the recommendations on improving correspondence with claimants from Dr Paul Litchfield's 2013 report, 'An Independent Review of the Work Capability Assessment – year four'.

The Agency is also committed to working closely with representative groups and individuals to ensure that they receive all the help they require with understanding their entitlements, assistance with claims making and also with making transitions within the benefits system.

**Mr Campbell** asked the Minister for Social Development whether he will hold discussions with the Cabinet Office regarding the benefits that might be gained from introducing the National Citizen Service to Northern Ireland.

(AQW 41112/11-15)

**Mr Storey:** National Citizen Service (NCS) was developed as a Cabinet Office initiative aimed at providing young people of all backgrounds the opportunity and support to take on new challenges and learn new skills. My predecessor as Minister for Social Development held discussions with the Cabinet Office in 2013 regarding the possibility of running the programme here in Northern Ireland.

Following a successful pilot programme in 2012 funded by the Cabinet Office my department has funded an additional two programmes in 2013 and 2014 and involving in excess of 700 young people graduating from this programme. It has proved to be a great opportunity for our young people bringing huge personal benefits in terms of self awareness and development whilst at the same time giving the young people the opportunity to do something positive in their community.

It is complementary to the programmes my department is delivering under Neighbourhood Renewal and Community Development and also under its responsibilities for volunteering, where it aligns well with the Volunteering Strategy for NI (published March 2012). It is also consistent with the Delivering Social Change Agenda.

For all of these reasons I am pleased to state that my department has just agreed to fund a NI NCS programme which will run during the summer and autumn 2015. My expectation is that this NI NCS Programme will continue each year on a rolling basis until 2018 subject to available funding with between 350 and 450 young people participating each year.

I can also confirm that my departmental officials and I will maintain the good relationship we have with Cabinet Office as we continue to roll out this exciting programme.

**Ms Sugden** asked the Minister for Social Development for an update on the development of an Addressing Bureaucracy Code of Practice.

(AQW 41125/11-15)

**Mr Storey:** A code of practice entitled 'Code of Practice for Reducing Bureaucracy in Grant Funding to the Voluntary and Community Sector' has been developed in partnership between government and the voluntary and community sector and is due to be formally launched in March 2015.

**Lord Morrow** asked the Minister for Social Development what consideration has been given to allowing longer periods between reviews of Employment Support Allowance claimants who have been awarded the allowance under special circumstances.

(AQW 41130/11-15)

**Mr Storey:** All claimants of Employment and Support Allowance, whether or not exceptional circumstances apply, are subject to reassessment of their work capability in order to ensure that they are receiving the correct amount of benefit and support.

The length of time between assessments can range from three months to three years depending on the claimant's medical condition, their age and any other circumstances such as upcoming treatment or surgery.

Dr Paul Litchfield's independent review of the Work Capability Assessment has recommended extending the review period to a maximum of five years for those claimants suffering severe incapacity as a result of degenerative brain disorders. My Department is currently carrying out a policy impact assessment with a view to taking this forward.

**Mr Campbell** asked the Minister for Social Development how many homes availed of the Replacement Boiler Scheme in East Londonderry by 31 December 2014.

(AQW 41168/11-15)

**Mr Storey:** The East Londonderry parliamentary constituency largely comprises the council areas of Limavady and Coleraine. In those two council areas and since the start of the Boiler Replacement Scheme and up to 31 December 2014 a total of 794 homes have had new boilers installed under this scheme.

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 40536/11-15, how revealing the highest amount of benefit paid to a single family in Northern Ireland would identify in any way the recipient household.

(AQW 41191/11-15)

**Mr Storey:** The United Kingdom Statistics Authority Code of Practice Principle 5, Practice 1 states that official statistics should not reveal the identity of any respondents with the risk of disclosure to include taking into account other relevant sources of information.

These sources may be private or public but the relevance of them is determined by whether they are likely reasonably to be used to identify an individual and reveal information about them. Thus one does not need to take into account all local sources but information likely to be available to third parties.

Where an answer involves a small number of cases, particularly if the count is 1 (which it is in this case as a single family), there is a possibility of identification or self-identification, which can lead to the discovery of rareness, or even uniqueness, in the population of the statistic.

For certain types of information, rareness or uniqueness may encourage others to seek out the individual, in particular with this single household where significant media and public interest may lie.

The threat or reality of this could cause harm or distress to the individual, or may lead them to claim that the statistics are inadequate to protect them, and therefore others.

**Mrs Dobson** asked the Minister for Social Development for his assessment of the impact on people in fuel poverty who do not live in the target areas for the Affordable Warmth Scheme after 31 March 2015.  
(AQW 41248/11-15)

**Mr Storey:** Since 2001 the Department has delivered energy efficiency improvements to 125,000 homes through the self referral Warm Homes Scheme. Yet despite this investment research carried out by the University of Ulster highlighted that over 33,000 households in Northern Ireland are in severe or extreme fuel poverty, that is, they need to spend more than 25% of their household income on energy costs. Many people who need help most have not applied for the assistance which has been available.

The Affordable Warmth Scheme was launched in September 2014, following two successful pilots over a 2 year period. In some of the targeted areas, fuel poverty prevalence was almost 80% and many of these households had not applied to the Warm Homes Scheme. These are the households that the Affordable Warmth Scheme will identify, approach, and persuade to take up the offer of the help available.

While the Affordable Warmth Scheme is at an early stage and is already being effectively delivered across all council areas, the existing Warm Homes Scheme will not end until 31st March 2015. Householders who may be eligible are encouraged to apply and take up on the energy efficiency measures which remain available through this scheme up until that date.

There is a limited budget available to tackle fuel poverty in Northern Ireland and it is important that we make the best use of this funding and ensure that we are targeting those vulnerable households. Whilst the scheme is primarily a targeted approach, there is a mechanism which will allow for non targeted referrals, however these should be the exception, where a household has been identified as vulnerable and living in severe fuel poverty. Councils will accept non targeted referrals that are supported with evidence from sources such as a health professional, or other local support services.

**Mrs Dobson** asked the Minister for Social Development what arrangements are being put in place to retain the expertise of staff who administered the Warm Homes Scheme after current the scheme cessation date of 31 March 2015.  
(AQW 41249/11-15)

**Mr Storey:** The NI Housing Executive administers the Warm Homes Scheme and the Boiler Replacement Scheme on behalf of my Department. The skills and expertise in delivering both of these schemes will be critical to the successful delivery of The Affordable Warmth programme.

Those installers, who have experience with The Warm Homes and Boiler Replacement Scheme, will be able to carry out the installation measures which are grant funded under the new scheme.

**Mrs Dobson** asked the Minister for Social Development for his assessment of the readiness of the Northern Ireland Housing Executive and local government to administer the Affordable Warmth Scheme, including whether there is a need for the Warm Homes Scheme to be extended beyond 31 March 2015.  
(AQW 41250/11-15)

**Mr Storey:** The Department has been working closely with both the NI Housing Executive and local councils to develop the new Affordable Warmth Scheme.

The Affordable Warmth Scheme was launched in September 2014 and although it is at an early stage it is already being effectively delivered across all councils areas. Whilst local councils are going through a period of significant restructure, officials have been working with council staff for over 2 years to pilot and develop the scheme. Each of the 11 lead councils has signed a Service Level Agreement with the Department demonstrating their commitment to delivering the new scheme. All councils have appointed a Co-ordinator as well as support staff for the scheme.

Current NI Housing Executive grants staff have been trained and are processing applications. They have also advised us that they are looking at what additional staffing resources will be required and anticipate that these will be put in place by April 2015.



The current Warm Homes Scheme contract has been extended to 31st March 2015 which was to allow for the Affordable Warmth Scheme to become established and embedded in the new structures. Due to procurement rules it is not possible to further extend the Warm Homes Scheme, nor is it possible to provide Affordable Warmth measures under the existing Warm Homes Scheme contract.

**Mr Hussey** asked the Minister for Social Development to detail (i) the support provided to Omagh District Council in relation to the development of a plan to develop St Lucia Barracks in Omagh once transferred from the Minister of Defence to the Office of the First Minister and deputy First Minister; and (ii) the discussions he has had with any other interested parties.  
(AQW 41262/11-15)

**Mr Storey:** My Department is committed to supporting the development of a Masterplan for the St Lucia site and has previously prepared a draft Masterplan for this site. This draft Masterplan could not go to public consultation as there were issues in relation to a restricted covenant on the deed of the site preventing its transfer from the Ministry of Defence (MOD) to OFMdfM. We have now been advised that MOD has addressed the outstanding issues and is prepared to transfer the site. As the previous draft Masterplan was prepared in 2010 it is appropriate that this document should be updated and all assumptions tested again before the document can go to Public Consultation. My officials are currently exploring mechanisms for the updating of this plan and to this end have been hosting a number of St. Lucia stakeholder meetings; these have included representatives from NI Environment Agency, Transport NI, Housing Executive, Department of Education, Omagh District Council, Planning Services and OFMdfM.

**Mr Allister** asked the Minister for Social Development to detail the total cost of fees paid to external consultants by housing associations for undertaking housing association stock condition surveys required by his Department's Audit office; and for his assessment of whether 100 per cent stock condition surveys are best value for money.  
(AQW 41304/11-15)

**Mr Storey:** My Department does not hold detail on fees paid to external consultants by Housing Associations for undertaking housing association stock condition surveys, therefore this information is not available.

**Mr B McCrea** asked the Minister for Social Development for an update on the Boiler Replacement Scheme.  
(AQW 41319/11-15)

**Mr Storey:** Since it was launched in September 2012, the Boiler Replacement Scheme has issued approvals to commence work to approximately 22,000 households. Of those, approximately 18,000 homes have carried out the work. On average households in a standard house type can save at least £250 on their fuel bills by replacing their boiler for a new more energy efficient condensing boiler. To date the Boiler Replacement Scheme has provided work to 2,000 separate installers who have carried out installation work under the scheme.

**Mr Campbell** asked the Minister for Social Development, following the Creating Pathways to Success project, what change there has been in the percentage of school leavers with five or more GCSE's at grades A to C in the Coleraine Churchlands and Coleraine East areas.  
(AQW 41323/11-15)

**Mr Storey:** The Creating Pathways to Success programme included pupils aged 14-16 who attended the Entitlement Framework courses in their schools and studied on a day release basis one day a week at College. It is too early, at this stage, to state the percentage of these pupils leaving school with formal qualifications. The project has however reported success in the numbers of pupils setting themselves individual targets and goals, both short and long-term; encouraging them to be proactive and forward thinking; and helping them increase motivation and confidence levels, all in relation to their current studies.

**Mr Hussey** asked the Minister for Social Development, pursuant to AQW 13762/11-15, to detail the results of the investigations into the Tullyally and District Development Group.  
(AQW 41334/11-15)

**Mr Storey:** My Department's investigation into the Tullyally and District Development Group were concluded in July 2013. The investigation was unable to secure sufficient evidence to determine how much, if any, of the funds provided by the Department to pay for tax and National Insurance, were not properly expended. Furthermore, specifically pertaining to the matter of funds due to the HMRC, the investigation was unable to secure any evidence to determine whether criminal activity has taken place.

As a result of this case and the risks around HMRC payments which have been highlighted by it, my Department has introduced a new system of controls to ensure that funded groups are meeting their obligations. Funded organisations are now asked to provide proof to the Department that HMRC payments are up to date by submitting either their most recent HMRC real time PAYE record showing payments and outstanding balances for funded employees or (if the organisation does not operate HMRC real time) bank statements and other relevant supporting documentation that shows HMRC payments have been made.

**Ms P Bradley** asked the Minister for Social Development how much his Department contributed to community festivals, on the basis of an approved business case, prior to the creation of the Community Festival fund in April 2006; and to detail (a) the names of the festivals; and (b) the amount allocated to each festival in each year.

**(AQW 41614/11-15)**

**Mr Storey:** In line with the Department for Social Development's Retention and Disposal Schedule, financial and project records are destroyed seven years after project completion. The Department, therefore, does not hold any information on funding of festivals prior to the creation of the Community Festivals Fund in April 2006.

**Mr Weir** asked the Minister for Social Development for an update on the installation of double glazing in Housing Executive properties in North Down.

**(AQO 7468/11-15)**

**Mr Storey:** The Housing Executive has advised that they currently have a stock of 3,059 properties in the North Down constituency of which 2,704 have had double glazing installed. The remaining 355 properties will have double glazed fitted through schemes which are currently on site.

Of the 2,704 properties that have had double glazing installed 680 of those were completed in various schemes throughout the North Down constituency since the Programme for Government target was established. The total cost of schemes completed and those currently on site is approximately £2.2m.

**Ms Maeve McLaughlin** asked the Minister for Social Development to outline the funding mechanisms for transferring funding to local government to support the transfer of functions.

**(AQO 7469/11-15)**

**Mr Storey:** Funding to Local Government will be provided by the Regional Rates System. DFP and DOE officials are considering options to address the impact of the delay in transferring Urban functions on the funding mechanism. The Department will be advised of the outcome of this work in due course.

The member may wish to note that while DSD has responsibility for urban regeneration and associated budgets, DARD also has responsibility for regeneration in rural areas. DSD has decided to devolve the urban regeneration budget to local government, while DARD has not done the same for their rural regeneration budget.

**Mr D McIlveen** asked the Minister for Social Development for an update on how his Department is supporting women in disadvantaged areas.

**(AQO 7470/11-15)**

**Mr Storey:** Over the past number of years my Department has invested heavily in supporting women in disadvantaged areas.

DSD in partnership with the Department for Agriculture and Rural Development (DARD) has established a specialist support programme to Women's Sector organisations across Northern Ireland.

Since October 2013 DSD has allocated £519,344 in funding to the Training for Women Network Ltd (TWN) who lead a consortium of seven organisations formed as the Women's Regional Consortium. This funding was for the period 1 October 2013 – 31 March 2015. (Organisations listed at appendix A)

The work of the consortium is key to supporting all women across disadvantaged and rural areas.

In addition, in the year 13/14 a total of £4,348,667 was provided by the NI Housing Executive through the Supporting People Programme to support Women's Aid services (breakdown at appendix B).

#### Appendix A

- Women's Regional Consortium Membership Organisations
- Women's Support Network (WSN)
- Training for women Network (TWN)
- Foyle Women's Information Network (FWIN)
- Women's Centre Derry (WCD)
- Women's Tec NI (WTNI)
- NI Rural Women's Network (NIRWN)
- Women's Resource & Development Agency (WRDA)

#### Appendix B

##### 13/14 Supporting People Programme - Breakdown to Women's Aid Organisations

Provider	Payments in 2013-14 (£)
Belfast and Lisburn Womens Aid	1,405,563

Provider	Payments in 2013-14 (£)
Causeway Womens Aid	276,004
Mid Ulster Women's Aid	173,318
Fermanagh Women's Aid	197,914
Foyle Women's Aid	692,531
Armagh Down Women's Aid	585,097
North Down & Ards Womens Aid	238,811
Omagh Womens Aid	188,655
Womens Aid Antrim B'mena Carrick Larne & N'abbey	578,399
<b>Grand Total</b>	<b>4,348,667</b>

**Mrs Cochrane** asked the Minister for Social Development, in relation to the awarding of social housing points and allowances, if any exemption can be afforded to half-siblings from the standard sharing rules.

**(AQO 7471/11-15)**

**Mr Storey:** The Housing (NI) Order 1981 defines a 'family' as including siblings and half-sibling relationships. The Housing Executive has advised that its Housing Selection Scheme uses this definition and therefore no difference is made on this basis when awarding points.

**Mr Ó hOisín** asked the Minister for Social Development if he will provide assistance for home owners whose homes continue to deteriorate as a result of the removal of grants between 2007 and 2011.

**(AQO 7472/11-15)**

**Mr Storey:** No grants have been removed. Private housing grants have continued to be made albeit at a reduced rate. Nevertheless, the Member will wish to note that between 2007 and 2014 my Department has invested nearly £200 million on improving private sector housing stock. Some £22.5m was for repair and improvement grants to help over 6,000 households, and almost £64m towards grants assisting 6,600 occupants with disabled adaptations. In addition £105m was provided for energy efficiency assistance to almost 90,000 households has been provided over the same period thorough the Warm Homes and Boiler Replacement schemes.

Budgets remain squeezed and my focus for the grant funding I have available will continue to be: improving energy efficiency, tackling fuel poverty, and supporting people with disabilities to adapt their homes.

In terms of private sector repair and improvement, grant funding will be limited and my Department is therefore looking at other opportunities which are sustainable into the future, including current practice in Great Britain and the Republic of Ireland where low cost loans are available to assist householders on affordable terms.

**Mr Byrne** asked the Minister for Social Development for an update on the construction of the cycle and pedestrian bridge in Strabane.

**(AQO 7473/11-15)**

**Mr Storey:** I am pleased to confirm that the Strabane Pedestrian and Cycle Bridge project is progressing well. Work started last summer and is advancing quickly. The steelwork should start to be erected in March and the bridge is due to be completed by June.

**Mr McElduff** asked the Minister for Social Development for an update on the current work of the Social Housing Reform Programme.

**(AQO 7474/11-15)**

**Mr Storey:** During 2015 the Social Housing Reform Programme will bring forward reform proposals in a number of areas. On 15 January 2015 the Programme published its draft tenant participation strategy for consultation. It is also on track to publish in March, consultation proposals for a new regulatory framework for social housing.

Concurrently the programme continues to develop its proposals for a Northern Ireland social housing rent policy and for the future structures to deliver social housing. These proposals are currently planned to be brought forward later in 2015.

**Mrs McKevitt** asked the Minister for Social Development, given that the Executive Summary of the South East Coast Masterplan, published in January 2013, identified the need for an indoor leisure facility to be built in Warrenpoint, what discussions have taken place between officials from his Department and senior officials from Newry and Mourne District Council or Down District Council to progress this facility.

**(AQO 7475/11-15)**

**Mr Storey:** Officials from my Department meet on a regular basis with officials from Newry and Mourne Council and Down District Council to progress actions outlined in the South East Coast Masterplan such as a leisure facility in Warrenpoint.

Newry and Mourne District Council commissioned Williamson Consulting to produce a Feasibility Study for a Community Hub in Warrenpoint which would include leisure provision. I understand that the Study was completed in October 2014 and that Council is currently considering the recommendations.

**Mr Wilson** asked the Minister for Social Development for his assessment of the changes in the level of fuel poverty since 2012. (AQO 7476/11-15)

**Mr Storey:** A household is considered to be in fuel poverty if it needs to spend more than 10% of its income to heat the home. There are three main factors that contribute to a household being in fuel poverty, these are income, fuel prices and energy efficiency. While improvements to the energy efficiency of homes helps to reduce the risk of fuel poverty, it is important to acknowledge that low income and high fuel prices are the main contributors to fuel poverty. Almost 70% of homes in Northern Ireland rely on oil to heat their homes.

The 2011 Northern Ireland House Condition Survey reported that 42% (294,240) of households in Northern Ireland were in fuel poverty. The House Condition Survey provides a robust estimate of fuel poverty in Northern Ireland and the next survey is planned to be undertaken in 2016. Recently oil prices have reduced significantly and it is reasonable to assess that the level of fuel poverty in Northern Ireland has decreased in line with this oil price reduction.

My Department, working with the Housing Executive and other partners, is modelling the impact of reduced fuel prices on the level of fuel poverty.

## Northern Ireland Assembly Commission

**Mr Flanagan** asked the Assembly Commission to detail any prayer groups, or similar gatherings, either formal or informal, organised by the Commission, Commission staff or others, that take place within Parliament Buildings. (AQW 41118/11-15)

**Mrs Cochrane (The Representative of the Assembly Commission):** The Assembly Commission does not organise any prayer groups, or similar, for its employees or other building users.

I am aware that informal groups or gatherings are arranged from time to time by Commission employees. These take place within or in the vicinity of Parliament Buildings. These include a prayer and Bible study meeting for people working in the Building, a reading group and a walking group.

**Mr McGlone** asked the Assembly Commission how many mobile phones are on contract with mobile provider EE; and to detail the total monthly cost of the contract. (AQW 41308/11-15)

**Mr Ramsey (The Representative of the Assembly Commission):** I refer to the Assembly question which you tabled for written answer, namely:

"To ask the Assembly Commission how many mobile phones are on contract with mobile provider EE; and to detail the total monthly cost of the contract."  
(AQW 41308/11-15)

The Northern Ireland Assembly currently has 75 mobile phones on contract with EE, 67 'smart' phones and 8 standard phones. The agreed monthly cost of the contract, which includes the data package, phone care insurance and mobile device management is £1,311.50.





# Revised Written Answers

This section contains the revised written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

## Revised Written Answers

### Department for Employment and Learning

*In this Bound Volume, page WA 239 please replace AQW 40754/11-15 with:*

#### Fraud Investigations

**Mr Swann** asked the Minister for Employment and Learning how many fraud investigations have taken place in each university and regional colleges in each of the last three years.

**(AQW 40754/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The number of fraud investigations which have taken place in each University and regional college in each of the last three years is as per the table below.

College	2014/15	2013/14	2012/13
Belfast Metropolitan College	5	7	3
Northern Regional College	0	7	2
North West Regional College	1	2	3
South Eastern Regional College	2	2	2
Southern Regional College	0	0	7
South West College	1	1	2

University	2014/15	2013/14	2012/13
Queen's University, Belfast	4	3	0
University of Ulster	1	1	2

\* 2014/15 figures represent year to date

### Department of Finance and Personnel

*In Bound Volume 100, page WA 51 please replace AQW 38871/11-15 with:*

#### Trade Unions

**Mr Craig** asked the Minister of Finance and Personnel how much public money is paid to Trade Unions on an annual basis, broken down by Department.

**(AQW 38871/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** In 2013-14 no public money was paid directly to Trade Union organisations by my Department. However, the Department paid £187k in salary costs in respect of Trade Union Representatives and their administrative support staff.

This response is provided for the Department of Finance and Personnel only as the information for all departments is not held centrally. The Member should contact individual departments for their information.

# Department of Justice

*In Bound Volume 100, page WA 332 please replace AQW 39794/11-15 with:*

## Sexual Offences

**Lord Morrow** asked the Minister of Justice, based on the date of sex-offender convictions resulting in a requirement to sign the Sex Offender's register, (i) how many people have been convicted of a sexual offence in each of the last six years; (ii) how many had a previous record for sexual offences; and (iii) how many committed any further sexual offences.

**(AQW 39794/11-15)**

**Mr Ford (The Minister of Justice):** I am writing to correct an error contained in my answer of 19 December 2014 to an Assembly question which you tabled in relation to sex offender convictions, namely AQW/39794/11-15.

My response referred to the following table of figures:

**Information relating to persons required to sign the Sex Offenders register as a result of a conviction for a sexual offence, 2010 – 2013**

Year	Persons convicted for a sexual <sup>1,2</sup> offence	Individuals with previous record for sexual offences	Individuals with subsequent convictions for sexual offences
2010	102	4	0
2011	113	10	0
2012	178	14	4
2013	169	10	0

This should have read:

**Information relating to persons required to sign the Sex Offenders register as a result of a conviction for a sexual offence, 2010 – 2013**

Year	Persons convicted for a sexual <sup>1,2</sup> offence	Individuals with previous record for sexual offences	Individuals with subsequent convictions for sexual offences
2010	102	11	5
2011	113	13	8
2012	178	29	9
2013	169	27	2

Please accept my apologies for this error, which was caused by a mistake in bespoke computer syntax for this question.

I am copying this letter to the Editor of Debates and the Business Office.

# Journal of Proceedings





# Minutes of Proceedings



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# Northern Ireland Assembly

**Monday 19 January 2015**

*The Assembly met at noon, the Deputy Speaker (Mr Dallat) in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

### 2.1 Royal Assent

The Deputy Speaker informed Members that Royal Assent had been signified on 13 January 2015 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

## 3. Public Petition

### 3.1 Public Petition – Dromore Central Primary School

Mrs Brenda Hale was granted leave, in accordance with Standing Order 22, to present a Public Petition relating to Dromore Central Primary School.

## 4. Executive Committee Business

### 4.1 Statement – Public Expenditure: 2014-15 January Monitoring and Budget 2015-16

The Minister of Finance and Personnel, Mr Simon Hamilton, made a statement regarding Public Expenditure: 2014-15 January Monitoring and Budget 2015-16, following which he replied to questions.

## 5. Private Members' Business

### 5.1 Motion – Protecting Core Public Services

#### **Proposed:**

That this Assembly commends the Executive parties on presenting a unified approach in highlighting the drastic reduction in the block grant and the consequent effect that this has on the Executive's ability to defend public services; calls on the British government to recognise the unique challenges which we face as a society emerging from conflict with higher levels of socio-economic deprivation; and further calls on the Executive to maintain its protection of core public services, in particular health, welfare, and education.

*Ms J McCann*

*Mr D McKay*

*Mr A Maskey*

*Debate ensued.*

*The sitting was suspended at 1.52pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.*

## 6. Question Time

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

Questions were put to, and answered by, the First Minister the Rt. Hon Peter Robinson. The junior Minister, Mr Bell, also answered a number of questions.

### 6.2 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

## 7. Private Members' Business (Cont'd)

### 7.1 Motion – Protecting Core Public Services (Cont'd)

*The Deputy Speaker (Mr Dallat) took the Chair.*

*Debate resumed on the motion.*

### 7.2 Amendment

#### Proposed:

Delete all after 'Executive to':

'define its understanding of all core public services as well as protect those services in relation to health, welfare and education.'

*Mr F McKinney*

*Mrs D Kelly*

*Mr S Rogers*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

*The Deputy Speaker (Mr Beggs) took the Chair.*

### 7.3 Motion – Employment Levels in the North West

#### Proposed:

That this Assembly notes the alarmingly low levels of employment in the Derry City, Strabane District and Limavady Borough council areas; further notes that investment in infrastructure and skills in the North West has suffered decades of neglect; recognises the importance of university expansion and improved transport links in growing the local economy; and calls on the Executive to work collaboratively to ensure balanced regional growth by resourcing and delivering the One Plan commitments to expand the Magee campus, dual the A5 and A6 and upgrade the Derry/Londonderry - Belfast rail line.

*Mr P Ramsey*

*Mr C Eastwood*

*Mr J Byrne*

*Mr J Dallat*

### 7.4 Amendment

#### Proposed:

Insert after 'neglect;':

'notes the lack of decentralisation of public sector jobs to the North West and engagement of InvestNI and other bodies;'

*Mr C Ó hOisín*

*Ms M McLaughlin*

*Mr R McCartney*

*Ms M Boyle*

*Debate ensued.*



The Question being put, the Amendment **fell** (Division 1).

The Question being put, the Motion was **carried** without division.

## 8. Adjournment

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6:20pm*

**Mr Mitchel McLaughlin**

**The Speaker**

19 January 2014

# Northern Ireland Assembly

19 January 2015

Division

## Motion – Employment Levels in the North West – Amendment

### Proposed:

Insert after 'neglect;':

'notes the lack of decentralisation of public sector jobs to the North West and engagement of InvestNI and other bodies;'

*Mr C Ó hOisín*

*Ms M McLaughlin*

*Mr R McCartney*

*Ms M Boyle*

The Question was put and the Assembly divided.

**Ayes:** 43

**Noes:** 43

### AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr McCallister, 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 Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Ms Sugden.*

*Tellers for the Ayes: Mr Eastwood, Mr Ó hOisín.*

### NOES

*Mr Allister, Mr Anderson, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Cree, Mr Devenney, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Ms Lo, 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 Buchanan, Mr G Robinson.*

The Amendment **fell**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 14 January – 19 January 2015

### 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

General Teaching Council for NI Annual Report and Accounts for the year ended 31 March 2014 (DE).

### 5. Assembly Reports

Committee for Regional Development Inquiry into the Benefits of Cycling to the Economy – NIA 168/11-15 (Committee for Regional Development).

### 6. Statutory Rules

S.R. 2015/XXX The Judicial Pensions Regulations (Northern Ireland) 2015 (DOJ).

S.R. 2015/XXX The Justice (Northern Ireland) Act 2004 (Amendment of section 8 (4)) Order (Northern Ireland) 2015 (DOJ).

S.R. 2015/10 The New Firefighters' Pension Scheme (Amendment) (No. 2) Order (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/11 The Firefighters' Pension Scheme (Amendment) (No. 2) Order (Northern Ireland) 2015 (DHSSPS).

### 7. Written Ministerial Statements

### 8. Consultation Documents

Department for Social Development: Social Housing Reform Programme Tenant Participation Strategy for Northern Ireland: 2015-2020 (DSD).

### 9. Departmental Publications

### 10. Agency Publications

### 11. Westminster Publications

### 12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 20 January 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion – Suspension of Standing Order 20(1)

#### **Proposed:**

That Standing Order 20(1) be suspended for 20 January 2015.

*Mr P Weir  
Ms C Ruane*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

### 2.2 Election to fill the vacant position of Deputy Speaker

The Speaker outlined the procedure for the election of a Deputy Speaker under Standing Order 4.

The Rt. Hon Peter Robinson nominated Mr Robin Newton as a candidate for the vacant position of Deputy Speaker of the Assembly and Mr Peter Weir seconded the nomination. Mr Newton indicated his agreement to accept the nomination.

*Debate ensued.*

The Question being put, that Mr Robin Newton be Deputy Speaker of the Assembly, the Motion was **carried** with cross-community support *nemine contradicente*.

### 2.3 Election of Principal Deputy Speaker

The Speaker outlined the procedure for the election of a Principal Deputy Speaker under Standing Order 5(A).

Mrs Arlene Foster nominated Mr Robin Newton as a candidate for the position of Principal Deputy Speaker of the Assembly. Mr Newton indicated his agreement to accept the nomination.

*Debate ensued.*

The Question being put, that Mr Robin Newton be Principal Deputy Speaker of the Assembly, the Motion was **carried** on a cross-community vote (Division 1).



### 3. Executive Committee Business

#### 3.1 **Statement – Outcome of the independent Review of the Northern Ireland Tourist Board and wider tourism structures.**

The Minister of Enterprise, Trade and Investment, Mrs Arlene Foster, made a statement regarding the Outcome of the independent review of the Northern Ireland Tourist Board and wider tourism structures, following which she replied to questions.

#### 3.2 **Statement – Outcome of the December Fisheries Council 2014**

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the Outcome of the December Fisheries Council 2014, following which she replied to questions.

#### 3.3 **Second Stage – Regeneration Bill (NIA Bill 43/11-16)**

The Minister for Social Development, Mr Mervyn Storey, moved the Second Stage of the Regeneration Bill (NIA Bill 43/11-16).

*Debate ensued.*

*The sitting was suspended at 12.31pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.*

### 4. Question Time

#### 4.1 **Enterprise, Trade and Investment**

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

#### 4.2 **Environment**

Questions were put to, and answered by, the Minister of the Environment, Mr Mark H Durkan.

### 5. Question for Urgent Oral Answer

#### 5.1 **Water Supply Crisis**

The Minister for Regional Development, Mr Danny Kennedy, responded to a Question for Urgent Oral Answer tabled by Mr Joe Byrne.

### 6. Executive Committee Business (cont'd)

#### 6.1 **Second Stage – Regeneration Bill (NIA Bill 43/11-16)**

*Debate resumed on the Bill.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Regeneration Bill (NIA Bill 43/11-16) passed Second Stage without division.

#### 6.2 **Legislative Consent Motion – Small Business, Enterprise and Employment Bill**

##### **Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Small Business, Enterprise and Employment Bill, as amended in Committee in the House of Commons, dealing with assignment of receivables contained in clauses 1 and 2; business payment practices in clause 3; liability of bodies concerned with accounting standards in clause 37; and companies transparency, company filing requirements, and directors' disqualification in Parts 7 to 9 and Schedules 3 to 6 and 8.

*Minister of Enterprise, Trade and Investment*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Motion was **carried** without division.

## 7. Private Members' Business

### 7.1 Motion – Legislation to Ban the Burning of Certain Types of Coal

**Proposed:**

That this Assembly notes that on the basis of a flawed all-Ireland air quality report, the Minister of the Environment proposes to introduce legislation to ban the burning of certain types of coal in Northern Ireland in order to match similar legislation in the Republic of Ireland; expresses its concern that tens of thousands of households who rely on this cheap coal will be affected by the proposal through increasing levels of fuel poverty, especially in rural areas; believes that this measure would reduce competition in the market for domestic fuel to the detriment of consumers; and calls on the Minister of the Environment to reconsider his position on this issue.

*Mr S Wilson*

*Lord Morrow*

*Mr T Clarke*

*Mr G Dunne*

*Debate ensued.*

The Question being put, the Motion was **negatived** (Division 2).

## 8. Adjournment

Mrs Karen McKeivitt spoke to her topic on The Future of Services at Downe Hospital and Daisy Hill Hospital.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 8.31 pm.*

**Mr Mitchel McLaughlin MLA**

**The Speaker**

20 January 2014

# Northern Ireland Assembly

20 January 2015

Division 1

## Election of Principal Deputy Speaker

### Proposed:

That Mr Robin Newton be Principal Deputy Speaker of this Assembly.

*Mrs A Foster*

The Question was put and the Assembly divided.

**Ayes:** 63

**Noes:** 32

### AYES

#### Nationalist

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuillín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

#### Unionist

*Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, 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 Ayes: Mr McQuillan, Mr G Robinson.*

### NOES

#### Nationalist

*Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

#### Unionist

*Mr Allister, Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr McCallister, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.*

### Other:

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Noes: Mr Dickson, Mrs McKeivitt.*

Total votes	95	Total Ayes	63	[66.3%]
Nationalist Vote	37	Nationalist Ayes	25	[67.6%]
Unionist Votes	50	Unionist Ayes	38	[76.0%]
Other Votes	8	Other Ayes	0	[0.0%]

The Motion was **carried** on a cross-community vote.

# Northern Ireland Assembly

20 January 2015  
Division 2

## Motion – Legislation to Ban the Burning of Certain Types of Coal

### Proposed:

That this Assembly notes that on the basis of a flawed all-Ireland air quality report, the Minister for the Environment proposes to introduce legislation to ban the burning of certain types of coal in Northern Ireland in order to match similar legislation in the Republic of Ireland; expresses its concern that tens of thousands of households who rely on this cheap coal will be affected by the proposal through increasing levels of fuel poverty, especially in rural areas; believes that this measure would reduce competition in the market for domestic fuel to the detriment of consumers; and calls on the Minister of the Environment to reconsider his position on this issue.

*Mr S Wilson  
Lord Morrow  
Mr T Clarke  
Mr G Dunne*

The Question was put and the Assembly divided.

**Ayes:** 40

**Noes:** 43

### AYES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mrs Dobson, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

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

### NOES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mrs McKeivitt, Mr Milne.*

Question being put, the motion was **negatived**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 20 January 2015

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

Westminster Pension Schemes Bill Legislative Consent Motion (NIA 221/11-16) (Committee for Social Development).
6. Statutory Rules

S.R. 2015/7 The Firefighters' Compensation Scheme (Amendment) Order (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/8 The Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/9 The New Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2015 (DHSSPS).
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications



# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 21 January 2015

### 2011-2016 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	28.04.14
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	28.04.14
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	07.04.14	12.05.14

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
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	24.06.14				
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15					
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15					
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15					
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15			
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15					
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15					
Regeneration Bill 43/11-16	08.12.14	20.01.15	03.03.15					

**2011-2016 Mandate  
Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 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	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13							
Children's Services Co- operation Bill 44/11-15	08.12.14							

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

**Monday 26 January 2015**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

## 2. Executive Committee Business

### 2.1 Further Consideration Stage – Off-street Parking (Functions of District Councils) Bill (NIA Bill 40/11-16)

The Minister for Regional Development, Mr Danny Kennedy, moved the Further Consideration Stage of the Off-street Parking (Functions of District Councils) Bill.

No amendments were tabled to the Bill.

Bill NIA 40/11-16 stood referred to the Speaker for consideration in accordance with Section 10 of the Northern Ireland Act 1998.

### 2.2 Legislative Consent Motion – Pensions Scheme Bill

#### **Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of provisions of the Pension Schemes Bill dealing with independent advice, drawdown, conversion of benefits and lump sums, rights to transfer benefits and the Financial Assistance Scheme as contained in clauses 51 to 53 and 60 to 64 of, and Schedules 2 and 4 to, the Bill as brought from the House of Commons to the Lords.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 3. Private Members' Business

### 3.1 Second Stage – Children's Services Co-operation Bill (NIA Bill 44/11-16)

Mr Steven Agnew moved the Second Stage of the Children's Services Co-operation Bill (NIA Bill 44/11-16).

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

*The Principal Deputy Speaker took the Chair.*

*The debate was suspended for Question Time.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 4. Question Time

### 4.1 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Simon Hamilton.

### 4.2 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Services, Mr Jim Wells.



## 5. Private Members' Business (cont'd)

### 5.1 Second Stage – Children's Services Co-operation Bill (NIA Bill 44/11-16) (cont'd)

*Debate resumed on the Bill.*

*The Speaker took the Chair.*

The Children's Services Co-operation Bill (NIA Bill 44/11-16) passed Second Stage without division.

## 6. Private Members' Business

### 6.1 Motion – Development Proposal 264 Coláiste Dhoire

*A valid Petition of Concern was presented under Standing Order 28, on Thursday 22 January 2015 in relation to the Motion (Appendix 1).*

#### **Proposed:**

This Assembly notes with concern the decision of the Minister of Education to approve Development Proposal 264 to establish a new grant-aided, independent Irish Medium Post-Primary school Coláiste Dhoire at Owenbeg, Dungiven; further notes that this decision was taken contrary to official advice from the Western Education and Library Board, the North Eastern Education and Library Board, the Education and Training Inspectorate, the Ministerial Advisory Group on Irish Medium Education and his own Department; and calls on both the Minister of Education and the Executive, in the context of ongoing budgetary pressures, to review this decision on the grounds of rationality, affordability and sustainability.

*Mr D Kinahan*

*Mrs S Overend*

### 6.2 Amendment

#### **Proposed:**

At end insert:

‘; and further calls on the Minister of Education to review and bring forward proposals to end the statutory advantage that some sectors enjoy to the detriment of existing schools.’

*Miss M McIlveen*

*Mr R Newton*

*Mr J Craig*

*Mr N McCausland*

*Debate ensued.*

The Question being put, Amendment No. 1 was **made** (Division 1).

The Question being put, the Motion, as amended, was **negatived** on a cross-community vote (Division 2).

## 7. Adjournment

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.50pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

26 January 2015

## 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 23 January 2015 in relation to the following motion:**

**Development Proposal 264 Coláiste Dhoire**

This Assembly notes with concern the decision of the Minister of Education to approve Development Proposal 264 to establish a new grant-aided, independent Irish Medium Post-Primary school Coláiste Dhoire at Owenbeg, Dungiven; further notes that this decision was taken contrary to official advice from the Western Education and Library Board, the North Eastern Education and Library Board, the Education and Training Inspectorate, the Ministerial Advisory Group on Irish Medium Education and his own Department; and calls on both the Minister of Education and the Executive, in the context of ongoing budgetary pressures, to review this decision on the grounds of rationality, affordability and sustainability.

- |                          |                         |
|--------------------------|-------------------------|
| ■ Ms Megan Fearon        | ■ Mr Seán Rogers        |
| ■ Mr Chris Hazzard       | ■ Mr Alex Attwood       |
| ■ Mr Cathal Boylan       | ■ Mr Joe Byrne          |
| ■ Mr Daithí McKay        | ■ Mr Colum Eastwood     |
| ■ Mr Cathal Ó Hoisín     | ■ Mrs Dolores Kelly     |
| ■ Ms Michaela Boyle      | ■ Mrs Karen McKeivitt   |
| ■ Ms Carál Ní Chuilín    | ■ Mr Patsy McGlone      |
| ■ Mr Mickey Brady        | ■ Mr Alban MaGinness    |
| ■ Ms Maeve McLaughlin    | ■ Mr Dominic Bradley    |
| ■ Mr Máirtín Ó'Muilleoir | ■ Dr Alasdair McDonnell |
| ■ Mr Raymond McCartney   | ■ Mr Pat Ramsey         |
| ■ Mr Pat Sheehan         |                         |
| ■ Mr Seán Lynch          |                         |
| ■ Ms Caitríona Ruane     |                         |
| ■ Mr Barry McElduff      |                         |
| ■ Ms Bronwyn McGahan     |                         |
| ■ Mr Alex Maskey         |                         |
| ■ Ms Rosaleen McCorley   |                         |
| ■ Mr Gerry Kelly         |                         |
| ■ Mr Declan McAleer      |                         |
| ■ Mr Oliver McMullan     |                         |
| ■ Mr John O'Dowd         |                         |
| ■ Ms Jennifer McCann     |                         |
| ■ Mr Fra McCann          |                         |
| ■ Mr Phil Flanagan       |                         |
| ■ Mrs Michelle O'Neill   |                         |
| ■ Mr Ian Milne           |                         |
| ■ Mr Martin McGuinness   |                         |
| ■ Mr John Dallat         |                         |
| ■ Mr Fearghal McKinney   |                         |

# Northern Ireland Assembly

26 January 2015  
Division 1

## Motion – Development Proposal 264 Coláiste Dhoire – Amendment 1

### Proposed:

At end insert:

‘; and further calls on the Minister of Education to review and bring forward proposals to end the statutory advantage that some sectors enjoy to the detriment of existing schools.’

*Miss M McIlveen*  
*Mr R Newton*  
*Mr J Craig*  
*Mr N McCausland*

The Question was put and the Assembly divided.

**Ayes:** 47

**Noes:** 46

### AYES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wells.*

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

### NOES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, 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, Ms McCorley, Mr B McCrea, Dr McDonnell, Mr McElduff, Mr McGlone, Mr M McGuinness, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Ms Maeve McLaughlin, Mr Ó hOisín.*

The Amendment was **made**.

# Northern Ireland Assembly

26 January 2015  
Division 2

## Motion – Development Proposal 264 Coláiste Dhoire (as amended)

### Proposed:

This Assembly notes with concern the decision of the Minister of Education to approve Development Proposal 264 to establish a new grant-aided, independent Irish Medium Post-Primary school Coláiste Dhoire at Owenbeg, Dungiven; further notes that this decision was taken contrary to official advice from the Western Education and Library Board, the North Eastern Education and Library Board, the Education and Training Inspectorate, the Ministerial Advisory Group on Irish Medium Education and his own Department; and calls on both the Minister of Education and the Executive, in the context of ongoing budgetary pressures, to review this decision on the grounds of rationality, affordability and sustainability and further calls on the Minister of Education to review and bring forward proposals to end the statutory advantage that some sectors enjoy to the detriment of existing schools.

The Question was put and the Assembly divided.

**Ayes:** 47

**Noes:** 45

### AYES

#### Unionist

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Kinahan, Mrs Overend.*

### NOES

#### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Mr McGlone, Mr M McGuinness, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ni Chuillín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

#### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.*

*Tellers for the Noes: Ms Maeve McLaughlin, Mr Ó hOisín.*

Total votes	92	Total Ayes	47	[51.1%]
Nationalist Vote	37	Nationalist Ayes	0	[0.0%]
Unionist Votes	47	Unionist Ayes	47	[100%]
Other Votes	8	Other Ayes	0	[0.0%]

The following Member voted in both Lobbies and is therefore not counted in the result: Mr B McCrea.

The Motion was **negatived** on a cross-community vote.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 21 January – 26 January 2015**

### 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

Food from Britain Annual Reports and Accounts 2013/2014 & 2014/2015 (DARD).

### 5. Assembly Reports

Report on the Legislative Consent Motion Health and Social Care (Safety and Quality) Bill: Regulation of Health Care Professionals NIA 215/11-16 (Committee for Health, Social Services and Public Safety).

### 6. Statutory Rules

S.R. 2015/13 The Level Crossing (Cullybackey South) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/14 The Food Waste Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/15 The Public Service (Civil Servants and Others) Pensions (Consequential and Amendment) Regulations (Northern Ireland) 2015 (DFP).

S.R. 2015/XXX The Criminal Legal Aid (Disclosure of Information) Rules (Northern Ireland) 2015 (DOJ).

S.R. 2015/XXX The Civil Legal Services (Disclosure of Information) Regulations (Northern Ireland) 2015 (DOJ).

S.R. 2015/XXX The Civil Legal Services (Cost Protection) Regulations (Northern Ireland) 2015 (DOJ).

S.R. 2015/XXX The Civil Legal Services (Appeal) Regulations (Northern Ireland) 2015 (DOJ).

#### **For Information Only**

(C.1) The Public Service Pensions (2014 Act) (Commencement No.2) Order (Northern Ireland) 2015 (DFP).

### 7. Written Ministerial Statements

### 8. Consultation Documents

Department for Social Development: Social Housing Reform Programme Tenant Participation Strategy for Northern Ireland: 2015-2020 (DSD).

### 9. Departmental Publications

### 10. Agency Publications

### 11. Westminster Publications

### 12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 27 January 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – Quality of Care in Northern Ireland

The Minister of Health, Social Services and Public Safety, Mr Jim Wells, made a statement regarding the Quality of Care in Northern Ireland, following which he replied to questions.

*The Deputy Speaker (Mr Dallat) took the Chair.*

### 2.2 Motion – The draft Planning (2011 Act) (Commencement No.2) Order (Northern Ireland) 2015

#### **Proposed:**

That the draft Planning (2011 Act) (Commencement No.2) Order (Northern Ireland) 2015 be approved.

*Minister of the Environment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 2.3 Motion – 2015-16 Budget

#### **Proposed:**

This this Assembly approves the programme of expenditure proposals for 2015-16 as set out in the Budget laid before the Assembly on 19 January 2015.

*Minister of Finance and Personnel*

### 2.4 Amendment 1

#### **Proposed:**

Leave out all after the first 'Assembly' and insert:

'notes the lack of transparency contained in the programme of expenditure proposals for 2015-16; believes that the failure of many Departments to produce draft spending and saving plans weakened and invalidated the process; notes with perplexity how the tens of thousands of consultation responses could have been analysed between the close of the consultation period on the 29 December 2014 and the Executive final decision only two weeks later; notes that the proposals were created in a vacuum of strategic direction and have not been based on a revised Programme for Government; and calls on the Minister of Finance and Personnel to modify the proposals, as set out in the Budget laid before the Assembly on 19 January 2015, including (i) removing the £26m DEL allocated for the Social Investment Fund, in light of its inability to spend the budget it had been allocated between 2011-2015; (ii) removing the reference to the relocation of the Department of Agriculture and Rural Development headquarters to Ballykelly, as the project should not continue until a full business case is produced and value for money has been demonstrated - and changing its budget allocation accordingly; (iii) allocating £5m Resource DEL to the Department of Health, Social Services and Public Safety to partially alleviate the pressures on the Health and Social Care Trusts; (iv) allocating £3m Resource DEL to the Department for Regional Development to partially assist with funding Northern Ireland Water to the PC15 final determination; (v) allocating £1.5m Resource DEL to the Department of Culture, Arts and Leisure to partially

alleviate the reductions to the arts and Northern Ireland museums; (vi) allocating £1.5m Resource DEL to the Department of Health, Social Services and Public Safety to partially alleviate the reduction to the Fire and Rescue Service; (vii) allocating £15m Capital DEL to the Department for Regional Development to partially alleviate the pressures on Transport NI and to assist with funding Northern Ireland Water to the PC15 final determination.'

*Mr M Nesbitt*

*Mr L Cree*

*Mr R Swann*

## 2.5 Amendment 2

### Proposed:

At end insert:

'; notes with caution the flexibility to use £200 million borrowing for a voluntary exit scheme; and calls on the Executive to improve on its record of public sector reform by ensuring that the voluntary exit scheme forms part of a published strategic plan which outlines measures to improve the efficiency of the civil service and the wider public sector and generate reductions in administrative costs.'

*Mr J McCallister*

*Debate ensued.*

*The sitting was suspended at 12.26pm.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 3. Question Time

### 3.1 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

### 3.2 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

## 4. Executive Committee Business (cont'd)

### 4.1 Motion – 2015-16 Budget

*The Deputy Speaker (Mr Beggs) took the Chair.*

*Debate resumed.*

*The Speaker took the Chair.*

The Question being put, Amendment 1 **fell** (Division 1).

The Question being put, Amendment 2 **fell**.

The Question being put, the motion was **carried** on a cross-community vote (Division 2).

## 5. Private Members' Business

### 5.1 Motion – Abuse Against Older People

#### Proposed:

This Assembly notes with concern the worrying increase in the number of allegations of abuse against older people in care homes, from 1,715 in 2011/12 to 3,023 in 2013/14; and calls on the Minister of Health, Social Services and Public Safety, in conjunction with Executive colleagues, to introduce legislation to define clearly abuse and protect and safeguard our older population.

*Ms M McLaughlin*

*Mr M Brady*

*Ms R McCorley*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 5.2 Motion – The Union Flag on UK Driving Licences Issued in Northern Ireland

*A valid Petition of Concern was presented under Standing Order 28, on Thursday 22 January 2015 in relation to the Motion (Appendix 1).*

### **Proposed:**

That this Assembly recognises that the principle of consent is central to our constitutional arrangements, whereby there will be no change to the status of Northern Ireland as part of the United Kingdom unless and until there is a clear majority voting for such change; notes that the SDLP endorsed these principles and constitutional arrangements; expresses its concern at the decision by the Minister of the Environment to exclude the Union Flag from UK Driving Licences issued in Northern Ireland; considers this to be contrary to the constitutional settlement and an unnecessary, politically motivated deviation from a UK wide scheme that has denied Northern Ireland citizens their right to display the national flag on Government documents often used for identification; and calls on the Minister to reverse this decision.

*Mrs P Cameron*

*Mr P Weir*

*Lord Morrow*

*Mr I McCrea*

*Debate ensued.*

The Question being put, the motion was **negatived** on a cross-community vote (Division 3).

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

## 6. Adjournment

Ms Jennifer McCann spoke to her topic on the restoration of special funding premia to St Mary's University College to prevent its imminent closure.

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 10.45pm. .*

**Mr Mitchel McLaughlin MLA**

**The Speaker**

27 January 2015

## 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 Thursday 22 January 2015 in relation to the following motion:**

**The Union Flag on UK Driving Licences Issued in Northern Ireland**

That this Assembly recognises that the principle of consent is central to our constitutional arrangements, whereby there will be no change to the status of Northern Ireland as part of the United Kingdom unless and until there is a clear majority voting for such change; notes that the SDLP endorsed these principles and constitutional arrangements; expresses its concern at the decision by the Minister of the Environment to exclude the Union Flag from UK Driving Licences issued in Northern Ireland; considers this to be contrary to the constitutional settlement and an unnecessary, politically motivated deviation from a UK wide scheme that has denied Northern Ireland citizens their right to display the national flag on Government documents often used for identification; and calls on the Minister to reverse this decision.

- |                          |                         |
|--------------------------|-------------------------|
| ■ Ms Megan Fearon        | ■ Mr Fearghal McKinney  |
| ■ Mr Chris Hazzard       | ■ Mr Seán Rogers        |
| ■ Mr Cathal Boylan       | ■ Mr Alex Attwood       |
| ■ Mr Daithí McKay        | ■ Mr Joe Byrne          |
| ■ Mr Cathal Ó Hoisín     | ■ Mr Colum Eastwood     |
| ■ Ms Carál Ní Chuilín    | ■ Mrs Dolores Kelly     |
| ■ Ms Michaela Boyle      | ■ Mrs Karen McKevitt    |
| ■ Mr Mickey Brady        | ■ Mr Patsy McGlone      |
| ■ Ms Maeve McLaughlin    | ■ Mr Alban Maginness    |
| ■ Mr Máirtín Ó'Muilleoir | ■ Mr Dominic Bradley    |
| ■ Mr Raymond McCartney   | ■ Dr Alasdair McDonnell |
| ■ Mr Pat Sheehan         | ■ Mr Pat Ramsey         |
| ■ Mr Seán Lynch          |                         |
| ■ Ms Caitriona Ruane     |                         |
| ■ Ms Bronwyn McGahan     |                         |
| ■ Mr Alex Maskey         |                         |
| ■ Mr Barry McElduff      |                         |
| ■ Ms Rosaleen McCorley   |                         |
| ■ Mr Gerry Kelly         |                         |
| ■ Mr Declan McAleer      |                         |
| ■ Mr Oliver McMullan     |                         |
| ■ Mr John O'Dowd         |                         |
| ■ Ms Jennifer McCann     |                         |
| ■ Mr Fra McCann          |                         |
| ■ Mr Phil Flanagan       |                         |
| ■ Mrs Michelle O'Neill   |                         |
| ■ Mr Ian Milne           |                         |
| ■ Mr Martin McGuinness   |                         |
| ■ Mr John Dallat         |                         |

# Northern Ireland Assembly

27 January 2015

Division 1

## Motion – 2015-16 Budget – Amendment 1

### Proposed:

Leave out all after the first 'Assembly' and insert:

'notes the lack of transparency contained in the programme of expenditure proposals for 2015-16; believes that the failure of many Departments to produce draft spending and saving plans weakened and invalidated the process; notes with perplexity how the tens of thousands of consultation responses could have been analysed between the close of the consultation period on the 29 December 2014 and the Executive final decision only two weeks later; notes that the proposals were created in a vacuum of strategic direction and have not been based on a revised Programme for Government; and calls on the Minister of Finance and Personnel to modify the proposals, as set out in the Budget laid before the Assembly on 19 January 2015, including (i) removing the £26m DEL allocated for the Social Investment Fund, in light of its inability to spend the budget it had been allocated between 2011-2015; (ii) removing the reference to the relocation of the Department of Agriculture and Rural Development headquarters to Ballykelly, as the project should not continue until a full business case is produced and value for money has been demonstrated - and changing its budget allocation accordingly; (iii) allocating £5m Resource DEL to the Department of Health, Social Services and Public Safety to partially alleviate the pressures on the Health and Social Care Trusts; (iv) allocating £3m Resource DEL to the Department for Regional Development to partially assist with funding Northern Ireland Water to the PC15 final determination; (v) allocating £1.5m Resource DEL to the Department of Culture, Arts and Leisure to partially alleviate the reductions to the arts and Northern Ireland museums; (vi) allocating £1.5m Resource DEL to the Department of Health, Social Services and Public Safety to partially alleviate the reduction to the Fire and Rescue Service; (vii) allocating £15m Capital DEL to the Department for Regional Development to partially alleviate the pressures on Transport NI and to assist with funding Northern Ireland Water to the PC15 final determination.'

Mr M Nesbitt

Mr L Cree

Mr R Swann

The Question was put and the Assembly divided.

**Ayes:** 10

**Noes:** 83

### AYES

Mr Allister, Mr Cree, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Ayes: Mr Kinahan, Mrs Overend.

### NOES

Mr Agnew, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Devenney, 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, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, 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, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Miss M McIlveen, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McQuillan, Mr G Robinson.

The Amendment **fell**.



# Northern Ireland Assembly

27 January 2015  
Division 2

## Motion – 2015-16 Budget

### Proposed:

This this Assembly approves the programme of expenditure proposals for 2015-16 as set out in the Budget laid before the Assembly on 19 January 2015.

*Minister of Finance and Personnel*

The Question was put and the Assembly divided.

**Ayes:** 56

**Noes:** 30

### AYES

#### Nationalist:

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Ms Ní Chuilín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

#### Unionist:

*Mr Anderson, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

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

### NOES

#### Nationalist:

*Mr Attwood, Mr D Bradley, Mr Byrne, Mr Eastwood, Mrs D Kelly, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

#### Unionist:

*Mr Allister, Mr Cree, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.*

### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.*

*Tellers for the Noes: Mr Kinahan, Mr McKinney.*

Total votes	86	Total Ayes	56	[65.1%]
Nationalist Vote	37	Nationalist Ayes	25	[67.6%]
Unionist Votes	42	Unionist Ayes	31	[73.8%]
Other Votes	7	Other Ayes	0	[0.0%]

The following Member voted in both Lobbies and is therefore not counted in the result: Mr B McCrea.

The Motion was **carried** on a cross-community vote.

# Northern Ireland Assembly

27 January 2015  
Division 3

## Motion – The Union Flag on UK Driving Licences Issued in Northern Ireland

### Proposed:

That this Assembly recognises that the principle of consent is central to our constitutional arrangements, whereby there will be no change to the status of Northern Ireland as part of the United Kingdom unless and until there is a clear majority voting for such change; notes that the SDLP endorsed these principles and constitutional arrangements; expresses its concern at the decision by the Minister of the Environment to exclude the Union Flag from UK Driving Licences issued in Northern Ireland; considers this to be contrary to the constitutional settlement and an unnecessary, politically motivated deviation from a UK wide scheme that has denied Northern Ireland citizens their right to display the national flag on Government documents often used for identification; and calls on the Minister to reverse this decision.

*Mrs P Cameron*  
*Mr P Weir*  
*Lord Morrow*  
*Mr I McCrea*

The Question was put and the Assembly divided.

**Ayes:** 47

**Noes:** 27

### AYES

#### Unionist:

*Mr Allister, Mr Anderson, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, 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.*

#### Other:

*Mrs Cochrane, Mr Dickson, Dr Farry, Ms Lo.*

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

### NOES

#### Nationalist:

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Mr Flanagan, Mrs D Kelly, Mr G Kelly, Mr F McCann, Ms J McCann, Ms McCorley, Dr McDonnell, Mr McElduff, Mr McGlone, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Ms Ni Chuilín, Mr Ó Muilleoir, Mr Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Noes: Mr Boylan, Mr Rogers.*

Total votes	74	Total Ayes	47	[63.5%]
Nationalist Vote	27	Nationalist Ayes	0	[0.0%]
Unionist Votes	43	Unionist Ayes	43	[100%]
Other Votes	4	Other Ayes	4	[100%]

The following Member voted in both Lobbies and is therefore not counted in the result: Mr B McCrea.

The Motion was **negatived** on a cross-community vote.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 27 January 2015

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  
Inspection Report of the Police Use of Discretion Incorporating Penalty Notices (DOJ)
5. Assembly Reports
6. Statutory Rules  
S.R. 2015/20 The Rates (Making and Levying of Different Rates) Regulations (Northern Ireland) 2015 (DFP)  
S.R. 2015/19 The Housing Benefit (Income from Earnings) (Amendment) Regulations (Northern Ireland) 2015 (DSD)
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster 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 28 January 2015

### 2011-2016 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	28.04.14
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	28.04.14
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	07.04.14	12.05.14

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
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	24.06.14				
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15					
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15					
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15					
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15		
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15					
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15					
Regeneration Bill 43/11-16	08.12.14	20.01.15	03.03.15					



**2011-2016 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-intro- duced 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	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13							
Children's Services Co- operation Bill 44/11-15	08.12.14	26.01.15	09.03.15					

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

**Monday 2 February 2015**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

## 2. Executive Committee Business

### 2.1 **Statement – North South Ministerial Council Meeting in Inland Waterways Sectoral Format**

The Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín, made a statement regarding the North South Ministerial Council meeting in Inland Waterways Sectoral format, following which she replied to questions.

### 2.2 **Statement – North South Ministerial Council Meeting in Language Body Sectoral Format**

The Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín, made a statement regarding the North South Ministerial Council meeting in Language Body Sectoral format, following which she replied to questions.

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 3. Committee Business

### 3.1 **Motion – Support and Investment in Higher and Further Education Sectors**

#### **Proposed:**

That this Assembly acknowledges the key role our further education and higher education institutions play in growing the local economy and delivering on the Programme for Government's cross-cutting priorities; and calls on the Executive to affirm its commitment to support and invest in the local higher education and further education sectors.

*Chairperson, Committee for Employment and Learning*

### 3.2 **Amendment**

#### **Proposed:**

At end insert:

‘; and further calls on the Minister for Employment and Learning to reinstate the premia payments to St Mary’s University College and Stranmillis University College.’

*Mr F McCann  
Ms B McGahan  
Mr P Flanagan*

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Speaker took the Chair.*

## 4. Question Time

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

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness. The junior Minister, Ms Jennifer McCann, also answered a number of questions.

## 4.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Mervyn Storey.

## 5. Question for Urgent Oral Answer

### 5.1 Cancelled Operations at Musgrave Park Hospital

The Minister of Health, Social Services and Public Safety, Mr Jim Wells, responded to a Question for Urgent Oral Answer tabled by Ms Rosaleen McCorley.

## 6. Committee Business (cont'd)

### 6.1 Motion – Support and Investment in Higher and Further Education Sectors (cont'd)

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

*Debate resumed on the motion.*

The Question being put, the Amendment was **made** (Division 1).

*The Question being put, the Motion, as amended, was **carried** without division.*

## 7. Private Members' Business

### 7.1 Motion – Prayer of Annulment – The Taxi Licensing Regulations (Northern Ireland) 2014 (S.R. 2014/302)

#### **Proposed:**

That the Taxi Licensing Regulations (Northern Ireland) 2014 (S.R. 2014/302) be annulled.

*Deputy Chairperson, Committee for the Environment*

### **Motion – Prayer of Annulment – The Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/303)**

#### **Proposed:**

That the Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/303) be annulled.

*Deputy Chairperson, Committee for the Environment*

*A single debate ensued on both motions.*

The Question being put, the Prayer of Annulment motion regarding The Taxi Licensing Regulations (Northern Ireland) 2014 (S.R. 2014/302) was **carried**. (Division 2).

The Question being put, the Prayer of Annulment motion regarding The Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/303) was **carried** without division.

## 8. Adjournment

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.24pm.*

**Mr Mitchel McLaughlin MLA**

**The Speaker**

2 February 2015

# Northern Ireland Assembly

2 February 2015  
Division 1

## Motion – Support and Investment in Higher and Further Education Sectors – Amendment

### Proposed:

At end insert:

‘; and further calls on the Minister for Employment and Learning to reinstate the premia payments to St Mary’s University College and Stranmillis University College.’

*Mr F McCann*  
*Ms B McGahan*  
*Mr P Flanagan*

The Question was put and the Assembly divided.

**Ayes:** 80

**Noes:** 9

### AYES

*Mr Allister, Mr Anderson, Mr Attwood, 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 Cree, Mr Dallat, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O’Dowd, Mrs O’Neill, Mrs Overend, Mr Poots, Mr Ramsey, 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: Ms Ruane, Mr Ó Muilleoir.*

### NOES

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister.*

*Tellers for the Noes: Mrs Cochrane, Mr Dickson.*

The Amendment was **made**.



# Northern Ireland Assembly

2 February 2015  
Division 2

**Motion – Prayer of Annulment – The Taxi Licensing Regulations (Northern Ireland) 2014 (S.R. 2014/302)**

**Proposed:**

That the Taxi Licensing Regulations (Northern Ireland) 2014 (S.R. 2014/302) be annulled.

*Deputy Chairperson, Committee for the Environment*

The Question was put and the Assembly divided.

**Ayes:** 64

**Noes:** 24

**AYES**

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Kennedy, Mr Kinahan, Mr Lynch, Mr McAleer, Mr McCartney, Mr McCausland, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McQuillan, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, 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 Boylan, Mr G Robinson.*

**NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey.*

*Tellers for the Noes: Mr A Maginness, Mr McGlone.*

The Motion was **carried**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 28 January – 2 February 2015

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

Security Industry Authority Annual Report and Accounts 2012/13 (DOJ).

Security Industry Authority Annual Report and Accounts 2013/14 (DOJ).

Belfast Education and Library Board Annual Report 2013-14 (DE).

The Annual Report and Accounts of the Northern Ireland Practice and Education Council (DHSSPS).

5. Assembly Reports

The Committee for the Environment Report on its Inquiry into Wind Energy NIA 226/11-15 (Committee for the Environment).

6. Statutory Rules

S.R. 2015/4 The Motor Vehicles (Driving Instruction) (Trainee Licence) (Amendment) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/5 The Motor Vehicles (Driving Instruction) (Amendment) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/6 The Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/16 The Less Favoured Area Compensatory Allowances Regulations (Northern Ireland) 2015 (DARD).

S.R. 2015/17 The Transitional Payment to Disadvantaged Area Scheme (Northern Ireland) 2015 (DARD).

S.R. 2015/18 The Salaries (Assembly Ombudsman and Commissioner for Complaints) Order (Northern Ireland) 2015 (OFMDFM).

S.R. 2015/22 The Donaghadee Harbour (Transfer of Harbour Undertaking) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/24 The Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/26 The Health and Personal Social Services (General Medical Services Contracts) (Amendment) Regulations (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/27 Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/XXX The Public Service (Civil Servants and Others) Pensions (Consequential Provisions) Regulations (Northern Ireland) 2015 (DFP).

7. Written Ministerial Statements

## 8. Consultation Documents

A Consultation on the Proposed Amendments to the Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 (DHSSPS).

Consultation on Draft Waste Management (Amendment) Regulations (Northern Ireland) 2015 (DOE).

Consultation on Domain Names – The Draft Local Government (Domain Names) Regulations (Northern Ireland) 2015 (DOE).

Consultation on Proposals for the Rationalisation of the Court Estate (DOJ).

Consultation on Programmes of Measures to Implement the EU Marine Strategy Framework Directive (DOE).

## 9. Departmental Publications

Strategy for the Irish Language (DCAL).

Strategy for the Ulster-Scots Language, Heritage and Culture (DCAL).

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications

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# Northern Ireland Assembly

**Tuesday 3 February 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Public Petition

### 2.1 Public Petition – Withdrawal of Funding from Railway Street Addiction and Rehabilitation Unit, Ballymena

Mr Daithí McKay was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding the withdrawal of funding from Railway Street Addiction and Rehabilitation Unit, Ballymena.

## 3. Executive Committee Business

### 3.1 Final Stage – Off-street Parking (Functions of District Councils) Bill (NIA Bill 40/11-16)

The Minister for Regional Development, Mr Danny Kennedy, moved that the Final Stage of the Off-street Parking (Functions of District Councils) Bill (NIA Bill 40/11-16) do now pass.

*Debate ensued.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

The Off-street Parking (Functions of District Councils) Bill (NIA Bill 40/11-16) passed Final Stage.

### 3.2 Motion – The draft Inquiry into Historical Institutional Abuse (Amendment of Terms of Reference) Order (Northern Ireland) 2015

#### **Proposed:**

That the draft Inquiry into Historical Institutional Abuse (Amendment of Terms of Reference) Order (Northern Ireland) 2015 be approved.

*Office of the First Minister and deputy First Minister*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Motion was **carried** without division.

## 4. Private Members' Business

### 4.1 Motion – Assembly Consent to the Making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015

#### **Proposed:**

That this Assembly consents to the making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 laid before Parliament on 29 January 2015.

*Mr A Ross*

*Mr S Dickson*

*Debate ensued.*

*The sitting was suspended at 12.32pm.*

*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 Culture, Arts And Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

## 6. Question for Urgent Oral Answer

### 6.1 Recent Incidents at Maghaberry Prison

The Minister of Justice, Mr David Ford, responded to a Question for Urgent Oral Answer tabled by Mr Paul Givan.

*The Speaker took the Chair.*

## 7. Private Members' Business (cont'd)

### 7.1 Motion – Assembly Consent to the Making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 (cont'd)

*Debate resumed.*

The Question being put, the Motion was **carried** (Division).

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 8. Adjournment

Mr Trevor Clarke spoke to his topic regarding temporary housing sites in Antrim.

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.14pm.*

**Mr Mitchel McLaughlin MLA**

**The Speaker**

3 February 2015



# Northern Ireland Assembly

3 February 2015

Division

**Motion – Assembly Consent to the Making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015**

**Proposed:**

That this Assembly consents to the making of the draft Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 laid before Parliament on 29 January 2015.

*Mr A Ross*

*Mr S Dickson*

The Question was put and the Assembly divided.

**Ayes:** 68

**Noes:** 26

## **AYES**

*Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Dallat, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Lunn, Mr G Robinson.*

## **NOES**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr McCartney, Mr Sheehan.*

The motion was **carried**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 03 February 2015

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. 2015/32 The Valuation for Rating (Decapitalisation Rate) Regulations (Northern Ireland) 2015 (DFP).
  - S.R.2015/34 The Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2015 (DSD).
  - S.R. 2015/21 The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2015 (DOE).
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 04 February 2015

### 2011-2016 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	28.04.14
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	28.04.14
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	07.04.14	12.05.14

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
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	24.06.14				
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15					
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15					
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15					
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15					
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15					
Regeneration Bill 43/11-16	08.12.14	20.01.15	03.03.15					

**2011-2016 Mandate  
Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 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	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13							
Children's Services Co- operation Bill 44/11-15	08.12.14	26.01.15	09.03.15					

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.





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# Northern Ireland Assembly

**Monday 9 February 2015**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

## 2. Assembly Business

### 2.1 Motion – Committee Membership

**Proposed:**

That Mr Roy Beggs replace Mr Michael Copeland as a member of the Committee for Social Development; and that Mr Robin Swann replace Mr Roy Beggs as a member of the Assembly and Executive Review Committee.

*Mr R Swann*

*Mrs S Overend*

The Question being put, the Motion was **carried**.

## 3. Executive Committee Business

### 3.1 Motion – Suspension of Standing Orders 10(2) to 10(4)

**Proposed:**

That Standing Orders 10 (2) to 10 (4) be suspended for 9 February 2015.

*Minister of Finance and Personnel*

The Question being put, the Motion, was **carried** with cross-community support *nemine contradicente*.

### 3.2 Motion – Supply Resolution for the 2014-2015 Spring Supplementary Estimates

**Proposed:**

That this Assembly approves that a total sum, not exceeding £15,646,075,000, be granted out of the Consolidated Fund for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2015 and that total resources, not exceeding £17,051,879,000, be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2015 as summarised for each Department or other public body in Columns 3(c) and 2(c) of Table 1 in the volume of the Northern Ireland Spring Supplementary Estimates 2014-15 that was laid before the Assembly on 2 February 2015.

*Minister of Finance and Personnel*

### Motion – Supply Resolution for the 2015-2016 Vote on Account

**Proposed:**

That this Assembly approves that a sum, not exceeding £7,075,640,000, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints,

the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,283,000, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in Columns 4 and 6 of Table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015.

*Minister of Finance and Personnel*

#### **Motion – Supply Resolution for the 2015-2016 Vote on Account – Amendment 1**

*A valid Petition of Concern was presented under Standing Order 28, on Friday 06 February 2015 in relation to the Amendment (Appendix 1).*

##### **Proposed:**

Leave out all after 'Assembly approves' and insert:

that a sum, not exceeding £7,075,390,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,033,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in Columns 4 and 6 of Table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015.

*Mr J Allister*

#### **Motion – Supply Resolution for the 2015-2016 Main Estimate**

##### **Proposed:**

That this Assembly authorises resources, not exceeding £50,000, for use by the Department of Justice Northern Ireland Judicial Pensions Scheme for the year ending 31 March 2016, for the purposes specified in column 1 of the 2015-16 Main Estimate document that was laid before the Assembly on 2 February 2015.

*Minister of Finance and Personnel*

*A single debate ensued on all three motions and the amendment.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

*The debate was suspended for Question Time.*

## **4. Question Time**

### **4.1 Education**

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

### **4.2 Employment and Learning**

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 5. Executive Committee Business (cont'd)

### 5.1 Motion – Supply Resolution for the 2014-2015 Spring Supplementary Estimates

**Motion – Supply Resolution for the 2015-2016 Vote on Account**

**Motion – Supply Resolution for the 2015-2016 Vote on Account – Amendment 1**

**Motion – Supply Resolution for the 2015-2016 Main Estimate**

*Debate resumed on all three motions and the amendment.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion regarding the Supply Resolution for the 2014-2015 Spring Supplementary Estimates was **carried** with cross-community support *nemine contradicente*.

The Question being put, the Amendment regarding the Supply Resolution for the 2015-2016 Vote on Account **fell** (Division).

The Question being put, the Motion regarding the Supply Resolution for the 2015-2016 Vote on Account was **carried** with cross-community support *nemine contradicente*.

The Question being put, the Motion regarding the Supply Resolution for the 2015-2016 Main Estimate was **carried** with cross-community support *nemine contradicente*.

### 5.2 First Stage – Budget Bill (NIA Bill 45/11-16)

A Bill to authorise the issue out of the Consolidated Fund of certain sums for the service of the years ending 31st March 2015 and 2016; to appropriate those sums for specified purposes; to authorise the Department of Finance and Personnel to borrow on the credit of the appropriated sums; to authorise the use for the public service of certain resources for the years ending 31st March 2015 and 2016; and to revise the limits on the use of certain accruing resources in the year ending 31 March 2015.

The Budget Bill (NIA 45/11-16) passed First Stage and ordered to be printed.

## 6. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.23pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

9 February 2015

## 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 06 February 2015 in relation to the following amendment:**

**Supply Resolution for the 2015-2016 Vote on Account – Amendment 1**

Leave out all after 'Assembly approves' and insert:

that a sum, not exceeding £7,075,390,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,033,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in Columns 4 and 6 of Table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015.

- |                          |                         |
|--------------------------|-------------------------|
| ■ Ms Megan Fearon        | ■ Mr Oliver McMullan    |
| ■ Mr Chris Hazzard       | ■ Mr John O'Dowd        |
| ■ Mr Cathal Boylan       | ■ Ms Jennifer McCann    |
| ■ Mr Daithí McKay        | ■ Mr Fra McCann         |
| ■ Mr Cathal Ó Hoisín     | ■ Mr Phil Flanagan      |
| ■ Ms Carál Ní Chuilín    | ■ Mrs Michelle O'Neill  |
| ■ Ms Michaela Boyle      | ■ Mr Ian Milne          |
| ■ Mr Mickey Brady        | ■ Mr Martin McGuinness  |
| ■ Ms Maeve McLaughlin    | ■ Mr Alban Maginness    |
| ■ Mr Máirtín Ó Muilleoir | ■ Mr Dominic Bradley    |
| ■ Mr Raymond McCartney   | ■ Mr Fearghal McKinney  |
| ■ Mr Pat Sheehan         | ■ Mr Patsy McGlone      |
| ■ Mr Seán Lynch          | ■ Dr Alasdair McDonnell |
| ■ Ms Caitríona Ruane     | ■ Mr Joe Byrne          |
| ■ Ms Bronwyn McGahan     | ■ Mr Pat Ramsey         |
| ■ Mr Alex Maskey         | ■ Mrs Dolores Kelly     |
| ■ Mr Barry McElduff      | ■ Mr Colum Eastwood     |
| ■ Ms Rosaleen McCorley   | ■ Mr Seán Rogers        |
| ■ Mr Gerry Kelly         | ■ Mrs Karen McKevitt    |
| ■ Mr Declan McAleer      | ■ Mr Alex Attwood       |



# Northern Ireland Assembly

9 February 2015  
Division 1

## Motion – Supply Resolution for the 2015-2016 Vote on Account – Amendment 1

Leave out all after 'Assembly approves' and insert:

that a sum, not exceeding £7,075,390,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be granted out of the Consolidated Fund on account for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 and that resources, not exceeding £7,742,033,000, reflecting a reduction in the cash grant from OFMDFM to the Equality Commission, be authorised, on account, for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2016 as summarised for each Department or other public body in Columns 4 and 6 of Table 1 in the Vote on Account 2015-16 document that was laid before the Assembly on 2 February 2015.

*Mr J Allister*

The Question was put and the Assembly divided.

**Ayes:** 02

**Noes:** 96

## AYES

### Unionist

*Mr Allister, Mr McCallister.*

*Tellers for the Ayes: Mr Allister, Mr McCallister.*

## NOES

### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, 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 Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

### Unionist

*Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wilson.*

### Other:

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Noes: Mr McKay, Mr Ó Muilleoir.*

Total votes	98	Total Ayes	2	[2.0%]
Nationalist Vote	39	Nationalist Ayes	0	[0.0%]
Unionist Votes	51	Unionist Ayes	2	[3.9%]
Other Votes	8	Other Ayes	0	[0.0%]

The Motion was **negatived** on a cross-community vote.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 4 February – 9 February 2015

### 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 Local Government Officers Superannuation Committee (NILGOSC) Retention and Disposal Schedule (DCAL).

### 5. Assembly Reports

Public Accounts Committee Report on Primary Care Prescribing NIA 230/11-16 (PAC).

### 6. Statutory Rules

S.R. 2015/23 The Motor Vehicles (Wearing of Seat Belts by Children in Front Seats) (Amendment) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/36 The Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2015 (OFMDFM).

S.R. 2015/30 The Rathdown Walk, Lisburn (Abandonment) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/XXX The Teachers' Pension Scheme (Consequential Provisions) Regulations (Northern Ireland) 2015 (DE).

S.R. 2015/XXX The Firefighters' Pension Scheme (Consequential Provisions) Regulations (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/XXX The Local Government (Standing Orders) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/XXX The Health Service Workers (Consequential Provisions) Regulations (Northern Ireland) 2015 (DHSSPS).

#### For Information Only:

S.R. 2015/28 (C. 3) The Local Government (2014 Act) (Commencement No. 3) Order (Northern Ireland) 2015 (DOE).

S.R. 2015/31 The Urban Clearways (Amendment) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/33 The Parking Places on Roads (Disabled Persons' Vehicles) Order (Northern Ireland) 2015 (DRD).

### 7. Written Ministerial Statements

### 8. Consultation Documents

Public Consultation on Policy Proposals for a Rural Proofing Bill (DARD).

The Law on Unduly Lenient Sentences – A Consultation (DOJ).

- 9. Departmental Publications
- 10. Agency Publications
- 11. Westminster Publications
- 12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 10 February and Wednesday 11 February 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion – Establishment of an Ad Hoc Committee to consider a Statutory Rule laid by the Attorney General for Northern Ireland

#### **Proposed:**

That as provided for in Standing Order 53(1), this Assembly appoints an Ad Hoc Committee to consider the Statutory Rule: The Justice (Northern Ireland) Act 2004 (Amendment of section 8(4)) Order (Northern Ireland) 2015; and to submit a report to the Assembly by 18 March 2015.

Composition:	Democratic Unionist Party	2
	Sinn Féin	2
	Ulster Unionist Party	1
	Social Democratic and Labour Party	1
	Alliance Party	1

Quorum: The quorum shall be five Members

Procedure: The procedures of the Committee shall be such as the Committee shall determine.

*Mr P Weir  
Ms C Ruane  
Mr P Ramsey  
Mr R Swann  
Mr S Dickson*

The Question being put, the Motion was **carried**.

## 3. Committee Business

### 3.1 Motion – Amend Standing Order 20A(4)

#### **Proposed:**

Leave out Standing Order 20A(4) and insert –

‘The Speaker shall determine, by means of a random selection, the order in which questions are taken. However, the first question may not be from a member of the same party as the Minister to whom it is addressed, unless all the Topical Questions are from members of that party.’

*Chairperson, Committee on Procedures*

#### **Motion – Amend Standing Order 4**

#### **Proposed:**

In the title to Standing Order 4 at the end add ‘: New Assembly’

After Standing Order 4 insert –



**'4A. Election of Speaker: Assembly term**

(1) Where the Speaker gives notice in writing to the Clerk of his intention to resign from the Office of Speaker during an Assembly term, the Speaker shall continue to hold office until a new Speaker has been elected.

(2) A new Speaker shall be elected in the manner provided for by Standing Order 4.

(3) If the Speaker cannot take the chair for the proceedings to elect a new Speaker, the chair shall be taken by an Acting Speaker, who shall be the oldest member present at the meeting who is not seeking election as Speaker.'

*Chairperson, Committee on Procedures*

**Motion – Amend Standing Order 6****Proposed:**

Leave out Standing Order 6 and insert –

'6. Procedure when Office of Speaker becomes vacant

(1) Where a vacancy in the Office of Speaker of the Assembly occurs during an Assembly term, a Deputy Speaker shall report the vacancy to the Assembly at the opening of its next meeting and the Assembly shall, as soon as may be, proceed to elect a Speaker in the manner provided by Standing Order 4.

(2) For the purposes of that election, the chair shall be taken by an Acting Speaker, who shall be the oldest member present at the meeting who is not seeking election as Speaker.

(3) Where there is no agreement on the election of a Speaker, meetings of the Assembly shall be chaired by the Deputy Speakers in weekly rotation in the order in which they were elected in so far as this is possible.'

*Chairperson, Committee on Procedures*

*A single debate ensued on all three motions.*

The Question being put, the Motion regarding Standing Order 20A(4) was **carried** with cross-community support *nemine contradicente*.

The Question being put, the Motion regarding Standing Order 4 was **carried** with cross-community support *nemine contradicente*.

The Question being put, the Motion regarding Standing Order 6 was **carried** with cross-community support *nemine contradicente*.

**3.2 Motion – Extension of Committee Stage: Regeneration Bill (NIA Bill 43/11-16)****Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 28 May 2015, in relation to the Committee Stage of the Regeneration Bill (NIA Bill 43/11-16).

*Chairperson, Committee for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried**.

**4. Executive Committee Business****4.1 Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15)**

*A valid Petition of Concern was presented in relation to Amendments 1 through to 13, 15 through to 22, 24, 26, 27, 28, 29, 36 through to 45, 48, 49, 50, 53, 54, 55, 56, 57, 73, 74, 75 under Standing Order 28, on Monday 09th February 2015 (Appendix 1).*

The Minister for Social Development, Mr Mervyn Storey, moved the Consideration Stage of the Welfare Reform Bill (NIA Bill 13/11-15).

78 amendments were tabled to the Bill, as well as notice of intention to oppose the questions that Clauses 4, 10, 12, 26, 52, 54, 61, 62, 63, 69, 99, 109, 110, 111, 112, 115 and 129 stand part of the Bill.

*Debate ensued.*

### **Clauses**

The question being put, it was **agreed** without division that Clauses 1 to 3 stand part of the Bill.

*The sitting was suspended at 12.34pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.*

## **5. Question Time**

### **5.1 Enterprise, Trade and Investment**

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

### **5.2 Environment**

Questions were put to, and answered by, the Minister of the Environment, Mr Mark H. Durkan.

*The Speaker took the Chair.*

## **6. Executive Committee Business (Cont'd)**

### **6.1 Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15)**

*Debate resumed on the Bill.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

*The Speaker took the Chair.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

After debate, Amendment 1 to Clause 4 was **negatived** on division on a cross-community vote (Division 1).

*The sitting was suspended at 9.58pm.*

*The sitting resumed at 10.30am on Wednesday 11 February 2015, with the Speaker in the Chair.*

*Debate resumed on the Bill.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

*The Speaker took the Chair.*

*The sitting was suspended at 1.31pm and resumed at 2.01pm with the Speaker in the Chair.*

The question being put, it was **agreed** without division that Clause 4 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 5 stand part of the Bill.

Amendment 2 was not moved.

The question being put, it was **agreed** without division that Clause 6 stand part of the Bill.

Amendment 3 was not moved.

Amendment 4 was not moved.

The question being put, it was **agreed** without division that Clauses 7 to 9 stand part of the Bill.

Amendment 5 was not moved.

The question being put, it was **agreed** without division that Clause 10 stand part of the Bill.

Amendment 6 was not moved.

Amendment 7 was not moved.

The question being put, it was **agreed** without division that Clause 11 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 12 stand part of the Bill.

Amendment 8 was not moved.

The question being put, it was **agreed** without division that Clause 13 stand part of the Bill.

After debate, Amendment 9 to Clause 14 was **negatived** on division on a cross-community vote (Division 2).

The question being put, it was **agreed** without division that Clause 14 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 15 stand part of the Bill.

Amendment 10 was not moved.

Amendment 11 was not moved.

The question being put, it was **agreed** without division that Clause 16 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 17 and 18 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 19 to 22 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 23 stand part of the Bill.

After debate, Amendment 12 to Clause 24 was **negatived** on division on a cross-community vote (Division 3).

As Amendment 12 was not made, Amendment 13 was not called.

The question being put, it was **agreed** without division that Clause 24 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 25 stand part of the Bill.

*The Deputy Speaker (Mr Dallat) took the Chair.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

After debate, Amendment 14 to Clause 26 was made without division.

As Amendment 14 was made, Amendment 15 was not called.

The question being put, it was **agreed** on division that Clause 26, as amended, stand part of the Bill (Division 4).

After debate, Amendment 16 to Clause 27 was **negatived** on division on a cross-community vote (Division 5).

The question being put, it was **agreed** without division that Clause 27 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 28 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 29 and 30 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 31 to 33 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 34 to 37 stand part of the Bill.

Amendment 17 was not moved.

Amendment 18 was not moved.

Amendment 19 was not moved.

The question being put, it was **agreed** without division that Clause 38 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 39 to 41 stand part of the Bill.

Amendment 20 was not moved.

The question being put, it was **agreed** without division that Clause 42 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 43 stand part of the Bill.

*The Speaker took the Chair.*

Amendment 21 was not moved.

As Amendment 21 was not moved, Amendment 22 was not called.

The question being put, it was **agreed** without division that Clause 44 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 45 and 46 stand part of the Bill.

After debate, Amendment 23 to Clause 47 was **made** without division.

As Amendment 23 was made, Amendment 24 was not called.

The question being put, it was **agreed** without division that Clause 47, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 48 and 49 stand part of the Bill.

After debate, Amendment 25 to Clause 50 was **made** without division.

As Amendment 25 was made, Amendment 26 was not called.

The question being put, it was **agreed** without division that Clause 50, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 51 stand part of the Bill.

Amendment 27 was not moved.

The question being put, it was **agreed** without division that Clause 52 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 53 stand part of the Bill.

Amendment 28 was not moved.

The question being put, it was **agreed** without division that Clause 54 stand part of the Bill.

Amendment 29 was not moved.

The question being put, it was **agreed** without division that Clauses 55 to 58 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 59 and 60 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 61 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 62 stand part of the Bill.

After debate, Amendment 30 to Clause 63 was **made** without division.

After debate, Amendment 31 to Clause 63 was **made** without division.

After debate, Amendment 32 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, Amendment 33 inserting new Clause 63A 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 64 to 68 stand part of the Bill.

The question being put, it was **agreed** on division that Clause 69 stand part of the Bill (Division 6).

The question being put, it was **agreed** without division that Clauses 70 to 73 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 74 and 75 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 76 stand part of the Bill.

After debate, Amendment 34 inserting new Clause 76A 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 77 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 78 stand part of the Bill.

After debate, Amendment 35 to Clause 79 was **made** without division.

Amendment 36 was not moved.

Amendment 37 was not moved.

The question being put, it was **agreed** without division that Clause 79, as amended, stand part of the Bill.

Amendment 38 was not moved.

As Amendment 38 was not moved, Amendment 39 was not called.

The question being put, it was **agreed** without division that Clause 80 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 81 to 86 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 87 and 88 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 89 to 92 stand part of the Bill.

Amendment 40 was not moved.

As Amendment 40 was not moved, Amendment 41 was not called.

The question being put, it was **agreed** without division that Clause 93 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 94 stand part of the Bill.

After debate, Amendment 42 to Clause 95 was **negatived** on division on a cross-community vote (Division 7).

The question being put, it was **agreed** without division that Clause 95 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 96 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 97 and 98 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 99 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 100 stand part of the Bill.

Amendment 43 was not moved.

The question being put, it was **agreed** without division that Clause 101 stand part of the Bill.

Amendment 44 was not moved.

The question being put, it was **agreed** without division that Clause 102 stand part of the Bill.

Amendment 45 was not moved.

The question being put, it was **agreed** without division that Clause 103 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 104 and 105 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 106 to 108 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 109 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 110 stand part of the Bill.

The question that Clause 111 stand part of the Bill was **negatived** without division.

The question that Clause 112 stand part of the Bill was **negatived** without division.

The question being put, it was **agreed** without division that Clauses 113 and 114 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 115 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 116 stand part of the Bill.

After debate, Amendment 46 to Clause 117 was **made** without division.

The question being put, it was **agreed** without division that Clause 117, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 118 to 120 stand part of the Bill.

After debate, Amendment 47 inserting new Clause 120A was **made** without division.

Amendment 48 was not moved.

Amendment 49 was not moved.

Amendment 50 was not moved.



The question being put, it was **agreed** without division that Clauses 121 to 126 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 127 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 128 stand part of the Bill.

The question that Clause 129 stand part of the Bill was **negatived** without division.

The question being put, it was **agreed** without division that Clause 130 stand part of the Bill.

After debate, Amendment 51 inserting new Clause 130A was **made** without division.

After debate, Amendment 52 inserting new Clause 130B was **made** without division.

After debate, Amendment 53 inserting new Clause 130C was **negatived** on division on a cross-community vote (Division 8).

After debate, Amendment 54 inserting new Clause 130D was **negatived** on division on a cross-community vote (Division 9).

After debate, Amendment 55 inserting new Clause 130E was **negatived** on division on a cross-community vote (Division 10).

Amendment 56 was not moved.

The question being put, it was **agreed** without division that Clause 131 stand part of the Bill.

As Amendments 10 and 37 were not moved, Amendment 57 was not called.

The question being put, it was **agreed** without division that Clause 132 stand part of the Bill.

After debate, Amendment 58 to Clause 133 was **made** without division.

After debate, Amendment 59 to Clause 133 was **made** without division.

After debate, Amendment 60 to Clause 133 was **made** without division.

After debate, Amendment 61 to Clause 133 was **made** without division.

After debate, Amendment 62 to Clause 133 was **made** without division.

After debate, Amendment 63 to Clause 133 was **made** without division.

After debate, Amendment 64 to Clause 133 was **made** without division.

After debate, Amendment 65 to Clause 133 was **made** without division.

After debate, Amendment 66 to Clause 133 was **made** without division.

After debate, Amendment 67 to Clause 133 was **made** without division.

After debate, Amendment 68 to Clause 133 was **made** without division.

After debate, Amendment 69 to Clause 133 was **made** without division.

After debate, Amendment 70 to Clause 133 was **made** without division.

After debate, Amendment 71 to Clause 133 was **made** without division.

After debate, Amendment 72 to Clause 133 was **made** without division.

The question being put, it was **agreed** without division that Clause 133, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 134 stand part of the Bill.

Amendment 73 was not moved.

Amendment 74 was not moved.

Amendment 75 was not moved.

The question being put, it was **agreed** without division that Schedule 1 stand part of the Bill.

The question being put, it was **agreed** without division that Schedules 2 to 11 stand part of the Bill.

After debate, Amendment 76 to Schedule 12 was **made** without division.

After debate, Amendment 77 to Schedule 12 was **made** without division.

After debate, Amendment 78 to Schedule 12 was **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.

Bill NIA 13/11-15 stood referred to the Speaker.

## 7. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly was suspended at 9.14pm.*

**Mr Mitchel McLaughlin MLA**

**The Speaker**

11 February 2015

## Appendix 1

# Northern Ireland Assembly

**The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Monday 09 February 2015 in relation to Amendments 1 through to 13, 15 through to 22, 24, 26, 27, 28, 29, 36 through to 45, 48, 49, 50, 53, 54, 55, 56, 57, 73, 74, 75 proposed to the Welfare Reform Bill (NIA Bill 13/11-15)**

- |                       |                          |
|-----------------------|--------------------------|
| ■ 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 Edwin Poots         |
| ■ Mr Gordon Dunne     | ■ Mr George Robinson     |
| ■ Mr Alex Easton      | ■ Mr Peter Robinson      |
| ■ Mrs Arlene Foster   | ■ Mr Alastair Ross       |
| ■ Mr Paul Frew        | ■ Mr Jimmy Spratt        |
| ■ Mr Paul Girvan      | ■ Mr Mervyn Storey       |
| ■ Mr Paul Givan       | ■ Mr Peter Weir          |
| ■ Mrs Brenda Hale     | ■ Mr Jim Wells           |
| ■ Mr Simon Hamilton   | ■ Mr Sammy Wilson        |
| ■ Mr David Hilditch   | ■ Mr Maurice Devenney    |
| ■ Mr William Humphrey |                          |

# Northern Ireland Assembly

10 and 11 February 2015

Division 1

**Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Amendment 1**

**Proposed:**

Clause 4, Page 3, Line 5

At end insert -

‘(8) Regulations shall provide, in circumstances where one member of a couple does not accept a claimant commitment within a prescribed period, that the claim may be considered as a claim by the other member of the couple as a single person.’

*Mr R Beggs*

*Mr R Swann*

The Question was put and the Assembly divided.

**Ayes:** 27

**Noes:** 71

**AYES**

**Nationalist:**

*Mr Attwood, Mr D Bradley, Mr Byrne, Mr Eastwood, Mrs D Kelly, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

**Unionist:**

*Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.*

**Other:**

*Mr Agnew.*

*Tellers for the Ayes: Mr Beggs, Mr Swann.*

**NOES**

**Nationalist**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

**Unionist**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

**Other:**

*Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn.*

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

Total votes	98	Total Ayes	27	[27.6%]
Nationalist Vote	40	Nationalist Ayes	12	[30.0%%]
Unionist Votes	51	Unionist Ayes	14	[27.5%]
Other Votes	7	Other Ayes	1	[14.3%]

The Amendment **fell** on a cross-community vote.



# Northern Ireland Assembly

10 and 11 February 2015  
Division 2

**Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Amendment 9**

**Proposed:**

Clause 14, Page 6, Line 32

At end insert -

‘(a) in preparing, reviewing and updating a claimant commitment under subsection (2) the Department shall have due regard for the claimant’s skills, experience, caring responsibilities and physical and mental ill health.’

*Mrs D Kelly*

*Mr A Attwood*

*Mr A Maginness*

*Mr P Ramsey*

The Question was put and the Assembly divided.

**Ayes:** 22

**Noes:** 71

**AYES**

**Nationalist**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

**Unionist**

*Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.*

**Other:**

*Mr Agnew.*

*Tellers for the Ayes: Mr Eastwood, Mr Rogers.*

**NOES**

**Nationalist**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

**Unionist**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wilson.*

**Other:**

*Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle, Mr McCarthy.*

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

Total votes	93	Total Ayes	22	[23.7%]
Nationalist Vote	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	47	Unionist Ayes	11	[23.4%]
Other Votes	8	Other Ayes	1	[12.5%]

The Amendment **fell** on a cross-community vote.

# Northern Ireland Assembly

10 and 11 February 2015  
Division 3

## Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Amendment 12

### Proposed:

Clause 24, Page 12, Line 3

Leave out '—' and insert 'or an incident motivated by hate—'

*Mrs D Kelly*  
*Mr A Attwood*  
*Mr A Maginness*  
*Mr P Ramsey*

The Question was put and the Assembly divided.

**Ayes:** 21

**Noes:** 72

### AYES

#### Nationalist

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

#### Unionist

*Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

#### Other:

*Mr Agnew.*

*Tellers for the Ayes: Mr Eastwood, Mr Rogers.*

### NOES

#### Nationalist

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

#### Unionist

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Weir, Mr Wilson.*

**Other:**

*Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle, Mr McCarthy.*

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

Total votes	93	Total Ayes	21	[22.6%]
Nationalist Vote	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	47	Unionist Ayes	10	[21.3%]
Other Votes	8	Other Ayes	1	[12.5%]

The Amendment **fell** on a cross-community vote.

# Northern Ireland Assembly

10 and 11 February 2015  
Division 4

**Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Clause 26 – Stand Part**

The Question was put and the Assembly divided.

**Ayes:** 78

**Noes:** 2

**AYES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Cree, Mr Devenney, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Ms Sugden, Mr Swann, Mr Weir, Mr Wilson.*

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

**NOES**

*Mr Agnew, Mr B McCrea.*

*Tellers for the Noes: Mr Agnew, Mr B McCrea.*

Clause 26, as amended, ordered to **stand part** of the Bill.



# Northern Ireland Assembly

10 and 11 February 2015  
Division 5

## Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Amendment 16

### Proposed:

Clause 27, Page 14, Line 20

At end insert -

‘(10) A claimant shall be provided with at least fifteen days to provide a good reason under any such requirement in this section.’

*Mrs D Kelly*

*Mr A Attwood*

*Mr A Maginness*

*Mr P Ramsey*

The Question was put and the Assembly divided.

**Ayes:** 12

**Noes:** 79

### AYES

#### Nationalist:

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

#### Unionist:

*Mr Allister.*

#### Other:

*Mr Agnew.*

*Tellers for the Ayes: Mr Eastwood, Mr Rogers.*

### NOES

#### Nationalist

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

#### Unionist

*Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wilson.*

**Other:**

*Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

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

Total votes	91	Total Ayes	12	[13.2%]
Nationalist Vote	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	45	Unionist Ayes	1	[2.2%]
Other Votes	8	Other Ayes	1	[12.5%]

The Amendment **fell** on a cross-community vote.

# Northern Ireland Assembly

10 and 11 February 2015  
Division 6

**Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Clause 69 – Stand Part**

The Question was put and the Assembly divided.

**Ayes:** 75

**Noes:** 12

**AYES**

*Mr Allister, Mr Anderson, Mr Beggs, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, 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 McGimpsey, Mr M McGuinness, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Ms Ní Chuillín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.*

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

**NOES**

*Mr Agnew, Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers, Ms Sugden.*

*Tellers for the Noes: Mrs McKevitt, Mr McKinney.*

Clause 69 ordered to **stand part** of the Bill.

# Northern Ireland Assembly

10 and 11 February 2015  
Division 7

**Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Amendment 42**

**Proposed:**

Clause 95, Page 66, Line 30

At end insert -

‘(5) Notwithstanding subsections (1) and (4) the benefit cap shall not be applied to child benefit or to any benefits a claimant receives for caring responsibilities, carer’s allowance or additional amounts received within Universal Credit for claimants with regular and substantial caring responsibilities under section 10 or section 12.’

*Mrs D Kelly*

*Mr A Attwood*

*Mr A Maginness*

*Mr P Ramsey*

The Question was put and the Assembly divided.

**Ayes:** 12

**Noes:** 75

**AYES**

**Nationalist:**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

**Unionist:**

*Ms Sugden.*

**Other:**

*Mr Agnew*

*Tellers for the Ayes: Mrs McKeivitt, Mr McKinney.*

**NOES**

**Nationalist**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

**Unionist:**

*Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.*

**Other:**

*Mr Dickson, Mr Ford.*

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

Total votes	87	Total Ayes	12	[13.8%]
Nationalist Vote	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	46	Unionist Ayes	1	[2.2%]
Other Votes	3	Other Ayes	1	[33.3%]

The Amendment **fell** on a cross-community vote.



# Northern Ireland Assembly

10 and 11 February 2015  
Division 8

**Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Amendment 53**

**Proposed:**

**New Clause**

Page 94, after line 19 insert -

‘Impact of Regulations on Victims and Survivors

130C. The Department must ensure that regulations under this Act are prepared with due regard for the impact on victims and survivors of the past in consultation with the Northern Ireland Commission for Victims and Survivors.’

*Mrs D Kelly*

*Mr A Attwood*

*Mr A Maginness*

*Mr P Ramsey*

The Question was put and the Assembly divided.

**Ayes:** 21

**Noes:** 66

**AYES**

**Nationalist:**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

**Unionist:**

*Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

**Other:**

*Mr Agnew.*

*Tellers for the Ayes: Mrs McKeivitt, Mr McKinney.*

**NOES**

**Nationalist:**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

**Unionist:**

*Mr Allister, Mr Anderson, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Devenney, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Weir.*

**Other:**

*Mr Dickson, Mr Ford.*

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

Total votes	87	Total Ayes	21	[24.1%]
Nationalist Vote	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	46	Unionist Ayes	10	[21.7%]
Other Votes	3	Other Ayes	1	[33.3%]

The Amendment **fell** on a cross-community vote.

# Northern Ireland Assembly

10 and 11 February 2015  
Division 9

**Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Amendment 54**

**Proposed:**

**New Clause**

Page 94, after line 19 insert -

‘Annual Report by Department

130D. The Department shall be required to table a report in the Assembly on the implementation of this Act as it affects welfare provision in Northern Ireland and on the financial arrangements governing and applicable to welfare expenditure in Northern Ireland within six months of the commencement of this Act and on an annual basis thereafter.’

*Mrs D Kelly*

*Mr A Attwood*

*Mr A Maginness*

*Mr P Ramsey*

The Question was put and the Assembly divided.

**Ayes:** 12

**Noes:** 74

**AYES**

**Nationalist:**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

**Unionist:**

*Mr Allister.*

**Other:**

*Mr Agnew.*

*Tellers for the Ayes: Mrs McKeivitt, Mr McKinney.*

**NOES**

**Nationalist:**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

**Unionist:**

*Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.*

**Other:**

*Mr Dickson, Mr Ford.*

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

Total votes	86	Total Ayes	12	[14.0%]
Nationalist Vote	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	45	Unionist Ayes	1	[2.2%]
Other Votes	3	Other Ayes	1	[33.3%]

The Amendment **fell** on a cross-community vote.

# Northern Ireland Assembly

10 and 11 February 2015  
Division 10

**Consideration Stage – Welfare Reform Bill (NIA Bill 13/11-15) – Amendment 55**

**Proposed:**

**New Clause**

Page 94, after line 19 insert -

‘Welfare Reform Committee

130E. There shall be established a committee of the Assembly which shall monitor the implementation of this Act as it affects welfare provision in Northern Ireland and to consider relevant Northern Ireland legislation and other consequential arrangements.’

*Mrs D Kelly*

*Mr A Attwood*

*Mr A Maginness*

*Mr P Ramsey*

The Question was put and the Assembly divided.

**Ayes:** 11

**Noes:** 76

**AYES**

**Nationalist:**

*Mr Attwood, Mr D Bradley, Mr Eastwood, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Ramsey, Mr Rogers.*

**Other:**

*Mr Agnew.*

*Tellers for the Ayes: Mrs McKeivitt, Mr McKinney.*

**NOES**

**Nationalist:**

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O’Dowd, Mrs O’Neill, Ms Ruane, Mr Sheehan.*

**Unionist:**

*Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.*



**Other:**

*Mr Dickson, Mr Ford.*

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

Total votes	87	Total Ayes	11	[12.6%]
Nationalist Vote	38	Nationalist Ayes	10	[26.3%]
Unionist Votes	46	Unionist Ayes	0	[0.0%]
Other Votes	3	Other Ayes	1	[33.3%]

The Amendment **fell** on a cross-community vote.

# Welfare Reform Bill

## Marshalled List of Amendments

### Consideration Stage

#### Tuesday 10 February 2015

Amendments tabled up to 9.30am Thursday, 5 February 2015 and selected for debate

The Bill will be considered in the following order-

Clauses, Schedules and Long Title

#### **Amendment 1**

**Clause 4**, Page 3, Line 5

At end insert -

‘(8) Regulations shall provide, in circumstances where one member of a couple does not accept a claimant commitment within a prescribed period, that the claim may be considered as a claim by the other member of the couple as a single person.’

*Mr Roy Beggs*

*Mr Robin Swann*

#### **Clause 4**

*The Chairperson of the Committee listed below give notice of their intention to oppose the question that clause 4 stand part of the Bill.*

*Chair; Committee for Social Development*

#### **Amendment 2**

**Clause 6**, Page 3, Line 28

Leave out ‘7’ and insert ‘3’

*Mrs Dolores Kelly*

*Mr Alex Attwood*

*Mr Alban Maginness*

*Mr Pat Ramsey*

#### **Amendment 3**

##### **New Clause**

After clause 6 insert -

**‘Joint claims where one party does not accept claimant commitment**

**6A.** In a claim by members of a couple jointly, where one party does not accept a claimant commitment the claim shall proceed as if the party who has signed a claimant commitment had made a single person claim and payment shall be made to that party.’

*Mrs Dolores Kelly*

*Mr Alex Attwood*

*Mr Alban Maginness*

*Mr Pat Ramsey*

#### **Amendment 4**

##### **New Clause**

After clause 6 insert -

**‘Provision of Claimant Documentation**

**6B.** Regulations must provide, if a claimant is unable to provide documentation required to process a claim, for the information to be provided by prescribed third parties to enable the claim to be processed.’

*Mrs Dolores Kelly*

*Mr Alex Attwood*

*Mr Alban Maginness*

*Mr Pat Ramsey*

#### **Amendment 5**

**Clause 10**, Page 4, Line 36

At end insert -

‘(2A) Where an additional amount under subsection (2) can be awarded at two different rates, the lower rate shall be no less than two thirds of the higher rate.’

*Mr Steven Agnew*

#### **Clause 10**

*The Chairperson of the Committee listed below give notice of their intention to oppose the question that clause 10 stand part of the Bill.*

*Chair; Committee for Social Development*

#### **Amendment 6**

**Clause 11**, Page 5, Line 25

At end insert -

‘(4A) Regulations under subsection (4) shall provide that any calculation involving a reduction based on the age of the claimant shall not take effect for a period of 52 weeks in respect of any new claimant.’

*Mr Steven Agnew*

**Amendment 7****Clause 11**, Page 5, Line 31

At end insert -

‘(iii) to continue for a period of four weeks after a claimant is employed.’

*Mr Steven Agnew***Clause 12***The Chairperson of the Committee listed below give notice of their intention to oppose the question that clause 12 stand part of the Bill.**Chair, Committee for Social Development***Amendment 8****New Clause**

After clause 12 insert -

*‘Frequency of payment***Frequency of payment****12A.** Universal credit shall be paid twice monthly unless a single claimant or the members of a couple jointly opt, in making a claim, to be paid on a monthly basis.’*Mr Roy Beggs**Mr Robin Swann**Mrs Dolores Kelly**Mr Alex Attwood***Amendment 9****Clause 14**, Page 6, Line 32

At end insert -

‘(a) in preparing, reviewing and updating a claimant commitment under subsection (2) the Department shall have due regard for the claimant’s skills, experience, caring responsibilities and physical and mental ill health.’

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 10****Clause 16**, Page 7, Line 35

Leave out ‘approved by the Department’ and insert ‘employed by a HSC Trust or who is a general practitioner’

*Mr Steven Agnew***Amendment 11****Clause 16**, Page 7, Line 41

At end insert -

‘(c) any decision taken under subsection (5) shall take account of relevant medical evidence including evidence of mental ill health.’

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 12****Clause 24**, Page 12, Line 3

Leave out ‘—’ and insert ‘or an incident motivated by hate—’

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 13****Clause 24**, Page 12, Line 15

At end insert -

‘(9) For the purposes of subsection (7) —

(a) an ‘incident motivated by hate’ has such meaning as may be prescribed;

(b) a ‘victim of an incident motivated by hate’ means a person on or against whom an incident motivated by hate is inflicted or threatened (and regulations under subsection (7) may prescribe circumstances in which a person is to be treated as being or not being a victim of a serious incident motivated by hate)’;

(c) a person has recently been a victim of an incident motivated by hate if a prescribed period has not expired since the incident was inflicted or threatened.’

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 14****Clause 26**, Page 13, Line 13

Leave out ‘3 years’ and insert ‘18 months’

*Minister for Social Development*

**Amendment 15****Clause 26**, Page 13, Line 13

Leave out '3 years' and insert '26 weeks'

*Mr Steven Agnew***Clause 26***The Chairperson of the Committee listed below give notice of their intention to oppose the question that clause 26 stand part of the Bill.**Chair, Committee for Social Development***Amendment 16****Clause 27**, Page 14, Line 20

At end insert -

'(10) A claimant shall be provided with at least fifteen days to provide a good reason under any such requirement in this section.'

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 17****New Clause**

After clause 37 insert -

**'The Independent Living Fund****37A.** The Department shall bring forward within 18 months of commencement of this Act a fund to replace the Independent Living Fund, following consultation with the Department for Employment and Learning and the Department of Health, Social Services and Public Safety.'*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 18****Clause 38**, Page 17, Line 29

At end insert -

'and any such assessment must take account of relevant medical evidence.'

*Mr Roy Beggs**Mr Robin Swann***Amendment 19****Clause 38**, Page 17, Line 29

At end insert -

'and any such assessment shall take account of relevant medical evidence including evidence of mental ill health.'

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 20****Clause 42**, Page 20, Line 16

At end insert -

'(7) Within six months of a pilot scheme being initiated under section 41 of the Welfare Reform Act 2012 the Department shall bring forward a similar pilot scheme in Northern Ireland under this section.'

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 21****Clause 44**, Page 20

Leave out from line 40 to line 6 on page 21 and insert -

'shall not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.'

*Mr Steven Agnew***Amendment 22****Clause 44**, Page 21, Line 32

Leave out subsection (6)

*Mr Steven Agnew***Amendment 23****Clause 47**, Page 25, Line 29

Leave out '3 years' and insert '18 months'

*Minister for Social Development***Amendment 24****Clause 47**, Page 25, Line 29

Leave out '3 years' and insert '26 weeks'

*Mr Steven Agnew*

**Amendment 25****Clause 50**, Page 35, Line 14

Leave out '3 years' and insert '18 months'

*Minister for Social Development***Amendment 26****Clause 50**, Page 35, Line 14

Leave out '3 years' and insert '26 weeks'

*Mr Steven Agnew***Amendment 27****Clause 52**, Page 39

Leave out lines 7 to 12

*Mr Steven Agnew**Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness***Clause 52***The Chairperson of the Committee listed below give notice of their intention to oppose the question that clause 52 stand part of the Bill.**Chair, Committee for Social Development***Amendment 28****Clause 54**, Page 40, Line 19

At end insert -

'unless the claimant had made contributions before the commencement of this Act'

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Clause 54***The Members listed below gives notice of their intention to oppose the question that clause 54 stand part of the Bill.**Chair, Committee for Social Development**Mr Steven Agnew***Amendment 29****New Clause**

After clause 54 insert -

**'Condition relating to youth****54A.** In paragraph 4 of Schedule 1 to the Welfare Reform Act 2007 (condition relating to youth) after sub-paragraph (1)(d) insert —

“(e) after the assessment phase has ended, the claimant has limited capacity for work-related activity”.”

*Mr Steven Agnew***Clause 61***The Members listed below give notice of their intention to oppose the question that clause 61 stand part of the Bill.**Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Clause 62***The Members listed below give notice of their intention to oppose the question that clause 62 stand part of the Bill.**Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 30****Clause 63**, Page 53, Line 3

Leave out 'ordinary'

*Minister for Social Development***Amendment 31****Clause 63**, Page 53, Line 10

Leave out 'ordinary'

*Minister for Social Development***Amendment 32****Clause 63**, Page 53, Line 17

Leave out subsections (6) and (7)

*Minister for Social Development***Clause 63***The Members listed below give notice of their intention to oppose the question that clause 63 stand part of the Bill.**Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness*



*Mr Pat Ramsey***Amendment 33****New Clause**

After clause 63 insert -

**‘Entitlement to work: statutory shared parental pay**

**63A.**—(1) Part 12ZC of the Contributions and Benefits Act (inserted by section 5 of the Work and Families Act (Northern Ireland) 2015) is amended as follows.

(2) In section 167ZU(2) (entitlement: birth) after paragraph (c) there is inserted —

“(ca) that at the end of that prescribed week the claimant mother was entitled to be in that employment,”.

(3) In section 167ZU(4) (entitlement: birth) after paragraph (d) there is inserted —

“(da) that at the end of that prescribed week the claimant was entitled to be in that employment,”.

(4) In section 167ZW(2) (entitlement: adoption) after paragraph (c) there is inserted —

“(ca) that at the end of that prescribed week claimant A was entitled to be in that employment,”.

(5) In section 167ZW(4) (entitlement: adoption) after paragraph (d) there is inserted —

“(da) that at the end of that prescribed week claimant B was entitled to be in that employment,”.

*Minister for Social Development***Clause 69**

*The Members listed below gives notice of their intention to oppose the question that clause 69 stand part of the Bill.*

*Mr Steven Agnew**Chair, Committee for Social Development**Mrs Dolores Kelly**Mr Alex Attwood***Amendment 34****New Clause**

After clause 76 insert -

**‘Pilot scheme**

**76A.** The Department shall arrange for the operation of at least one pilot scheme in relation to this Part for the purposes of testing the effectiveness of arrangements for making personal independence payments and the outcomes for claimants.’

*Mr Roy Beggs**Mr Robin Swann***Amendment 35****Clause 79**, Page 60, Line 27

At end insert -

‘(2A) Any person determining a question mentioned in subsection (1) or (2) shall take account of relevant medical evidence.’

*Mr Roy Beggs**Mr Robin Swann***Amendment 36****Clause 79**, Page 60, Line 27

At end insert -

‘(2A) Any person determining a question mentioned in subsection (1) or (2) must take account of relevant medical evidence including evidence of mental ill health.’

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Amendment 37****Clause 79**, Page 60, Line 31

At end insert -

‘( ) must provide that a person carrying out an assessment under paragraph (a) or determining a question under subsection (1) or (2) shall be a health care professional employed by a HSC Trust or a general practitioner;’

*Mr Steven Agnew***Amendment 38****Clause 80**, Page 61, Line 19

Leave out ‘9 months’ and insert ‘6 months’

*Mr Steven Agnew***Amendment 39****Clause 80**, Page 61, Line 33

Leave out “the next 9 months” means the 9 months’ and insert “the next 6 months” means the 6 months’

*Mr Steven Agnew***Amendment 40****Clause 93**, Page 65

Leave out lines 16 to 22 and insert ‘shall not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.’

*Mr Steven Agnew*

**Amendment 41****Clause 93**, Page 65, Line 33

Leave out subsection (7)

*Mr Steven Agnew***Amendment 42****Clause 95**, Page 66, Line 30

At end insert -

‘(5) Notwithstanding subsections (1) and (4) the benefit cap shall not be applied to child benefit or to any benefits a claimant receives for caring responsibilities, carer’s allowance or additional amounts received within Universal Credit for claimants with regular and substantial caring responsibilities under section 10 or section 12.’

*Mrs Dolores Kelly**Mr Alex Attwood**Mr Alban Maginness**Mr Pat Ramsey***Clause 99**

*The Chairperson of the Committee listed below give notice of their intention to oppose the question that clause 99 stand part of the Bill.*

*Chair, Committee for Social Development***Amendment 43****New Clause**

After clause 100 insert -

**‘Payment of awards in cash**

**100A.** The Department shall ensure that a claimant under this Act who has no access to a bank account shall have access to any relevant award in cash.’

*Mr Steven Agnew***Amendment 44****New Clause**

After clause 101 insert -

**‘Payments pending appeal**

**101A.** In Section 5(1) of the Social Security Administration Act (NI) 1992 (regulations about claims and payments) after paragraph (r) insert —

“(s) for the making of a payment pending appeal”.’

*Mr Steven Agnew***Amendment 45****Clause 103**, Page 71, Line 30

At end insert -

‘(8) Subsection (1) does not apply unless it is determined that, whether fraudulently or otherwise, the claimant has misrepresented, or failed to disclose, any material fact.’

*Mr Steven Agnew***Clause 109**

*The Chairperson of the Committee listed below give notice of their intention to oppose the question that clause 109 stand part of the Bill.*

*Chair, Committee for Social Development***Clause 110**

*The Chairperson of the Committee listed below give notice of their intention to oppose the question that clause 110 stand part of the Bill.*

*Chair, Committee for Social Development***Clause 111**

*The Minister for Social Development gives notice of his intention to oppose the question that clause 111 stand part of the Bill.*

*Minister for Social Development***Clause 112**

*The Minister for Social Development gives notice of his intention to oppose the question that clause 112 stand part of the Bill.*

*Minister for Social Development***Clause 115**

*The Member listed below gives notice of his intention to oppose the question that clause 115 stand part of the Bill.*

*Mr Steven Agnew***Amendment 46****Clause 117**, Page 88, Line 9

At end insert -

‘() the Department of Justice;’

*Minister for Social Development*

**Amendment 47****New Clause**

After clause 120 insert -

**‘Reports by Department**

**120A.** In Article 76 of the Social Security (Northern Ireland) Order 1998 (reports by Department) for paragraph (1) substitute —

“(1) The Department shall prepare, either annually or at such times or intervals as may be prescribed, a report on —

(a) the standards achieved by the Department in the making of decisions against which an appeal lies to an appeal tribunal constituted under Chapter 1 of Part 2; and

(b) the operation of sanctions.

(1A) For the purposes of paragraph (1)(b) a sanction is —

(a) the reduction in the amount of an award of universal credit, a jobseeker’s allowance, income support or an employment and support allowance on account of a failure by a person to comply with any requirement or any other conduct of a person;

(b) the loss of, or reduction in the amount of, any sanctionable benefit under the Social Security Fraud Act (Northern Ireland) 2001.

(1B) A report under paragraph (1)(b) must contain details of —

(a) the number of persons affected by sanctions;

(b) the periods for which such persons are affected;

(c) the reasons for which sanctions are imposed;

(d) the benefits or allowances which are reduced or lost.”’

*Minister for Social Development*

**Amendment 48****New Clause**

Page 90, after line 23 insert -

*‘Duty to ensure access to advice*

**Duty to ensure access to advice**

**120B.** It is the duty of the Department to ensure that all claimants have access to independent advice in relation to making a claim under this Act.’

*Mr Roy Beggs*

*Mr Robin Swann*

**Amendment 49****New Clause**

After clause 120 insert -

**‘Review of the Welfare Reform Act**

**120C.**—(1) The Department must —

(a) not later than 3 years after the commencement of this Act, and

(b) at least once in every period of 5 years thereafter,

publish an independent report on the operation and effectiveness of this Act and any regulations made under its provisions.

(2) Without prejudice to the generality of subsection (1), any report produced under that subsection shall include —

(a) an assessment of the impact of the Act on —

(i) the number of people with a disability living in poverty;

(ii) the number of children living in poverty;

(iii) the financial impact on woman claimants;

and

(b) recommendations for legislative change to remedy any negative impact of the Act on any of the categories of person listed in

section 75 of the Northern Ireland Act 1998.

(3) The Department shall lay before the Assembly as soon as is reasonably practical after publication any report produced under subsection

(1) and shall propose a debate on the report in the Assembly not less than one week and no more than six weeks after the report is laid.’

*Mr Steven Agnew*

**Amendment 50****New Clause**

After clause 120 insert -

**‘Duty to ensure access to independent advice**

**120D.**—(1) The Department shall ensure that any person making a claim under this Act shall be entitled to have access to independent confidential advice and assistance provided free of charge in relation to making a claim under this Act.

(2) For the purposes of section (120) the Department must bring forward guidance on the independent confidential advice and assistance which is to be provided in consultation with the Northern Ireland Advice Services Consortium, within 3 months of the commencement of this section.’

*Mrs Dolores Kelly*

*Mr Alex Attwood*

*Mr Alban Maginness*

*Mr Pat Ramsey*

**Clause 129**

*The Minister for Social Development gives notice of his intention to oppose the question that clause 129 stand part of the Bill.*

*Minister for Social Development*

**Amendment 51****New Clause**

After clause 130 insert -

**‘Discretionary support**

**130A.**—(1) The Department may, in accordance with regulations under this section —

- (a) make payments by way of grant or loan to prescribed persons;
- (b) provide, or arrange for the provision of, goods or services to prescribed persons.

(2) Anything done under subsection (1)(a) or (b) is referred to in this section as the provision of discretionary support.

(3) Regulations may make provision —

- (a) for the Department to provide discretionary support only in prescribed circumstances;
- (b) conferring a discretion on the Department (subject to any provision made by virtue of paragraph (c) or (d)) —
  - (i) as to whether or not to provide discretionary support in a particular case; and
  - (ii) as to the nature of the discretionary support and (in the case of support by way of payments) as to the amount of the payments and the period for or in respect of which they are made;

(c) imposing a limit on the amount of the discretionary support that the Department may make in any particular case;

- (d) restricting the period for or in respect of which the Department may provide discretionary support in any particular case;
- (e) for claims for discretionary support to be made in the prescribed form and manner and for the procedure to be followed in dealing with and disposing of such claims;

(f) imposing conditions on persons claiming or receiving discretionary support requiring them to provide to the Department such information as may be prescribed;

- (g) for the disclosure of information relating to discretionary support in prescribed circumstances or to prescribed persons;
- (h) authorising the Department in prescribed circumstances to recover by prescribed means discretionary payments made under this section;

(i) requiring or authorising reviews (whether by the Department or a prescribed person) of decisions made by the Department with respect to the provision of discretionary support or the recovery of payments made under this section;

(j) for such other matters as appear to the Department to be necessary or expedient in connection with the provision of discretionary support, including provision creating criminal offences and provision amending or applying (with or without modification) any statutory provision.

(4) In this section “prescribed” means prescribed by, or determined in accordance with, regulations under this section.

(5) Discretionary support is not to be regarded as a social security benefit; but regulations under this section may provide for any statutory provision relating to a social security benefit (or to such benefits generally) to apply with prescribed modifications to discretionary support.

(6) Regulations shall not be made under this section unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(7) The Department shall, in respect of each financial year, prepare and lay before the Assembly a report on the operation of regulations made under this section.’

*Minister for Social Development*

**Amendment 52****New Clause**

After clause 130 insert -

**‘Discretionary support Commissioner**

**130B.**—(1) There shall be an officer known as “the discretionary support Commissioner”.

(2) The discretionary support Commissioner shall be appointed by the Department on such terms and conditions as the Department may determine.

(3) The discretionary support Commissioner —

- (a) shall appoint such discretionary support inspectors; and
- (b) may appoint such staff for the Commissioner and for discretionary support inspectors,

as the Commissioner thinks fit but with the consent of the Department.

(4) Appointments under subsection (3) shall be made from persons made available to the Commissioner by the Department.

(5) Discretionary support inspectors have such functions as are conferred or imposed on them —

- (a) by regulations under section 130A, or
- (b) by any other statutory provision,

in relation to the review of decisions of the Department.

(6) It shall be the duty of the discretionary support Commissioner —

- (a) to monitor the quality of decisions of discretionary support inspectors and give them such advice and assistance as the Commissioner thinks fit to improve the standard of their decisions;
- (b) to arrange such training of discretionary support inspectors as the Commissioner considers necessary;
- (c) to carry out such other functions in connection with the work of discretionary support inspectors as the Department may require;
- (d) to report annually in writing to the Department on the standards of reviews by discretionary support inspectors.

(7) The Department shall publish any report made under subsection (6)(d).

(8) In Part 1 of Schedule 4 to the Administration Act after the entries under the heading “The social fund” there is inserted —

*“Discretionary support officers*

*The discretionary support Commissioner.*

*A discretionary support inspector.*

*A member of any staff appointed under section 130B(3)(b) of the Welfare Reform Act (Northern Ireland) 2015.”*

(9) In the Freedom of Information Act 2000, in Part 7 of Schedule 1 after the entry relating to the social fund Commissioner there is inserted —  
*“The discretionary support Commissioner appointed under section 130B of the Welfare Reform Act (Northern Ireland) 2015.”’*

*Minister for Social Development*

**Amendment 53****New Clause**

Page 94, after line 19 insert -

**‘Impact of Regulations on Victims and Survivors**

**130C.** The Department must ensure that regulations under this Act are prepared with due regard for the impact on victims and survivors of the past in consultation with the Northern Ireland Commission for Victims and Survivors.’

*Mrs Dolores Kelly*

*Mr Alex Attwood*

*Mr Alban Maginness*

*Mr Pat Ramsey*

**Amendment 54****New Clause**

Page 94, after line 19 insert -

**‘Annual Report by Department**

**130D.** The Department shall be required to table a report in the Assembly on the implementation of this Act as it affects welfare provision in Northern Ireland and on the financial arrangements governing and applicable to welfare expenditure in Northern Ireland within six months of the commencement of this Act and on an annual basis thereafter.’

*Mrs Dolores Kelly*

*Mr Alex Attwood*

*Mr Alban Maginness*

*Mr Pat Ramsey*

**Amendment 55****New Clause**

Page 94, after line 19 insert -

**‘Welfare Reform Committee**

**130E.** There shall be established a committee of the Assembly which shall monitor the implementation of this Act as it affects welfare provision in Northern Ireland and to consider relevant Northern Ireland legislation and other consequential arrangements.’

*Mrs Dolores Kelly*

*Mr Alex Attwood*

*Mr Alban Maginness*

*Mr Pat Ramsey*

**Amendment 56****New Clause**

Page 94, after line 19 insert -

**‘Review**

**130F.** The Northern Ireland Joint Standards Committee for the Social Security Agency and Child Maintenance Service shall monitor the standards and quality of decision making with regards to the sanctions defined under this Act and report to the Social Security Agency and Child Maintenance Service on an annual basis.’

*Mrs Dolores Kelly*

*Mr Alex Attwood*

*Mr Alban Maginness*

*Mr Pat Ramsey*

**Amendment 57**

**Clause 132,** Page 94, Line 28

At end insert -

““general practitioner” means a medical practitioner providing primary medical services;

“HSC Trust” means a Health and Social Care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991 (NI 1);’

*Mr Steven Agnew*

**Amendment 58**

**Clause 133,** Page 95, Line 1

Leave out ‘46 to’ and insert ‘section’

*Minister for Social Development*

**Amendment 59**

**Clause 133,** Page 95, Line 3

Leave out paragraph (b) and insert -

‘() sections 51 and 56 (employment and support allowance);’

*Minister for Social Development*

**Amendment 60**

**Clause 133,** Page 95, Line 5

Leave out paragraph (c)

*Minister for Social Development*



**Amendment 61****Clause 133**, Page 95, Line 6

At end insert -

- ‘( ) sections 65, 67 and 68 (industrial injuries benefit);
- ( ) section 69 (housing benefit determinations);’

*Minister for Social Development***Amendment 62****Clause 133**, Page 95, Line 8

At end insert -

- ‘( ) sections 95 and 96 (benefit cap regulations);’

*Minister for Social Development***Amendment 63****Clause 133**, Page 95, Line 9

Leave out paragraphs (f), (g) and (h)

*Minister for Social Development***Amendment 64****Clause 133**, Page 95, Line 23

Leave out ‘section 109 to 111’ and insert ‘sections 109 and 110’

*Minister for Social Development***Amendment 65****Clause 133**, Page 95, Line 24

Leave out paragraph (l)

*Minister for Social Development***Amendment 66****Clause 133**, Page 95

Leave out lines 27 and 28 and insert -

- ‘( ) sections 121 and 124 to 126 (child support maintenance);’

*Minister for Social Development***Amendment 67****Clause 133**, Page 95, Line 31

Leave out paragraph (q)

*Minister for Social Development***Amendment 68****Clause 133**, Page 95, Line 32

Leave out paragraph (r)

*Minister for Social Development***Amendment 69****Clause 133**, Page 95, Line 32

At end insert -

- ‘( ) sections 130A and 130B (discretionary support);’

*Minister for Social Development***Amendment 70****Clause 133**, Page 95

Leave out line 34 and insert -

- ‘(t) in Schedule 7, paragraphs 2, 6, 8 and 13(1) and’

*Minister for Social Development***Amendment 71****Clause 133**, Page 95

Leave out lines 39 and 40 and insert -

‘(ii) in Part 3 the entries relating to paragraph 27(3)(b) of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 and to Part 3 of Schedule 4 to the Welfare Reform Act (Northern Ireland) 2010,’

*Minister for Social Development***Amendment 72****Clause 133**, Page 96, Line 9

Leave out subsection (5)

*Minister for Social Development***Amendment 73****Schedule 1**, Page 98, Line 17

Leave out sub-paragraph (4)

*Mr Steven Agnew***Amendment 74****Schedule 1**, Page 98, Line 32

Leave out paragraph 6

*Mr Steven Agnew*

**Amendment 75**

**Schedule 1**, Page 99, Line 5

Leave out paragraph 7

*Mr Steven Agnew*

**Amendment 76**

**Schedule 12**, Page 134

Leave out lines 31 to 40

*Minister for Social Development*

**Amendment 77**

**Schedule 12**, Page 139, Line 20, Column 2

At end insert -

‘In Article 76(1A)(a), the words “, income support”.’

*Minister for Social Development*

**Amendment 78**

**Schedule 12**, Page 153

Leave out lines 4 to 8

*Minister for Social Development*

# Northern Ireland Assembly

## Papers Presented to the Assembly on 10 and 11 February 2015

### 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

Registry of Credit Unions & Industrial and Provident Societies Annual Report 2013/14 (DETI).

Construction Industry Training Board NI Annual Report 2013/2014 (DEL).

### 5. Assembly Reports

### 6. Statutory Rules

S.R. 2015/45 The Water Framework Directive (Priority Substances and Classification) (Amendment) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/46 The Rates (Owners Allowances) Order (Northern Ireland) 2015 (DFP).

S.R. 2015/47 The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2015 (DFP).

S.R. 2015/48 The Rates (Temporary Rebate) (Amendment) Order (Northern Ireland) 2015 (DFP).

#### For Information Only:

S.R. 2015/37 The Loading Bays on Roads (Amendment) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/38 The Taxis (Antrim) Order (Northern Ireland) 2015 (DRD).

### 7. Written Ministerial Statements

### 8. Consultation Documents

Consultation on Proposals for an Irish Language Bill (DCAL).

### 9. Departmental Publications

Final Outturn Report 2013-14 (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 10 February 2015

### 2011-2016 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	10.02.15 & 11.02.15 (ongoing)			
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	28.04.14
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	28.04.14
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	07.04.14	12.05.14

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
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	24.06.14				
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15					
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15					
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15					
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15					
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15					
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15					
Budget Bill 44/11-16	09.02.15							



**2011-2016 Mandate  
Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 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	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13							
Children's Services Co- operation Bill 44/11-15	08.12.14	26.01.15	09.03.15					

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.